

City of Mission Viejo General Plan Housing Element Update, 2021-2029

2013 Mission Viejo General Plan Program Environmental Impact Report Addendum General Plan Amendment GPA2021-35 Zone Change ZC2021-25 Development Code Amendment DCA2021-19

I. Introduction

The City of Mission Viejo is the lead agency for this Addendum to the 2013 Mission Viejo General Plan Program Environmental Impact Report (State Clearinghouse #2012031065) (“Mission Viejo General Plan Program EIR”) certified on March 4, 2013 (the 2013 Mission Viejo General Plan Program EIR is referred to herein as the “General Plan Program EIR.”). The General Plan Program EIR was prepared to evaluate the environmental effects of adopting and implementing the 2013 Mission Viejo General Plan in accordance with 2013 Mission Viejo General Plan’s goals, policies, and objectives. In addition to certifying the 2013 Mission Viejo General Plan Program EIR, the City adopted a Mitigation Monitoring and Reporting Program applicable to development activities associated with build-out of the 2013 Mission Viejo General Plan in accordance with Public Resource Code Section 21081.6 (the “MMRP”).

The Addendum to the 2013 Mission Viejo General Plan Program EIR addresses the City-initiated petitions related to the City’s Housing Element update required by state law to address the state’s 6th housing cycle covering the years 2021-2029 as follows: 1) GPA2021-35 is proposed to comprehensively update the City’s General Plan Housing Element, amend the City’s General Plan Land Use Element, and modify the City’s Land Use Policy Map as it pertains to 11 sites, each as described below and identified in the Housing Element update, to accommodate residential development during the 6th housing cycle; 2) ZC2021-25 is proposed to modify the City’s Zoning District Map as it pertains to 11 sites, each as described below and identified in the Housing Element update, to accommodate residential development during the 6th housing cycle; and 3) DCA2021-19 is proposed to amend the City’s Development Code to establish and define new high density zoning districts RPD_50 and RPD_80 (Residential Planned Development) including related land uses and development standards, and to address new state legislation related to accessory dwelling units, density bonus provisions, low-barrier navigation centers, and transitional and supportive housing.

The proposed general plan amendment, zone change and development code amendment is necessary to allow the development of up to 2,491 residential dwelling units on eleven (11) selected sites and Accessory Dwelling Units (ADU’s) within all residential zoning districts in Mission Viejo as identified in the City of Mission Viejo General Plan Housing Element Update, 2021-2029.

II. Background

1990 General Plan. On October 8, 1990, the City of Mission Viejo adopted and certified the Final Environmental Impact Report (SCH 90010622) that was prepared for the City's General Plan. The General Plan was prepared to address issues related to future growth and development in Mission Viejo. The City of Mission Viejo is, for all practical purposes, built out with only a few parcels remaining for development.

Housing Element

California Government Code Section 65302(c) mandates that each city shall include a Housing Element in its General Plan. The Housing Element is required to identify and analyze existing and projected housing needs, and include a statement of the City's goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing. The City, in adopting its Housing Element, must consider economic, environmental, and fiscal factors, as well as community goals as set forth in the

General Plan. However, while cities generally have considerable flexibility in drafting the other elements of their General Plan, the Housing Element must comply with the detailed statutory provisions of California Government Code Section 65580 et seq.

2000 Housing Element. On December 4, 2000, in accordance with the requirements of State law, the City Council adopted an updated Housing Element (General Plan Amendment 2000-17), which was subsequently certified by the California Department of Housing and Community Development (HCD) on April 13, 2001. In May 2007 the City Council adopted General Plan Amendment 2007-26, Zone Change 2007-18 and Development Code Amendment 2007-10 (collectively the "2007 Housing Amendments"). Those amendments revised the land use designations for the three sites described below to allow multi-family residential development at a density up to 30 units/acre in order to facilitate the provision of affordable housing pursuant to state law (see Housing Element Exhibit B-1). Those 2007 amendments were evaluated in an Initial Study/Mitigated Negative Declaration (the "2007 MND").

Site A is a 2.74-acre vacant parcel located within and to the east of the Mission Foothill Marketplace shopping center at 28715-28841 Los Alisos Boulevard.

Site B is a 7.12-acre parcel adjacent to Oso Parkway at Montanoso Drive that is owned by the Mission Country Club.

Site C is an 8.5-acre area located on City-owned land directly adjacent to and southeasterly of the City's Animal Services Center off Center Drive, and easterly of Saddleback College.

2008 Housing Element. The City Council adopted an updated Housing Element for the 2008-2014 planning period on July 20, 2009 (General Plan Amendment 2009-28), which was subsequently certified by the California Department of Housing and Community Development (HCD) on August 10, 2009. In conjunction with the Housing Element, the City

Council adopted amendments to the Development Code (DCA 2009-13 and DCA 2009-14), which revised City regulations regarding density bonus and emergency shelters in conformance with state law. An Initial Study/Mitigated Negative Declaration was adopted for the 2008 Housing Element and the two related development code amendments.

2013 Housing Element. The City Council adopted an updated Housing Element for the 2013-2021 planning period on July 20, 2013 (General Plan Amendment 2013-28), which was subsequently certified by the California Department of Housing and Community Development (HCD) on August 10, 2013. In conjunction with the Housing Element, the City Council adopted amendments to the Development Code (DCA 2009-13 and DCA 2009-14), which revised City regulations regarding density bonus and emergency shelters in conformance with state law. An Initial Study/Mitigated Negative Declaration was adopted for the 2013-2021 Housing Element and the two related Development Code amendments.

2021 Housing Element.

State law requires that Housing Elements be updated in 8-year “cycles.” The City has prepared their City of Mission Viejo General Plan Housing Element Update, 2021-2029,¹ which is referred to as the “6th Housing Element cycle” in reference to the six required updates that have occurred since the comprehensive revision to State Housing Element law in 1980. The City of Mission Viejo General Plan Housing Element Update, 2021-2029 addresses the 6th regional housing cycle as required by state law and the subject of this Addendum, and is described in further detail below.

The City of Mission Viejo General Plan Housing Element is a mandatory General Plan element that identifies housing policies and programs aimed at meeting the identified housing needs of the City's current and anticipated future population, with an emphasis on affordable and special needs housing, removal of governmental constraints to housing development, and equal access to housing.

The purpose of the Housing Element is to evaluate the housing needs of Mission Viejo's current and future residents and set forth policies and programs to address those needs.

California State law² establishes detailed requirements for Housing Elements, which are summarized in California Government Code Section 65583:

The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.

¹ <https://cityofmissionviejo.org/departments/community-development/planning/housing>

² California Government Code Sec. 65580 et seq.

The major issues that must be addressed in the Housing Element update are: 1) how City policies, plans and regulations help to meet the region's housing needs for persons and families of all income levels; and 2) how City land use regulations accommodate the special housing needs of those with disabilities or other difficulties.

- Accommodating Regional Housing Needs. Under State law³ all cities are required to plan for additional housing to accommodate population growth and address existing housing problems such as overcrowding and high housing cost. State law recognizes that cities generally do not build housing, since that is typically the role of private and non-profit developers and builders. However, cities are required to adopt policies, development regulations and standards to encourage a variety of housing types that are affordable for persons of all income levels. The Regional Housing Needs Assessment ("RHNA") is the method by which each jurisdiction's share of new housing needs is determined (see #3 below).
- Housing for Persons with Special Needs. Under State law⁴ cities must also ensure that their plans and regulations encourage the provision of housing for persons with special needs including:
 1. Reasonable accommodation for persons with disabilities
 2. Transitional housing
 3. Supportive housing
 4. Emergency shelters and other facilities serving the homeless
 5. Accessory dwelling units ("ADUs")

Each California city is required to plan for new housing to accommodate a share of regional needs. RHNA is the process established in State law⁵ by which housing needs are determined.

Housing Element law requires the City of Mission Viejo to identify housing sites that can accommodate the 2021-2029 RHNA housing allocation. The housing sites can include current vacant land or developed infill sites that allow residential development. If an adequate number of available sites with existing zoning to allow residential development cannot be identified, the City must identify sites to be rezoned.

Prior to each planning cycle the total new housing need for each region of California is determined by California Department of Housing and Community Development (HCD) based upon economic and demographic trends, existing housing problems such as overcrowding and overpayment, and additional housing needed to ensure reasonable vacancy rates and replace units lost due to demolition or natural disasters.

Mission Viejo is located within the Southern California Association of Governments ("SCAG") region, which includes Los Angeles, Orange, Riverside, San Bernardino, Imperial

³ California Government Code Sec. 65583.

⁴ California Government Code Sec. 65583(a)(5).

⁵ California Government Code Sec. 65584 et seq.

and Ventura counties. The total housing need for the SCAG region is distributed to cities and counties by SCAG based upon objectives and criteria established in State law.⁶

In 2019 HCD determined that the total new housing need for the entire SCAG region in the 6th Housing Element cycle is 1,341,827 units. Subsequently, SCAG prepared a methodology for distributing the RHNA allocation to jurisdictions within the region and in March 2021 SCAG adopted the final RHNA Plan for the 6th cycle.⁷ Table 1 shows the RHNA allocations for Mission Viejo, Orange County, and the entire SCAG region.

Table 1
6th Cycle RHNA – Mission Viejo, Orange County and SCAG Region

	Mission Viejo	Orange County	SCAG
Housing need allocation 2021-2029	2,217	183,861	1,341,827

Source: SCAG, 3/4/2021

The RHNA also allocates each jurisdiction’s total housing need into four income categories (the extremely-low and very-low categories are combined for RHNA purposes). Mission Viejo’s 6th cycle RHNA allocation by income category is shown in Table 2.

Table 2
6th RHNA by Income Category – Mission Viejo

Extremely Low + Very Low	Low	Moderate	Above Moderate	Total
674	401	397	745	2,217

Source: SCAG, 3/4/2021

Housing Element Update

The City is required by State law (Government Code §65588 *et seq.*) to update its Housing Element on an eight year cycle and is linked to the Regional Transportation Plan (RTP).

The proposed 6th Cycle Housing Element Update updates the current Housing Element which was adopted in 2013. Once adopted, the Housing Element becomes part of the General Plan, which guides city decisions regarding housing, development review, land use, City budgets and capital improvement programs. The proposed City of Mission Viejo General Plan Housing Element Update, 2021-2029 includes policies and programs intended to increase housing opportunities for extremely low, very-low, low- and moderate income households, while accommodating growth in a manner consistent with goals and policies contained in the Land Use Element and other elements of the Mission Viejo General Plan. The housing element is prescribed under State housing law, and the proposed draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 is prepared to

⁶ California Government Code Sec. 65584(d).

⁷ <https://scag.ca.gov/housing>.

include the state required sections and information for a housing element. The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 addresses the changes in the State housing law and the regional housing needs. State, regional and local housing costs, housing supply and needs have changed since 2013, as evidenced by current information on real estate prices, affordable housing, and the widening “gap” between rental and purchase housing costs and consumers’ incomes.

The City of Mission Viejo General Plan Housing Element Update, 2021-2029 includes 11 sites and the construction of ADU’s to allow the development of 2,491 residential units in Mission Viejo towards meeting the State of California’s mandated Regional Housing Needs Assessment (RHNA) allocation, which for the City of Mission Viejo is 2,217 dwelling units. Of the 2,217 dwelling units, 1,075 units are designated for lower (very low and low) income categories. The 11 sites and ADU’s that would allow the development of 2,217 dwelling units are listed in Table 3. The development of the sites in Table 3 would allow the city to exceed both the projected and existing need of residential units. The sites must be consistent with the Mission Viejo General Plan and the specific types of use, intensity and development standards that are applicable and consistent with the City’s adopted Development Code.

**Table 3
 Mission Viejo Housing Sites Inventory**

Site	Acreage	Density du/ac	Total Units	Lower Income Units	Zoning
Site C / Center Drive	32.8	30	300	300	Rezone
Silverado Plaza	1.5	50	75	36	Rezone
Mission Foothill Center	4.4	30	77	37	Overlay
Commerce Center	3	30	90	44	Overlay
Mission Viejo Town Center	3.4	30	51	25	Overlay
College Center	7.8	30	117	57	Overlay
Macy’s – The Shops	8.6	80	344	167	Overlay
Saddleback Business Center	9.4	30	141	68	Overlay
Grace Church Parking Lot	2.4	50	120	58	Rezone
Burlington	6.9	30	104	50	Overlay
Vista Del Lago Apartments	33	50	1,042	506	Rezone
ADU’s (Acc. Dwelling Units)			30		N/A
Totals	113.2		2,491	1,348	

III. Project Description

The RHNA, adopted by SCAG and presented in Table H-28 of the City of Mission Viejo General Plan Housing Element Update, 2021-2029, determined the City's fair share of the regional housing need to be 2,217 units for the planning period July 2021 through October 2029. This total includes 337 extremely-low-income units, 337 very-low-income units, 401 low-income units, 397 moderate-income units, and 745 above-moderate units. State law requires the City to demonstrate that its inventory of potential housing sites can fully accommodate development of the various types of units that have been allocated in the RHNA. Appendix B of the City of Mission Viejo General Plan Housing Element Update, 2021-2029 provides a detailed description of the inventory of sites that could accommodate the City's need. As summarized in Table 4, this inventory shows a capacity for 2,491 additional housing units, of which 1,348 could accommodate lower-income housing, which exceeds the City's RHNA allocation of 2,217 total units and 1,075 lower (very low and low) income categories for the 2021-2029 period.

It is important to note that the RHNA is a planning target, not a development quota. Under state law, cities must demonstrate that their land use plans and regulations can accommodate the type and amount of housing identified in the RHNA, and also must use their available resources to encourage and facilitate such development. State law does not require that sites identified in the Housing Element as suitable for affordable housing be income-restricted. The law recognizes that cities do not build housing, and development depends on many factors including property owners, builders, available financing, and prevailing market forces. This is particularly true for affordable housing – in high-cost areas like Orange County large subsidies are normally required to make low-income housing feasible.

While demonstrating an adequate inventory of potential residential development sites commensurate with the RHNA is generally considered the most important environmental issue related to the Housing Element, the Housing Plan (Chapter 6 of the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029) describes the actions and programs the City will use to implement the adopted City goals and policies to achieve the objectives for housing development, conservation and improvement. All of these policies and programs represent a continuation of current City activities as revised to reflect current funding levels and circumstances.

Development Code Text Amendments

The City of Mission Viejo General Plan Housing Element Update, 2021-2029 includes four Development Code Text Amendments to encourage the development of the residential units allocated to the city for the period from 2021-2029. The four Development Code Text Amendments are discussed below.

Density Bonus - Pursuant to State law, the City offers a density bonus along with regulatory concessions and/or incentives, if a developer agrees to construct affordable housing or units for qualifying residents (i.e., seniors and disabled). The density bonus program not only assists with the cost of development but also increases the housing stock by allowing

a density above the Development Code standards. In recent years State density bonus law has been amended to create greater incentives for affordable housing and the City is currently in the process of amending the Development Code to incorporate the latest amendments. The City will continue to encourage affordable housing developers to take advantage of this option.⁸

Supportive Housing - Supportive housing is defined in Section 50675.14(b)(2) of the Health and Safety Code as follows:

“Supportive housing” means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.⁹

City regulations permit transitional and supportive housing subject to the same standards and procedures as other residential uses of the same type in the same zone in conformance with SB 2.

In 2018 AB 2162 amended State law to require that supportive housing be a use by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses, if the proposed housing development meets specified criteria. Program 10 in Section 6 includes a commitment to process an amendment to the Development Code in compliance with this requirement.¹⁰

Low Barrier Navigation Centers – Low barrier navigation centers meeting specified standards must be allowed by-right in areas zoned for mixed use and in nonresidential zones permitting multi-family uses. Program 10 in Section 6 (Draft 2021-2029 Housing Element) includes a commitment to process an amendment to the Development Code in compliance with this requirement.¹¹

AB 101 (2019) added a requirement that low barrier navigation centers meeting specified standards be allowed by-right in areas zoned for mixed use and in non-residential zones permitting multi-family uses pursuant to California Government Code §65660, et seq.¹²

Accessory Dwelling Units - Accessory dwelling units (“ADUs”) are an important option for creating additional affordable housing opportunities. An ADU is a separate and complete living unit on the same parcel as existing single- or multi-family units. Because ADUs can be created more economically than conventional newly constructed units, they offer an effective method of expanding the affordable housing stock. The cost savings come from the utilization of existing infrastructure and land. ADUs can also help homeowners generate additional income from extra living space by allowing them to convert that space into another unit.

⁸ Draft City of Mission Viejo General Plan Housing Element Update, 2021-2029, page 55.

⁹ City of Mission Viejo General Plan Housing Element Update, 2021-2029, page 36.

¹⁰ Ibid.

¹¹ Ibid, page 35.

¹² Ibid, page 58.

In recent years State law has been amended to create stronger incentives for ADU development, and the City is currently in the process of amending the Development Code in conformance with current State law. The City will continue to promote ADUs by providing brochures and/or informational displays at the building permit counter and other appropriate locations (with PDF versions for website distribution) detailing the benefits of ADUs and the process for obtaining approval.¹³

General Plan Amendments and Zone Changes

In order for the City to meet its RHNA allocation, general plan amendments, zone changes and Development Code text amendments are required to allow the development of the sites shown in Table 3. Table 4 shows the general plan amendments and zone changes required for each site to ultimately meet the RHNA allocation of 2,217 residential units.

**Table 4
 Proposed General Plan Amendments and Zone Changes**

Site	Acreage	Existing Land Use Designation	Proposed Land Use Designation	Existing Zoning Designation	Proposed Zoning Designation
Site C / Center Drive	32.8	Residential 30 & Recreation / Open Space	Residential 30	R (Recreation) / RPD30A (Residential Planned Development 30A)	RPD30 (Residential Planned Development 30)
Silverado Plaza	1.5	Commercial Neighborhood	Residential 50	CN (Commercial Neighborhood)	RPD50 (Residential Planned Development 50)
Mission Foothill Center	4.4	Commercial Highway	Commercial Highway / Residential 30 (Overlay)	CH (Commercial Highway)	RPD30
Commerce Center	3	Commercial Community	Residential 30	CC (Commercial Community)	RPD30
Mission Viejo Town Center	3.4	Commercial Highway	Commercial Highway / Residential 30 (Overlay)	CH (Commercial Highway)	RPD30
College Center	7.8	Commercial Highway	Commercial Highway / Residential 30 (Overlay)	CH (Commercial Highway)	RPD30
Macy's – The Shops	8.6	Commercial Regional (CIOA)	Residential 30	CR (Commercial Regional)	RPD30
Saddleback Business Center	9.4	Business Park & Recreation/Open Space	Business Park & Recreation	BP (Business Park/Industrial) / R (Recreation)	RPD30

¹³ Draft 2021-2029 Housing Element, page 55-56.

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			/Open Space & Residential 30 (Overlay)		
Grace Church Parking Lot	2.4	Commercial Neighborhood & Recreation / Open Space	Residential 50	CN (Commercial Neighborhood) / R (Recreation)	RPD50
Burlington	6.9	Commercial Highway	Commercial Highway / Residential 30 (Overlay)	CH (Commercial Highway)	RPD30
Vista Del Lago Apartments	33	Residential 14	Residential 50	RPD14 (Residential Plan Development 14)	RPD50
ADU's (Acc. Dwelling Units)		Residential 3.5 (0.0-3.5 du/ac) & Residential 6.5 (3.5-6.5 du/ac)		RPD3.5 (Residential Planned Development 3.5) & RPD6.5 (Residential Planned Development 6.5)	

As shown in Table 4, all of the sites will require general plan amendments and/or zone changes to allow the development of up to 30 and 50 dwelling units/acre in residential and commercially zoned properties. No general plan amendments or zone change are required for the development of ADU's in existing residential zoned properties.

IV. Proposed Actions

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 requires compliance with environmental procedures (CEQA and the CEQA Guidelines) and City approval of a general plan amendment, zone change and Development Code text amendment.

V. Statutory Authority

This Addendum is prepared in accordance with the California Environmental Quality Act, Public Resources Code Section 12000 *et seq.* (CEQA), to assist the City in its consideration to update the Mission Viejo Housing Element that was adopted March 4, 2013. Specifically, the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 would implement the City's policies, goals and objectives for the development of housing in the City of Mission Viejo, as described in the 2013 Mission Viejo General Plan and analyzed in the 2013 General Plan Program EIR.

Pursuant to Section 21166, as further clarified by CEQA Guideline Section 15162, when an EIR has been certified, the lead agency may not require a subsequent EIR unless it determines, on the basis of substantial evidence in light of the whole administrative record that one or more of the following subsequent EIR triggers have occurred:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If none of the Section 21166 subsequent EIR triggers have occurred with respect to the Housing Element Update, per Government Code Section 65457(a), the City's consideration and potential approval of the Housing Element Update are exempt from CEQA.

As discussed below, this Addendum concludes that approval of the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger the need for a subsequent EIR under Section 21166 because implementation of the City of Mission Viejo General Plan Housing Element Update, 2021-2029 will not result in new, or substantially more adverse, significant environmental impacts than those disclosed in the 2013 General Plan Program EIR. At the time a residential project for any of the sites in Table 3 are submitted to the city for approval, the city is required by law to review a project for potential environmental impacts pursuant to the California Environmental Quality Act, Public Resources Code Section 21003. Because no site specific development plans are submitted in conjunction with the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029, as discussed below, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable

diligence at the time the General Plan Program EIR was certified, that shows any new, or substantially more adverse, environmental impacts than those disclosed in the 2013 General Plan Program EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant environmental effects of a future project for any of the sites listed in Table 3. Accordingly, per Section 21166, the City does not require a subsequent EIR for the City of Mission Viejo General Plan Housing Element Update, 2021-2029.

VI. Incorporation by Reference

Pursuant to CEQA Guidelines section 15150, this Addendum incorporates, by reference, the analysis contained in the certified General Plan Program EIR and the 2013-2021 Housing Element Mitigated Negative Declaration. In accordance with CEQA Guidelines Section 15164(c), this Addendum does not need to be circulated for public review, but will be attached to the 2013 General Plan Program EIR.

VII. Summary

The 6th cycle Housing Element update proposes 11 sites along with ADU's within the city and shown in Table 3 that would allow the development of up to 2,491 housing units towards the city meeting its RHNA housing unit allocation of 2,217 units. The RHNA numbers assigned to Mission Viejo do not reflect a prediction of growth and development in the city, but rather reflects a current and future housing need in Mission Viejo to the year 2029, which SCAG has determined the City of Mission Viejo has a projected need of 41 residential units and an existing need of 2,170 residential units.¹⁴

IX. Environmental Topics

The following discussion considers the environmental effects of the City of Mission Viejo General Plan Housing Element Update, 2021-2029 with development of residential dwelling units within the 11 sites and development of ADU's shown in Table 3 to determine whether future residential development will result in new, or substantially more adverse, significant environmental impacts than those disclosed in the General Plan Program EIR that would trigger need for a subsequent EIR under Section 21166. The following discussion also considers whether any new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the General Plan Program EIR was certified, shows any new, or substantially more adverse, environmental impacts than those disclosed in the General Plan Program EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant environmental effects of the project. As discussed above, this analysis relies on, and incorporates by reference, the General Plan Program EIR and 2013-2021 Housing Element Mitigated Negative Declaration, as applicable.

¹⁴ SCAG-RHNA-6th Final Allocation, March 4, 2021, Excel spreadsheet.

As documented below, this Addendum concludes that approval and development of the City of Mission Viejo General Plan Housing Element Update, 2021-2029 would not result in any new, or substantially more severe, impacts to the environment than those disclosed in the 2013 General Plan Program EIR. Further, a review of available records and literature identified no new information of substantial importance that was not known, or could not have been known, at the time of the certification of the General Plan Program EIR that would trigger the need for a subsequent EIR under Section 21166.

a. Aesthetics

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 11 sites towards meeting its designated RHNA goal to provide new residential dwelling units in Mission Viejo by 2029. All of the sites in Table 3 are currently developed with the exception of site 8, which is vacant. Although the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the sites, the demolition of existing buildings and site improvements on the developed sites and the construction of new residential units on all of the sites could result in aesthetic impacts.

The future development of residential units on any of the sites would have to be consistent with and in compliance with Policy 3.7 of the General Plan to preserve views of significant scenic value and states, “Preserve views of significant value along streets and highways that adjoin such areas as a lake, hillside, ridgeline, creek, open space, or recreational area”. Future development of the sites would also have to comply with all applicable development standards of the Mission Viejo Development Code to protect aesthetic qualities of the identified sites and adjacent surrounding properties.

All residential subdivisions would have to meet and comply with Chapter 9.74 of the Mission Viejo Municipal Code that provides conformance standards for design. Examples of standards of design that all residential projects must comply include consistency with the general plan, zoning regulations, boundary lines, lots/parcels, streets, street lighting, underground utilities, drainage, slopes, landscaping, etc.

Goal 4 of the City of Mission Viejo General Plan Housing Element Update, 2021-2029 states, “Provide for housing that is sensitive to environmental and social needs.” The policy that supports this goal in terms of aesthetics includes:

Policy 4.2: Evaluate residential proposals within hillside areas in terms of potential impacts to landform and viewsheds.

The development of residential use within the sites would be reviewed by the City to minimize impacts to existing landforms and viewsheds as stated in Policy 4.2.

Goal 3 of the Land Use Element (LUE) of the General Plan states “Maintain community identity and development quality for the City and its neighborhoods.” The policies to ensure that future residential development within the 11 parcels in Table 3 is consistent with this goal include:

- Policy 3.2: Ensure that new development and land uses are architecturally consistent and compatible in scale and style with existing development and identified standards for the various districts within the City.
- Policy 3.3: Ensure that infill development is compatible with community open space areas and existing community character.
- Policy 3.5: Emphasize quality of design for new development and rehabilitation of existing development, including the preservation and increase of arterial landscape space.

The Mission Viejo Planning and Transportation Commission (Commission) will use the Municipal Code, among other policies and guidelines, to determine if new development is designed in a manner that is consistent with its surrounding structures and environment. The Commission and the development review process ensure, through required project modifications, conditions of approval or mitigation measures, that development plans are consistent with visual character and quality guidelines prior to project approvals.

No substantial changes with respect to the circumstances under which the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 is undertaken that require major revisions of the General Plan Program EIR, including new or additional impacts to a scenic vista, a scenic highway, visual character or quality of the project site or its surroundings, new sources of substantial light or glare or project design.

Therefore, the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger the need for a subsequent EIR per Section 21166 of the California Public Resources Code on the basis of its effects on aesthetic impacts.

b. Agricultural Resources

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 11 sites towards meeting its designated RHNA goal to provide new residential dwelling units in Mission Viejo by 2029. All of the sites in Table 3 are currently developed with the exception of site 8, which is vacant. The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the sites.

The City of Mission Viejo does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.¹⁵ The City also does not have any Williamson Act contract lands or lands zoned for agricultural use, forest land or timberland.¹⁶

Approval of the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 and development of the sites in Table 3 would proceed in a manner contemplated by the General Plan and analyzed in the General Plan Program EIR. The development of

¹⁵ City of Mission Viejo General Plan Update & Sustainability Action Plan Initial Study, March 2012, page 3-3.

¹⁶ Ibid.

residential units on the 11 sites and ADU's would not change or cause impacts to any agricultural or timberland resources since no Prime Farmland, Unique Farmland, Farmland of Statewide Importance, Williamson Act contract lands or lands zoned for agricultural use, forest land or timberland exists in the City of Mission Viejo.

Therefore, the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger the need for a subsequent EIR per Section 21166 of the California Public Resources Code on the basis of its effects on agricultural resource impacts.

c. Air Quality

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 11 sites towards meeting its designated RHNA goal to provide new residential dwelling units in Mission Viejo by 2029. All of the sites in Table 3 are currently developed with the exception of site 8, which is vacant. Although the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the listed sites, the demolition of existing buildings and site improvements on the developed sites and the construction of new residential units could result in air quality and greenhouse gas impacts.

The City of Mission Viejo is located in the South Coast Air Basin (SCAB). The SCAB is comprised of parts of Los Angeles, Riverside and San Bernardino counties and all of Orange County. The primary agencies responsible for regulations to improve air quality in the SCAB are the South Coast Air Quality Management District (SCAQMD) and the California Air Resources Board (CARB). SCAG is an important partner to the SCAQMD, as it is the designated metropolitan planning authority for the area and produces estimates of anticipated future growth and vehicular travel in the basin that are used for air quality planning. The SCAQMD sets and enforces regulations for non-vehicular sources of air pollution in the basin.

The U.S. Environmental Protection Agency (U.S. EPA) is the primary federal agency for regulating air quality. The EPA implements the provisions of the Federal Clean Air Act (FCAA). This Act establishes national ambient air quality standards (NAAQS) that are applicable nationwide. The EPA designates areas with pollutant concentrations that do not meet the NAAQS as non-attainment areas for each criteria pollutant. States are required by the FCAA to prepare State Implementation Plans (SIP) for designated non-attainment areas. The SIP is required to demonstrate how the areas will attain the NAAQS by the prescribed deadlines and what measures will be required to attain the standards. The EPA also oversees implementation of the prescribed measures.

The California Clean Air Act (CCAA) requires all air pollution control districts in the state to prepare plans to reduce pollutant concentrations exceeding the California Ambient Air Quality Standards (CAAQS) and ultimately achieve the CAAQS. The state air districts are required to review and revise the plans every three years. The SCAQMD satisfies this requirement through the publication of an Air Quality Management Plan (AQMP). The AQMP is developed by SCAQMD and SCAG in coordination with local governments and

the private sector. The AQMP is incorporated into the SIP by CARB to satisfy the FCAA requirements discussed above.

Air Quality Management Plan

The CCAA requires plans to demonstrate attainment of the NAAQS for an area that is designated as nonattainment. In the SCAB, SCAQMD and SCAG, in coordination with local governments and the private sector, develop the AQMP for the air basin to satisfy these CAA requirement. The AQMP is the most important air management document for the basin because it provides the blueprint for meeting state and federal ambient air quality standards.

On March 3, 2017, the 2016 AQMP was adopted by the SCAQMD Governing Board. The primary task of the 2016 AQMP is to bring the basin into attainment. The document states that to have any reasonable expectation of meeting the 2023 ozone deadline, the scope and pace of continued air quality improvement must greatly intensify. In response to court decisions, some elements included in the 2016 AQMP required updates. CARB prepared the 2018 Updates to the California State Implementation Plan (2018 SIP Update) to update SIP elements for nonattainment areas throughout the State as needed. CARB adopted the 2018 SIP Update on October 25, 2018.

The AQMP includes a comprehensive analysis of future emission forecasts which reflect demographic and economic growth forecasts provided by SCAG, including RHNA housing construction projections. The AQMP Program EIR states, “ The 2016 AQMP would result in a reduction of criteria pollutants in the Basin, thereby attaining the air quality standards. Additionally, during operation, less than significant air quality and GHG impacts are anticipated. However, significant adverse construction air quality and GHG impacts could be caused by the proposed project. As improved emission reduction technologies become available and as specific control measures are developed and projects proposed, construction mitigation measures will be updated and implemented. Further, future projects that implement 2016 AQMP control measures, including promulgating control measures such as SCAQMD rules or regulations or individual projects that implement the requirements of such promulgated rules where subsequent CEQA construction analyses have been performed, shall rely upon the results of these subsequent CEQA analyses, including whether or not mitigation measures will continue to be required. Implementation of mitigation measures AQ-1 to AQ-23 would reduce construction emissions, but the overall construction air quality and GHG impacts after mitigation would likely remain significant.¹⁷

The construction of the RHNA assigned residential units for Mission Viejo City per the draft Mission Viejo General Plan Housing Element Update, 2021-2029 would not change or alter the conclusions of the 2016 AQMP Program EIR that states that operational air quality and GHG emissions associated with the development of RHNA associated residential units in Mission Viejo would attain criteria pollutant air quality standards and the implementation of measures to reduce construction emissions would be required.

¹⁷ South Coast Air Quality Management District Final Program Environmental Impact Report, 2016 Air Quality Management Plan, January 2017, pages 1-16, 1-17.

Connect SoCal - 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments

SCAG's Connect SoCal is a long-range comprehensive plan for the region's multi-modal transportation system. A regional transportation plan (RTP) is the mechanism used in California by both Metropolitan Planning Organizations (MPOs) and Regional Transportation Planning Agencies (RTPA) to conduct long-range (at least 20-year) planning in their regions. In 2008, California enacted the Sustainable Communities and Climate Protection Act, which requires MPOs to include a Sustainable Communities Strategy (SCS) element as part of their RTP updates, with the purpose of identifying policies and strategies to reduce per capita passenger vehicle-generated GHG emissions. The SCS is required to identify the general location of land uses, residential densities, and building intensities within the region; identify areas within the region sufficient to house all the population of the region; identify areas within the region sufficient to house an eight-year projection of the regional housing need; identify a transportation network to service the regional transportation needs; gather and consider the best practically available scientific information regarding resources areas and farmland in the region; consider the state housing goals; set forth a forecasted development pattern for the region; and allow the regional transportation plan to comply with the federal Clean Air Act (CAA) of 1970 (42 USC. § 7401 et seq.) (Gov. Code, § 65080, subd. (b)(F)(2)(B)), which, when integrated with the transportation network, and other transportation measures and policies will reduce the GHG from automobiles and light duty trucks to achieve, if there is a reasonable way to do so, the GHG emission reduction targets approved by the California Air Resources Board (ARB).¹⁸

Connect SoCal provides a strategy for accommodating projected population, household and employment growth in the SCAG region by 2045, as well as a transportation investment strategy for the region. Connect SoCal details how the SCAG region can achieve several outcomes essential to the success of the region's long-range transportation and land use goals and includes the following:

- Describes where and how the region can accommodate a 23 percent increase in projected households and 16 percent increase in jobs between 2020 and 2045;
- Details a regional transportation investment given \$633.9 billion in expected revenues from federal, state, regional and local sources over the next 25 years; and
- Complies with SB 375, the state's SCS law, which integrates land use and transportation planning and mandates both a reduction in greenhouse gas emissions from passenger vehicles (19% reduction for the SCAG region) and the provision of adequate housing for the region's 25-year projected population growth.

The Connect SoCal projects growth in employment, population, and households at the regional, county, city, town and neighborhood levels. One of the core components of

¹⁸ Connect SoCal, Certified Final Program Environmental Impact Report, May 2020, page ES-1.

Connect SoCal is to forecast future distribution of population, households, employment, land use, and housing needs.

The state Legislature intended that housing planning be coordinated and integrated with the regional transportation plan and SCS. To achieve this goal, the RHNA allocation plan shall allocate housing units within the region consistent with the development pattern included in the SCS (Govt. Code § 65584.04(m)). Therefore, the current RHNA housing allocations for Mission Viejo and the population growth associated with the RHNA housing allocation are consistent with and do not change the air quality and GHG analysis in the Connect SoCal Final Program EIR.

City of Mission Viejo

The City of Mission Viejo is responsible to assess and mitigate air emissions by its land use decisions. The City is also responsible to implement transportation control measures as outlined in the 2016 AQMP. The City assesses the air quality impacts of new development, requires mitigation of potentially significant air quality impacts by conditioning discretionary permits, and monitors and enforces implementation of the mitigation. Because the City does not have the expertise to develop plans, programs, procedures, and methodologies to ensure that air quality within the City meets federal and state standards, the City relies on the expertise of the SCAQMD and utilizes the SCAQMD CEQA Handbook as the guidance document for the environmental review of plans and development proposals within its jurisdiction.

The Conservation/Open Space Element of the Mission Viejo General Plan contains the following air quality-related goal and policy that are applicable to the residential development anticipated to be developed on the 11 sites listed in the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029:

GOAL 8: Cooperate with local, regional, and state agencies to improve air quality and reduce greenhouse gas emissions.

Policy 8.1: Cooperate with South Coast Air Quality Management District and Southern California Association of Governments in their efforts to implement the regional Air Quality Management Plan.

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose any development that would not be consistent with and meet Goal 8 and Policy 8.1 of the Conservation/Open Space element to cooperate with SCAQMD and SCAG to implement the AQMP.

The development of new residential units on sites in Table 3 could have both short- and long-term air emission impacts in that air emissions could exceed adopted South Coast Air Quality Management District (SCAQMD) emission thresholds. At the time site specific residential development plans are submitted to the City for any of the sites the City would determine in compliance with CEQA if significant air emissions impacts could occur. At that time the City would determine if an air quality study would be required to identify potential

air quality impacts. The City would also take into account and apply all applicable climate goals and policies of its adopted Sustainability Action Plan to reduce potential air quality impacts.

There have been no substantial changes with respect to the circumstances under which the residential development of the sites in Table 3 would be undertaken in the future that would require major revisions of the General Plan Program EIR. Accordingly, the potential construction, operational and area source emission impacts associated with the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 are the same as described in the General Plan Program EIR.

The actual construction, operational and area source emissions of the residential development proposed in the City of Mission Viejo General Plan Housing Element Update, 2021-2029 would, in all likelihood, be less than the calculated emission levels presented in the General Plan Program EIR due to new regulatory requirements mandating use of cleaner engine fuels and use of more fuel- and emission-efficient engines for today's automobiles, construction equipment and mechanical equipment that would be installed in future residential units. As a result, the residential development anticipated for the sites in Table 3 could result in fewer air emissions compared to the existing condition when taking into account the replacement of existing commercial space with residential use and the benefit of cleaner engine fuels and more fuel- and emission-efficient engines for today's automobiles and construction equipment.

The development of residential units in the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 towards meeting the RHNA allocation for the City would be required to implement all applicable mitigation measures set forth in the General Plan Program EIR MMRP for potential air quality impacts associated with the development of the residential units. The following applicable mitigation measures are carried forward from the General Plan Program EIR MMRP to reduce air quality greenhouse gas impacts associated with the development of residential projects on the sites listed in Table 3 to less than significant.

Mitigation Measures:

AQ-1 Reduce Construction-Related Emissions. The City and project contractors shall implement the following measures during all construction activities involving demolition or exterior construction. Furthermore, a fugitive dust control plan shall be developed and approved by SCAQMD for all projects prior to issuance of a grading permit and commencement of construction activities. The dust control plan shall specifically identify measures that would minimize generation of fugitive dust from all construction activities. In addition, the following standard measures shall be implemented:

- Comply with and implement all applicable SCAQMD rules and regulations that pertain to construction activities (e.g., asphalt paving ROG requirements, administrative requirements, fugitive dust management practices). Implement

all construction-related requirements recommended by the air district or local government.

- Apply water as necessary to prevent visible dust emissions.
- Apply water, nontoxic chemical stabilizers, or dust suppressants, or use tarps or other suitable material in all disturbed areas that will not be utilized for 10 days or more.
- Prevent carryout and track out of fugitive dust on construction vehicles. Methods to limit carryout and track include, but are not limited to, using wheel washers and/or metal tracks at the site egress(es); sweeping any track out on adjacent public streets at the end of each workday; and lining access points with gravel, mulch, or wood chips.
- Cover or wet the filled cargo compartment of all transport trucks to limit visible dust emissions during transport, and maintain at least 2 feet of freeboard space from the top of a container.
- Install sandbags or other erosion control measures on sites with a slope greater than 1 percent to prevent silt runoff to public roadways.
- Maintain all construction equipment according to the manufacturers' specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.
- Minimize idling time either by shutting off equipment when it is not in use or reducing the time of idling to no more than 5 minutes. Provide clear signage regarding idling at site access points.
- Use alternative fueled (e.g., compressed natural gas [CNG], liquefied natural gas [LNG], propane), or electric-powered construction equipment where feasible.
- Use equipment with diesel oxidation catalysts, catalyzed diesel PM filters, or other applicable air district-approved, emission reduction retrofit devices where feasible.

AQ-2 The City shall work with SCAQMD and new development to identify projects that would cause a significant air quality impact. When significant impacts are determined, the City shall work with new development to ensure all applicable General Plan policies are fulfilled by the project and identify and require the implementation of additional mitigation measures that would be consistent with the General Plan goals and policies to reduce air quality pollutant emissions.

- AQ-3 The City shall work with SCAQMD and SCAG to implement and enforce air quality reduction measures in the AQMP to meet all federal and state ambient air quality standards. Projects within the City that have significant air quality impacts should be required by the City to implement mitigation consistent with the goals and measures in the AQMP. The City shall participate in any future amendments and updates to the AQMP when possible.
- AQ-4 Require use of SCAQMD's Localized Significance Thresholds (LST) for construction-related emissions. If construction emissions would exceed the SCAQMD's LSTs, the project shall prepare a health risk assessment of construction emissions and implement all feasible mitigation to reduce impacts to a less-than-significant level (i.e., less than 10 in a million cancer risk and less than 1.0 hazard index).
- AQ-5 If and when needed, which should be determined through the environmental review process under CEQA, a health risk assessment that identifies health risk levels from nearby TAC sources shall be prepared for sensitive land uses (e.g., residential, hospital, convalescent home) that would be developed within 500 feet of I-5 or other stationary sources producing TACs. When health risk levels at the proposed sensitive receptor land uses are determined to exceed applicable significance thresholds, the proposed project shall implement mitigation measures into the project's design and/or implement alternative approaches to land use development that would reduce TAC exposure to proposed or nearby sensitive receptors. These mitigation measures and land use development approaches should use recommendations from ARB and local air districts, if and when possible. Mitigation measures to reduce TAC impacts to a less-than-significant level include, but should not be limited to, setbacks, buffers, and air filters.

Greenhouse Gas Emissions

The greenhouse gas emissions associated with the development of residential units listed in Table 3 are at worst the same as, and no significantly greater than, the greenhouse house gas emission impacts associated with development of the sites in Table 3 under the approved 2013 Mission Viejo General Plan.

On April 20, 2015 Governor Brown signed Executive Order B-30-15 to establish a California GHG reduction target of 40 percent below 1990 levels by 2030. This Executive Order reduction target of 40 percent below 1990 levels by 2030 provides an interim reduction goal that will help the State to reduce GHG emissions by 80 percent under the 1990 levels by 2050. The goals of Executive Order B-30-15 have been legislated through Senate Bill 32.

In addition to improved motor vehicle emission technology to reduce future GHG emissions, improved energy efficiency measures are also available to improve and maximize energy efficiency for buildings and appliances. New technologies, policies, programs, green building programs (CALGreen), etc. are available to reduce current and future GHG emissions.

The California Building Energy Efficiency Standards (Standards) were first adopted in 1976 and have since been updated periodically as directed by statute. The Standards contain energy and water efficiency requirements (and indoor air quality requirements) for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. The 2019 update to the Building Energy Efficiency Standards focuses on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings. The most significant efficiency improvements to the residential Standards include the introduction of photovoltaic into the prescriptive package, improvements for attics, walls, water heating, and lighting. The Standards are conceptually divided into three basic sets. First, there is a basic set of mandatory requirements that apply to all buildings. Second, there is a set of performance standards the energy budgets that vary by climate zone (of which there are 16 in California) and building type; thus the Standards are tailored to local conditions, and provide flexibility in how energy efficiency in buildings can be achieved. The third set of requirements constitutes an alternative to the performance standards, which is a set of prescriptive packages that provide a recipe or a checklist compliance approach. The compliance of all residential development on sites listed in Table 3 with all applicable energy requirements of the Standards would further reduce GHG emissions related to energy consumption.

Per the 2019 Building Energy Efficiency Standards, as of January 1, 2020 all new residential home construction shall include a photovoltaic (PV) system, battery storage system, and solar ready for single-family and low-rise (three or fewer habitable floors) multi-family buildings. Therefore, all residential dwelling units that are constructed on the sites listed in Table 3 will be required to provide solar ready buildings.

Improved water conservation measures to treat and transport water have been developed since the approval of the General Plan. These improved water conservation measures would further reduce GHG emissions associated with the treatment and transportation of water compared to the emissions at the time of the approval of the 2013 Mission Viejo General Plan. Increasing the efficiency of the treatment and transportation of potable water due to new water conservation measures and water saving devices would reduce GHG emissions compared to the GHG emissions at the time the 2013 Mission Viejo General Plan was approved.

In conjunction with reducing GHG emissions associated with the treat, transportation and consumer consumption of water, the developers of any residential units constructed on sites listed in Table 3 would be required to comply with all applicable California Building Codes to improve water use efficiency, including compliance with Title 8, Chapter 8.12, Water-Efficient Landscape Regulations, of the Mission Viejo Municipal Code. Therefore, the development of all residential units in Table 3 would not conflict with any of the water conservation and efficiency measures.

The developer of any single-family residential units on sites in Table 3 could install electrical wiring so that residents would have the option to install Electric Vehicle Charging (EVC) equipment within their dwelling unit in compliance with and as required by Section 4.106.4 of the 2019 California Green Building Standards Code, Title 24, Part 11. Charging stations could be installed by homeowner associations for the multi-family developments and in

some common open space areas in the tracts for use by residents for a fee. The installation of EVC equipment and charging stations would encourage residents to use electric vehicles and reduce mobile-source air emissions, including GHG emissions.

With the exception of the Grace Church parking lot site, the residents of the other sites would be in close proximity to commercial use that would allow residents to walk or bike to access commercial areas and reduce the use of and reliance of motor vehicles and reduce air and GHG emissions. For the Grace Church parking lot site, residents could walk, bike or use alternative modes of transportation to the closest commercial area that is approximately one-half mile northwest of the site at the intersection of Trabuco Road and El Toro Road.

The existing public transportation system in Mission Viejo would serve the residents of many of the sites in Table 3. The existing public bus transportation system is either adjacent to or within one-half mile of each of each site and allows and encourage residents to use the public transportation to reduce air and GHG emissions.

The developers of all new residential units in sites in Table 3 would be required to meet and comply with all applicable existing State regulations that have been adopted to reduce GHG emissions, including SB 375, Executive Order B-30-15, 2019 Building Energy Efficiency Standards, 2019 California Green Building Standards Code, Title 24, Part 11CALGreen, etc. As discussed, these requirements include the installation of efficient photovoltaics, energy improvements for attics, walls, water heating, and lighting and the installation of electrical wiring so project residents have the option to install EVC equipment within their dwelling unit. The GHG emissions associated with the development of all new dwelling units allowed by the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 would be required to comply with all applicable state plans and programs designed to reduce GHG emissions.

The development of residential units in the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 towards meeting the RHNA allocation for the City would be required to implement all applicable mitigation measures set forth in the General Plan Program EIR MMRP for potential greenhouse gas impacts associated with the development of residential units. The following applicable mitigation measures are carried forward from the General Plan Program EIR MMRP to reduce greenhouse gas impacts for residential projects associated with the sites in Table 3 to less than significant.

Mitigation Measures:

GHG-1 To reduce construction-generated GHG emissions, projects seeking discretionary approval from the City shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by the City and/or SCAQMD at the time individual portions of the site undergo construction.

The project applicant(s) for any particular discretionary project may submit a report to the City that substantiates why specific measures are considered

infeasible for construction of that particular discretionary project and/or at that point in time. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.

The recommended measures for reducing construction-related GHG emissions at the time of writing this EIR are listed below. The list will be updated as new technologies or methods become available. The project applicant(s) shall, at a minimum, be required to implement the following:

- Improve fuel efficiency of construction equipment:
 - reduce unnecessary idling (modify work practices, install auxiliary power for driver comfort);
 - perform equipment maintenance (inspections, detect failures early, corrections);
 - train equipment operators in proper use of equipment;
 - use the proper size of equipment for the job; and
 - use equipment with new technologies (repowered engines, electric drive trains).
- Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power.
- Use an ARB-approved low-carbon fuel, such as biodiesel or renewable diesel for construction equipment. Emissions of NOX from the use of low carbon fuel must be reviewed and increases mitigated. Additional information about low-carbon fuels is available from ARB's Low Carbon Fuel Standard Program.
- Reduce electricity use in the construction offices by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones.
- Recycle or salvage nonhazardous construction and demolition debris.
- Use locally sourced or recycled materials for construction materials (goal of at least 20 percent based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials).
- Develop a plan to efficiently use water for adequate dust control. This may consist of the use of non-potable water from a local source.

GHG-2 As a part of a contractor demolition package, require 25 percent of nonhazardous debris (excluding excavated soil and land-clearing debris) to be recycled or salvaged. Work with contractors to share best practices on building recycling and

reuse, and demolition techniques to minimize waste, dust generation, water and energy use, and other impacts of construction and demolition work.

Therefore, the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger the need for a subsequent EIR per Section 21166 of the California Public Resources Code on the basis of its effects on air quality or greenhouse gas impacts.

d. Biological Resources

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 11 sites towards meeting its designated RHNA goal to provide new residential dwelling units in Mission Viejo by 2029. All of the sites in Table 3 are currently developed with the exception of site 8, which is vacant. Although the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the sites, the demolition of existing buildings and site improvements on the developed sites and the construction of new residential units could result in biological impacts, especially site 8 that is vacant.

The City of Mission Viejo contains many important ecological and biological resources, including the oak woodland, and the coast Live Oak (*Quercus agrifolia*), which was named the Official City Tree by the City Council on April 9, 1990. The City is committed to work with the U.S. Fish and Wildlife Service to pursue grant funding to create a Habitat Conservation Plan for portions of the City. The City desires to improve open spaces to assist in the protection of sensitive plants, animals, and their habitats in the City.¹⁹

The Conservation/Open Space Element includes goals and policies related to the preservation and protection of ecological and biological resources. Goal 1 of the Conservation/Open Space Element states, "Protect and enhance the significant ecological and biological resources within and surrounding the community." The three policies that are applicable to the Housing Element Update include:

- Policy 1.1: Preserve and protect important natural plant and animal communities and their associated habitats, such as areas supporting rare and endangered species, riparian areas, wildlife movement corridors, wetlands, and significant tree stands through appropriate site planning and grading techniques, revegetation, and soil management practices and other resource management techniques.
- Policy 1.2: Utilize a development proposal review process to mitigate the impacts of development on sensitive lands such as steep slopes, wetlands, cultural resources, oak woodlands and sensitive habitats.
- Policy 1.3: Regulate the removal or destruction of the Coast Live Oak (*Quercus agrifolia*) tree.

¹⁹ City of Mission Viejo, General Plan Update & Sustainability Action Plan, March 2012, page 3-6.

While residential development on site 8 would require the removal of some or all of the existing native vegetation and biological resources, the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose to physically alter any existing habitat and/or wildlife resources on site 8 or any of the other sites in Table 3. Potential future development would be subject to further discretionary consideration and environmental analysis in compliance with CEQA once detailed project development plans for a site are filed with the City for consideration. Should additional environmental analysis identify any significant impacts to habitats or species, movement of any resident or migratory species, mitigation measures to reduce those impacts to a less than significant level as required by CEQA Guidelines section 15041(a) and 15041(c).

There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the General Plan Program EIR was certified, that shows any new, or substantially more adverse, significant biological impacts than those disclosed in the General Plan Program EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant biological effects of the project.

Therefore, the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger the need for a subsequent EIR per Section 21166 of the California Public Resources Code on the basis of its effects on biological resource impacts.

e) Cultural Resources

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 11 sites towards meeting its designated RHNA goal to provide new residential dwelling units in Mission Viejo by 2029. All of the sites in Table 3 are currently developed with the exception of site 8, which is vacant. Although the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the sites, the demolition of existing buildings and site improvements on the developed sites and the construction of new residential units could result in cultural resource impacts.

All of the listed sites in Table 3 are developed, with the exception of site 8, and as a result they have been disturbed during project grading and construction. Any cultural resources that were present on the developed sites have been disturbed and uncovered during development. Therefore, it is not anticipated that future residential development of the developed sites would uncover any existing cultural resources. Because site 8 is not developed and undisturbed, there could be cultural resources present on the site that could be uncovered during any grading and the construction of residential units.

No physical development or land alteration of any sites is proposed at this time. The development of the sites in Table 3 in the future would be subject to further discretionary consideration and environmental analysis by the City in compliance with CEQA once detailed project development plans are filed for consideration. Should future environmental analysis identify any potential significant impacts to archaeological and/or historical

resources to a site, mitigation measures to reduce those impacts to a less than significant level would be required by CEQA Guidelines section 15064.5.

There have been no substantial changes with respect to the circumstances under which the General Plan Update was approved that will require major revisions of the General Plan Program EIR. Accordingly, the potential cultural resource impacts associated with the development of the sites in Table 3 associated with the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 is the same as described and analyzed in the General Plan Program EIR.

Therefore, the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger the need for a subsequent EIR per Section 21166 of the California Public Resources Code on the basis of its effects on cultural resource impacts.

f) Geology and Soils

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 11 sites towards meeting its designated RHNA goal to provide new residential dwelling units in Mission Viejo by 2029. All of the sites in Table 3 are currently developed with the exception of site 8, which is vacant. Although the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the listed sites, the demolition of existing buildings and site improvements on the developed sites and the construction of new residential units could result in geotechnical and/or soil impacts.

There have been no substantial changes with respect to the circumstances under which development can occur for the sites in Table 3 that would require major revisions of the General Plan Program EIR. Accordingly, the potential geology and soil impacts associated with the City of Mission Viejo General Plan Housing Element Update, 2021-2029 is the same as the geology and soil impacts described and analyzed in the General Plan Program EIR.

At the time site specific residential development plans are submitted, the City would conduct environmental analysis in compliance with CEQA to evaluate and determine the potential for geotechnical and/or soils impacts by the project at that time. If required by CEQA, the City would require the project developer to conduct site specific geotechnical and soil studies to determine the potential significance of any impacts. If required, mitigation measures would be required and implemented to reduce potential geotechnical and/or soils impacts.

Therefore, the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger need for a subsequent EIR on the basis of its effects on geology and soil impacts.

g) Hazards and Hazardous Materials

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies

the potential to develop up to 2,217 new residential units on 11 sites towards meeting its designated RHNA goal to provide new residential dwelling units in Mission Viejo by 2029. All of the sites in Table 3 are currently developed with the exception of site 8, which is vacant. Although the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the listed sites, the demolition of existing buildings and site improvements on the developed sites and the construction of new residential units could result in hazards and hazardous material impacts.

There have been no substantial changes with respect to the circumstances under which development can occur for each site that would require major revisions of the General Plan Program EIR. Accordingly, the potential hazards and hazardous impacts associated with the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 is the same as the hazardous impacts described and analyzed in the General Plan Program EIR.

At the time site specific residential development plans for a site listed in Table 3 are submitted, the City would conduct environmental analysis in compliance with CEQA to evaluate and determine the potential for hazardous impacts by the project at that time. If required by CEQA, the City would require the project developer to conduct site specific hazardous investigations to determine the potential significance of any impacts. If required, mitigation measures would be required and implemented to reduce potential hazardous impacts.

The approval of the City of Mission Viejo General Plan Housing Element Update, 2021-2029 would not result in any new, or substantially more adverse, significant impacts to hazards than were otherwise disclosed in the 2013 General Plan Program EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the General Plan Program EIR was certified, that shows any new, or substantially more adverse, significant hazardous impacts than those disclosed in the 2013 General Plan Program EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant effects of the City of Mission Viejo General Plan Housing Element Update, 2021-2029 to hazardous materials.

Therefore, the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger need for a subsequent EIR on the basis of its effects on hazardous materials.

h) Hydrology and Water Quality

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 11 sites towards meeting its designated RHNA goal to provide new residential dwelling units in Mission Viejo by 2029. All of the sites in Table 3 are currently developed with the exception of site 8, which is vacant. Although the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the listed sites, the

demolition of existing buildings and site improvements on the developed sites and the construction of new residential units could result in hydrology and water quality impacts.

The City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose any substantial changes to the type of development allowed for the sites in Table 3 as analyzed in the 2013 General Plan Program EIR. There have been no substantial changes with respect to the circumstances under which development can occur for each site that would require major revisions of the General Plan Program EIR. Accordingly, the potential hydrology and water quality impacts associated with the City of Mission Viejo General Plan Housing Element Update, 2021-2029 is the same as the hydrology and water quality impacts described and analyzed in the General Plan Program EIR.

At the time site specific residential development plans are submitted, the City would conduct environmental analysis in compliance with CEQA to evaluate and determine the potential for hazardous impacts by the project at that time. If required by CEQA, the City would require the project developer to conduct site specific hydrological and water quality investigations to determine the potential significance of any impacts. If required, mitigation measures would be required and implemented to reduce potential hydrology and water quality impacts.

Therefore, the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger need for a subsequent EIR on the basis of its effects on hydrology and water quality impacts.

i) Land Use

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 11 sites towards meeting its designated RHNA goal to provide new residential dwelling units in Mission Viejo by 2029. All of the sites in Table 3 are currently developed with the exception of site 8, which is vacant. Although the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the listed sites, the demolition of existing buildings and site improvements on the developed sites and the construction of new residential units could result in land use impacts.

Table 4 shows the general plan amendments and zone changes that would be required for each site to allow the type and density of residential development planned for that site. The land use element of the General Plan and the General Plan Land Use map will be updated to allow the higher density of residential development of the sites in Table 4 towards meeting the RHNA allocation of 2,217 units. General Plan policies will be updated and/or revised to encourage higher residential densities on the sites in Table 3. The rezoning of the sites would result in sites being consistent with general plan land use designations to allow higher residential densities. The development code would be revised to provide higher density development standards to accommodate the higher residential densities. Since the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose any residential development at this time, there will not be any land use or zoning impacts. Potential land use and zoning impacts associated with the residential development of the

sites in Table 3 would be evaluated for compliance with CEQA at the time site specific development plans are submitted to the City of Mission Viejo for approval.

Although the City of Mission Viejo General Plan Housing Element Update, 2021-2029 proposes general plan amendments and zone changes for the sites in Table 4, the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose site specific residential development plans for any of the sites. At the time residential development plans are submitted for a site, the City would conduct environmental analysis in compliance with CEQA to evaluate and determine the potential for land use impacts by the project at that time. If required by CEQA, mitigation measures would be required and implemented to reduce potential land use impacts.

Therefore, the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger need for a subsequent EIR on the basis of its potential land use impacts.

j) Noise and Vibration

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 11 sites towards meeting its designated RHNA goal to provide new residential dwelling units in Mission Viejo by 2029. All of the sites in Table 3 are currently developed with the exception of site 8, which is vacant. Although the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the listed sites, the demolition of existing buildings and site improvements on the developed sites and the construction of new residential units could result in short- and long-term noise impacts.

There have been no substantial changes with respect to the circumstances under which development can occur for each site that would require major revisions of the General Plan Program EIR. Accordingly, the potential noise and vibration impacts associated with the City of Mission Viejo General Plan Housing Element Update, 2021-2029 is the same as the noise and vibration impacts described and analyzed in the General Plan Program EIR.

At the time site specific residential development plans are submitted, the City would conduct environmental analysis in compliance with CEQA to evaluate and determine the potential for noise and vibration impacts by the project at that time. If required by CEQA, the City would require the project developer to conduct site specific noise and vibration investigations to determine the potential significance of any impacts. The following applicable mitigation measures are carried forward from the General Plan Program EIR MMRP to reduce noise impacts for residential projects associated with the sites listed in Table 3 to less than significant.

Mitigation Measures:

N-1 Acoustical studies shall be required for all discretionary projects where any of the following apply:

- The project includes a noise-sensitive land use that is located within the existing or future 60-dBA CNEL contour for transportation noise sources.
- The project will cause future traffic volumes to increase by 25 percent or more on any roadway that fronts residential, institutional, or open space land uses.
- The project will expose a noise-sensitive land use to a stationary noise source exceeding the standards outlined in the Noise Element. Such stationary sources may include mechanical equipment operations, entertainment venues, industrial facilities, and property maintenance.
- The project includes a noise-sensitive land use in the vicinity of existing or proposed commercial and industrial areas.
- The project is a mixed-use development that includes a residential component. The focus of this type of acoustical study is to determine likely interior and exterior noise levels and to recommend appropriate design features to reduce noise.
 - Recommend appropriate mitigation to achieve compliance with the adopted policies and standards of the Noise Element. Where the noise source in question consists of intermittent single events, the report must address the effects of maximum noise levels in sleeping rooms in terms of possible sleep disturbance. An acoustical analysis prepared in accordance with the Noise Element shall:
 - be the financial responsibility of the applicant seeking City approval of a project;
 - be prepared by a qualified person experienced in the fields of environmental noise assessment and architectural acoustics;
 - include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions and predominant noise sources;
 - estimate existing and projected cumulative (20 years) noise in terms of CNEL or Ldn, and compare those noise levels to the adopted standards and policies of the Noise Element;
 - estimate noise exposure after the prescribed mitigation measures have been implemented; and
 - describe a post-project assessment program that could be used to evaluate the effectiveness of the proposed mitigation measures.

N-2 A vibration analysis shall be required as part of all acoustical studies required under Mitigation Measure N-1. Where a noise study is not required, the City shall require construction contractors to implement the following measures during construction activities through contract provisions and/or conditions of approval as appropriate:

- For projects where construction will include vibration-generating activities, such as pile driving, within 100 feet of existing structures, site-specific vibration studies shall be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following:
 - Identify sites that would include vibration compaction activities such as pile driving and have the potential to generate groundborne vibration, and the sensitivity of nearby structures to groundborne vibration. This task should be conducted by a qualified structural engineer.
 - Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels approached the limits.
 - At a minimum, monitor vibration during initial demolition activities and during pile-driving activities. Monitoring results may indicate the need for more or less intensive measurements.
 - When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.
 - Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

N-3 The City shall require construction contractors to implement the following measures during construction activities through contract provisions and/or conditions of approval as appropriate:

- Construction equipment shall be properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (e.g., mufflers, silencers, wraps).
- Construction operations and related activities associated with the project shall comply with the operational hours outlined in the City of Mission Viejo Municipal Code (Noise Control).

- Construction equipment shall not be idled for extended periods of time in the vicinity of noise-sensitive receptors.
- Locate fixed and/or stationary construction equipment as far as possible from noise-sensitive receptors (e.g., generators, compressors, rock crushers, cement mixers).
- Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on powered construction equipment.
- Where feasible, temporary barriers shall be placed as close to the noise source or as close to the receptor as possible and break the line of sight between the source and receptor where modeled levels exceed applicable standards. Acoustical barriers shall be constructed material having a minimum surface weight of 2 pounds per square foot or greater, and a demonstrated Sound Transmission Class (STC) rating of 25 or greater as defined by American Society for Testing and Materials (ASTM) Test Method E90. Placement, orientation, size, and density of acoustical barriers shall be determined by analysis.

Therefore, the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger need for a subsequent EIR on the basis of its potential noise and vibration impacts.

k) Public Services and Utilities

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 11 sites towards meeting its designated RHNA goal to provide new residential dwelling units in Mission Viejo by 2029. All of the sites in Table 3 are currently developed with the exception of site 8, which is vacant. Although the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the listed sites, the demolition of existing buildings and site improvements on the developed sites and the construction of new residential units could result in public service and utility impacts.

There have been no substantial changes with respect to the circumstances under which development can occur for each site in Table 3 that would require major revisions of the General Plan Program EIR. Accordingly, the potential public service and utility impacts associated with the City of Mission Viejo General Plan Housing Element Update, 2021-2029 is the same as the public service and utility impacts described and analyzed in the General Plan Program EIR.

At the time site specific residential development plans are submitted, the City would conduct environmental analysis in compliance with CEQA to evaluate and determine the potential for public service and utility impacts by the project. If required by CEQA, the City would require the project developer to conduct site specific investigations to determine the potential significance of any public service and utility impacts. If required, mitigation

measures would be required and implemented to reduce potential public service and utility impacts.

Therefore, the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger need for a subsequent EIR on the basis of its potential public services and utility impacts.

I) Transportation and Circulation

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 11 sites in the City towards meeting its designated RHNA goal to provide 2,217 new residential dwelling units in Mission Viejo by 2029. All of the selected sites listed in Table 3 are currently developed with the exception of site 8, which is vacant and undeveloped. Although the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the listed sites, the demolition of existing buildings and site improvements on the developed sites and the construction of new residential units could result in transportation and circulation impacts.

There have been no substantial changes with respect to the circumstances under which development can occur for each site that would require major revisions of the General Plan Program EIR. Accordingly, the potential transportation and circulation impacts associated with the draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 is the same as the transportation and circulation impacts described and analyzed in the General Plan Program EIR.

At the time site specific residential development plans are submitted, the City would conduct environmental analysis in compliance with CEQA to evaluate and determine the potential for transportation and circulation impacts by the project. If required by CEQA, the City would require the project developer to conduct site transportation and circulation studies and investigations to determine the potential significance of any impacts. If required, mitigation measures would be required and implemented to reduce potential traffic and circulation impacts. The following applicable mitigation measures are carried forward from the General Plan Program EIR MMRP to reduce traffic impacts for residential projects associated with the sites listed in Table 3 to less than significant.

Mitigation Measures:

TT-1 The City shall implement the improvements to intersections listed below that have been identified in Table 3.5-9²⁰. All of the improvements include additional turn lane capacity provisions. These provisions will require further evaluation to ensure the improvements are appropriate and necessary. Prior to implementation of the identified improvements, the intersections should be monitored to ensure the improvements are ultimately necessary as the surrounding developments mature.

²⁰ Table 3.5-9, 2013 Mission Viejo General Plan Program EIR.

- I-5 northbound ramp/Oso Parkway (PM peak hour LOS E)
- I-5 northbound ramp/Avery Parkway (PM peak hour LOS F)
- Trabuco Road/Los Alisos Boulevard (AM peak hour LOS E)
- Los Alisos Boulevard /Santa Margarita Parkway (AM and PM peak hour LOS E/E)
- Marguerite Parkway/Jeronimo Road (AM peak hour LOS E)
- Marguerite Parkway/Avery Parkway (AM and PM peak hour LOS E/E)
- Felipe Road/Oso Parkway (AM and PM peak hour LOS E/E)

TT-2 Support alternative modes of travel by continuously developing and supporting these modes of travel. This can continually occur by:

- Continued implementation and update of the Bicycle Master Plan and integrating it with a Pedestrian Master Plan;
- Update and maintain City Roadway Standards to consider the public realm of the street and implement complete streets, as appropriate;
- Consider development of a neighborhood electric vehicle (NEV) master plan to encourage use of no emission vehicles on appropriate facilities. Coordinate with SCAG and the State Legislature to allow NEVs on public roadways with greater than 35 miles per hour posted speed limit;
- Develop innovative funding mechanisms (such as fee districts or Transnet funding) to assist in implementing, operating, and maintaining the proposed shuttle system and bike share facilities within the City;
- Work with developers to integrate bicycle and pedestrian amenities within their development plans.

Therefore, the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger need for a subsequent EIR on the basis of its potential transportation and circulation impacts.

m) Tribal Cultural Resources

The draft City of Mission Viejo General Plan Housing Element Update, 2021-2029 identifies the potential to develop up to 2,217 new residential units on 15 sites in the City towards meeting its designated RHNA goal to provide 2,217 new residential dwelling units in Mission Viejo by 2029. All of the selected sites listed in Table 1 currently are developed with the exception of site 8, which is vacant and undeveloped. Although the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not propose residential development for any of the listed sites, the demolition of existing buildings and site improvements on the developed sites and the construction of new residential units could result in tribal cultural impacts, especially site 8 that is vacant and undeveloped.

At the time site specific residential development plans are submitted, the City would conduct environmental analysis in compliance with CEQA and AB 52 and SB 16 as applicable to evaluate and determine the potential for impacts to tribal cultural resources by the project. Consistent with AB 52, the City would contact all tribes with known resources in Mission Viejo and request consultation to determine the potential for tribal cultural resources to exist

on the site. If requested by a tribe, the City would conduct consultation and arrive at the appropriate measures to protect tribal cultural resources if encountered on the site during any ground disturbance, such as grading, trenching, boring, construction, etc. If required, mitigation measures would be required and implemented to reduce potential tribal cultural resources.

Therefore, the City of Mission Viejo General Plan Housing Element Update, 2021-2029 does not trigger need for a subsequent EIR on the basis of its potential tribal cultural resource impacts.

m) Wildfires

The review of the California Department of Forestry and Fire Protection's (Cal Fire) Fire and Resource Assessment Program (FRAP) shows that none of the 11 listed sites are in a designated Fire Hazard Severity Zone in a State Responsibility Area (SRA).²¹ Similarly, the FRAP shows that none of the 11 sites are in a designated Very High Fire Hazard Severity Zone in a Local Responsibility Area (LRA).²² The development of residential units within the 11 listed sites in Table 3 would not be required to install and maintain any roads, fuel breaks, emergency water sources, power lines or other utilities specifically to protect the development and the immediate area from a wildfire because none of the sites are located in a SRA or LRA. However, like all residential development in the city, any residential development within the sites in Table 3 would be required to construct all fire protection measures required to meet and comply with the California Fire Code as applicable.

The City of Mission Viejo General Plan Housing Element Update, 2021-2029 would not result in any significant wildfire impacts that would trigger the need for a subsequent EIR on the basis of its potential wildfire impacts.

VIII. Conclusion

Based on the foregoing, none of the circumstances requiring preparation of a subsequent or supplemental EIR to the General Plan Program EIR (as specified in CEQA section 21166 and CEQA Guidelines 15162 and 15163) exist. The City of Mission Viejo General Plan Housing Element Update, 2021-2029 proposes no substantial changes to the development proposed for the 11 sites listed in Table 3 by the 2013 Mission Viejo General Plan with the approval of the requested general plan amendments, zone changes and development code amendments. Furthermore, no substantial changes are proposed or would occur with respect to the circumstances that development of any of the sites in Table 3 would require major revisions to the General Plan Program EIR and no new information that was not known and could not have been known at the time the General Plan Program EIR was certified has become available.

²¹ https://osfm.fire.ca.gov/media/6662/fhszs_map7.pdf

²² https://osfm.fire.ca.gov/media/6660/fhszl_map7.pdf