# Cypress Grove

## Initial Study

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May 2025

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APPENDIX K VMT SCREENING FORM

## Acronym List

| | |
|---|---|
| A-P | Alquist-Priolo Earthquake Fault Zoning Act |
| AB | Assembly Bill |
| ACM | asbestos containing material |
| AELUP | Airport Environs Land Use Plan |
| ALUC | Airport Land Use Commission |
| ALUP | Airport Land Use Plan |
| AQMP | Air Quality Management Plan |
| AB | Assembly Bill |
| APN | Assessor's Parcel Numbers |
| BMPs | best management practices |
| CARB | California Air Resources Board |
| CBC | California Building Code |
| CDF | California Department of Finance |
| CEQA | California Environmental Quality Act |
| CFC | California Fire Code |
| cfs | cubic feet per second |
| DAMP | Drainage Area Management Plan |
| EIR | Environmental Impact Report |
| EOCWD | East Orange County Water District |
| ESA | Environmental Site Assessment |
| FEMA | Federal Emergency Management Agency |
| FIRM | Flood Insurance Rate Maps |
| GHG | greenhouse gas |
| LID | low impact development |
| LBP | lead based paint |
| LOS | level of service |
| MBTA | Migratory Bird Treaty Act |
| MGD | million gallons per day |
| NPDES | National Pollutant Discharge Elimination System |
| NOx | nitrogen oxides |
| $O_3$ | ozone |
| OC San | Orange County Sanitation District |
| OCFA | Orange County Fire Authority |
| OCTA | Orange County Transportation Authority |
| OCWD | Orange County Water District |
| OPR | Governor's Office of Planning and Research |
| OSHA | Occupational Safety and Health Administration |
| ppm | parts per million |
| PM | particulate matter |
| PPP | Plans, Programs, or Policies |
| QSD | Qualified SWPPP Developer |
| QSP | Qualified SWPPP Practitioner |
| RWQCB | Regional Water Quality Control Board |
| SB | Senate Bill |
| SCAQMD | South Coast Air Quality Management District |
| SCAG | Southern California Association of Governments |
| SWPPP | Stormwater Pollution Prevention Plan |
| SWRCB | State Water Resource Control Board |

| | |
|---|---|
| TPZ | Timberland Production Zone |
| TUSD | Tustin Unified School District |
| USEPA | United States Environmental Protection Agency |
| USFWS | United States Fish and Wildlife Service |
| USGS | United States Geologic Survey |
| VMT | vehicle miles traveled |
| WQMP | Water Quality Management Plan |

# 1. INTRODUCTION

## 1.1. PURPOSE OF THE INITIAL STUDY

This Initial Study has been prepared in accordance with the following:

- California Environmental Quality Act (CEQA) of 1970 (Public Resources Code Sections 21000 et seq.); and
- Guidelines for Implementation of the California Environmental Quality Act (State CEQA Guidelines) (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 et seq.) as last comprehensively amended and approved on December 28, 2018.

Pursuant to CEQA, this Initial Study has been prepared to analyze the potential for significant impacts on the environment resulting from implementation of the proposed Project, described in greater detail in Section 3.0, *Project Description*. As required by State CEQA Guidelines Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the City of Tustin, to determine if a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR) is required to evaluate the potential environmental impacts associated with the Project.

This Initial Study informs City of Tustin decision-makers, affected agencies, and the public of potentially significant environmental impacts associated with the implementation of the Project. A "significant effect" or "significant impact" on the environment means "*a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project*" (State CEQA Guidelines Section 15382).

Given the Project's level of detail, combined with previous analyses and current information about the site and environs, the City's intent is to adhere to the following CEQA principles:

- Provide meaningful early evaluation of site planning constraints, service and infrastructure requirements, and other local and regional environmental considerations (Public Resources Code Section 21003.1).
- Encourage the applicant to incorporate environmental considerations into project conceptualization, design, and planning at the earliest feasible time (State CEQA Guidelines Section 15004[b][3]).
- Specify mitigation measures for reasonably foreseeable significant environmental effects and commit the City and applicant to future measures containing performance standards to ensure their adequacy when detailed development plans and applications are submitted (State CEQA Guidelines Section 15126.4).

## 1.2. DOCUMENT ORGANIZATION

This Initial Study includes the following sections:

### Section 1. Introduction

Provides information about CEQA and its requirements for environmental review and explains that an Initial Study was prepared to evaluate the proposed Project's potential impact to the physical environment, and to determine if an EIR is required.

### Section 2. Environmental Setting

Provides information about the proposed Project's location.

## Section 3. Project Description

Includes a description of the proposed Project's physical features and characteristics.

## Section 4. Environmental Checklist

Includes the summarized results for the Environmental Checklist from Appendix G of the State CEQA Guidelines and evaluates the proposed Project's potential to result in significant adverse effects to the physical environment. Identifies if an EIR is required, and if one is, what environmental topics need to be analyzed in the EIR.

## Section 5. Environmental Analysis

Includes the information and data that was analyzed leading to the results of the Environmental Checklist.

## Section 6. References

Lists the sources of information used to support the analysis contained herein.

# 2. ENVIRONMENTAL SETTING

## 2.1. PROJECT LOCATION

The Project site is located in the northwest portion of the City of Tustin, bordered to the west by Prospect Avenue, to the north by 17th Street, to the east by residential uses followed by Howland Way, and to the south by residential uses followed by Arbolada Way. Tustin is situated in central Orange County, bordered by the City of Irvine to the east and south, City of Santa Ana to the west, and the City of Orange and unincorporated Orange County community of North Tustin to the north. Regional access to the site is available via State Route 55 (SR 55), approximately 0.5 miles west of the site.

The Project site, located at 17852 17th Street in Tustin, spans 8.5 acres and currently consists of one non-buildable parcel (Lot A) used for parking (APN 401-401-17) and five parcels (APNs 401-401-12 through -16) with multiple addresses: 17772, 17782, 17822, 17852, and 17862 17th Street. Local access to the site is provided via Prospect Avenue and 17th Street. Regional location and local vicinity maps are provided in Figure 2-1, *Regional Location*, Figure 2-2, *Local Vicinity*, and Figure 2-3, *Aerial*.

## 2.2. EXISTING LAND USE

The Project site is currently developed with the "Tustin Financial Plaza," which is developed with five buildings that provide a total of 193,000 square feet (SF) of office space. The four corner buildings are two stories in height, and the central building is four stories with an approximate maximum height of 55 feet. Parking is provided in between each of the structures on the north, east, south, and west sides of the Project site. The site is currently accessible via three driveways: one fronting Prospect Avenue to the west, and two fronting 17th Street to the north. The site contains ornamental landscaping within parking lot medians, around the central structure, and along the perimeter of the Project site. Existing Site Photos are provided in Figures 2-4 through Figure 2-6, *Existing Site Photos A-C*.

## 2.3. EXISTING GENERAL PLAN LAND USE AND ZONING DESIGNATIONS

The Project site has a General Plan land use designation of Planned Community Commercial/Business (PCCB) and a zoning designation of Planned Community Business Park (PC BUS PARK). The PCCB land use designation provides opportunities for a variety of miscellaneous retail, professional office, and service-oriented business activities, as well as residential uses up to a maximum density of 54 persons per acre. This persons per acre ratio equates to 19.78 dwelling units/acre, based on the Planned Community Medium Density Residential persons per dwelling unit ratio in the Tustin General Plan. The PC BUS PARK zoning classification is intended to allow diversification of the relationships of various buildings, structures and open spaces in planned building groups while ensuring substantial compliance with the district regulations and other provisions of the Planned Community District zone.

The Project site's existing General Plan land use and zoning designations are shown in Figure 2-7, *Existing General Plan Land Use*, and Figure 2-8, *Existing Zoning*.

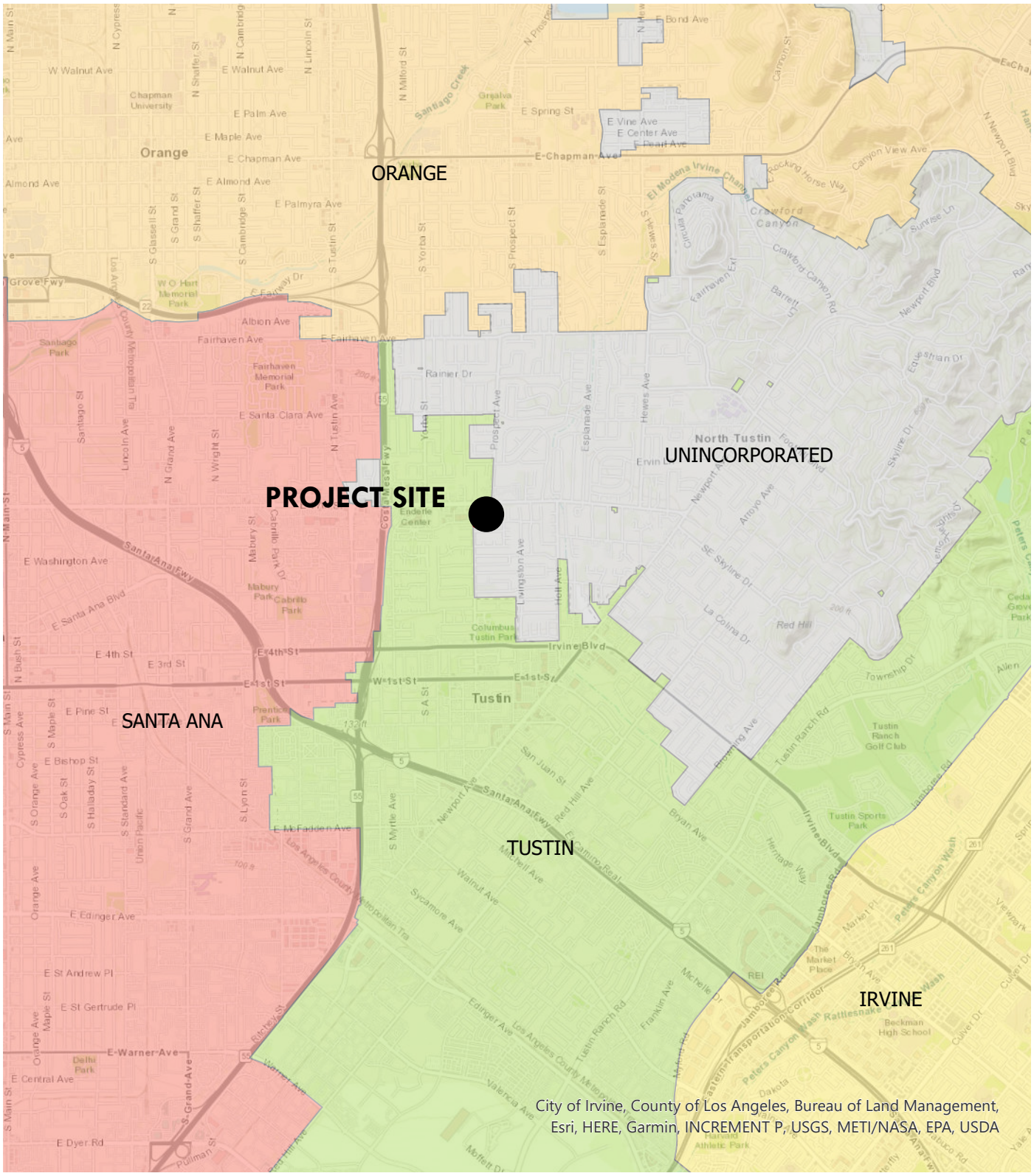
## 2.4. SURROUNDING LAND USES

The surrounding land uses are shown on Figure 2-1, *Regional Location*, and described in Table 2-1 below.

**Table 2-1: Surrounding Existing Land Use and Zoning Designations**

| | Existing Land Use | General Plan Designation | Zoning Designation |
|---|---|---|---|
| **North** | 17th Street followed by commercial and office uses | Planned Community Commercial/Business (PCCB) Professional Office (PO) | Planned Community Commercial (PC COM) Professional (PR) |
| **East** | Single-family residential followed by Howland Way | Planned Community Residential (PCR) (Unincorporated Orange County) | North Tustin Specific Plan – Single Family Residential (100-RSF) (Unincorporated Orange County) |
| **South** | Single-family residential followed by Arbolada Way | Low Density Residential (LDR) (Unincorporated Orange County) | Small Estates (E4) (Unincorporated Orange County) |
| **West** | Prospect Avenue followed by commercial and single-family residential uses | Planned Community Commercial/Business (PCCB) Low Density Residential (LDR) | Planned Community Commercial (PC COM) Residential Estate (E4) |

# Regional Location




0 1 2 Miles

N

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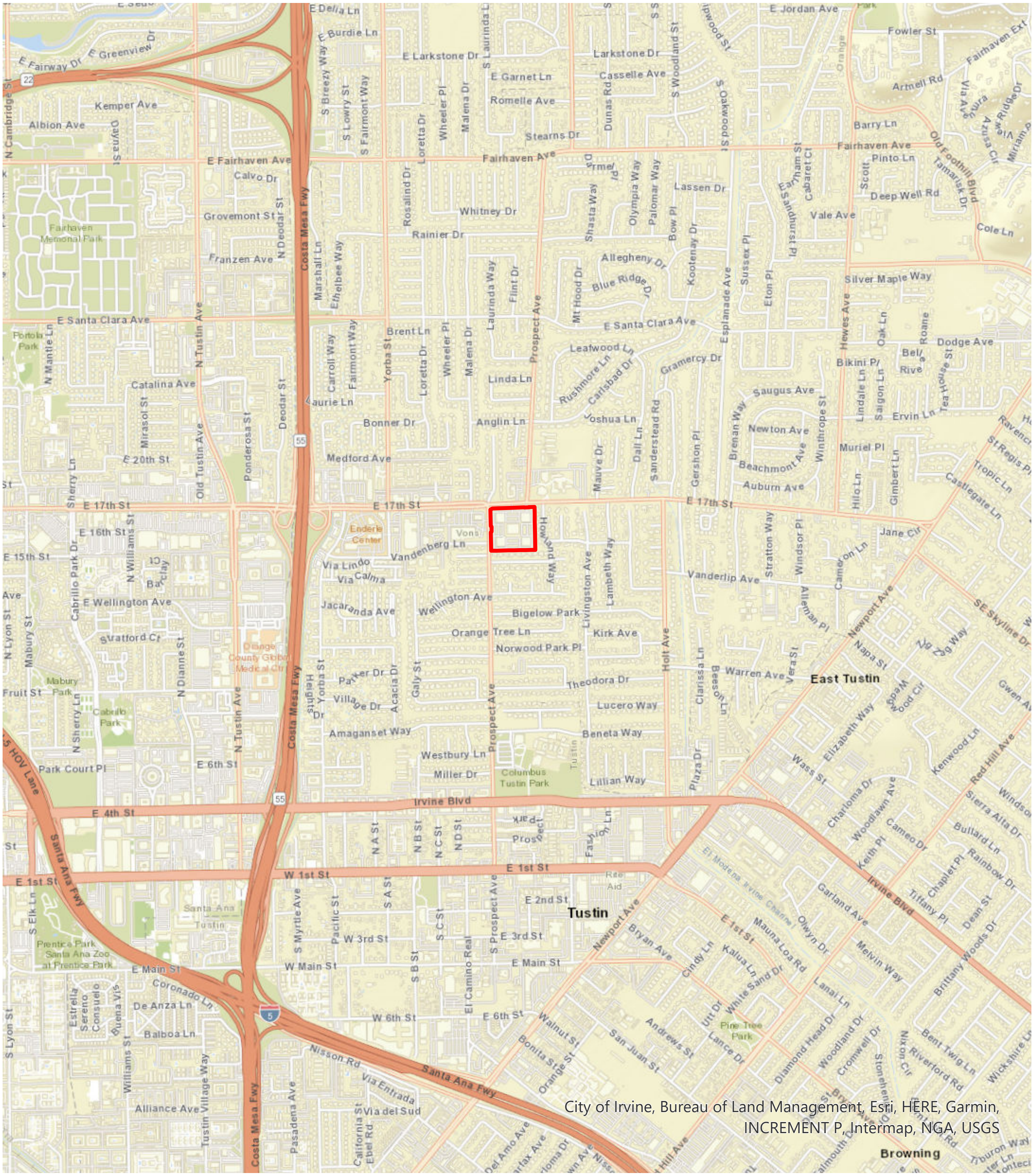
# Local Vicinity




**Legend**

Project Site

0 0.5 1 Miles

N

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# Aerial

**Legend**

Project Site

0 250 500 Feet

N

Cypress Grove
City of Tustin

**Figure 2-3**

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Key

Viewpoint location

Direction of sight

View of existing driveway to the Project site from Prospect Avenue.

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# Existing Site Photos

Key

Viewpoint location

Direction of sight

View of the Project site from 17th Avenue.

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# Existing Site Photos

Key

Viewpoint location

Direction of sight

View of the Project site from the intersection of Prospect Avenue and 17th Street.

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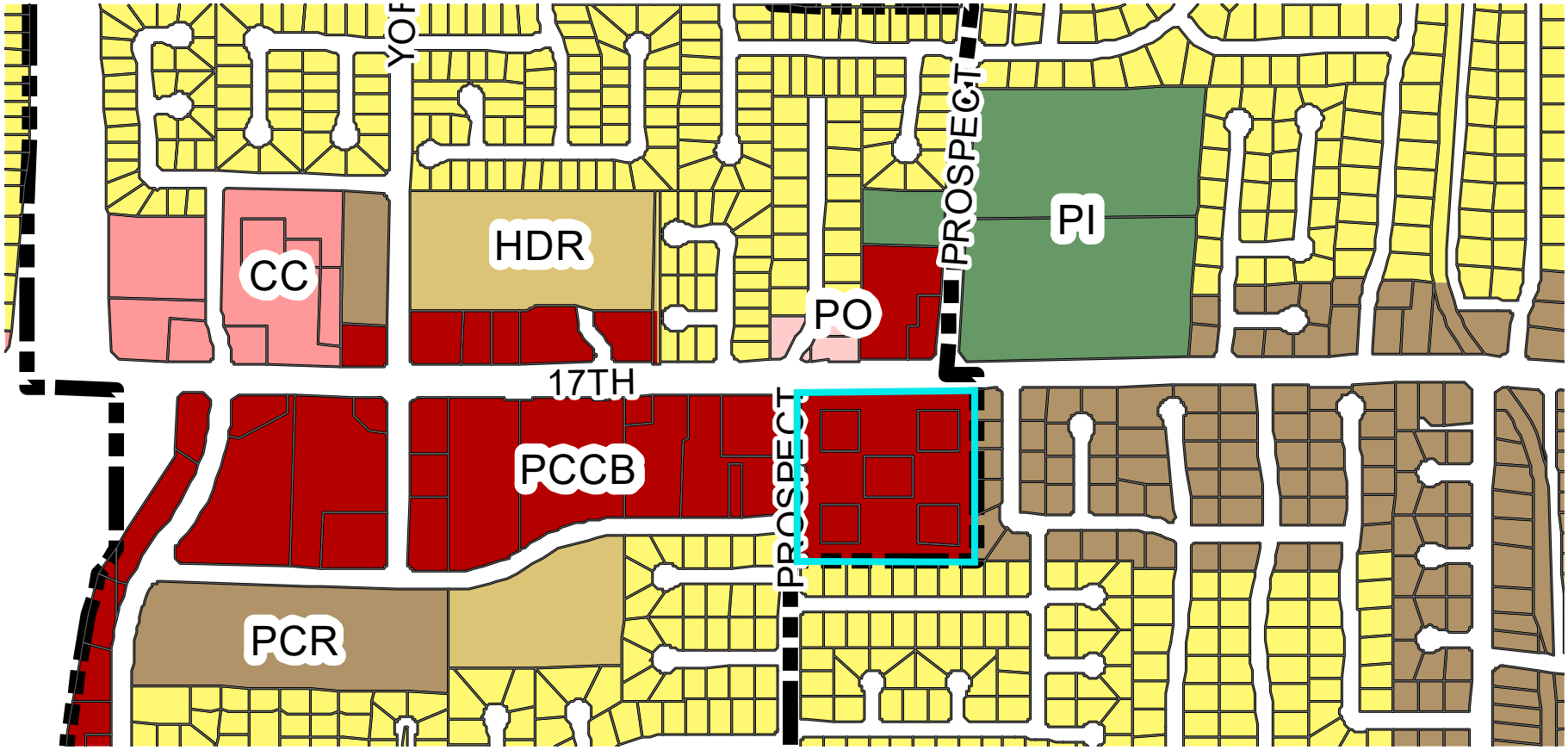
# Existing General Plan Designation




**LEGEND**

Project Site

**GeneralPlan**

- LDR - Low Density Residential
- MDR - Medium Density Residential
- HDR - High Density Residential
- PCR - Planned Community Residential
- MHP - Mobile Home Park
- PO - Professional Office
- CC - Community Commercial
- OTC - Old Town Commercial
- I - Industrial
- PCCB - Planned Community Commercial/Business
- PI - Public/Institutional
- PCPI - Planned Community Public/Institutional
- SP 1 - Tustin Legacy Specific Plan
- DCCSP - Downtown Commercial Core Specific Plan
- RHASP - Red Hill Avenue Specific Plan

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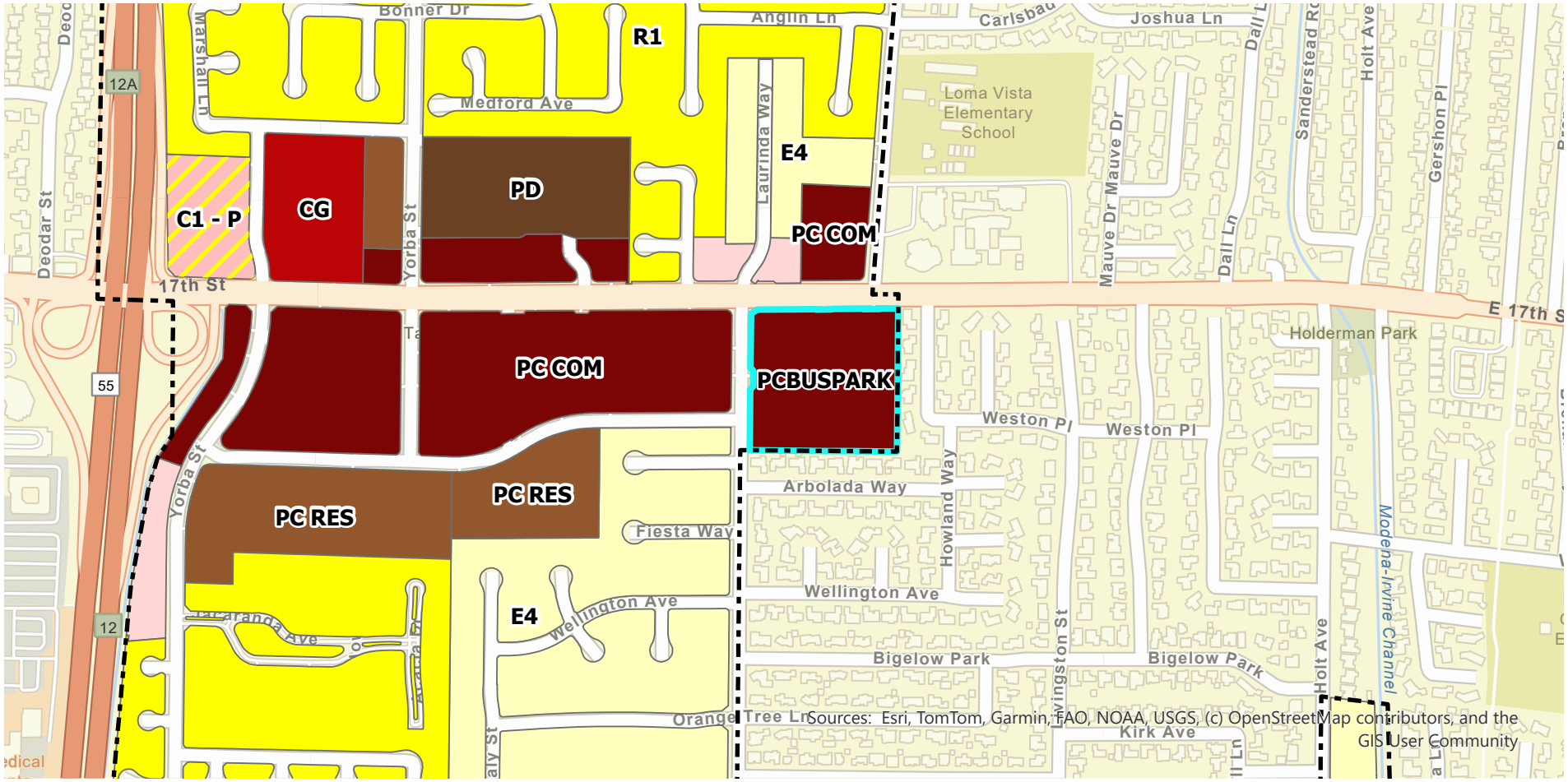
# Existing Zoning




N

0 500 1,000 US Feet

## Legend

- Project Site
- City Boundary

**Zoning**

- Retail Commercial - Parking Overlay (C1 - P)
- Commercial General (CG)
- Residential Estate (E4)
- Planned Community Commercial (PC COM)
- Planned Community Residential (PC RES)
- Planned Development (PD)
- Professional (PR)
- Single Family Residential (R1)
- Planned Community Commercial - Business Park (PCBUSPARK)

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# 3. PROJECT DESCRIPTION

## 3.1. PROJECT OVERVIEW

The Project proposes development of 145 for-sale residential units on 8.5 acres in the City of Tustin. The residential units would consist of 62 single-family detached cluster units and 83 single-family attached townhome units, which would result in an average net density of 17.06 dwelling units per acre (du/ac) across the Project site. The Project includes a rezone of PC BUS PARK to PC RES, which would be consistent with the underlying General Plan land use designation of PCCB that allows residential uses up to a density of 54 persons per acre. The Project would also include the reconstruction of one driveway entrance from Prospect Avenue, an internal access drive aisle, one recreational common space area for resident use, and additional stormwater and utility improvements to accommodate proposed residences, as well as the closure of two existing driveways on 17th Street. The Project design concept is illustrated in Figure 3-1, *Conceptual Site Plan*.

## 3.2. PROJECT FEATURES

### Development Summary

The proposed 145 residential units would be developed in various styles, including single-family cluster-style housing and townhome-style housing. The Project would include construction of 13 townhome buildings, consisting of one 3-plex, one 5-plex, five 6-plexes, four 7-plexes, one 8-plex, and one 9-plex, for a total of 83 townhome-style units. Additionally, the Project would result in 62 new single-family cluster units. Each housing product type would include several design variations. Townhomes would include two 3-bedroom options and one 4-bedroom option. Single-family residential would include three 4-bedroom options and one 5-bedroom option. Total cumulative living footprint of the Project would be 322,456 SF. The proposed units are shown below in Table 3-1.

**Table 3-1: Proposed Development**

| Plan Type | Floor Area (SF) | Bedroom | Bath | Units |
|---|---|---|---|---|
| **SFR Plan 1** | 2,280 | 4 | 3.5 | 11 |
| **SFR Plan 2** | 2,550 | 4 | 3.5 | 17 |
| **SFR Plan 3** | 2,590 | 4 | 3.5 | 15 |
| **SFR Plan 4** | 2,920 | 5 | 4.5 | 19 |
| **TH Plan 1** | 1,782 | 3 | 2.5 | 26 |
| **TH Plan 2** | 1,908 | 4 | 3.5 | 33 |
| **TH Plan 3** | 2,100 | 3 | 2.5 | 24 |

All proposed townhouse structures would be three stories and would be up to 38 feet and 4 inches in height. Single family cluster units would also be three stories and would be up to 39 feet and 11 inches.

The proposed single-family attached townhome units would be constructed in a Spanish architectural style, with stucco architectural treatment, clay roofs, gables, and decorative blue and green accents, as shown on Figure 3-2, *Building A Elevations,* Figure 3-3, *Building B Elevations*, and Figure 3-4, *Building C Elevations*.

The proposed single-family detached cluster units would be constructed in farmhouse, craftsman, and abstract traditional architectural styles. Abstract traditional units would be treated with stucco and lap siding exterior with brick accents. Craftsman units would be treated with stucco exterior and stone veneer accents.

Farmhouse units would be treated with stucco exterior with decorative board and batten. Elevations are provided in Figure 3-2, *Building A Elevations,* Figure 3-3, *Building B Elevations*, and Figure 3-4, *Building C Elevations*.

## Circulation and Parking

Access to the site would be provided via one driveway on Prospect Avenue. The existing driveways on 17th Street would be closed off and no longer accessible and would be replaced with sidewalks. On-site drive aisles would provide residents and guests with access to visitor spaces and residential garages. The Project would provide two enclosed garage spaces per unit, for a total of 290 enclosed residential parking spaces and 40 designated visitor parking spaces via street parking along the internal drive aisle.

## Landscaping and Fencing

The Project would include ornamental landscaping throughout the Project site. Landscaped areas would entail both private and communal open spaces. Overall, the Project would provide 46,131 SF of common open space. A 0.19-acre recreational area would be provided near the center of the proposed residential community and would contain a community gathering space, lawn area, nature and adventure play area, seating and bicycle racks, and would have accent trees throughout. Parking and a walking path to adjacent homes would also be provided. Additionally, private open space would include grass lawns, trees, and shrubs as shown in Figure 3-5, *Conceptual Landscape Plan*.

Landscaping would contain a mixture of trees and shrubs that comply with the City's Water Efficient Landscape Ordinance and with the *Guidelines for Implementation of the Water Efficient Landscape Ordinance*. Trees would be planted along Prospect Avenue and 17th Street, which would include Strawberry, Camphor, Carrotwood, Brisbane Box, and California Sycamore trees. On-site trees would contain a range of species that are consistent with and complimentary to the treescape along the public right-of-way surrounding the Project site. Ornamental shrubs would be dispersed throughout the site and include a large variety of species, creating visual diversity and interest.

A 6-foot screening wall, with a 3- to 4-foot retaining wall, would be constructed along the east and south sides of the Project site, between the proposed Project and existing residences. Partial fence walls would delineate and distinguish the private outdoor patio spaces from public areas.

## Infrastructure Improvements

The proposed Project would construct on-site infrastructure including new internal drive aisles, curb, gutter, sidewalk, and storm drain improvements, wet and dry utility connections, and related infrastructure improvements.

### *Solar*

The Project would implement photovoltaic (PV) solar panels on the rooftop of each residence in compliance with CA Building Energy Efficiency Standards (Title 24, Part 6).

### *Water and Sewer Improvements*

The Project would construct connections to the existing 8-inch water line in Prospect Avenue. Potable water would be conveyed throughout the site via 4-inch pipes. Additionally, the Project would connect to the existing 18-inch sanitary sewer system in Prospect Avenue. All Project sewage would be conveyed via an 8-inch sanitary sewer system that would be constructed beneath the internal roadways.

*Drainage Improvements*

A series of on-site storm drain facilities with low impact development (LID) and peak storm elements are proposed. Street surface runoff would be collected and conveyed through curb inlet catch basins and grate inlets, which would connect to a divert pipe system that would divert low flows to 13 proposed modular wetlands system (MWS) biofiltration vaults for water quality treatment. During larger storm events when the proposed biofiltration vaults are at capacity, stormwater would pond within the catch basins near the Project driveway, which would overflow into the public right-of-way on Prospect Avenue.

### Roadway Improvements

As mentioned previously, the existing driveways on 17th Street providing access to the site would be closed off and no longer accessible. The Project would therefore restripe the east bound merge lane upon closure of the 17th street driveways. A Class I off-street bike path is proposed within the existing public right-of-way along 17th Street.

## 3.3. CONSTRUCTION

Construction activities for the proposed Project would occur over one phase and would include demolition, site preparation, grading, building construction, paving, and architectural coating. Demolition activities are expected to generate approximately 48,000 cubic yards (CY) of cut and require 5,000 CY of fill, for a net export of 43,000 CY of soil. Additionally, demolition of the existing structures on the Project site is anticipated to result in 37,566 tons of debris that would be hauled off-site. Construction is expected to occur five days per week for 8 hours per day over an approximate duration of 15 months, beginning in June 2026 and concluding September 2027. Construction would occur within the hours allowed by the City of Tustin City Code Section 4617, which states that construction is exempt from noise restrictions between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and the hours of 9:00 a.m. and 5:00 p.m. on Saturdays, excluding City-observed federal holidays.

Table 3-2, *Project Construction Schedule*, provides the construction duration by construction phase anticipated for the Project.

**Table 3-2:Proposed Construction Schedule**

| Construction Activity | Number of Days |
|---|---|
| **Demolition** | 30 |
| **Site Preparation** | 10 |
| **Grading** | 20 |
| **Building Construction** | 230 |
| **Paving** | 20 |
| **Architectural Coating** | 25 |
| **Total** | **335** |

## 3.4. OPERATIONS

The Project would be operated as for-sale single-family detached cluster units and single-family attached townhome units with private and common open space areas and amenities. Typical operational characteristics include residents traveling to and from the site, general landscaping and maintenance, and delivery of materials and supplies to the site.

## 3.5. PROJECT OBJECTIVES

CEQA Guidelines §15124(b) (14 California Code of Regulations [CCR]) requires "a statement of objectives sought by the proposed project. A clearly written statement of objectives would help the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR and would aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project." The Project strives to achieve the following objectives:

- Provide high quality residential development that is consistent with the residential density assumptions in the General Plan.
- Establish a well-planned community that provides visual and functional compatibility with adjacent residential neighborhoods.
- Create a walkable and bikeable environment by converting an underutilized office site to residential uses near commercial uses and transit options (such as the existing bus stop adjacent to site).
- Provide housing to assist the City in meeting its Regional Housing Need Allocation (RHNA) and assist in reducing the housing shortage in southern California.
- Provide housing in areas that have existing family services, such as schools and parks.
- Promote a diverse housing stock with products that are offered at a range of sizes and density.

## 3.6. DISCRETIONARY ACTION CHECKLIST

The City of Tustin is expected to use the information contained in this Initial Study for consideration of approvals related to and involved in the implementation of this Project. These include, but may not be limited to, the permits and approvals described below.

As part of the proposed Project, the following discretionary actions are being requested from the City of Tustin by the Project proponent:

- Design Review;
- Vesting Tentative (Condo) Tract Map;
- Zone Change from PC BUS PARK to PC RES for 8.5 acres; and
- Certification of the Environmental Impact Report (EIR).

# Conceptual Site Plan

**LEGEND**

- Townhomes
- Cluster

Cypress Grove
City of Tustin

**Figure 3-1**

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# Building A Elevations

FRONT

RIGHT

REAR

LEFT

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# Building B Elevations

© 2025 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations

FRONT

RIGHT

REAR

LEFT

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# Building C Elevations

FRONT

RIGHT

REAR

LEFT

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# Conceptual Landscape Plan

## Legend

1. PROJECT SIGNAGE
2. PEDESTRIAN CROSSING
3. GROUP MAILBOXES
4. BICYCLE RACKS
5. RECREATION AREA
6. PRIVATE PATIO
7. PRIVATE YARD
8. LANDSCAPED PASEO
9. LANDSCAPE BUFFER
10. ACCENT TREES AT ENTRY

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# 4. ENVIRONMENTAL CHECKLIST

## 4.1. BACKGROUND

| |
|---|
| **Project Title:** Cypress Grove |
| **Lead Agency:** City of Tustin |
| **Lead Agency Contact:** Jorge Maldonado, Senior Planner |
| **Project Location:** 17772, 17782, 17822, 17852, and 17862 17th Street, Tustin, CA 92780 |
| **Project Sponsor's Name and Address:** KINGSBARN Capital & Development, 2500 Sand Hill Road, Suite 320, Menlo Park, CA 94025, on behalf of KB Tustin Plaza, LLC |
| **General Plan and Zoning Designation:** The Project site has a General Plan land use designation of PCCB as shown in Figure 2-7, *Existing General Plan Land Use*, and a zoning designation of PC BUS PARK as shown in Figure 2-8, *Existing Zoning*. |
| **Project Description:** The Project would demolish the five existing office buildings and would develop 145 for-sale residential units on 8.5 acres. The Project would also include reconstruction of one driveway entrance from Prospect Avenue, an internal access drive, one recreational common space area for resident use, and additional stormwater and utility improvements to accommodate the proposed residences, as well as the closure of two existing driveways off 17th Street. The Project site has a Zoning District classification of PC BUS PARK, and a General Plan Land Use Designation of PCCB. The Project would require a zone change from PC BUS PARK to PC RES to accommodate the Project. |
| **Surrounding Land Uses and Setting:**<br>North: 17th Street followed by commercial and office uses.<br>East: Single-family residential.<br>South: Single-family residential.<br>West: Prospect Avenue followed by commercial and residential uses. |
| **Other Public Agencies Whose Approval is Required:** None. |

## 4.2. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The subject areas checked below were determined to be potentially significant environmental effects or identified effects that would have a substantial increase in severity due to implementation of the proposed project, as indicated by the checklist and discussion on the following pages.

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

## 4.3. DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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

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

| | |
|---|---|
| Signature | Date |
| Name and Title | Lead Agency |

## 4.4. EVALUATION OF ENVIRONMENTAL IMPACTS

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

# 5. ENVIRONMENTAL ANALYSIS

This section provides evidence to substantiate the conclusions in the environmental checklist.

## 5.1. AESTHETICS

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

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

**No Impact.** Scenic vistas consist of expansive, panoramic views of important, unique, or highly valued visual features that are seen from public viewing areas. This definition combines visual quality with information about view exposure to describe the level of interest or concern that viewers may have for the quality of a particular view or visual setting. A scenic vista can be impacted in two ways: a development project can have visual impacts by either directly diminishing the scenic quality of the vista or by blocking the view corridors or "vista" of the scenic resource. Important factors in determining whether a proposed project would block scenic vistas include the project's proposed height, mass, and location relative to surrounding land uses and travel corridors.

The City of Tustin General Plan designates landforms and visual interest points as scenic resources within the Conservation Element (City of Tustin, 2018). The City of Tustin protects public views along the ridge lines, views toward the inland mountains, and along scenic transportation corridors. Specifically, Policy 35, *Protect Scenic Views and Resources*, protects views of the Peter Canyon Ridgeline:

> **Policy 35. Protect Scenic Views and Resources:** Through the Hillside Review process, monitor and limit development of Peters Canyon Ridgeline consistent with the requirements of the East Tustin Specific Plan, Grading and Excavation Code, and Grading Manual.

The Project site is currently developed as a commercial site and is surrounded by one- and two-story development (residential and commercial land uses), roadways, and is lined with ornamental landscaping and power lines. The view of the Peters Canyon Ridgeline to the east of the Project site is obstructed by surrounding buildings and trees. However, the Project site is bordered by 17th Street to the north, which

offers limited public views of Peters Canyon Ridgeline to motorists, bicyclists, and pedestrians traveling eastbound.

The topography of the site and surrounding area is flat, and there are no scenic vistas or unique topographic features that are visible within the boundary of the Project site. Further, while limited views are available from 17th Street, the Project site is located south of the roadway and redevelopment would occur only within the site boundary; therefore, the Project would not further obstruct public views from 17th street. Further, the site contains existing commercial office buildings ranging from two-stories to four-stories. The Project would redevelop the site with three-story residences, which would be similar in height, thus the Project would not substantially alter the existing landscape. As such, redevelopment of the Project site with three-story residences would not obstruct, interrupt, or diminish a scenic vista, and impacts would not occur.

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

**No Impact.** According to the California Department of Transportation (Caltrans) Scenic Highway Map, the City of Tustin does not contain any scenic highways within or surrounding the City (California Department of Transportation, 2018). The nearest State scenic highway is Route 91 in the City of Anaheim, approximately 7 roadway miles to the north. According to the County of Orange General Plan, there are no designated scenic roadways or scenic vistas in the Project vicinity (County of Orange, 2012). Therefore, the Project would have no impact on scenic resources within a State scenic highway.

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

**Less Than Significant Impact.** The Project site is located within an urbanized area and is surrounded by residential and commercial uses. The Project site is developed with four two-story commercial office buildings, one four-story commercial office building, a parking lot, and ornamental landscaping. The existing character of the site and surrounding area is neither unique nor of special aesthetic value or quality.

The Project would demolish the five existing buildings and would redevelop the site with 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total) on 8.5 acres. The Project would also include improvements to the driveway entrance from Prospect Avenue, an internal access drive, a recreational common space area for resident use, as well as stormwater and utility improvements to accommodate proposed residences, as well as the closure of two existing driveways off 17th Street.

The Project site has a General Plan land use designation of PCCB. While the PCCB land use designation primarily allows a variety of miscellaneous retail, professional office, and service-oriented business activities, the PCCB designation also permits residential uses. Further, the General Plan states that the overall allowed population density range for residential uses within the PCCB designation is 2 to 54 persons per acre (City of Tustin, 2018).The Project site is approximately 8.5 acres, which would result in a maximum allowance of 459 persons (54 persons multiplied by 8.5 acres). Based on the average household size of 2.73 persons per dwelling unit for the medium density residential land use, the Project would result in the addition of 396 people, which would be below the maximum allowance of 459 persons (City of Tustin, 2018). As such, the Project would be consistent with the existing PCCB land use designation. In addition, the Project site is currently zoned PC BUS PARK. The PC BUS PARK zoning classification is intended to allow diversification of the relationships of various buildings, structures and open spaces in planned building groups while ensuring substantial compliance with the district regulations and other provisions of the Planned Community District. The PC BUS PARK zoning does not have any specific standards related to scenic quality, which reflects the developed, urban condition of the existing site. The Project would include a zone change from PC BUS PARK

to PC RES to allow for the development of the proposed residential units. Pursuant to Tustin City Code Section 9244, the Planned Community (PC) District Zone does not have prescriptive development standards; rather, the Project would establish custom development standards as part of the development plan, including supplementary text materials. The proposed development standards with which the Project would comply would be compatible with the character and quality of existing surrounding uses, which would be ensured through the City's design review and plan check processes.

Further, the Project would redevelop the site with three-story residences, which would be similar in height to the existing commercial office plaza, and a minimum 6-foot setback from the right-of-way would be implemented with the sidewalk and landscape as a buffer. Therefore, the Project would not substantially alter the existing aesthetic environment, would result in a similar or improved visual character and quality of the Project site, and would not conflict with any policies or standards related to scenic quality. Thus, the Project would result in a less than significant impact.

**d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

**Less Than Significant Impact.** Light spill occurs when lighting fixtures, such as streetlights, parking lot lighting, exterior building lighting, and landscape lighting are not properly aimed or shielded to direct light to the desired location, and light escapes and partially illuminates a surrounding location. If light spill occurs, sensitive uses (e.g., residential uses) surrounding the Project site could be impacted by light as a result of development within the boundaries of the Project site.

Glare is the result of improperly aimed or blocked lighting sources that are visible against a dark background, such as the night sky. Glare may also refer to the sensation experienced looking into an excessively bright light source that causes a reduction in the ability to see or causes discomfort. Glare generally does not result in illumination of off-site locations but results in a visible source of light viewable from a distance. Glare could also occur from building materials of the new structures, including glass and other reflective materials.

The City of Tustin City Code, Section 9271hh, *Light and Glare*, includes the following requirements (City of Tustin, 2025):

> All exterior lighting shall be subject to the following standards, unless otherwise exempted by the City of Tustin:
>
> (a) Outdoor lighting shall be designed to minimize impacts from light pollution, including light trespass and glare to minimize conflict caused by unnecessary illumination.
>
> (b) Outdoor lighting fixtures that are used to illuminate premises, architectural features or landscape feature on private property shall be directed, shielded, or located in such a manner that the light source is not directed off-site.

As mentioned previously, the Project site is currently developed with four two-story commercial office buildings, one four-story commercial office building, ornamental landscaping, and parking spaces and contains on-site nighttime security lighting. In addition, the Project site is located within a developed urban area, adjacent to residential uses and two roadways. Existing sources of light in the vicinity of the Project site include: streetlights, security lighting, landscape lighting, and lighting from building interiors that pass through windows.

The Project would include the provision of street lighting and nighttime lighting for security purposes around all the proposed residences. Implementation of the Project would result in a higher intensity development on the Project site than currently exists, which would contribute additional sources to the overall ambient nighttime lighting conditions. To the north, the maximum illumination (measured in foot-candles (Fc)) would

measure 3.8 Fc, and light would dissipate on 17th Street before reaching the nearest receptor. To the west, the maximum illumination would measure 2.2 Fc at the site boundary and light would dissipate over Prospect Avenue before reaching the nearest receptor. To the east, the maximum illumination would measure 3.3 Fc at the site boundary and light would dissipate on proposed site landscaping and on the proposed screening wall before reaching the site boundary and nearest adjacent receptor. To the south, the maximum illumination would measure 2.2 Fc and light would dissipate over proposed on-site landscaping and on the proposed screening wall before reaching the site boundary and the nearest receptor. Further, all outdoor lighting would be hooded, appropriately angled away from adjacent land uses, and would be in compliance with Tustin City Code Section 9271hh that provides specifications for intensity of lighting and shielding lighting away from adjacent uses. With compliance with the City's lighting regulations, which would be verified by the City's Building Division, the increase in light that would be generated by the Project would not adversely affect day or nighttime views in the area. Thus, lighting impacts would be less than significant.

The proposed Project would also not use highly reflective surfaces, or glass sided buildings. Although the residences would contain windows, the windows would be separated by stucco and architectural elements, which would limit the potential of glare. In addition, as described previously, on-site lighting would be angled down and shielded, which would avoid the generation of glare on-site. Therefore, the Project would not generate substantial sources of glare, and impacts would be less than significant.

## 5.2. AGRICULTURE AND FORESTRY RESOURCES

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

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

**No Impact.** The State of California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) is charged with producing maps for analyzing impacts on the state's agricultural resources. California's agricultural lands are rated based on soil quality and irrigation status. Per Section 21060.1 of the State CEQA Guidelines, the following categories qualify as "agricultural land": Prime Farmland, Farmland of Statewide Importance, or Unique Farmland.

Per the FMMP Map, the Project site is designated as Urban and Built-Up Land (California Department of Conservation, 2022). Therefore, the Project would result in no impact to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

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

**No Impact.** The Williamson Act (California Land Conservation Act of 1965) restricts the use of agricultural and open space lands to farming and ranching by enabling local governments to contract with private landowners for indefinite terms in exchange for reduced property tax assessments.

The Project site is currently developed with commercial land uses and does not include agricultural land uses. Further, the City does not currently include any commercial agricultural operations. Additionally, the Project site is currently zoned PC BUS PARK, which allows the continued use of land for agricultural use, however the existing land is not currently used for agricultural. The Project site is also not currently under a Williamson Act contract. Therefore, the Project would not conflict with, nor impact existing zoning for agricultural use or a Williamson Act contract.

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

**No Impact.** "Forest land" is defined as "land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." "Timberland" is defined as "land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees." "Timberland Production Zone" (TPZ) is defined as "an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h)."

The Project site is currently completely developed with commercial land use. The Project site does not include forest land or timberland. Additionally, the Project site is currently zoned PC BUS PARK, which does not provide for forest land or timberland production and management. Therefore, the Project would result in no impact on zoning of forest land or timberland.

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

**No Impact.** As discussed above, the Project site is currently completely developed with a commercial land use and does not include forest land. Therefore, the Project would have no impact on forest land.

**e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

**No Impact.** The Project site is within an urbanized area and is currently completely developed with a commercial land use. The area surrounding the Project site is also completely developed. The existing environment does not include any agricultural land uses or forest land. Therefore, the Project would not result in an impact related to the conversion of Farmland to a non-agricultural use nor conversion of forest land to a non-forest use.

## 5.3. AIR QUALITY

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

**a) through c)**

**Potentially Significant Impact.** The Project site has a General Plan land use designation of PCCB and a zoning designation of PC BUS PARK. The Project would require a zone change from PC BUS PARK to PC RES to accommodate the Project. The Project would demolish the five existing office buildings and associated parking areas, and would redevelop the site with 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total) on 8.5 acres. The Project would also include improvements to the driveway entrance from Prospect Avenue, an internal access drive, a recreational common space area for resident use, as well as stormwater and utility improvements to accommodate proposed residences, as well as the closure of two existing driveways off 17th Street. As such, the demolition of the existing office buildings, construction of the Project, and operation of the proposed residences could cause a potentially significant impact to air quality. The addition of residential land uses could result in a cumulatively considerable net increase of criteria pollutants within the study area. Additionally, the proposed residential development could potentially expose sensitive receptors to substantial pollutant concentrations during construction and operation and could result in a potentially significant impact. Therefore, an air quality assessment will be prepared for the Project and air quality impacts will be further analyzed within the EIR.

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

**Less Than Significant Impact.** According to the 1993 SCAQMD CEQA Air Quality Handbook, land uses associated with odor issues include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting activities, refineries, landfills, dairies, and fiberglass molding operations (South Coast Air Quality Management District, 1993). The Project would develop and operate 145 residential units, which would not involve the types of activities that would emit objectionable odors affecting a substantial number of people. In addition, odors generated by land uses are required to be in compliance with SCAQMD Rule 402. SCAQMD Rule 402, *Nuisance*, states:

> *A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.*

Implementation of the proposed residential uses and adherence to Rule 402 would reduce operational odors to a less than significant impact.

During construction, emissions from diesel equipment, use of volatile organic compounds from architectural coatings, and paving activities may generate some nuisance odors. However, these odors would be temporary and dissipate, and otherwise be regulated through compliance with SCAQMD rules and standard construction best management practices. Therefore, impacts relating to both operational and construction activity odors would be less than significant.

## 5.4. BIOLOGICAL RESOURCES

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

An Arborist Report (Appendix A) was prepared by V & E Tree Service, Inc. for the Project to identify and evaluate trees within the Project site and has been incorporated into the discussion below (V & E Tree Service, Inc., 2025).

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

**No Impact.** The Project site consists of approximately 8.5 acres that are developed with existing commercial office uses, a paved parking lot, and ornamental landscaping. Use of the site is consistent with the urban environment, with employees actively using the parking areas which are, along with the landscaping, actively maintained. There is no evidence of either suitable habitat for or the presence of any endangered, rare, threatened, or special status plant species (or associated habitats), as the on-site tree species identified in the Arborist Report are not candidate, sensitive, or special status species, or wildlife species designated by the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), or California Native Plant Society (CNPS).

The City of Tustin General Plan includes the conservation of open space and natural landforms to preserve the character of the area (City of Tustin, 2018). Specifically, Policies 7.1, 7.2, and 8.10 aim to conserve the City's remaining sensitive lands and resources:

> **Policy 7.1:** Inventory unique or significant tree stands, with particular attention given to the cedar stand, eucalyptus groves, and eucalyptus windrows in East Tustin. Develop standards to retain or incorporate the eucalyptus windows and groves into development plans where feasible. The redwood/sequoia stand has been retained within a park site and integrated into the park design.
>
> **Policy 7.2:** Conserve important plant communities and wildlife habitats, such as riparian areas, wildlife movement corridors, wetlands, and significant tree stands through the practice of creative site planning, revegetation, and open space easements/dedications.
>
> **Policy 8.10:** Mitigate the impacts of development on sensitive lands such as steep slopes, wetlands, cultural resources, and sensitive habitats through the environmental review process.

As described in the Arborist Report prepared for the Project site, there are no protected species on the Project site (Appendix A). In addition, the City does not define any protected habitats beyond those considered by state and federal wildlife agencies and the Project is not located on a slope or other sensitive habitat that would result in the need for mitigation beyond what is included in this Initial Study.

The Project proposes the development of 145 for-sale residential units, reconstruction of one driveway entrance from Prospect Avenue, an internal access drive, one recreational common space area for resident use, and additional stormwater and utility improvements to accommodate the proposed residences, as well as the closure of two existing driveways off 17th Street. Landscaping implemented as part of the Project would include a variety of ornamental trees, shrubs, and groundcover. As the Project site is developed with an existing commercial office plaza, implementation of the Project would not result in an adverse effect, either directly or through habitat modifications, on any sensitive species, and impacts would not occur.

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

**No Impact.** As discussed above, all 8.5 acres of the Project site are developed with existing commercial office uses, a paved parking lot, and ornamental landscaping. According to the National Wetlands Inventory Finder, there are no existing riparian habitat or sensitive natural communities within the developable area of the site (U.S. Fish and Wildlife Service, 2025). Therefore, the Project would result in no impact.

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

**No Impact.** As discussed above, all 8.5 acres of the Project site are developed with existing commercial office uses, a paved parking lot, and ornamental landscaping. There are no wetlands or riparian areas within the developable area of the site. Therefore, the Project would result in no impact.

**d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**Less Than Significant Impact with Mitigation.** Wildlife corridors are areas where wildlife movement is concentrated due to natural or anthropogenic constraints and corridors provide access to resources such as food, water, and shelter. Animals use these corridors to move between different habitats and provide avenues for wildlife dispersal, migration, and contact between other populations.

The Project site does not support conditions for migratory wildlife corridors or linkages. The Project site is completely developed and surrounded by roadways and developed land uses. The site and surrounding areas do not provide function for wildlife movement. Additionally, the surrounding area is developed and urban. There are no rivers, creeks, or open drainages near the site that could function as a wildlife corridor. Thus, implementation of the Project would not result in impacts related to wildlife movement or wildlife corridors.

However, according to the Arborist Report, included as Appendix A, the Project site contains 43 ornamental trees, which could be used for nesting by common bird species that are protected by the federal Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code Sections 3503.5, 3511, and 3515 during the avian nesting and breeding season that occurs between February 1 and September 15. The provisions of the MBTA prohibit disturbing or destroying active nests. Therefore, Mitigation Measure BIO-1 has been included to require that if commencement of vegetation clearing for any future residential development project occurs between February 1 and September 15, a qualified biologist shall conduct a nesting bird survey no more than 3 days prior to commencement of activities to confirm the absence of nesting birds. With implementation of Mitigation Measure BIO-1, potential impacts to nesting birds would be less than significant.

**e) Conflict with any local policies or ordinances protecting biological resources?**

**Less Than Significant Impact.** The Project site is fully developed. Article 7, Chapter 3 of the Tustin City Code addresses the protection of "trees, plants or shrubs in or growing upon or over any public parkway street, highway, alley, right-of-way, or City-owned property in the City." Tree trimming and removal within any public parkway street, highway, alley, right-of-way, or City-owned property would be prohibited without a tree removal permit pursuant to Article 7, Chapter 3 of the Tustin City Code. The City has not adopted any additional local policies or ordinances related to the protection of biological resources that pertain to the Project.

Additionally, the City contains several goals and policies regarding the conservation of environmental resources within the General Plan. Table 5-9, *Project Consistency with Relevant General Plan Goals, Policies, and Objectives,* in Section 5.11 below, includes General Plan goals and policies applicable to the Project. The Project would be consistent with all applicable goals and policies as described in the table.

According to the Arborist Report, V & E Tree Service, Inc. identified 43 ornamental trees on-site and recommended all 43 trees for removal due to condition. The report further concluded that there are no protected species on the Project site (Appendix A). Additionally, there are 64 palm trees located on-site, which are also not protected, that would be removed. Therefore, the Project would not impact any protected City trees or shrubs within any public parkway street, highway, alley, right-of-way, or City-owned property in the City, and further, would not conflict with Article 7, Chapter 3 of the Tustin City Code.

The Project would install a mixture of trees and shrubs which would include Strawberry, Camphor, Carrotwood, Brisbane Box, and California Sycamore trees. Tustin City Code Section 7308 requires that large development and redevelopment projects provide for planting of trees in accordance with the Master Tree Plan of the City. Therefore, the Project would be required to comply with the City's specified tree requirements through plan check as part of the City permitting process (PPP BIO-1). As a result, impacts would be less than significant.

**f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?**

**No Impact.** The Project site is developed and in an urban area. The Project site does not contain any natural lands that are subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or

other approved local, regional, or State habitat conservation plan. Therefore, the Project would not result in impacts to biological habitat or conservation plans.

**Plans, Programs, or Policies (PPP)**

**PPP BIO-1** **Street Trees.** Installation of street trees shall occur in compliance with the City of Tustin City Code Article 7, Chapter 3, Section 7308.

**Mitigation Measures (MM)**

**MM BIO-1** **Migratory Bird Treaty Act.** Prior to commencement of grading activities, the Building Division shall verify that, in the event that vegetation and tree removal activities occur within the active breeding season for birds (February 1–September 15), the Project applicant (or their Construction Contractor) shall retain a qualified biologist (meaning a professional biologist that is familiar with local birds and their nesting behaviors) to conduct a nesting bird survey no more than 3 days prior to commencement of construction activities.

The nesting survey shall include the Project site and areas immediately adjacent to the site that could potentially be affected by Project-related construction activities, such as noise, human activity, and dust, etc. If active nesting of birds is observed within 100 feet of the designated construction area prior to construction, the qualified biologist shall establish an appropriate buffer around the active nests (e.g., as much as 500 feet for raptors and 300 feet for non-raptors [subject to the recommendations of the qualified biologist]), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

## 5.5. CULTURAL RESOURCES

| Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | ☒ | ☐ | ☐ | ☐ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | ☐ | ☒ | ☐ | ☐ |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | ☐ | ☐ | ☒ | ☐ |

A Cultural Resources Assessment (Appendix B) was prepared by Brian F. Smith and Associates Environmental Services (BFSA) for the Project to determine the potential for archaeological resources to occur within the Project site, and its findings have been incorporated into the discussion below (BFSA Environmental Services, 2025a).

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

**Potentially Significant Impact.** State CEQA Guidelines Section 15064.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally, a resource is considered "historically significant" if it meets one of the following criteria:

i. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
ii. Is associated with the lives of persons important in our past;
iii. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values;
iv. Has yielded, or may be likely to yield, information important in prehistory or history.

According to the results of the Cultural Resources Assessment prepared for the Project, the Project site has five buildings that appear eligible for historic designation. Therefore, the Project would result in a potentially significant impact to a historical resource. This topic will be further evaluated in the EIR.

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

**Less Than Significant Impact with Mitigation.** The Cultural Resources Assessment prepared for the Project included a search of the California Historical Resource Information System (CHRIS) at the South Central Coastal Information Center (SCCIC), located at California State University, Fullerton. The search identified any previously recorded cultural resources and prior cultural resources investigations within a 1-mile radius of the Project site.

The records search identified four previously recorded historic resources within the 1-mile radius. These resources include the historic Red Hill Water Company Pumping Plant; a historic single-family residence; the Tustin Old Town Historic Resources District and a historic Church. The records search results also indicate that 18 cultural resource studies have been conducted within a one-mile radius of the Project, none of which include any portion of the Project boundaries.

A survey of the Project area was conducted on February 19, 2025. The Project site is developed with five office buildings, hardscape, and commercial landscaping; therefore, visibility of the natural ground was limited. No archaeological resources were identified within the property as a result of the records search and field survey. However, the Project could include construction at depths greater than previous excavation activities, which could result in the disturbance of previously undisturbed native soils. Thus, Mitigation Measure CUL-1 has been incorporated to reduce the potential impact on archeological resources. In the event of an inadvertent discovery of a buried archeological resource, work shall cease within 50 feet of the find until a qualified archaeologist from the City or County List of Qualified Archaeologists has evaluated the find to determine whether the find constitutes a "unique archaeological resource", and if the discovered resource(s) appears Native American in origin, a Native American Monitor shall be contacted to evaluate any potential tribal cultural resource(s) and shall have the opportunity to consult on appropriate treatment and curation of these resources. Prior to the issuance of any permits for ground-disturbing activities that include the excavation of soils (including as grading, excavation, and trenching), the City of Tustin shall ensure that all Project grading and construction plans and specifications include the requirement to halt construction activity and contact an archaeologist in the event of such a finding.

In addition, the City has detailed standards and requirements for grading that are designed to protect sensitive topographic, soil, palaeontologic, and archaeologic resources which the Project would be required to comply with. The Tustin Grading Manual prescribes appropriate measures to protect the earth by controlling erosion, sedimentation, and storm drainage (PPP HYD-2). Proper grading, soil management, and open space standards would also work to preserve any potential archaeological resources in the unlikely event that a resource is encountered. Therefore, with mitigation, the Project would result in a less than significant impact on archaeological resources.

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

**Less Than Significant Impact.** The Project site has been previously disturbed, as described above, and has not been previously used as a cemetery. Thus, human remains are not anticipated to be uncovered during Project construction. In addition, California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98 (included as PPP CUL-1) mandate the process to be followed in the event of an accidental discovery of any human remains. Specifically, California Health and Safety Code Section 7050.5 requires that if human remains are discovered, disturbance of the site shall halt until the County Coroner has conducted an investigation into the circumstances, manner, and cause of death, and has made recommendations concerning the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the County Coroner determines that the remains are not subject to his or her authority and if the County Coroner has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC). Via compliance with existing law (included as PPP CUL-1), impacts to or the disturbance of human remains would be less than significant.

**Plans, Policies, and Programs (PPP)**

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

**PPP HYD-2** **City of Tustin Grading Manual.** The Project would be required to comply with the City of Tustin Grading Manual (1990). Implementation of grading manual standards would be verified by the City during the plan check and permitting process.

**Mitigation Measures (MM)**

**MM CUL-1** **Inadvertent Discovery.** In the event that potential archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified archaeologist from the City or County List of Qualified Archaeologists has evaluated the find to determine whether the find constitutes a "unique archaeological resource," as defined in Section 21083.2(g) of the California Public Resources Code. Any resources identified shall be treated in accordance with California Public Resources Code Section 21083.2(g).

If the discovered resource(s) appears Native American in origin, a Native American Monitor shall be contacted to evaluate any potential tribal cultural resource(s) and shall have the opportunity to consult on appropriate treatment and curation of these resources. The discovery would also be reported to the City and the SCCIC.

Prior to the issuance of any permits for ground-disturbing activities that include the excavation of soils (including as grading, excavation, and trenching), the City of Tustin shall ensure that all Project grading and construction plans and specifications include the requirement to halt construction activity and contact an archaeologist as specified above.

## 5.6. ENERGY

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

An Energy Impact Analysis (Appendix C) was prepared by EPD Solutions for the Project to determine energy-related impacts and informs the discussion below (EPD Solutions, Inc., 2025a).

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

**Less Than Significant Impact.** The Project proposes the development of 145 for-sale residential units, including reconstruction of one driveway entrance from Prospect Avenue and the closure of two existing driveways on 17th Street, the construction of an internal access drive, one recreational common space area for resident use, and additional stormwater and utility improvements to accommodate proposed residences.

***Construction***

During construction of the proposed Project, energy would be consumed in three general forms:

1. Petroleum-based fuels used to power off-road construction vehicles and equipment on the Project site, construction worker travel to and from the Project site, as well as delivery truck trips;
2. Electricity associated with providing temporary power for lighting and electric equipment; and
3. Energy used in the production of construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

As described in the Energy Impact Analysis, total construction would consume 70,908 gallons of diesel fuel and 28,023 gallons of gasoline fuel, as indicated in Table 5-1 (Appendix C). Construction activities related to the Project and the associated infrastructure are not expected to result in demand for fuel greater on a per-unit-of-development basis than other development projects in Southern California. In addition, the extent of construction activities that would occur is limited and the demand for construction-related electricity and fuels would be limited to the 15-month construction period.

**Table 5-1: Total Construction Fuel Usage**

| Construction Source | Gallons of Diesel Fuel | Gallons of Gasoline Fuel |
|---|---|---|
| On-Road Construction Vehicles | 25,164 | 28,023 |
| Off-road Construction Equipment | 45,744 | 0 |
| **Total** | **70,908** | **28,023** |
| Orange County On-Road Vehicles | 136,337,459 | 1,088,796,204 |
| Orange County Off-Road Construction Equipment | 14,157,699 | 977,564 |

| | | |
|---|---|---|
| **On-Road Project Percentage** | 0.02% | 0.003% |
| **Off-Road Project Percentage** | 0.3% | - |

Source: EPD Solutions, 2025a (Appendix C)

Table 5-2 and Table 5-3 further detail the equipment and vehicle sources that would result in fuel consumption during construction including demolition, construction tools and equipment, vendor and haul truck trips, and vehicle trips generated from construction workers traveling to and from the site.

**Table 5-2: Construction Equipment Fuel Usage**

| Activity | Equipment | Quantity | Hours per day | HP | Load Factor | Days of Construction | Fuel Use (gallons) |
|---|---|---|---|---|---|---|---|
| Demolition | Concrete/Industrial Saws | 1 | 8 | 33 | 0.73 | 75 | 606 |
| | Excavators | 3 | 8 | 36 | 0.38 | 75 | 1,258 |
| | Rubber Tired Dozers | 2 | 8 | 367 | 0.4 | 75 | 8,272 |
| | Crushing/proc. Equipment | 1 | 8 | 200 | 0.6 | 75 | 3,646 |
| Site Preparation | Rubber Tired Dozers | 3 | 8 | 367 | 0.4 | 10 | 1,654 |
| | Crawler Tractors | 4 | 8 | 84 | 0.37 | 10 | 501 |
| | Other Construction Equipment | 1 | 8 | 82 | 0.42 | 10 | 141 |
| Grading | Excavators | 1 | 8 | 36 | 0.38 | 20 | 112 |
| | Graders | 1 | 8 | 148 | 0.41 | 20 | 505 |
| | Rubber Tired Dozers | 1 | 8 | 367 | 0.4 | 20 | 1,103 |
| | Crawler Tractors | 3 | 8 | 87 | 0.43 | 20 | 1,240 |
| Building Construction | Cranes | 1 | 8 | 367 | 0.29 | 230 | 10,476 |
| | Forklifts | 3 | 8 | 82 | 0.2 | 230 | 2,736 |
| | Generator Sets | 1 | 8 | 14 | 0.74 | 230 | 1,316 |
| | Tractors/Loaders/Backhoes | 3 | 8 | 84 | 0.37 | 230 | 8,859 |
| | Welders | 1 | 8 | 46 | 0.45 | 230 | 1,954 |
| Paving | Pavers | 2 | 8 | 81 | 0.42 | 20 | 584 |
| | Paving Equipment | 2 | 8 | 89 | 0.36 | 20 | 548 |
| | Rollers | 2 | 8 | 36 | 0.38 | 20 | 129 |
| Architectural Coating | Air Compressors | 1 | 8 | 37 | 0.48 | 25 | 104 |
| | | | | | | **Construction Fuel Demand (Gallons Fuel)** | 45,744 |

Source: EPD Solutions, 2025a (Appendix C)

**Table 5-3: Construction Vehicle Fuel Usage**

| Construction Source | Total Number of Vehicles | VMT | Fuel Rate | Gallons of Diesel Fuel | Gallons of Gasoline Fuel |
|---|---|---|---|---|---|

| | | | | | |
|---|---|---|---|---|---|
| Haul Trucks | 2,358 | 103,328 | 6.14 | 16,830 | 0 |
| Vendor Trucks | 3,680 | 75,072 | 9.01 | 8,334 | 0 |
| Worker Vehicles | 21,330 | 801,605 | 28.61 | 0 | 28,023 |
| | | | **Total** | **25,164** | **28,023** |

Source: EPD Solutions, 2025a (Appendix C).

Construction contractors are required to demonstrate compliance with applicable California Air Resources Board (CARB) regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment, which would be verified as part of the City's construction permitting process, and which is included as PPP E-1. In addition, compliance with existing CARB idling restrictions would reduce fuel combustion and energy consumption.

Overall, the Project does not include any unusual construction processes that would require a substantially increased need for energy resources. As shown in Table 5-3, on-road construction vehicles from the proposed Project would account for 0.02 percent and 0.003 percent of diesel and gasoline consumption within Orange County in 2025, respectively. Off-road construction equipment from the Project would account for 0.3 percent of diesel consumption within Orange County in 2025. The construction equipment and methods used by the Project would not be more energy intensive than typical construction activities.

Further, construction activities would comply with all existing regulations and would therefore not be expected to use large amounts of energy or fuel in an inefficient, wasteful manner. Thus, impacts related to construction energy usage would be less than significant.

***Operation***

Once operational, the Project would generate demand for electricity, natural gas, and gasoline typical of daily life and motor vehicle trips. Operational use of energy includes the heating, cooling, and lighting of the residences, water heating, operation of electrical systems, plug-in appliances, and outdoor lighting, and the transport of electricity, natural gas, and water to the residences. No additional energy infrastructure would be required for the Project, and no operational activities are anticipated that would result in extraordinary energy use.

The proposed Project would be required to meet the current Title 24 energy efficiency standards, which are included as PPP E-1. The City's administration of the Title 24 requirements includes the review of design components and energy conservation measures that occurs during the permitting process, which ensures that all requirements are met. Typical Title 24 measures include insulation; use of energy-efficient heating, ventilation and air conditioning equipment (HVAC); solar-reflective roofing materials; energy-efficient indoor and outdoor lighting systems; installation of solar PV systems; reclamation of heat rejection from refrigeration equipment to generate hot water; incorporation of skylights; and more. In complying with the Title 24 standards, impacts to peak energy usage would be minimized, and impacts on statewide and regional energy needs would be reduced. The Project includes rooftop solar installations on each proposed residence, consistent with Title 24 energy efficiency standards, which would further support compliance with state energy policies. Thus, operation of the Project would not use large amounts of energy or fuel in a wasteful manner, and significant operational energy impacts would not occur. As detailed in Table 5-4, operation of the Project would result in a net decrease of energy consumption as compared to the operation of the existing commercial office uses. The Project would result in a decrease of 101,463 gallons of fuel, a decrease of approximately 2,795,855 kilowatt-hour (kWh) of electricity, and a decrease of approximately 520,557 thousand British thermal units (kBTU) of natural gas in energy consumption. As such, impacts would be less than significant.

**Table 5-4: Energy Consumption Estimates during Operation**

| Electricity (Kilowatt-Hours) Consumption | | |
|---|---|---|
| Proposed Project | 822,386 | |
| Existing Site | 3,618,241 | |
| **Natural Gas (Thousands British Thermal Units)** | | |
| Proposed Project | 4,371,311 | |
| Existing Site | 4,891,868 | |
| **Petroleum (Gasoline) Consumption** | | |
| | **Annual VMT** | **Gallons of Gasoline Fuel** |
| Proposed Project | 3,361,616 | 117,516 |
| Existing Site | 6,264,030 | 218,980 |
| **Net Total Energy Use** | | |
| | **Net Electricity (Kilowatt-Hours)** | **-2,795,855** |
| | **Net Natural Gas (Thousands British thermal Units)** | **-520,557** |
| | **Net Gasoline Consumption (Gallons)** | **-101,463** |

Source: EPD Solutions, 2025a (Appendix C)

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

**No Impact.** The proposed Project would be required to meet the CALGreen energy efficiency standards in effect during permitting of the Project, included as PPP E-1. The City's administration of the requirements includes review of design components and energy conservation measures during the permitting process, which ensures that all requirements are met. In addition, the Project would not conflict with or obstruct opportunities to use renewable energy, such as solar energy. As discussed, the Project would include rooftop solar panels on each residence in accordance with Title 24 requirements (included as PPP E-1). As such, the Project would not conflict with nor obstruct a State or local plan for renewable energy or energy efficiency, and impacts would not occur.

**Plans, Policies, and Programs (PPP)**

**PPP E-1** **CALGreen Compliance:** The Project is required to comply with the CALGreen Building Standards Code pursuant to Tustin City Code Section 8100 to ensure efficient use of energy. CALGreen specifications are required to be incorporated into building plans as a condition of building permit approval.

## 5.7. GEOLOGY AND SOILS

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

A Geotechnical Report (Appendix D) was prepared by NMG Geotechnical for the Project and has been incorporated into the discussion below (NMG Geotechnical, 2025). In addition, a Paleontological Resources Assessment (Appendix F) was prepared by BFSA for the Project and has been incorporated into the discussion below (BFSA Environmental Services, 2025b).

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

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

**Less Than Significant Impact.** In 1972, the Alquist-Priolo Special Studies Zones Act was signed into law. In 1994, it was renamed the Alquist-Priolo Earthquake Fault Zoning Act (A-P Act). The primary purpose of the Act is to mitigate the hazard of fault rupture by prohibiting the location of structures for human

occupancy across the trace of an active fault. The A-P Act requires the State Geologist (Chief of the California Geology Survey) to delineate "Earthquake Fault Zones" along with faults that are "sufficiently active" and "well-defined." The boundary of an "Earthquake Fault Zone" is generally about 500 feet from major active faults and 200 to 300 feet from well-defined minor faults. The A-P Act dictates that cities and counties withhold development permits for sites within an Alquist-Priolo Earthquake Fault Zone until geologic investigations demonstrate that the site zones are not threatened by surface displacements from future faulting.

The Project site is located in the northwest corner of the City of Tustin. According to the California Geological Survey, the Project is not located within an earthquake fault zone. The closest Alquist-Priolo fault is the Whittier Fault, located approximately 10 miles north of the Project site (California Department of Conservation, 2025). The Project site contains existing development, and the proposed redevelopment would not exacerbate the existing risk of fault rupture. Further, the Project would be required to comply with the California Building Code (CBC) (California Code of Regulations, Title 24, Part 2) (PPP GEO-1), which is a minimum requirement intended to protect life and safety and prevent collapse of structures. Therefore, the Project would not directly or indirectly cause potential risk of loss, injury, or death involving the rupture of a known earthquake fault and would result in a less-than-significant impact.

**ii. Strong seismic ground shaking?**

**Less Than Significant Impact.** The Project site is located within a seismically active region of Southern California. As mentioned previously, the closest fault zone is the Whittier Fault zone located approximately 10 miles from the site (California Department of Conservation, 2025). Thus, moderate to strong ground shaking can be expected at the site. The intensity of ground shaking expected at the Project site can vary from none to forceful depending upon the distance to the fault rupture and the magnitude of the earthquake. Greater movement can be expected at sites underlain by poorly consolidated material (such as alluvium) located closer to an earthquake epicenter, particularly during an earthquake of greater magnitude.

Structures built in the City are required to be built in compliance with the CBC (California Code of Regulations, Title 24, Part 2) that provides provisions for earthquake safety based on factors including building occupancy type, the types of soils on-site, and the probable strength of ground motion. The Preliminary Geotechnical Report prepared for the Project includes recommendations to be implemented relative to the site-specific conditions observed. Compliance with the CBC would require the incorporation of (1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; (2) proper building footings and foundations; and (3) construction of the building structure so that it would withstand the effects of strong ground shaking. Implementation of CBC standards would be verified by the City during the plan check and permitting process. Because the Project would be constructed in compliance with the CBC, the proposed Project would result in a less than significant impact related to strong seismic ground shaking.

**iii. Seismic-related ground failure, including liquefaction?**

**Less Than Significant Impact.** Soil liquefaction is a phenomenon in which saturated, cohesionless soils layers, located within approximately 50 feet of the ground surface, lose strength due to cyclic pore water pressure generation from seismic shaking or other large cyclic loading. During the loss of stress, the soil acquires "mobility" sufficient to permit both horizontal and vertical movements. Soil properties

and conditions, such as type, age, texture, color, and consistency, along with historical depths to ground water are used to identify, characterize, and correlate liquefaction-susceptible soils.

Soils that are most susceptible to liquefaction are clean, loose, saturated, and uniformly graded fine-grained sands that lie below the groundwater table within approximately 50 feet below ground surface. Lateral spreading is a form of seismic ground failure due to liquefaction in a subsurface layer.

According to the Geotechnical Report, the Project site is not located within a zone of liquefaction potential (Appendix D). Furthermore, groundwater was not encountered at the maximum depth of 50.8 feet below ground surface (bgs) drilled during site exploration, and the current groundwater table is estimated to be greater than 100 feet deep. As a result, the potential for liquefaction to occur beneath the site is considered low (Appendix D). In addition, the proposed Project would be required to be constructed in compliance with the CBC and the Tustin City Code, included as PPP GEO-1, which would be verified through the City's plan check and permitting process. With compliance with existing regulations, impacts related to seismically related ground failure and liquefaction would be less than significant.

**iv. Landslides?**

**No Impact.** Landslides and other slope failures are secondary seismic effects that are common during or soon after earthquakes. Areas that are most susceptible to earthquake-induced landslides are steep slopes underlain by loose, weak soils, and areas on or adjacent to existing landslide deposits.

According to the Geotechnical Report, the site is relatively flat with less than 5 feet of elevation differential across the property (Appendix D). In addition, the surrounding land uses contain a similar flat terrain and consist of fully developed commercial and residential uses. Due to the general flat terrain and adjacent flat terrain, the potential for seismic induced landslides is considered low. Therefore, the Project would not cause potential substantial adverse effects related to seismically induced landslides.

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

**Less Than Significant Impact.** Construction of the Project has the potential to contribute to soil erosion and the loss of topsoil. Grading and excavation activities would be required for the proposed Project that would expose and loosen topsoil, which could be eroded by wind or water.

Project construction would be required to comply with the California Regional Water Quality Control Board (RWQCB) Order No. R8-2010-0033, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS618033 – Construction General Permit requirements. Requirements include installation of best management practices (BMPs), which establishes minimum stormwater management requirements and controls. To reduce the potential for soil erosion and the loss of topsoil, a Stormwater Pollution Prevention Plan (SWPPP) is required by the RWQCB regulations to be developed by a QSD (Qualified SWPPP Developer), which would be implemented by PPP WQ-1. The SWPPP is required to address site-specific conditions related to specific grading and construction activities. The SWPPP would identify potential sources of erosion and sedimentation to prevent loss of topsoil during construction, and to identify erosion control BMPs to reduce or eliminate the erosion and loss of topsoil, such as use of silt fencing, fiber rolls, or gravel bags; stabilized construction entrances/exits; hydroseeding, and similar measures. In addition to RWQCB requirements, the Project would need to comply with the City of Tustin Grading Manual procedures. In addition, the Water Quality Management Plan (WQMP) prepared for the Project includes BMPs to reduce the potential for erosion and/or sedimentation through site design and structural treatment control BMPs during operation (Appendix J). Through compliance with various regulations reviewed and enforced by the City of Tustin Public Works Department, including regulations such as stormwater management requirements, RWQCB SWPPP requirements, and the WQMP, including installation of BMPs, construction and operational impacts related to erosion and loss of topsoil would be less than significant.

**c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

**Less Than Significant Impact.** Landslides and other forms of mass wasting, including mud flows, debris flows, and soil slips, occur as soil moves downslope under the influence of gravity. Landslides are frequently triggered by intense rainfall or seismic shaking. As described in Response (a)(iv), the Project site is located in a relatively flat, developed urban area that does not contain nor is adjacent to large slopes, nor would the Project create large slopes. Therefore, impacts related to landslides would not occur.

Lateral spreading is a type of liquefaction-induced ground failure associated with the lateral displacement of surficial blocks of sediment resulting from liquefaction in a subsurface layer. Once liquefaction transforms the subsurface layer into a fluid mass, gravity plus the earthquake inertial forces may cause the mass to move downslope towards a free face (such as a river channel or an embankment). Lateral spreading may cause large horizontal displacements and such movement typically damages pipelines, utilities, bridges, and structures. According to the Geotechnical Report, the Project site is not within a liquefaction zone, and high groundwater is not located at the Project site (Appendix D). Therefore, the site has a low potential for lateral spreading. The Geotechnical Report also describes that the site is underlain by deep Quaternary-aged older alluvial deposits, and prior undocumented fill that is up to 4 feet thick. Therefore, in compliance with the CBC, implementation of the Project would require remedial grading, which would result in the removal of the existing (undocumented) fill and unsuitable surficial soils to provide a uniform cap of certified engineered fill (PPP GEO-1). As such, site soils settlement would be reduced with implementation of the excavation and recompaction of on-site soils as proposed by the Project and compliance with the CBC. Thus, impacts related to lateral spreading would be less than significant.

Subsidence is a general lowering of the ground surface over a large area that is generally attributed to lowering of the ground water levels within a groundwater basin. Localized or focal subsidence or settlement of the ground can occur as a result of an earthquake motion in an area where groundwater in basin is lowered. As described previously, groundwater was not encountered to the maximum depth of 50 feet (Appendix D). In addition, the Project would not involve groundwater pumping from the Project area. Thus, impacts related to subsidence would not occur from implementation of the Project.

Also, as described above under Response (a) (iii), the Project site is not within a potential liquefaction area. Construction would include removal and re-compaction of on-site soils in compliance with the CBC which would also reduce any potential of liquefaction, settlement, and subsidence. Therefore, impacts related to liquefaction would be less than significant.

Soil collapse can occur when loose soils shrink after being exposed to water. The Geotechnical Report describes that soils encountered at all boring locations generally range from loose to dense (Appendix D). As described previously, implementation of the Project would require remedial grading, which would result in the removal of the existing (undocumented) fill and unsuitable surficial soils to provide a uniform cap of certified engineered fill (PPP GEO-1). Further, the Project would recompact any loose surficial soils to provide adequate and uniform support for the proposed structures, consistent with the CBC which would reduce impacts related to collapse.

As described previously, the Project would be required to be constructed in compliance with the CBC and the Tustin City Code, which would be verified through the City's plan check and permitting process. Thus, potential impacts related to liquefaction, settlement, subsidence, and collapse would be less than significant.

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

**Less Than Significant Impact.** Expansive soils contain certain types of clay minerals that shrink or swell as the moisture content changes; the shrinking or swelling can shift, crack, or break structures built on such soils. Arid or semiarid areas with seasonal changes of soil moisture experience, such as southern California, have a higher potential of expansive soils than areas with higher rainfall and more constant soil moisture.

The Geotechnical Report determined that the site soils are anticipated to have a "low" expansion potential based on soils testing (Appendix D). In addition, as described in the previous responses, the Project would be required to be constructed in compliance with the CBC and the Tustin City Code (PPP GEO-1), that require remedial grading to remove existing undocumented fill and unsuitable surficial soils, compaction of soils, and foundation design to ensure stable soils, which would be verified through the City's plan check and permitting process. Thus, impacts related to expansive soils would be less than significant.

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

**No Impact.** No septic tanks or alternative wastewater disposal systems are existing on the Project site or proposed as part of the Project. The Project would install on-site sewers that would connect to the existing infrastructure that is adjacent to the site. Therefore, no impacts related to the use of such facilities would occur from implementation of the Project.

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

**Less than Significant with Mitigation.** Paleontological resources, or fossils, are the remains of ancient plants and animals that can provide scientifically significant information about the history of life on Earth. Paleontological "sensitivity" is defined as the potential for a geologic unit to produce scientifically significant fossils. This sensitivity is determined by rock type, past history of the rock unit in producing significant fossils, and fossil localities that are recorded from that unit. Paleontological sensitivity is assigned based on fossil data collected from the entire geologic unit, not just a specific site.

The geologic units underlying the Project site are mapped as late to middle Pleistocene old alluvial fan deposits, which are considered to have a high paleontological resource sensitivity.

The Paleontological Resources Assessment (Appendix F) prepared for the Project describes that a previous locality and records search was conducted by the OC Parks Division of Orange County for a nearby Project less than a mile from the Project site. The records search indicated that no fossil localities were identified within the Project boundaries or near the Project site. The closest-known fossil localities are located within five miles southeast of the Project, consisting of Pleistocene-aged marine invertebrate fossils and fish remains. As described previously, the Project site has been disturbed from previous development activities which reduces the potential of existing resources on-site. However, the geologic units underlying the Project site have a high paleontological resource sensitivity. Therefore, Mitigation Measure PAL-1 has been included to implement a monitoring program and provide procedures to be followed in the unlikely event that potential paleontological resources are discovered during grading or excavation activities. Mitigation Measure PAL-1 requires that work shall cease within 100 feet of a find until a qualified paleontologist has evaluated the find in accordance with federal and State regulations. Mitigation Measure PAL-1 would reduce potential impacts to undiscovered paleontological resources to a less-than-significant level.

**Plans, Policies, and Programs (PPP)**

**PPP GEO-1** **California Building Code:** The project is required to comply with the CBC as included in the City's Tustin City Code 8100 to preclude significant adverse effects associated with seismic hazards. CBC related and geologist and/or civil engineer specifications and

recommendations for the Project such as remedial grading are required to be incorporated into grading plans and specifications as a condition of Project approval.

**Mitigation Measures (MM)**

**MM PAL-1** **Paleontological Resources Monitoring Program.** Prior to issuance of a grading permit, a Paleontological Resources Impact Mitigation Plan (PRIMP) shall be implemented to ensure monitoring of earth disturbance activities.

Further, the City of Tustin Building Division shall verify that all Project grading and construction plans and specifications state that in the event that potential paleontological resources are discovered during earth disturbance activities, the discovery shall be cordoned off with a 100-foot radius buffer so as to protect the discovery from further potential damage until a qualified paleontologist (i.e., a practicing paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) from the City or County List of Qualified Paleontologists has evaluated the find in accordance with federal and state regulations. Construction personnel shall not collect or move any paleontological materials and associated materials.

The Paleontological Resources Impact Mitigation Plan (PRIMP), which will include notification of appropriate personnel involved and monitoring of earth disturbance activities shall include the following:

1. Monitoring of mass grading and excavation activities on the Project site shall be performed by a qualified paleontologist or paleontological monitor. Monitoring will be conducted full-time in areas of grading or excavation in undisturbed sedimentary deposits.

2. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined on exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.

3. Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils will be collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes are taken on the map location and stratigraphy of the site, which is photographed before it is vacated, and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites are protected by flagging to prevent them from being overrun by earthmovers (scrapers) before salvage begins. Fossils will be collected in a similar manner, with notes and photographs being taken before removing the fossils. Precise location of the site is determined with the use of handheld GPS units. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location.

4. Particularly small invertebrate fossils typically represent multiple specimens of a limited number of species, and a scientifically suitable sample can be obtained from one to several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material to check for the presence of invertebrates.

5. In accordance with the "Microfossil Salvage" section of the Society of Vertebrate Paleontology guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil "microvertebrates" to test the feasibility of the deposit to yield fossil bones and teeth. If indicators of potential microvertebrate fossils are found, screening of a test sample (approximately 600 pounds) is recommended, according to the Society of Vertebrate Paleontology guidelines. If feasible, wet screening shall be conducted on the project site. If screening yields significant fossils, then removing and processing a "standard sample" of 6,000 pounds shall be performed.

6. In the laboratory, individual fossils will be cleaned of extraneous matrix, any breaks are repaired, and the specimen, if needed, will be stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).

7. Recovered specimens are prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils.

8. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the Los Angeles County Museum of Natural History or the Orange County Parks' Cooper Center) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (e.g., the City of Tustin) will be consulted on the repository/museum to receive the fossil material.

9. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.

## 5.8. GREENHOUSE GAS EMISSIONS

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

A Greenhouse Gas Impact Analysis (Appendix E) was prepared by EPD Solutions for the Project to determine GHG-related impacts. Its findings are incorporated into the discussion below (EPD Solutions, Inc., 2025b).

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

**Less Than Significant Impact.**

*Greenhouse Gas Thresholds*

The SCAQMD Greenhouse Gas Emissions CEQA Significance Threshold Working Group has identified GHG emissions thresholds for land use projects in the SCAQMD *Draft Guidance Document – Interim CEQA GHG Significance Threshold* that could be used by lead agencies (South Coast Air Quality Management District, 2008). The Guidance Document provides substantial evidence supporting the approaches to significance of GHG emissions that can be considered by the lead agency in adopting its own threshold. This includes a tiered approach to evaluate potential GHG impacts from various uses.

The SCAQMD's draft threshold uses the Executive Order S-3-05 goal as the basis for the Tier 3 screening level. Achieving the Executive Order's objective would contribute to worldwide efforts to cap CO2 concentrations at 450 ppm, thus stabilizing global climate. Tier 3 utilizes the Numerical Screening Thresholds approach. Tier 3 consists of screening values. Pursuant to SCAQMD methodology, project construction emissions are averaged over 30 years and are added to the project's operational emissions. If a project's emissions are below the applicable screening threshold, then the project GHG impact would be less than significant.

- Option 1 (all land use types): 3,000 $MTCO_2e$ per year.
- Option 2 (based on land use type):
    - Residential: 3,500 $MTCO_2e$ per year.
    - Commercial: 1,400 $MTCO_2e$ per year.
    - Mixed use: 3,000 $MTCO_2e$ per year.

Executive Order S-3-05's year 2050 goal is the basis of the SCAQMD's draft Tier 3 screening level thresholds. The objective of the Executive Order is to contribute to capping worldwide $CO_2$ concentrations at 450 ppm, stabilizing global climate change. The City utilizes Option 1, and therefore the threshold for all development projects is 3,000 $MTCO_2e$ per year.

The City understands that the 3,000 $MTCO_2e$ per year threshold for residential/commercial uses was proposed by SCAQMD a decade ago and was adopted as an interim policy; however, no permanent,

superseding policy or threshold has since been adopted. The 3,000 $MTCO_2e$ per year threshold was developed and recommended by the SCAQMD, an expert agency, based on substantial evidence as provided in the *Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Threshold* document and subsequent Working Group meetings (SCAQMD, 2008). The SCAQMD has not withdrawn its support of the interim threshold and all documentation supporting the interim threshold remains on the SCAQMD website on a page that provides guidance to CEQA practitioners for air quality analysis (and where all SCAQMD significance thresholds for regional and local criteria pollutants and toxic air contaminants also are listed). Further, as stated by the SCAQMD, this threshold "uses the Executive Order S-3-05 goal [80% below 1990 levels by 2050] as the basis for deriving the screening level" and, thus, remains valid for use in 2025 and for purposes of this report. Lastly, this threshold has been used for hundreds, if not thousands, of GHG analyses performed for projects located within the SCAQMD jurisdiction.

*Construction*

The Project's construction activities would be temporary but could contribute to greenhouse gas impacts. Construction activities would result in the emission of GHGs from equipment exhaust, construction-related vehicular activity and construction worker automobile trips. The total estimated construction-related GHG emissions for construction of the proposed residences are shown in Table 5-5. As shown, the estimated GHG emissions during construction would equal approximately 1,120 $MTCO_2e$, which is equal to approximately 37 MTCO2e per year after amortization over 30 years. Per SCAQMD methodology the 30 year amortized construction emissions are added to annual operational emissions and compared to the threshold.

**Table 5-5: Project Construction GHG Emissions**

| Activity | Annual GHG Emissions ($MTCO_2e$) |
|---|---|
| 2026 | 759 |
| 2027 | 361 |
| **Total Emissions** | **1,120** |
| **Total Emissions Amortized Over 30 Years** | **37** |

Source: EPD Solutions, 2025b (Appendix E).

*Operational*

Implementation of the proposed residential units would result in area and indirect sources of operational GHG emissions that would primarily result from motor vehicle trips, electricity and natural gas consumption, water transport (the energy used to pump water), and solid waste generation. GHG emissions from electricity consumed by the proposed residences would be generated off-site by fuel combustion at the electricity provider. GHG emissions from water transport are also indirect emissions resulting from the energy required to transport water from its source. The estimated operational GHG emissions that would be generated from implementation of the proposed single-family residential project are shown in Table 5-6. Additionally, in accordance with SCAQMD's recommendation, the Project's amortized construction-related GHG emissions from Table 5-5 are added to the operational emissions estimate in order to determine the Project's total annual GHG emissions.

As shown on Table 5-6, the major source of emissions generated by the Project are mobile emissions, at 1,128 $MTCO_2e$. The Project's total emissions from construction and operation would result in approximately 1,579 $MTCO_2e$. However, the Project site is currently developed with five commercial office buildings and is fully operational. Based on the existing use, the site is currently generating approximately 3,065 $MTCO_2e$ from operations. The Project would demolish the five existing buildings to implement 145 residential units, thus redevelopment of the site with residential uses would result in an annual decrease of 1,486 $MTCO_2e$

per year in net operational emissions. This would not exceed the SCAQMD threshold of 3,000 MTCO2e per year. Therefore, total GHG emissions from implementation of the Project would result in a net decrease and impacts would be less than significant.

**Table 5-6: Project GHG Emissions**

| Activity | Annual GHG Emissions ($MTCO_2e$) |
|---|---|
| Mobile | 1,128 |
| Area | 3 |
| Energy | 362 |
| Water | 14 |
| Waste | 34 |
| Refrigeration | 0.3 |
| **Total Project Gross Operational Emissions** | **1,542** |
| **Project Construction Emissions** | **37** |
| **Total Project Emissions** | **1,579** |
| Existing Emissions | 3,065 |
| **Net New Emissions** | **-1,486** |
| Significance Threshold | 3,000 |
| **Threshold Exceeded?** | **No** |

Source: EPD Solutions, 2025b (Appendix E).

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

**Less Than Significant Impact.** The Project would be consistent with the Southern California Association of Governments (SCAG) strategies to provide residential in an area that allows for such uses, on a site that is surrounded by residential development and roadways. The Project would be implemented pursuant to the CALGreen Building/Title 24 requirements, as adopted by reference in the Tustin City Code 8, Article 1. Title 24 measures include insulation; use of energy-efficient heating, ventilation, and air conditioning equipment; solar-reflective roofing materials; energy-efficient indoor and outdoor lighting systems; reclamation of heat rejection from refrigeration equipment to generate hot water; and incorporation of skylights, and solar infrastructure. In complying with the Title 24 standards, the Project would implement regulations that reduce GHG emissions. The Project site is served by bus transit services and the Project would include sidewalks and pedestrian street crossings for all of the onsite roadways, which would encourage non-motorized travel, which reduces GHG emissions.

**CARB Scoping Plan**

The California Air Resources Board (CARB) Scoping Plan recommends actions for achieving carbon neutrality through reduced GHG emissions levels (California Air Resources Board, 2022). The Project includes energy-efficient/energy-conserving design features and would not interfere with the State's implementation of AB 1279's target of 85 percent below 1990 levels and carbon neutrality by 2045 because it does not interfere with implementation of the GHG reduction actions listed in CARB's most recent Scoping Plan (2022), as demonstrated in Table 5-7.

**Table 5-7: 2022 CARB Scoping Plan Consistency**

| Action | Consistency |
|---|---|
| **GHG Emissions Reductions Relative to the SB 32 Target** | |
| 40% Below 1990 levels by 2030. | **Consistent.** The Project would comply with the 2022 Title 24, Part 6 building energy requirements along with other local and State initiatives that aim to achieve the 40% below 1990 levels by 2030 goal. |
| **Smart Growth/Vehicle Miles Traveled VMT** | |
| VMT per capita reduced 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045. | **Consistent.** The Project is consistent with the growth and land use assumptions in the 2020 Connect SoCal (SCAG, 2020), so the Project would not interfere with the analysis completed for the Connect SoCal report outlining VMT reduction targets and measures. In addition, as shown in Table 5-12, the Project would result in a net decrease in annual VMT compared to the existing use. |
| **Light-Duty Vehicle (LDV) Zero-Emission Vehicles (ZEVs)** | |
| 100% of LDV sales are ZEV by 2035. | **Consistent.** The Project would be designed and constructed in accordance with the 2022 Title 24 Part 6 and Part 11 requirements, which includes constructing homes to allow for electric vehicle charging. |
| **Truck ZEVs** | |
| 100% of medium-duty (MDV)/HDC sales are ZEV by 2040 (AB 74 University of California Institute of Transportation Studies [ITS] report). | **Not Applicable.** The Project is a residential project that would not be associated with significant truck sales or use. |
| **Aviation** | |
| 20% of aviation fuel demand is met by electricity (batteries) or hydrogen (fuel cells) in 2045. Sustainable aviation fuel meets most or the rest of the aviation fuel demand that has not already transitioned to hydrogen or batteries. | **Not Applicable.** The Project would not utilize aviation fuel. |
| **Ocean-going Vessels (OGV)** | |
| 2020 OGV At-Berth regulation fully implemented, with most OGVs utilizing shore power by 2027.<br>25% of OGVs utilize hydrogen fuel cell electric technology by 2045. | **Not Applicable.** The Project would not utilize any OGVs. |
| **Port Operations** | |
| 100% of cargo handling equipment is zero-emission by 2037.<br>100% of drayage trucks are zero emission by 2035. | **Not Applicable.** The Project would not impact any operations at any ports. |
| **Freight and Passenger Rail** | |
| 100% of passenger and other locomotive sales are ZEV by 2030.<br>100% of line haul locomotive sales are ZEV by 2035.<br>Line haul and passenger rail rely primarily on hydrogen fuel cell technology, and others primarily utilize electricity. | **Not Applicable.** The Project would not involve any freight or passenger rail operations. |
| **Oil and Gas Extraction** | |
| Reduce oil and gas extraction operations in line with petroleum demand by 2045. | **Not Applicable.** The Project would not involve any oil or gas extraction. |

| Action | Consistency |
|---|---|
| **Petroleum Refining** | |
| CCS on majority of operations by 2030, beginning in 2028.<br>Production reduced in line with petroleum demand. | **Not Applicable.** The Project would not involve any petroleum refining. |
| **Electricity Generation** | |
| Sector GHG target of MMTCO2e in 2030 and 30 MMTCO2e in 2035.<br>Retail sales load coverage of 20 gigawatts (GW) of offshore wind by 2045. Meet increased demand for electrification without new fossil gas-fired resources. | **Consistent.** The Project would comply with the 2022 Title 24, Part 6 building energy requirements, including increases in onsite renewable energy generation requirements via implementation of solar as well as improved insulation reducing energy consumption. |
| **New Residential and Commercial Buildings** | |
| All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030. | **Consistent.** The Project would comply with the 2022 Title 24, Part 6 building energy requirements, which would require all in-unit appliances for residential projects to be all-electric and Energy Star certified. |
| **Existing Residential Buildings** | |
| 80% of appliance sales are electric by 2030 and 100% of appliance sales are electric by 2035.<br>Appliances are replaced at end of life such that by 2030 there are 3 million all-electric and electric-ready homes—and by 2035, 7 million homes—as well as contributing to 6 million heat pumps installed statewide by 2030. | **Not Applicable.** The Project site does not involve any existing residential buildings. |
| **Existing Commercial Buildings** | |
| 80% of appliance sales are electric by 2030, and 100% of appliance sales are electric by 2045.<br>Appliances are replaced at end of life, contributing to 6 million heat pumps installed statewide by 2030. | **Not Applicable.** The Project proposes to demolish the existing office buildings. |
| **Food Products** | |
| 7.5% of energy demand electrified directly and/or indirectly by 2030; 75% by 2045. | **Not Applicable.** The Project does not involve the production of food. |
| **Construction Equipment** | |
| 25% of energy demand electrified by 2030 and 75% electrified by 2045. | **Consistent.** The Project would be required to use construction equipment that are registered by CARB and meet CARB's standards. CARB sets its standards to be in line with the goal of reducing energy demand by 25% in 2030 and 75% in 2045. |
| **Chemicals and Allied Products; Pulp and Paper** | |
| Electrify 0% of boilers by 2030 and 100% of boilers by 2045.<br>Hydrogen for 25% of process heat by 2035 and 100% by 2045.<br>Electrify 100% of other energy demand by 2045. | **Not Applicable.** The Project would not be utilized for pulp and/or paper products. |
| **Stone, Clay, Glass, and Cement** | |
| CCS on 40% of operations by 2035 and on all facilities by 2045.<br>Process emissions reduced through alternative materials and CCS. | **Not Applicable.** The Project would not be utilized for stone, clay, glass, and/or cement storage. |

| Action | Consistency |
|---|---|
| **Other Industrial Manufacturing** | |
| 0% energy demand electrified by 2030 and 50% by 2045. | **Not Applicable.** The Project site does not involve manufacturing operations. |
| **Combined Heat and Power** | |
| Facilities retire by 2040. | **Not Applicable.** The Project would not involve any existing combined heat and power facilities. |
| **Agriculture Energy Use** | |
| 25% energy demand electrified by 2030 and 75% by 2045. | **Not Applicable.** The Project would not involve any agricultural uses. |
| **Low Carbon Fuels for Transportation** | |
| Biomass supply is used to produce conventional and advanced biofuels, as well as hydrogen. | **Not Applicable.** The Project would not involve any production of biofuels. |
| **Low Carbon Fuels for Buildings and Industry** | |
| In 2030s, biomethane135 blended in pipeline<br>Renewable hydrogen blended in fossil gas pipeline at 7% energy (~20% by volume), ramping up between 2030 and 2040.<br>In 2030s, dedicated hydrogen pipelines constructed to serve certain industrial clusters | **Not Applicable.** The Project would not involve any production of fuels for buildings and industry. |
| **Non-combustion Methane Emissions** | |
| Increase landfill and dairy digester methane capture.<br>Some alternative manure management deployed for smaller dairies.<br>Moderate adoption of enteric strategies by 2030.<br>Divert 75% of organic waste from landfills by 2025.<br>Oil and gas fugitive methane emissions reduced 50% by 2030 and further reductions as infrastructure components retire in line with reduced fossil gas demand | **Not Applicable.** The Project would not involve any landfill and/or dairy uses. |
| **High GWP Potential Emissions** | |
| Low GWP refrigerants introduced as building electrification increases, mitigating HFC emissions. | **Not Applicable.** The Project does not include large-scale refrigeration uses nor would the proposed operation include any manufacturing. |
| **Transportation Electrification** | |
| Convert local government fleets to ZEV | **Not Applicable.** The Project is residential in nature and will not include fleet usage. |
| Create a jurisdiction-specific ZEV ecosystem to support deployment of ZEVs statewide (such as permit streamlining, infrastructure siting, consumer education, or preferential parking policies) | **Consistent.** The Project would be designed and constructed in accordance with the 2022 Title 24 Part 6 and Part 11 requirements, which includes constructing homes to allow for electric vehicle charging. Therefore, the Project would not interfere with the implementation of a ZEV ecosystem within the City. |
| **VMT Reduction** | |
| Reduce or eliminate minimum parking standards in new developments | **Consistent**. The Project includes 290 garage spaces and 40 shared guest/resident parking spaces, for a total of 330 parking spaces. The Project would reduce the existing |

| Action | Consistency |
|---|---|
| | number of parking stalls provided and it would result in a reduction of annual VMT. |
| Adopt and implement Complete Streets policies and investments, consistent with general plan circulation element requirements | **Consistent.** The Project site is located in a developed urban area with sidewalks available along all nearby roadways. However, the existing driveways on 17th Street providing access to the site would be closed off and no longer accessible. Therefore, the Project would restripe the east bound merge lane upon closure of the 17th Street driveways. However, the Project would not interfere with the implementation of Complete Streets policies and investments within the City. A Class I off-street bike path is proposed within the existing public right-of-way along 17th Street |
| Increase public access to shared clean mobility options (such as planning for and investing in electric shuttles, bike share, car share, transit) | **Consistent.** The Project site is located in a developed urban area with sidewalks available along all nearby roadways. The proposed on-site roadway system includes sidewalks throughout the Project site that would connect to the off-site sidewalks. A Class I off-street bike path is proposed within the existing public right-of-way along 17th Street. In addition, the proposed residential units would allow for charging of electric vehicles. |
| Implement parking pricing or transportation demand management pricing strategies | **Not Applicable.** The Project proposes the development of residential uses, which does not propose public parking. |
| Amend zoning or development codes to enable mixed-use, walkable, and compact infill development (such as increasing allowable density of the neighborhood) | **Not Applicable.** The Project is consistent with the General Plan land use designation and zoning and does not require any amendments. |
| Preserve natural and working lands | **Not Applicable.** The Project would not convert any natural and working lands to urban uses. The Project site is located within an area that is already developed. |
| **Building Decarbonization** | |
| Adopt all-electric new construction reach codes | **Consistent.** The Project would comply with 2022 Title 24 Parts 6 and 11, which includes electric heat pumps installed during construction and electric hookups for all appliances. |
| Adopt policies and incentive programs to implement energy efficiency retrofits (such as weatherization, lighting upgrades, replacing energy intensive appliances and equipment with more efficient systems, etc.) | **Not Applicable.** The Project includes development of new residential units and it does not involve energy retrofits of existing and older systems. |
| Adopt policies and incentive programs to electrify all appliances and equipment in existing buildings | **Not Applicable.** The Project includes the development of 145 new residential units and all existing buildings would be demolished. |
| Adopt policies and incentive programs to reduce electrical loads from equipment plugged into outlets (such as purchasing Energy Star equipment for municipal buildings, occupancy sensors, smart power strips, equipment controllers, etc.) | **Consistent.** The Project would be constructed in accordance with Title 24 CALGreen requirements, which includes installation of Energy Star equipment and appliances in new residential construction. |
| Facilitate deployment of renewable energy production and distribution and energy storage | **Consistent.** The Project would be constructed in accordance with the CALGreen Building Energy Efficiency Standards (Title 24 Part 6) and meet all other requirements related to energy efficiency standards. |

Source: EPD Solutions, 2025b (Appendix E).

| Action | Consistency |
|---|---|

Overall, the Project would be in compliance with the CARB Scoping Plan, State energy standards provided in Title 24 and other statewide standards for fuel and solar use. Thus, the Project would not result in a conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs, and impacts would be less than significant.

## 5.9. HAZARDS AND HAZARDOUS MATERIALS

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

A Phase I Environmental Site Assessment (ESA) (Appendix G) was prepared by AEI Consultants for the Project. Its findings are incorporated into the discussion below (AEI Consultants, 2024a). In addition, a combined Phase II ESA, Limited Asbestos Survey, Lead-Based Paint Screening, and Regulated Materials Assessment (Appendix H) was prepared by AEI Consultants for the Project. Its findings are also incorporated into the discussion below (AEI Consultants, 2024b).

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

**Less Than Significant Impact.** A hazardous material is defined as any material that, due to its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous wastes, and any material that a business or the local implementing agency has a reasonable basis for believing would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

***Construction***

The proposed construction activities could involve the transport, use, and disposal of hazardous materials such as paints, solvents, oils, grease, and caulking. In addition, hazardous materials could be needed for fueling and servicing construction equipment on the site. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by federal and State requirements implemented by the City during building permitting for construction activities. These regulations include: the federal Occupational Safety and Health Act and Hazardous Materials Transportation Act; Title 8 of the California Code of Regulations (CalOSHA), and the State Unified Hazardous Waste and Hazardous Materials Management Regulatory Program. As a result, routine transport and use of hazardous materials during construction would be consistent with applicable regulations and would be less than significant.

***Operation***

The Project involves the operation of 145 residential units, which would routinely use household hazardous materials including solvents, cleaning agents, paints, pesticides, batteries, fertilizers, and aerosol cans. These household hazardous materials are also currently used by the existing commercial uses on the Project site. These types of materials are not acutely hazardous and would continue to be used and stored in limited quantities in the new residences. The normal routine use of these products pursuant to existing regulations would not result in a significant hazard to people or the environment in the vicinity of the Project. Therefore, operation of the Project would not result in a significant hazard to the public nor the environment through the routine transport, use, or disposal of hazardous materials or waste, and impacts would be less than significant.

**b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

**Less Than Significant Impact.**

The Project would demolish the five existing buildings and would redevelop the site with 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total) on 8.5 acres.

***Construction***

The existing uses are commercial offices, which are not typically associated with the use of hazardous materials that could accumulate on-site. Further, the Phase I ESA did not identify recognized environmental conditions (RECs) associated with the Project site (Appendix G).

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

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

- Properly disposing of discarded containers of fuels and other chemicals.

*Asbestos*

Asbestos is a naturally occurring fibrous material used as a fireproofing and insulating agent in building construction before such uses were banned by the United Stated Environmental Protection Agency (USEPA). The presence of asbestos can be found in materials such as ducting insulation, wallboard, shingles, ceiling tiles, floor tiles, insulation, plaster, floor backing, and many other building materials. Asbestos and asbestos-containing materials (ACMs) are both a hazardous air pollutant and a human health hazard. The risk to human health is from inhalation of airborne asbestos, which commonly occurs when ACMs are disturbed during such activities as demolition and renovation.

The Occupational Safety and Health Administration (OSHA) regulation 29 CFR 1926.1101 requires certain construction materials to be presumed to contain asbestos, for purposes of this regulation. All thermal system insulation, surfacing material, and asphalt/vinyl flooring that are present in a building constructed prior to 1981 and have not been appropriately tested are "presumed asbestos-containing material".

Due to the age of the existing buildings (c. 1972-73), the Phase I ESA identified the potential for asbestos containing materials (ACMs) in the existing structures on the site (Appendix G). As a result, a Limited Asbestos Survey was conducted to sample and assess the condition of building materials. The survey collected 319 bulk samples of suspect ACMs from the property and analyzed 608 layers of the initial bulk samples during laboratory analysis (Appendix H). An additional 29 samples layers were reanalyzed thereafter to determine the final asbestos concentration. The Limited Asbestos Survey determined that 13 of the samples contained ACMs. Asbestos abatement contractors are required to follow State regulations contained in California Code of Regulations Sections 1529 and 341.6 through 341.14, as implemented by SCAQMD Rule 1403, to ensure that asbestos removed during demolition of the existing buildings is handled appropriately and transported and disposed of at an appropriate facility.

The contractor and hauler of the material are required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Section 19827.5 of the California Health and Safety Code requires that local agencies not issue demolition permit until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. These requirements are included as PPP HAZ-1 to ensure that the Project applicant submits verification to the City that the appropriate activities related to asbestos have occurred, which would reduce the potential impacts related to asbestos to a less than significant level.

*Lead*

Lead-based materials may also be located within existing structures on the Project site. The lead exposure guidelines provided by the United States Department of Housing and Urban Development provide regulations related to the handling and disposal of lead-based products. Federal regulations to manage and control exposure to lead-based paint are described in Code of Federal Regulations Title 29, Section 1926.62, and State regulations related to lead are provided in the California Code of Regulations Title 8 Section 1532.1, as implemented by Cal/OSHA. These regulations cover the demolition, removal, cleanup, transportation, storage and disposal of lead-containing material. The regulations outline the permissible exposure limit, protective measures, monitoring and compliance to ensure the safety of construction workers exposed to lead-based materials.

Based on the recommendation of the Phase I ESA, a Limited Lead-Based Paint Survey (Appendix G) was conducted in which several samples were taken from interior and exterior surfaces of the buildings on site. A total of 10 samples of suspect paint were taken from selected interior and exterior painted surfaces of the subject properties. The Housing for Urban Development (HUD) lead-based paint (LBP) inspection standard for LBP is 0.5 percent by weight or 5,000 ppm. According to the laboratory results presented in

Appendix H, all samples collected had a lead concentration of less than 40 parts per million which is below the HUD standard. Thus, the samples are not considered to be lead-based paint. However, the Limited Lead Based Paint Survey states the painted surfaces on-site shall still be treated as lead-containing paint pursuant to OSHA guidelines.

Cal/OSHA's Lead in Construction Standard requires Project applicants to develop and implement a lead compliance plan when lead-based paint would be disturbed during construction or demolition activities. The plan must describe activities that could emit lead, methods for complying with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. In addition, Cal/OSHA requires a 24-hour written notification to the nearest Cal/OSHA District Office if more than 100 square feet of lead-based paint is to be disturbed. The lead content of the paint should be considered when choosing a method to remove the paint, as proper waste disposal requirements and worker protection measures must be taken. These requirements are included as PPP HAZ-2 to ensure that the Project applicant submits verification to the City that the appropriate activities related to lead have occurred. Project compliance with PPP HAZ-2 would ensure that potential impacts related to lead-based paint are less than significant.

***Operation***

As described previously, future operation of up to 145 residential units would include use of limited hazardous materials, such as solvents, cleaning agents, paints, pesticides, batteries, fertilizers, and aerosol cans. Normal routine use of typical residential products pursuant to existing regulations would not result in a significant hazard to the environment, residents, or workers in the vicinity of the Project. As a result, operation of the proposed Project would not create a reasonably foreseeable upset and accident condition involving the release of hazardous materials into the environment, and impacts would be less than significant.

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

**Less Than Significant Impact.** The Project site is generally bounded by 17th Street to the north; by existing residential uses to the east and south; and by Prospect Avenue to the west. The Project site is located approximately 621 feet (0.12 miles) south of the nearest school, which is Loma Vista Elementary. While construction and operation of the Project could involve the use, storage, and disposal of small amounts of hazardous materials on the Project site, these hazardous materials would be limited and used and disposed of in compliance with federal, State, and local regulations, which would reduce the potential for accidental release into the environment near a school. As noted above, the Phase I ESA did not identify any unique hazardous conditions related to site contamination that could be exposed through construction or transport of construction material, except for building materials containing asbestos and lead, the handling and transport of which are regulated by the SCAQMD and other agencies. Further, the emissions that would be generated from construction and operation of the Project were evaluated in the air quality analysis discussed above, and the emissions generated from the Project would not cause or contribute to an exceedance of the federal or State air quality standards. Thus, impacts related to the emission or handling of hazardous materials, substances, or waste near the school would be less than significant.

**d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

**Less Than Significant Impact.** According to the Phase I ESA, which includes a database search of local, regional, State, and federal databases related to hazardous materials, the Project site is identified in the HAZNET (x7), HWTS (x9), FINDS, ECHO, and RCRA NonGen/NLR databases (Appendix G). The site is identified on seven (7) HAZNET and nine (9) HWTS listings because asbestos-containing waste and other

organic solids were generated at the subject property and transported off-site for disposal between 1998 and 2018. The RCRA-NonGen/NLR listing indicates the site was listed as a non-generator in 2018. Further, no violations were found in association with the RCRA listing. Also, the generation of limited hazardous materials that were transported off-site does not mean that the site is contaminated or that recognized environmental conditions are present, particularly without any evidence of a release. Thus, based on the lack of violations and/or listing in other databases indicating a release, these listings were not considered to be an environmental concern at the Project site. Therefore, the Project would not create a significant hazard to the public or the environment and impacts would be less than significant.

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

**No Impact.** The Airport Land Use Commission (ALUC) for Orange County has responsibility under State law for formulating a comprehensive airport land use plan (ALUP) for the anticipated growth of each public use airport and its surrounding vicinity. General Plans for cities affected by an ALUP must be consistent with that plan. The purpose of the ALUP is to safeguard the general welfare of the inhabitants within the vicinity of airports and to ensure the continued operation of the airports. The ALUC for Orange County has adopted the Airport Environs Land Use Plan (AELUP) governing John Wayne Airport, Joint Forces Training Base Los Alamitos, Fullerton Airport, and Heliports.

The closest airport to the Project site is John Wayne Airport, which is located approximately 5.58 miles southwest of the Project site. The Project site is not located within any land use compatibility zone for John Wayne Airport, nor is it within an airport safety zone within the AELUP (Orange County Airport Land Use Commission, 2008). The Project would not result in potential safety hazards or excessive noise for people that would reside or work within the Project site in the future and no impact would occur.

**f) Impair implementation of an adopted emergency response plan or emergency evacuation plan?**

**Less Than Significant Impact.**

***Construction***

The proposed construction activities, including equipment and supply staging and storage, would occur within the Project site and would not restrict access of emergency vehicles to the Project site or adjacent areas. During construction of the Project driveway, 17th Street would remain open to ensure adequate emergency access to the Project area and vicinity. Further, should road closures be needed, the Project would be required to implement appropriate measures consistent with the City of Tustin Standard Plans and Design Standards to facilitate the passage of persons, vehicles, and heavy-duty construction vehicles through/around any required road closures and measures (City of Tustin Department of Public Works, 2022) (PPP T-1). Impacts related to interference with an adopted emergency response or evacuation plan during construction activities would be less than significant.

***Operation***

Operation of the proposed Project would not result in physical interference with an emergency response or evacuation. Direct ingress/egress access to and from the Project site would be provided via Prospect Avenue.

The Project site is located south of 17th Street, a major arterial, and 0.5 mile east of the 55 Freeway (State Route 55), a highway, respectively. These roadways would likely be utilized as evacuation routes in the event of an emergency evacuation of the Project site. Pursuant to the City's Emergency Operations Plan, specific evacuation requirements will vary based on the situation, but should be carried out in a manner consistent with other critical functions (City of Tustin, 2019). Under ideal circumstances, there would be enough time for radio and/or television stations to broadcast the required evacuation information via the Emergency

Alert System, and if enough time is available, copies of the evacuation order or notice and route could be distributed. The Project would not impair the implementation of evacuation protocol in the event of an emergency within the City or Project site.

The Project is also required to design and construct internal access and provide fire suppression facilities (e.g., hydrants and sprinklers) in conformance with the Tustin City Code and the Fire Department prior to approval to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), as adopted by the Tustin City Code Section 8100. As a result, the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

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

**No Impact.** The Project site is currently developed as a commercial office site and is located in an urbanized area. According to the California Fire Hazard Severity Zones map, the City of Tustin contains very high fire severity zones in the northeast portion of the City, as shown in the Local Responsibility Area Fire Hazard Severity Zones map dated March 24, 2025 (California Department of Forestry and Fire, 2025). The Project site is not located within or near State responsibility areas or lands classified as very high fire hazard severity zones. Therefore, the Project would result in no impact to the exposure of people or structures to risk of loss, injury, or death involving a wildland fire.

**Plans, Policies, and Programs (PPP)**

**PPP HAZ-1** **SCAQMD Rule 1403, Asbestos.** Prior to issuance of demolition permits, the Project applicant shall submit verification to the City Building Division that an asbestos survey has been conducted at all existing buildings located on the Project site. If asbestos is found, the Project applicant shall follow all procedural requirements and regulations of South Coast Air Quality Management District Rule 1403. Rule 1403 regulations require that the following actions be taken: notification of SCAQMD prior to construction activity, asbestos removal in accordance with prescribed procedures, placement of collected asbestos in leak-tight containers or wrapping, and proper disposal.

**PPP HAZ-2** **Lead Based Paint.** Prior to issuance of demolition permits, the Project applicant shall follow all procedural requirements and regulations for proper removal and disposal of lead-based paint and worker safety related to lead exposure. CalOSHA has established limits of exposure to lead contained in dusts and fumes. Specifically, CCR Title 8, Section 1532.1 provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead.

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

**PPP T-1** **Traffic Control/Utilities.** Prior to commencing construction within the City public right-of-way (including utility work), the Project shall be subject to the traffic control standards specified

by the City's latest Standard Plans and Design Standards, which includes the requirement for Traffic Control Plan during construction.

## 5.10. HYDROLOGY AND WATER QUALITY

| Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | ☐ | ☐ | ☒ | ☐ |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | ☐ | ☐ | ☒ | ☐ |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in a substantial erosion or siltation on- or off-site? | ☐ | ☐ | ☒ | ☐ |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | ☐ | ☐ | ☒ | ☐ |
| e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | ☐ | ☐ | ☒ | ☐ |
| f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows? | ☐ | ☐ | ☒ | ☐ |
| g) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | ☐ | ☐ | ☐ | ☒ |
| h) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | ☐ | ☐ | ☒ | ☐ |

A Preliminary Water Quality Management Plan (WQMP) (Appendix J) (C&V Consulting, Inc., 2025a) and a Preliminary Hydrology Study (Appendix I) have been prepared by C&V Consulting, Inc. for the Project. Their findings are incorporated into the discussion below (C&V Consulting, Inc., 2025b).

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

**Less Than Significant Impact.**

***Construction***

The Project site is located in the northwestern portion of Tustin, which is part of the Newport Bay Watershed (OC Watersheds, 2006). The entire watershed spans 154 square miles and is contained in the jurisdictional boundary of Orange County. The largest drainage, San Diego Creek, and its many tributaries begin along the coastal foothills of the Santa Ana Mountains and flow predominantly southwest into Newport Bay. The Newport Bay Watershed is within the jurisdiction of the Santa Ana Regional Water Quality Control Board (Regional Board), within the subunit of the Lower Santa Ana River Basin (designated Hydrologic Unit 801.11). The Water Quality Control Plan for the Santa Ana River Basin lists Newport Bay both Upper and Lower, as tributaries to the Pacific Ocean and also as receiving waters for San Diego Creek. The Project site is within the Tustin/Irvine/Modeno Channel Subwatershed, which is tributary to the San Diego Creek: Reach 1. As of the 2018 303(d) impaired waters list, San Diego Creek: Reach 1 was listed as impaired for nutrients, sedimentation/siltation, selenium, toxaphene, toxicity, indicator bacteria, benthic community effects, DDT (dichlorodiphenyltrichloroethane), and malathion (California Waterboards, 2023).

Construction of the Project (approximately 8.5 acres) would require grading and excavation of soils, which would loosen sediment, that would have the potential to mix with surface water runoff and degrade water quality. Additionally, construction would require the use of heavy equipment and construction-related chemicals such as concrete, cement, asphalt, fuels, oils, antifreeze, transmission fluid, grease, solvents, and paints. These potentially harmful materials could be accidentally spilled or improperly disposed of during construction and, if mixed with surface water runoff, could wash into and pollute waters.

These types of water quality impacts during construction would be prevented through implementation of a SWPPP (PPP HYD-1). Because construction of the Project would disturb more than one acre of soil, the Project is required to obtain coverage under the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity. Construction activity subject to this permit includes clearing, grading, and ground disturbances such as trenching, stockpiling, or excavation. The Construction General Permit requires implementation of a SWPPP that is required to identify all potential sources of pollution that are reasonably expected to affect the quality of storm water discharges from the construction site. The SWPPP would generally contain a site map showing the construction perimeter, proposed buildings, stormwater collection and discharge points, general pre- and post-construction topography, drainage patterns across the site, and adjacent roadways. The SWPPP would also include construction BMPs.

Adherence to the existing requirements and implementation of the Project SWPPP (PPP HYD-1), as ensured through the City's plan check and permitting process, would ensure that the Project would not violate any water quality standards or waste discharge requirements. Potential water quality degradation associated with construction activities would be minimized, and construction impacts would be less than significant.

***Operation***

The proposed Project includes operation of residential uses. Potential pollutants associated with the proposed uses include various chemicals from cleaners, pathogens from pet waste, nutrients from fertilizer, pesticides and sediment from landscaping, trash and debris, and oil and grease from vehicles. If these pollutants discharge into surface waters, they could result in degradation of water quality.

However, operation of the proposed Project would be required to comply with the requirements of the Orange County Drainage Area Management Plan (DAMP) and the non-point source NPDES Permit for Waste

Discharge Requirements for the County of Orange, Orange County Flood Control District, and the incorporated Cities of Orange County within the Santa Ana Region (included as PPP HYD-1).

The DAMP regulations are included in the Tustin City Code in Section 4902 and are the implementation method for NPDES Stormwater Permit compliance. The DAMP:

- Provides the framework for the program management activities and plan development;
- Provides the legal authority for prohibiting unpermitted discharges into the storm drain system and for requiring BMPs in new development and significant redevelopment;
- Ensures that all new development and significant redevelopment incorporates appropriate Site Design, Source Control, and Treatment Control BMPs to address specific water quality issues; and
- Ensures that construction sites implement control practices that address construction-related pollutants including erosion and sediment control and on-site hazardous materials and waste management.

The DAMP requires that new development and significant redevelopment projects develop and implement a water quality management plan (WQMP) that includes BMPs and low impact development (LID) design features that would provide on-site treatment of stormwater to prevent pollutants from on-site uses from leaving the site. A Preliminary WQMP has been prepared (included as Appendix J) per these requirements and recommends various BMPs to be incorporated into the Project. The WQMP is required to be approved prior to the issuance of a building or grading permit.

The Project's WQMP would be reviewed and approved by the City to ensure it complies with the MS4 Permit regulations. In addition, the City's permitting process would ensure that all BMPs in the WQMP would be implemented with the Project. Overall, implementation of the WQMP pursuant to existing regulations (included as PPP HYD-3) would ensure that operation of the proposed Project would not violate any water quality standards or waste discharge requirements, or otherwise degrade water quality. Therefore, impacts would be less than significant.

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

**Less Than Significant Impact.** The City's water supply consists of a combination of imported water and local groundwater. The City's main source of water supply is groundwater from the Orange County Basin (OC Basin). In 2020, the City's actual water supply totaled 10,447 acre-feet (AF), which included 7,034 AF of untreated groundwater and 3,038 AF desalinated groundwater from OC Basin, and 375 AF of imported water from Municipal Water District of Orange County (MWDOC) obtained through East Orange County Water District (EOCWD) (City of Tustin, 2021).

The City's 2020 Urban Water Management Plan (UWMP) forecasts that by 2045 the City's water supply mix will shift to 85 percent groundwater and 15 percent imported water (City of Tustin, 2021). Table 5-8 provides the City's total projected water supply capacities expected to be available through 2045.

**Table 5-8: Tustin Projected Water Supply**

| Source | | Projected Water Supply (acre-feet) | | | | |
|---|---|---|---|---|---|---|
| | | 2025 | 2030 | 2035 | 2040 | 2045 |
| Groundwater (not desalinated) | Orange County Groundwater Basin | 8,569 | 8,604 | 8,521 | 8,440 | 8,413 |
| Purchased or Imported Water | MWDOC / EOCWD | 1,512 | 1,518 | 1,504 | 1,489 | 1,489 |
| **Total Projected Water Supplies** | | **10,081** | **10,122** | **10,025** | **9,929** | **9,902** |

Source: (City of Tustin, 2021)

As detailed in Section 5.19, *Utilities and Service Systems*, water supply would be sufficient under normal, single dry year, and multiple dry year conditions between 2025 and 2045 to meet all of the City's estimated needs, including the Project. Therefore, the Project would not result in changes to the projected groundwater pumping that would decrease groundwater supplies.

Further, the Project site is fully developed and is 89 percent impervious (Appendix J) with the exception of some landscaped areas and would become 100% impervious upon Project completion. Therefore, implementation of the proposed Project would slightly increase the amount of impervious surface area; however, the Project would not substantially interfere with the rate of groundwater recharge at the Project site compared to existing conditions. Further, the Project site is not in or near a groundwater recharge area/facility, nor does it represent a source of groundwater recharge. Therefore, the Project would not substantially interfere with groundwater supplies or recharge. Impacts would be less than significant.

Orange County Water District (OCWD) serves as the groundwater manager for the OC Basin and sub-basins. OCWD adopted its first Groundwater Management Plan in 1989. In July 2015, OCWD updated the Groundwater Management Plan; however, this plan has been superseded by the Basin 8-1 Alternative Plan which was adopted in 2022. As described previously, the Project would not decrease groundwater supplies or interfere substantially with groundwater recharge. Therefore, the Project would not conflict or obstruct the implementation of the Basin 8-1 Alternative Plan. Additionally, groundwater supply and demand are evaluated through the City's 2020 UWMP, which determined groundwater supplies are sufficient to serve the City's service area through 2045. Therefore, the proposed Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

**c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in a substantial erosion or siltation on- or off-site?**

**Less Than Significant Impact.** The Project site does not include, and is not adjacent to, a natural stream or river. Implementation of the Project would not alter the course of a stream or river.

The Project site is currently developed with commercial office uses. The Project site currently drains into the City's stormwater sewer system via a series of culverts and drains. Stormwater drains to the southwest corner of the site into an existing parkway culvert that then discharges into the right-of-way on Prospect Avenue. There is a downstream catch basin located south of the property line on Prospect Avenue which connects to a 30-inch Orange County Flood Control District Reinforced Concrete Pipe (RCP) that confluences with the North Tustin Channel just north of Beneta Way. Runoff continues to flow in the North Tustin Channel until it reaches the El Modena-Irvine Channel, east of Holt Avenue. Thereafter, runoff enters Peters Canyon Channel and then the San Diego Creek Channel, ultimately discharging to the Upper Newport Bay/Pacific Ocean.

***Construction***

Construction of the proposed Project would require demolition of the existing building structures, including foundations and floor slabs, and crushing the existing pavement, which would expose and loosen building materials and sediment. These materials have the potential to mix with storm water runoff and result in erosion or siltation off-site. However, the Project site does not include any significant slopes, which reduces the erosion potential, and the large majority of soil disturbance would be related to excavation and backfill for installation of building foundations and underground utilities.

The Project would be required to comply with the California Regional Water Quality Control Board (RWQCB) Order No. R8-2010-0033, National Pollutant Discharge Elimination System (NPDES) Permit No.

CAS618033 – Construction General Permit requirements (PPP HYD-1). Requirements of the Construction General Permit include installation of BMPs, which establish minimum stormwater management requirements and controls. To reduce the potential for soil erosion and the loss of topsoil, a Stormwater Pollution Prevention Plan (SWPPP) is required by the RWQCB regulations to be developed by a QSD (Qualified SWPPP Developer). The SWPPP is required to address site-specific conditions related to specific grading and construction activities. The SWPPP would identify potential sources of erosion and sedimentation to prevent loss of topsoil during construction and would identify erosion control BMPs to reduce or eliminate the erosion and loss of topsoil, such as use of silt fencing, fiber rolls, or gravel bags; stabilized construction entrances/exits; hydroseeding; and similar measures. In addition to RWQCB requirements, proposed development would need to comply with the City of Tustin Grading Manual procedures (PPP HYD-2). The City of Tustin Grading Manual is a compilation of rules, procedures, and interpretations necessary to carry out the provisions of the Tustin City Code relating to grading and excavation.

Following construction, the Project would be required to prepare and implement a Water Quality Management Plan (WQMP) per City standards; as well as comply with the requirements of the Orange County Drainage Area Management Plan (DAMP); and the intent of the non-point source NPDES Permit for Waste Discharge Requirements for the County of Orange, Orange County Flood Control District, and the incorporated cities of Orange County within the Santa Ana Region (included as PPP HYD-3).

The DAMP regulations are included in the Tustin City Code in Section 4902 and are the implementation method for NPDES Stormwater Permit compliance. The DAMP:

- Provides the framework for the program management activities and plan development;
- Provides the legal authority for prohibiting unpermitted discharges into the storm drain system and for requiring BMPs in new development and significant redevelopment;
- Ensures that all new development and significant redevelopment incorporates appropriate Site Design, Source Control, and Treatment Control BMPs to address specific water quality issues; and
- Ensures that construction sites implement control practices that address construction related pollutants including erosion and sediment control and on-site hazardous materials and waste management.

The DAMP requires that new development and significant redevelopment projects develop and implement a water quality management plan (WQMP) that includes BMPs and low impact development (LID) design features that would provide on-site treatment of stormwater to prevent pollutants from on-site uses from leaving the site. These requirements would ensure that future projects would not result in substantial soil erosion or the loss of topsoil. With implementation of uniformly applicable requirements (SWPPP, City of Tustin Grading Manual, and the DAMP), the Project would result in a less than significant impact.

***Operation***

The Project site currently consists of 89 percent impervious surfaces and 11 percent pervious area. After completion of Project construction, the site would be approximately 100 percent impervious and 0 percent pervious, which is an increase of 11 percent impervious surface area (Appendix J). However, 23 percent of the surface area on the site is anticipated to be landscaped, which would increase perviousness and inhibit erosion. Though the proposed Project would result in an increase of impervious surfaces, the Project would follow a similar drainage pattern as is currently existing and convey runoff to landscaped areas or into the underground storm drain system. A series of on-site storm drain facilities with LID and peak storm elements are proposed. Street surface runoff would be collected and conveyed through curb inlet catch basins and grate inlets, which would connect to a divert pipe system that would divert low flows to 13 proposed modular wetlands system (MWS) biofiltration vaults for water quality treatment. During larger storm events when the proposed biofiltration BMPs are at capacity, stormwater would pond within the catch basins near the Project driveway, which would overflow into the public right-of-way on Prospect Avenue. As discussed previously,

the Project would decrease flow rates to Prospect Avenue by 3.80 cfs during the 100-year storm even and by 9.31 cfs during the 25-year storm event. Therefore, there would not be an increase in the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

Changes due to development of the Project site could result in potential changes in the drainage pattern due to siltation and erosion. However, the City's MS4 permit and County DAMP require new development projects to prepare a WQMP (included as PPP HYD-3) that is required to include BMPs to reduce the potential of erosion and/or sedimentation through site design and structural treatment control BMPs. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the City's Engineering Division to ensure that the site-specific design limits the potential for erosion and siltation. Overall, adherence to the existing regulations would ensure that impacts as a result of future development related to alteration of a drainage pattern and erosion/siltation from operational activities would be less than significant.

**d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

**Less Than Significant Impact.**

C***onstruction***

Construction of the proposed Project would require demolition of the existing buildings including foundations, floor slabs, and utilities systems, and crushing the existing pavement. These activities could temporarily alter the existing drainage pattern of the site and change runoff flow rates. However, as described previously, implementation of the Project requires a SWPPP (included as PPP HYD-1) that would address site specific drainage issues related to construction of the Project and include BMPs to eliminate the potential of flooding or alteration of a drainage pattern during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a Qualified SWPPP Practitioner (QSP) (per PPP HYD-1) as verified by the City through the construction permitting process would prevent construction-related impacts related to potential alteration of a drainage pattern or flooding on- or off-site from development activities. Therefore, construction impacts would be less than significant.

***Operation***

The Project site currently drains into the City's stormwater sewer system via a series of culverts and drains. Stormwater drains to the southwest corner of the site into an existing parkway culvert that then discharges into the right-of-way on Prospect Avenue. There is a downstream catch basin located south of the property line on Prospect Avenue which connects to a 30-inch Orange County Flood Control District RCP that confluences with the North Tustin Channel just north of Beneta Way. Runoff continues to flow in the North Tustin Channel until it reaches the El Modena-Irvine Channel, east of Holt Avenue. Thereafter, runoff enters Peters Canyon Channel and then the San Diego Creek Channel, ultimately discharging to the Upper Newport Bay/Pacific Ocean.

As described previously, the proposed Project would result in an increase of impervious surfaces. However, the Project would follow a similar drainage pattern as the existing site and convey runoff to landscaped areas or into the underground storm drain system. Street surface runoff would be collected and conveyed through curb inlet catch basins and grate inlets, which would connect to a divert pipe system that would divert low flows to 13 proposed modular wetlands system (MWS) biofiltration vaults for water quality treatment. During larger storm events when the proposed biofiltration BMPs are at capacity, stormwater would pond within the catch basins near the Project driveway, which would overflow into the public right-of-

way on Prospect Avenue. As discussed previously, the Project would decrease flow rates to Prospect Avenue by 3.80 cfs during the 100-year storm even and by 9.31 cfs during the 25-year storm event. Therefore, the Project would not result in an increase in the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

Additionally, as part of the permitting approval process, the proposed drainage design and engineering plans would be reviewed by the City's Engineering Division to ensure that the proposed drainage would accommodate the appropriate design flows. Overall, the proposed drainage system and adherence to the existing MS4 permit and DAMP regulations would ensure that project impacts related to alteration of a drainage pattern or flooding from operational activities would be less than significant.

**e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

**Less Than Significant Impact.** As described previously, the Project site does not include, and is not adjacent to, a natural stream or river. Implementation of the Project would not alter the course of a stream or river.

***Construction***

As described in the previous response, construction of the proposed Project would require demolition, concrete crushing, and excavation activities that could temporarily alter the existing drainage pattern of the site and could result in increased runoff and polluted runoff if drainage is not properly controlled.

However, implementation of the Project requires a SWPPP (included as PPP HYD-1) that would address site-specific pollutant and drainage issues related to construction of the Project and include BMPs to eliminate the potential of polluted runoff and increased runoff during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP (per PPP HYD-1) as verified by the City through the construction permitting process would prevent construction-related impacts related to increases in run-off and pollution from development activities. Therefore, impacts would be less than significant.

***Operation***

As described previously, the proposed Project would result in an increase of impervious surfaces. A series of on-site storm drain facilities with Low Impact Development (LID) and Peak Storm elements are proposed. Street surface runoff would be collected and conveyed through curb inlet catch basins and grate inlets, which would connect to a divert pipe system that would divert low flows to 13 proposed modular wetlands system (MWS) biofiltration vaults for water quality treatment. During larger storm events when the proposed biofiltration BMPs are at capacity, stormwater would pond within the catch basins near the Project driveway, which would overflow into the public right-of-way of Prospect Avenue. As discussed previously, the Project would decrease flow rates to Prospect Avenue by 3.80 cfs during the 100-year storm even and by 9.31 cfs during the 25-year storm event. The design capture volume (DCV) for the Project based on NPDES permit standards is 22,322 cf. As described in the WQMP, the site has been designed to meet the required DCV. Thus, an increase in runoff that could exceed the capacity of storm drain systems and provide polluted runoff would not occur.

Additionally, as discussed previously, the City's MS4 permit and County DAMP require new development projects to prepare a WQMP (included as PPP HYD-3) that is required to include BMPs to reduce the potential of stormwater pollutants through site design and structural treatment control BMPs. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would

be reviewed by the City's Engineering Division to ensure that the site-specific design limits the potential for sources of polluted runoff. Overall, adherence to the existing regulations would ensure that impacts as a result of future development related to stormwater runoff would be less than significant.

**f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?**

**Less Than Significant Impact.** The Project site is in the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map Number 06059C0164J (Federal Emergency Management Agency, 2009). The Project site is within an area designated as Zone X, areas of 0.2 percent annual chance of flood; areas of 1 percent annual chance of flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood. Therefore, the Project site is not currently within a designated flood zone.

The Project site is currently completely developed and completely paved, with the exception of some ornamental landscaped areas. The Project would maintain the existing drainage pattern; and drainage would be accommodated by on-site landscaping and catch basins that have been sized to accommodate the DAMP required design storm. Therefore, the Project would not result in impeding or redirecting flood flows by the addition of the impervious surfaces. As detailed previously, the City's permitting process would ensure that the drainage system specifications adhere to the existing MS4 permit and DAMP regulations, and compliance with existing regulations. Therefore, the Project would result in a less than significant impact.

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

**No Impact.** According to the Federal Emergency Management Agency (FEMA) Map 06059C0164J, the Project site is within Flood Zone X – the 0.2 percent annual chance flood area, areas of 1 percent annual chance flood with average depth less than 1 foot or with drainage areas of less than 1 square mile (Federal Emergency Management Agency, 2009). The site is not within a special flood hazard area.

A seiche is a surface wave created when an inland body of water is shaken, usually by earthquake activity. The site also is not subject to flooding hazards associated with a seiche because there are no large body of surface water located near the project site to result in effects related to a seiche, which could result in release in pollutants due to inundation of the site. The Project site is not located near an inland body of water that could result in impacts due to seiche.

The Pacific Ocean is located over 12 miles southwest of the Project site; consequently, there is no potential for the Project site to be inundated by a tsunami that could release pollutants. In addition, the Project site is flat and not located near any steep hillsides; therefore, there is no potential for the site to be adversely affected by mudflow. Thus, implementation of the Project would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow that could release pollutants due to inundation of the Project site. No impact would occur.

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

**Less Than Significant Impact.** As described previously, use of BMPs during construction implemented as part of a SWPPP as required by the NPDES Construction General Permit and PPP HYD-1 would serve to ensure that Project impacts related to construction activities resulting in a degradation of water quality would be less than significant. Thus, construction of the Project would not conflict or obstruct implementation of a water quality control plan.

Also, as described previously, new development projects are required to implement a WQMP (per PPP H-3) that would comply with the Orange County DAMP. The WQMP and applicable BMPs are verified as part

of the City's permitting approval process, and construction plans would be required to demonstrate compliance with these regulations. Therefore, operation of the Project would not conflict with or obstruct implementation of a water quality control plan.

In addition, as detailed previously, the OCWD manages basin water supply through the BPP, such that, the anticipated production of groundwater would remain steady from 2025 through 2045 (as shown in Table 5-8. As described previously and further detailed in Section 5.19, *Utilities and Service Systems*, the City's supply of water would be sufficient during both normal years and multiple dry year conditions between 2025 and 2045 to meet all of the City's estimated needs, including the proposed Project. Therefore, the Project would be consistent with the groundwater management plan and would not conflict with or obstruct its implementation. Thus, impacts related to water quality control plan or sustainable groundwater management plan would be less than significant.

**Plans, Policies, and Programs (PPP)**

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

**PPP HYD-2** **City of Tustin Grading Manual.** The Project is required to comply with the City of Tustin Grading Manual (1990). Implementation of grading manual standards would be verified by the City during the plan check and permitting process.

**PPP HYD-3** **WQMP.** Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be prepared by the Project applicant and submitted to and approved by the City Public Works Department. The WQMP shall identify all Post-Construction, Site Design. Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development Project in order to minimize the adverse effects on receiving waters.

## 5.11. LAND USE AND PLANNING

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

**a) Physically divide an established community?**

**No Impact.** The Project site is currently developed with five office buildings and is bound by a roadway followed by commercial uses to the north, a single-family residential neighborhood to the east and south, and a roadway followed by commercial uses and single-family residential to the west. The existing office site presently has a perimeter wall that separates it from an adjacent single-family residential neighborhood. There is no circulation or connection between the existing site and the adjacent neighborhood, thus no existing through-connections are being removed.

The Project would redevelop the site to provide 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total), which would also not connect to the residential uses. Therefore, the change of the Project site from existing commercial office uses to residential uses would not physically divide an established community. Although the proposed development would be denser and more compact than the adjacent single-family neighborhoods, the Project would not introduce incompatible uses. Residential-to-residential transitions are common, and the site design would include perimeter walls and landscaping to buffer the interface with surrounding homes. Further, the Project would not introduce a physical barrier between neighborhoods. In addition, the Project would not change roadways or install any infrastructure that would result in a physical division. Thus, the proposed Project would not result in impacts related to physical division of an established community, and no impact would result.

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

**Less Than Significant Impact.** As described previously, the Project site is located adjacent to 17th Street, residential development, and commercial uses. The Project would redevelop the site to provide 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total), which would be similar to the residential uses that are located adjacent to the site.

The Project site currently has a General Plan land use designation of PCCB. While the PCCB land use designation primarily allows a variety of miscellaneous retail, professional office, and service-oriented business activities, the PCCB designation also permits residential uses. Further, the General Plan states that the overall population density range for residential use within the PC Business/Commercial designation shall be 2 to 54 persons per acre (City of Tustin, 2018). The Project site is approximately 8.5 acres, which would result in a maximum allowance of 459 persons (54 persons x 8.5 acres). Based on the average household size of 2.73 persons per dwelling unit for the medium density residential land use, the Project would result in the addition of 396 people, which would be below the maximum allowance of 459 persons (City of Tustin, 2018). As such, the Project would be consistent with the existing PCCB land use. In addition, a detailed analysis of the proposed Project's consistency with the applicable goals, policies, and objectives of the City's

General Plan that serve to avoid or mitigate environmental impacts is provided in Table 5-9 below. As described, the proposed Project would be consistent with the relevant goals, policies, and objectives of the City's General Plan that avoid or mitigate environmental impacts, and impacts related to conflict with a General Plan policy related to an environmental effect would be less than significant.

The Project site is currently zoned as PC BUS PARK, and the Project would include a zone change from PC BUS PARK to PC RES, as illustrated in Figure 5-1, *Proposed Zoning*, to allow for the development of the 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total). As detailed earlier in Section 5.1, *Aesthetics*, the Project would be consistent requirements for the proposed zone. Thus, the proposed Project would not conflict with any applicable zoning regulations adopted for the purpose of avoiding or mitigating an environmental effect, and impacts would be less than significant.

**Table 5-9: Project Consistency with Relevant General Plan Goals, Policies, and Objectives**

| General Plan Update Goal, Policy, or Objective | Project Consistency |
|---|---|
| **Land Use Element** | |
| **Goal 1:** Provide for a well-balanced land use pattern that accommodates existing and future needs for housing, commercial and industrial land, open space and community facilities and services, while maintaining a healthy, diversified economy adequate to provide future City services. | **Consistent.** The proposed Project would convert an underutilized office site into a mix of for-sale residential units, helping the City meet regional housing needs allocation (RHNA) needs and address current housing demand. While the site is designated for commercial use, its redevelopment with residential would support the General Plan goal for a balanced land use pattern by aligning with updated City priorities, including infill development, walkability, and proximity to services. The site is located near commercial centers and transit corridors, which would contribute to the reduction of vehicle miles traveled and would promote efficient use of existing infrastructure. Additionally, the proposed zone change to PC-RES would ensure long-term planning control and community design consistency. Thus, the Project is consistent with Goal 1. |
| **Policy 1.1:** Preserve the low-density quality of Tustin's existing single-family neighborhoods while permitting compatible multi-family development to meet regional housing needs where best suited from the standpoint of current development, accessibility, transportation and public facilities. | **Consistent.** The proposed Project would introduce higher-density housing in a location that is well-suited for such development. The site is bordered by arterial roadways, commercial centers, and existing infrastructure, and is not located within a designated low-density single-family neighborhood. Although the Project site abuts single-family homes to the east and south, the site design orients private open space toward the property boundary and includes buffer treatments such as walls and landscaping to preserve privacy and minimize visual or functional conflicts. Thus, the Project is consistent with Policy 1.1. |
| **Policy 1.7:** As part of the City's attraction to business and industry, provide adequate sites to house future employees. | **Consistent.** The Project would contribute 145 new for-sale housing units which would be in proximity to commercial services and regional transportation corridors and would support the housing needs of existing and future employees. By introducing housing on a former commercial office site near major employment centers and transit access (including SR-55), the Project would help reduce commute distances and would support workforce retention consistent with the City's long-term economic and land use goals. Thus, the Project is consistent with Policy 1.7. |

| General Plan Update Goal, Policy, or Objective | Project Consistency |
|---|---|
| **Policy 1.10:** Ensure that the distribution and intensity of land uses are consistent with the Land Use Plan and classification system. | **Consistent.** The Project site has a General Plan land use designation of PCCB. The General Plan states that the overall population density range for residential use within the PCCB designation shall be 2 to 54 persons per acre (City of Tustin, 2018). The Project site is approximately 8.5 acres, which would result in a maximum allowance of 459 persons (54 persons x 8.5 acres). Based on the average household size of 2.73 persons per dwelling unit for the medium density residential land use, the Project would result in the addition of 396 people, which would be below the maximum allowance of 459 persons.<br><br>Although the site is being converted from office to residential use, the PCCB designation expressly allows residential development and anticipates flexibility in land use allocation within mixed-use districts. The Project would not exceed the allowed intensity, and its for-sale housing product supports the General Plan's intent to accommodate growth in a manner that complements land use goals and existing retail and office development near the Project site.<br><br>As such, the Project would be consistent with the existing PCCB land use and with Policy 1.10. |
| **Policy 1.11:** Where feasible, increase the amount and network of public and private open space and recreational facilities which will be adequate in size and location to be useable for active or passive recreation as well as for visual relief. | **Consistent.** The Project includes a 0.19-acre recreational area near the center of the proposed residential community, featuring a walking path, seating areas, and a large grass lawn with ornamental vegetation for future residents. This area is centrally located and designed to support informal gathering and passive recreation, contributing usable open space for future residents and visual relief within the community. Further, the Project would be required to dedicate land or pay in lieu fees to contribute to the construction or expansion of recreational facilities pursuant to Tustin City Code Section 9331 (PPP R-1). These contributions help expand the City's overall recreation network consistent with the policy's intent. Thus, the proposed Project is consistent with Policy 1.11. |
| **Policy 2.1:** Consider all General Plan goals and policies, including those in other General Plan elements, in evaluating proposed development projects for General Plan consistency. | **Consistent.** This Table (Table 5-9) analyzes the proposed Project's consistency with GP element goals and policies and finds no conflict. Thus, the proposed Project is consistent with Policy 2.1. |
| **Goal 3:** Ensure that new development is compatible with surrounding land uses in the community, the City's circulation network, availability of public facilities, existing development constraints and the City's unique characteristics and resources. | **Consistent.** The Project proposes residential development in a transitional area between commercial and single-family residential uses and is designed to be context-sensitive through perimeter setbacks, architectural variation, and landscape screening at edges shared with adjacent neighborhoods. As described in section 5.15, *Public Services*, the proposed Project would not result in public facility and service deficiencies. The site plan and architecture reflect contemporary styles that complement the City's suburban character while responding to site-specific considerations, such as adjacency to arterial roads and |

| General Plan Update Goal, Policy, or Objective | Project Consistency |
|---|---|
| | transitions to single-family neighborhoods. As shown in Figure 5-2, the proposed Project would also be in proximity to bus stops and existing bike routes and thus would not conflict with the circulation network. Thus, the Project is consistent with Goal 3. |
| **Goal 4:** Assure a safe, healthy and aesthetically pleasing community for residents and businesses. | **Consistent.** The Project would be consistent with the proposed PC RES Development Standards, as described in Section 5.1, *Aesthetics*, to ensure high visual character and quality of future residential development proposed within the Project site. Additionally, the Project would be reviewed by the City during the plan check and permitting process. Thus, the Project is consistent with Goal 4. |
| **Policy 4.2:** Ensure a sensitive transition between commercial or industrial uses and residential uses by means of such techniques as buffering, landscaping and setbacks. | **Consistent.** The Project would redevelop an existing office plaza to a residential use. The project design, subject to City review and proposed PC RES standards, will incorporate landscaping, setbacks, and site planning sensitive to the transition and buffer between new residential units and adjacent or nearby commercial and single-family residential properties, ensuring compatibility. Thus, the Project is consistent with Policy 4.2. |
| **Policy 4.3:** Where mixed uses are permitted, ensure compatible integration of adjacent uses to minimize conflicts. | **Consistent.** Although the Project itself is residential, it is near commercial uses. Compatibility will be achieved through site design, landscaping, and adherence to tailored development standards designed to minimize potential conflicts between the new residential uses and existing nearby commercial and single-family residential uses. Thus, the Project is consistent with Policy 4.3. |
| **Goal 6:** Improve urban design in Tustin to ensure development that is both architecturally and functionally compatible, and to create uniquely identifiable neighborhoods, commercial and business park districts. | **Consistent.** The Project proposes a cohesive residential community with internal circulation and amenities. Adherence to forthcoming PC RES development standards and the City design review process will ensure the architecture and site layout are high quality, functionally compatible with the surrounding area, and contribute positively to the neighborhood's identity, replacing an office park with modern residential design. Thus, the Project is consistent with Goal 6. |
| **Policy 6.2:** Encourage and promote high quality design and physical appearance in all development projects. | **Consistent.** Design requirements would be established pursuant to Tustin City Code 9244 to ensure compatibility with the surrounding land uses, such as compatible building height, cohesive architectural style, and appropriate landscaping. Thus, the Project is consistent with Policy 6.2. |
| **Policy 6.4:** Preserve and enhance the City's special residential character and "small town" quality by encouraging and maintaining Tustin's low density residential neighborhoods through enforcement of existing land use and property development standards and the harmonious blending of buildings and landscape. | **Consistent.** The Project introduces needed high density residential housing but does so by redeveloping an existing commercial site separated from established low-density neighborhoods. The Project design (subject to PC RES standards and City review) will include appropriate scale, architecture, and landscaping to integrate with the surrounding urban fabric without detracting from the character of nearby single-family residential areas. Thus, the Project is consistent with Policy 6.4. |
| **Policy 6.12:** Review and revise, as necessary, the City's development standards to improve the quality of new | **Consistent.** The Project requires a zone change to PC RES, which involves establishing appropriate |

| General Plan Update Goal, Policy, or Objective | Project Consistency |
|---|---|
| development in the City and to protect the public health and safety. | development standards per Tustin City Code 9244. These standards will govern building heights, setbacks, architecture, and landscaping to ensure the quality of the new development and protect public health and safety by ensuring compatibility and adherence to codes, aligning with the intent of this policy. |
| **Goal 8:** Ensure that necessary public facilities and services should be available to accommodate development proposed on the Land Use Policy Map. | **Consistent.** As described in Section 5.15 *Public Services* and Section 5.19 *Utilities*, adequate public facilities and services are available to support the proposed Project, or impacts will be addressed through required development impact fees (DIFs). Thus, the Project is consistent with Goal 8. |
| **Policy 8.1:** Encourage within economic capabilities, a wide range of accessible public facilities and community services including fire and police protection, flood control and drainage, educational, cultural and recreational opportunities and other governmental and municipal services. Senate Bill (SB) 50, adopted in 1998, prohibits the City from using the inadequacy of school facilities as a basis for denying or conditioning the development of property. SB 50, however, gave school districts new authority to raise school impact mitigation fees. In addition, the voters passed Proposition 1A in November 1998, which provides $9.2 billion dollars in bonds to construct new or expand existing schools. In summary, school districts have the financial means and legal authority to respond to new development | **Consistent.** The Project supports the provision of public facilities and services by contributing DIFs, including school fees, ensuring it bears its share of the cost for maintaining service levels. As analyzed in relevant Initial Study sections (Public Services, Hydrology, Recreation), the Project does not create significant impacts on these services that cannot be accommodated or mitigated through standard conditions and fees. |
| **Policy 8.7:** To ensure an orderly extension of essential services and facilities, and preservation of a free-flowing circulation system, continue to require provision of essential facilities and services at the developer's expense where these systems do not exist or are not already part of the City's financed capital improvement program. | **Consistent.** The Project connects to existing utility mains (water, sewer) and roadways. Required public service capacities (fire, police, schools) are addressed via DIFs. Circulation impacts are addressed through the Traffic Impact Analysis, and the Project would be responsible for identified mitigation/improvements. Thus, the Project is consistent with Policy 8.7. |
| **Policy 9.6:** Retain natural landscape to the maximum extent possible, and incorporate planting in new development areas compatible with the character and quality of the natural surrounding environment | **Consistent.** As an infill redevelopment of a previously developed commercial site, retaining significant natural landscape is not feasible. However, the Project will incorporate new landscaping throughout the 8.5-acre site, including street trees, common areas, and private yards. Design standards and City review will ensure plantings are high quality and compatible with the urban character of the surrounding environment. |
| **Housing Element** | |
| **Goal 1:** Provision of an adequate supply of housing to meet the need for a variety of housing types and the diverse socio-economic needs of all community residents commensurate with the City's identified housing needs in the RHNA allocation. | **Consistent.** The Project directly addresses this goal by constructing 145 new residential units (a mix of cluster homes and townhomes) on an underutilized commercial site, adding significantly to the City's housing supply and providing a different housing type than the existing, adjacent single-family homes, thereby contributing to housing variety. |
| **Policy 1.5:** Encourage infill development or site redevelopment within feasible development sites for homeownership and rental units through the implementation of smart growth principles, allowing for the construction of higher density housing, affordable | **Consistent.** The Project exemplifies this policy by proposing infill redevelopment of an existing commercial office site with higher-density housing (approximately 17 units/acre). The site is located near existing commercial and employment areas, services along 17th Street, and |

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| housing, and mixed-use development (the vertical and horizontal integration of commercial and residential uses) in proximity to employment opportunities, community facilities and services, and amenities. | public transit routes, embodying smart growth principles by utilizing existing infrastructure and providing housing near services. |
| **Goal 5:** Ensure that new housing is sensitive to the existing natural and built environment. | **Consistent.** The Project redevelops a disturbed, previously developed site, avoiding impacts on natural lands. Compatibility with the built environment (adjacent residential and commercial uses) will be ensured through adherence to development standards (PC RES) and City design review, addressing aspects like building scale, architecture, and landscaping to ensure sensitivity to surrounding uses. |
| **Policy 5.1:** Prioritize sustainable housing developments in proximity to services and employment centers thereby enabling the use of public transit, walking or bicycling and promoting an active lifestyle. | **Consistent.** The Project site's location near commercial/retail services and employment centers, along with its proximity to existing OCTA bus routes (Figure 5-2) and proposed City bike lanes (Figure 5-3), supports the use of transit, walking, and bicycling, aligning with the policy's intent to promote active lifestyles and reduce auto dependence. |
| **Policy 5.2:** Promote green building practices for more sustainable energy conservation measures in the construction of new housing or rehabilitated units. | **Consistent.** The Project is required to comply with the California Green Building Standards Code (CALGreen) and Title 24 energy efficiency standards, which mandate numerous green building practices and energy conservation measures for new construction, as detailed in Section 5.6, *Energy*. |
| **Circulation Element** | |
| **Goal 1:** Provide a system of streets that meets the needs of current and future inhabitants and facilitates the safe and efficiency movement of people and goods throughout the City consistent with the City's ability to finance and maintain such a system. | **Consistent.** The Project integrates with the existing City street system (Prospect Ave, 17th Street) and provides new internal streets for safe and efficient movement of residents (people) and service vehicles (goods). The TIA prepared for the Project will evaluate impacts on the surrounding street network and will contribute its fair share towards necessary transportation improvements through improvements and mitigation fees, ensuring consistency with the City's ability to finance and maintain the system. |
| **Policy 1.4:** Develop and implement thresholds and performance standards for acceptable levels of service. | **Consistent.** Project impacts on circulation/transportation levels of service (LOS) are evaluated in the TIA. The Project will comply with City thresholds and implement required mitigation or fair-share contributions identified through the TIA review process ensuring adherence to performance standards. |
| **Policy 1.10:** Require that proposals for major new developments include a future traffic impact analysis which identifies measures to mitigate any identified project impacts. | **Consistent.** A TIA was prepared as part of this Project and will be assessed by the City to determine any necessary improvements. Thus, the proposed Project is consistent with Policy 1.10. |
| **Policy 1.11:** Encourage new development which facilitates transit services, provides for non-vehicular circulation and minimizes vehicle miles traveled. | **Consistent.** The Project site is adjacent to existing OCTA bus stops (Figure 5-2), facilitating transit use. Internal sidewalks will connect to existing public sidewalks, supporting pedestrian circulation. The Project results in a net decrease in daily trips and VMT compared to the existing commercial use (Section 5.17), aligning with the goal of minimizing VMT. |

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| **Policy 1.15:** Ensure construction of existing roadways to planned widths, as new developments are constructed. | **Consistent.** As mentioned previously, the existing driveways on 17th Street providing access to the site would be closed off and no longer accessible. The Project would therefore restripe the east bound merge lane upon closure of the 17th Street driveways. The Project would comply with the City's latest *Standard Plans and Design Standard* for the proposed street improvements on 17th Street and for all internal circulation and the proposed driveway, as ensured by the City during plan check and prior to acquiring building permits, as ensured and verified by the City during the plan check and permitting process. Thus, the proposed Project is consistent with Policy 1.15. |
| **Policy 1.16:** Continue to require dedication of right-of-way and construction of required public improvements on streets adjacent to construction projects at the developer's expense. | **Consistent.** The Project is proposed on a site that contains existing development, thus sidewalks and adjacent roadways are already built-out. However, the existing driveways on 17th Street providing access to the site would be closed off and no longer accessible. Therefore, the Project would restripe the east bound merge lane upon closure of the 17th Street driveways. Additionally, a TIA has been prepared as part of this Project and will be assessed by the City to determine any necessary improvements. The Project would be responsible for implementing identified improvements. Thus, the Project is consistent with Policy 1.16. |
| **Policy 5.2:** Require new development to fund transit facilities, such as bus shelters and turn-outs, where deemed necessary to meet public needs arising in conjunction with development. | **Consistent.** As described in Section 5.17, *Transportation*, the Project would have a less than significant VMT impact and would result in a net negative trip generation in comparison to the existing uses. Further, as shown on Figure 5-2, there are existing bus stops located adjacent to the Project site. Thus, the Project is consistent with Policy 5.2. |
| **Policy 5.5:** Promote new development that is designed in a manner which facilitates provision or expansion of transit service and provides non-automobile circulation within the development. | **Consistent.** The Project's location adjacent to existing bus routes facilitates transit use. The site plan includes internal sidewalks connecting residences to amenities and public sidewalks, promoting non-automobile circulation within the development and connecting to the surrounding network. Thus, the proposed Project is consistent with Policy 5.5. |
| **Policy 6.1:** Promote the safety of pedestrians and bicyclists by adhering to uniform standards and practices, including designation of bicycle lanes, off-road bicycle trails, proper signage, and adequate sidewalk, bicycle lane, and off-road bicycle trail widths. | **Consistent.** The Project would utilize existing sidewalks and would implement new sidewalks on the Project site for pedestrian circulation. However, the existing driveways on 17th Street providing access to the site would be closed off and would be replaced with sidewalks that would connect to the existing sidewalks along 17th Street, adjacent to the site. The proposed Project would also implement a Class I bike lane (off-street) within the existing public right of way along 17th Street, the design of which would be reviewed and approved by City's Planning and Public Works departments. The Project would thus be required to comply with the City's latest *Standard Plans and Design Standard* for all internal circulation, which would be ensured and verified by the City during the plan check |

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| | and permitting process. Thus, the proposed Project is consistent with Policy 6.1. |
| **Policy 6.2:** Maintain existing pedestrian facilities and require new development to provide pedestrian walkways between developments, schools and public facilities. | **Consistent.** The Project would utilize existing sidewalks and would implement new sidewalks on the Project site for pedestrian circulation. However, the existing driveways on 17th Street providing access to the site would be closed off and would be replaced with sidewalks that would connect to the existing sidewalks along 17th Street, adjacent to the site. Thus, the proposed Project is consistent with Policy 6.2. |
| **Goal 7:** Provide for well-designed and convenient parking facilities. | **Consistent.** As shown on Figure 3-1, the Project would provide two enclosed garage residential parking spaces per unit, for a total of 290 enclosed residential parking spaces, as well as 40 designated visitor parking spaces via street parking along the internal drive aisle. Further, the Project would be required to comply with the circulation system standards and traffic control standards specified by the City's latest *Standard Plans and Design Standards* as ensured and verified by the City during the plan check and permitting process. Thus, the Project is consistent with Goal 7. |
| **Policy 7.1:** Consolidate parking, where appropriate, to eliminate the number of ingress and egress points onto arterials. | **Consistent.** As shown on Figure 3-1, the Project's proposed driveway would be located on Prospect Avenue, a local street as opposed to 17th Street, an arterial. The Project would provide two enclosed garage residential parking spaces per unit, for a total of 290 enclosed residential parking spaces, as well as 40 designated visitor parking spaces via street parking along the internal drive aisle. Further, the Project would be required to comply with the circulation system standards and traffic control standards specified by the City's latest *Standard Plans and Design Standards* as ensured and verified by the City during the plan check and permitting process. Thus, the Project is consistent with Policy 7.1. |
| **Policy 7.2:** Provide sufficient off-street parking for all land uses | **Consistent.** The Project would provide 40 designated visitor parking spaces via street parking along the internal drive aisle. Thus, the Project is consistent with Policy 7.2. |
| **Conservation, Open Space, and Recreation Element** | |
| **Goal 1:** Reduce air pollution through proper land use, transportation and energy use planning. | **Consistent.** The Project involves infill residential development near existing services, amenities, and transit, reducing potential VMT compared to isolated development. The Project complies with Title 24 energy and other CALGreen building standards. These factors contribute to reducing transportation and energy-related air pollution, consistent with the goal. |
| **Policy 1.3:** Locate multiple family developments close to commercial areas to encourage pedestrian rather than vehicular travel. | **Consistent.** The Project develops multi-family housing (145 units) on a site directly adjacent to and near existing commercial services along 17th Street and Prospect Avenue, facilitating pedestrian access to these services and reducing the need for vehicular travel for some daily needs. |

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| **Policy 1.4:** Develop neighborhood parks near concentrations of residents to encourage pedestrian travel to the recreation facilities. | **Consistent.** The Project includes a 0.19-acre on-site private park/recreation area accessible to all residents via internal sidewalks. Additionally, required park fees contribute to the development or improvement of public neighborhood parks serving the wider community, consistent with this policy. |
| **Policy 2.1:** Reduce vehicle trips through incentives, regulations and/or Transportation Demand Management (TDM) programs. | **Consistent.** The Project reduces vehicle trips compared to the existing commercial office use, as described in Section 5.17. The Project site's location near transit and services also supports trip reduction. As mentioned previously, a TIA has been prepared for the Project which will identify whether a TDM program would be required. Therefore, the Project is consistent with Policy 2.1. |
| **Policy 2.2:** Reduce total vehicle miles traveled (VMT) through incentives, regulations and/or Transportation Demand Management. | **Consistent.** As described in Section 5.17, *Transportation*, the Project would have a less than significant VMT impact and would result in a net negative trip generation in comparison to the existing uses. Thus, the Project is consistent with Policy 2.2. |
| **Goal 4:** Reduce emissions through reduced energy consumption. | **Consistent.** Project compliance with current Title 24 energy efficiency standards, including requirements for insulation, windows, lighting, and appliances, directly reduces energy consumption and associated emissions compared to older construction or less stringent standards (Section 5.6). Thus, the Project is consistent with Goal 4. |
| **Policy 4.1:** Promote energy conservation in all sectors of the City including residential, commercial, and industrial. | **Consistent.** By adhering to mandatory Title 24 energy standards for new residential construction, the Project directly implements energy conservation measures, supporting this citywide policy goal (Section 5.6). Thus, the Project is consistent with Policy 4.1. |
| **Goal 5:** Protect water quality and conserve water supply. | **Consistent.** As described in Section 5.10, *Hydrology and Water Quality*, construction of the Project would require obtaining coverage under the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity. This would require implementation of a SWPPP that identifies all potential sources of pollution that are reasonably expected to affect the quality of storm water discharges from the construction site. Additionally, operation of the proposed Project would comply with the requirements of the Orange County Drainage Area Management Plan (DAMP) and the intent of the non-point source NPDES Permit for Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the incorporated Cities of Orange County within the Santa Ana Region. The DAMP requires that new development and significant redevelopment projects develop and implement a water quality management plan (WQMP) that includes BMPs and low impact development (LID) design features that would provide onsite treatment of stormwater to prevent pollutants from onsite uses from leaving the site. Further, the Preliminary WQMP prepared for the Project would be reviewed and approved by the City to ensure it complies with the MS4 Permit regulations. In addition, the |

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| | City's permitting process would ensure that all BMPs in the WQMP are implemented by the Project. Thus, implementation of a SWPPP and WQMP would protect water quality and water supply, and the proposed Project would be consistent with Goal 5. |
| **Policy 5.2:** Protect groundwater resources from depletion and sources of pollution. | **Consistent.** The Project will not deplete groundwater, as water supply is sufficient (Section 5.19) and the site is not a significant recharge area (Section 5.10). Groundwater quality is protected by preventing pollutant discharge through required SWPPP and WQMP implementation (PPP HYD-1, PPP HYD-3), ensuring runoff is treated and potential spills contained. Thus, the Project is consistent with Policy 5.2. |
| **Policy 5.3:** Conserve imported water by requiring water conservation techniques, water conserving appliances, and drought-resistant landscaping. | **Consistent.** The Project would be required to implement landscaping and water conserving appliances pursuant to Tustin City Code Article 9 Chapter 7. Compliance would be reviewed by the City during the permitting process. Thus, the proposed Project is consistent with Policy 5.3. |
| **Policy 7.4:** Require new development to revegetate graded areas. | **Consistent.** The Project would be required to comply with the City of Tustin Grading Manual (1990), which includes requirements for the revegetation of graded areas. Implementation of grading manual standards would be verified by the City during the plan check and permitting process. Thus, the Project is consistent with Policy 7.4. |
| **Policy 8.1:** Develop standards to preserve the unique variety of land forms indigenous in hillside areas, and ensure that the development process is structured to ensure that grading and siting practice reflects the natural topography. | **Consistent.** The Project site is not located within a hillside area, is already developed with commercial land uses and parking areas, and would be subject to design standards established pursuant to Tustin City Code 9244. Furthermore, the Project would be required to comply with the City of Tustin Grading Manual (1990). Implementation of grading manual standards would be verified by the City during the plan check and permitting process. Thus, the Project is consistent with Policy 8.1. |
| **Policy 8.2:** Control erosion during and following construction through proper grading techniques, vegetation replanting, and the installation of proper drainage control improvements. | **Consistent.** As described above, development and construction of the Project site would require preparation and adherence to SWPPP and WQMP. Through implementation of BMP's, development of the site would require proper grading techniques, vegetation replanting, and the installation of proper drainage control improvements during and following construction. Furthermore, the Project would be required to comply with the City of Tustin Grading Manual (1990). Implementation of grading manual standards would be verified by the City during the plan check and permitting process. Thus, the Project is consistent with Policy 8.2. |
| **Policy 8.3:** Encourage the practice of proper soil management techniques to reduce erosion, sedimentation, and other soil-related problems. | **Consistent.** The Project would be required to comply with the RWQCB NPDES Construction General Permit requirements. Requirements include installation of Best Management Practices (BMPs), which establish minimum stormwater management requirements and controls. To reduce the potential for soil erosion and the loss of topsoil, a SWPPP is required by the RWQCB regulations to be developed by a (Qualified SWPPP Developer) |

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| | QSD. The SWPPP is required to address site-specific conditions related to specific grading and construction activities. The SWPPP would identify potential sources of erosion and sedimentation to prevent loss of topsoil during construction, and to identify erosion control BMPs to reduce or eliminate the erosion and loss of topsoil, such as use of silt fencing, fiber rolls, or gravel bags; stabilized construction entrances/exits; hydroseeding, and similar measures. In addition to RWQCB requirements, the Project would be required to comply with the City of Tustin Grading Manual procedures. Thus, the Project is consistent with Policy 8.3. |
| **Policy 8.5:** Review applications for building and grading permits, and applications for subdivision for adjacency to, threats from, and impacts on geological hazards arising from seismic events, landslides, or other geologic hazards such as expansive soils and subsidence areas. | **Consistent.** The Project would be required to comply with the requirement of the California Building Code (CBC) (California Code of Regulations, Title 24, Part 2) (PPP GEO-1), which is a minimum requirement intended to protect life safety and prevent collapse of structures. Implementation of CBC standards would be verified by the City during the plan check and permitting process. Furthermore, the Project would be required to comply with the City of Tustin Grading Manual (1990). Implementation of grading manual standards would be verified by the City during the plan check and permitting process. Thus, the Project is consistent with Policy 8.5. |
| **Policy 8.6:** Site planning and architectural design shall respond to the natural landform whenever possible to minimize grading and viewshed intrusion. | **Consistent.** The site is relatively flat, minimizing the need for grading techniques responsive to complex natural landforms. Site planning and design, governed by the proposed PC RES standards and City review, will focus on compatibility with the surrounding urban context rather than natural landforms. Grading will be minimized to what is necessary for redevelopment, consistent with the Grading Manual. Thus, the Project is consistent with Policy 8.6. |
| **Policy 8.8:** Require geotechnical studies for developments that are proposed for steep slopes and where geological instability may be suspected. Where a precise location of the El Modena fault is determined, appropriate building setbacks shall be established per State law. | **Consistent.** The Project site is not steeply sloped, and no specific geological instability beyond standard seismic considerations was identified. A site-specific Geotechnical Investigation (Appendix D) was performed. The site is not within an Alquist-Priolo Earthquake Fault Zone requiring specific fault setbacks. Compliance with CBC seismic standards (PPP GEO-1) addresses potential ground shaking.. Thus, the Project is consistent with Policy 8.8. |
| **Policy 8.10:** Mitigate the impacts of development on sensitive lands such as steep slopes, wetlands, cultural resources, and sensitive habitats through the environmental review process. | **Consistent.** The Project site is currently completely paved; thus, implementation of the Project would not result in an adverse effect, either directly or through habitat modifications, on any sensitive species. Additionally, the site does not contain wetlands or sensitive habitats. If commencement of vegetation clearing for the Project occurs between February 1 and September 15, Mitigation Measure BIO-1 has been included to require nesting bird surveys. Additionally, according to Section 5.5, *Cultural Resources,* there is a low potential that future construction could result in inadvertent discovery of a buried archeological resource. However, Mitigation Measure CUL-1 has been incorporated to mitigate any potential impact on an |

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| | archeological resource. Furthermore, the Project would be required to comply with California Health and Safety Code Section 7050.5, CEQA Section 15064.5, Public Resources Code Section 5097.98, and the City of Tustin Grading Manual. Thus, the Project is consistent with Policy 8.10. |
| **Policy 8.16:** Site buildings and align roadways to maximize public visual exposure to natural features. | **Consistent.** The Project site is in an urban setting with limited views of distant natural features (Peters Canyon Ridgeline), which are already obstructed by existing development. The Project layout does not further impede these limited views from public roadways (17th Street) and maximizes internal open space rather than focusing on distant views. Thus, the proposed Project is consistent with Policy 8.16. |
| **Goal 10:** Reduce solid waste produced within City. | **Consistent.** Section 5.408.1 of the 2022 California Green Building Standards Code requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste. Operation of the Project would generate waste, however, at least 75 percent of non-hazardous solid waste is required by AB 341 to be recycled. The Project would be required to comply with waste reduction regulations. Therefore, the Project would be consistent with Goal 10. |
| **Policy 10.2:** Ensure that the City diverts from landfills a maximum of 50% of the solid waste generated in the City as required by the California Integrated Waste Management Board. | **Consistent.** Project compliance with CALGreen (65% demolition and construction diversion) and AB 341 (operational recycling programs targeting 75% diversion) exceeds the minimum diversion goal stated in this policy (which reflects older state mandates), thereby supporting the City's waste diversion efforts. Therefore, the Project would be consistent with Policy 10.2. |
| **Goal 11:** Conserve energy resources through use of available energy technology and conservation practices. | **Consistent.** As described in Section 5.6, *Energy*, the Project would be required to adhere to State and local regulations regarding green building and sustainable practices such as Title 24, as ensured and verified by the City during the plan check and permitting process. Thus, the Project is consistent with Goal 11. |
| **Policy 11.2:** Maintain local legislation to establish, update and implement energy performance building code requirements established under State Title 24 Energy Regulations. | **Consistent.** As described in Section 5.6, *Energy*, the Project would be required to adhere to State and local regulations regarding green building and sustainable practices such as Title 24, as ensured and verified by the City during the plan check and permitting process. Thus, the Project is consistent with Policy 11.2. |
| **Goal 13:** Preserve Tustin's archaeological and paleontological resources. | **Consistent.** As described above, the Project site has low potential for archeological resources; however, the Project would be required to comply with Mitigation Measure CUL-1 and all relevant regulatory requirements. In addition, as described in Section 5.7, *Geology and Soils*, the geologic units underlying the Project site have a high paleontological resource sensitivity, therefore, Mitigation Measure PAL-1 has been included in the event that potential paleontological resources are discovered during grading or excavation activities. Further, the City has detailed standards and requirements for grading that are designed to protect |

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| | sensitive topographic, soil, palaeontologic, and archaeologic resources. The Tustin Grading Manual prescribes appropriate measures to protect the earth by controlling erosion, sedimentation, and storm drainage. Thus, the Project would also be required to comply with the City of Tustin Grading Manual. Thus, the Project is consistent with Goal 13. |
| **Policy 13.1:** Require a site inspection by certified archaeologists or paleontologists for new development in designated sensitive areas. | **Consistent.** As described in Section *5.5, Cultural Resources*, a Cultural Resources Assessment (Appendix B) was prepared for the site, which included a site survey to determine the potential for archaeological resources to occur within the Project site. Similarly, a Paleontological Resources Assessment (Appendix F), inclusive of a site survey, was also prepared. Thus, the proposed Project is consistent with Policy 13.1. |
| **Policy 13.2:** Require mitigation measures where development will affect archaeological or paleontological resources. | **Consistent.** As described above, the Project site has low potential for archeological resources; however, the Project would be required to comply with Mitigation Measure CUL-1 and all relevant regulatory requirements. In addition, as described in Section *5.7, Geology and Soils*, the geologic units underlying the Project site have a high paleontological resource sensitivity, therefore, Mitigation Measure PAL-1 has been included in the event that potential paleontological resources are discovered during grading or excavation activities. Further, the City has detailed standards and requirements for grading that are designed to protect sensitive topographic, soil, palaeontologic, and archaeologic resources. The Tustin Grading Manual prescribes appropriate measures to protect the earth by controlling erosion, sedimentation, and storm drainage. Thus, the Project would also be required to comply with the City of Tustin Grading Manual. Thus, the Project is consistent with Policy 13.2. |
| **Goal 14:** Encourage the development and maintenance of a balanced system of public and private parks, recreation facilities, and open spaces that serves the needs of existing and future residents in the City of Tustin. | **Consistent.** The Project provides a private 0.19-acre on-site recreation area and would be required to pay DIFs, which include fees that would go towards the development and maintenance of the City's recreational resources (PPP R-1). Thus, the Project is consistent with Goal 14. |
| **Policy 14.8:** Encourage and, where appropriate, require the inclusion of recreation facilities and open space within future residential, industrial and commercial developments. | **Consistent.** The Project provides a private 0.19-acre on-site recreation area and would be required to pay DIFs, which include fees that would go towards the development and maintenance of the City's recreational resources (PPP R-1). Thus, the Project is consistent with Goal 14.8. |
| **Goal 18:** Ensure that the recreational goals and policies are pursued and realized in an organized, incremental, and cost effective manner and consistent with the City of Tustin's financial resources and legal authorities and the appropriate responsibilities of other agencies, the private sector, and individual and group users. | **Consistent.** The Project utilizes established mechanisms (on-site private amenity provision, payment of park fees/DIFs per PPP R-1) consistent with the City's legal authorities and financial framework for ensuring new development contributes its fair share towards recreational needs in an organized manner. Thus, the proposed Project is consistent with Goal 18. |
| **Policy 18.5:** Conserve the City's Quimby Act authority by utilizing, wherever practicable, the City's broad powers | **Consistent.** The Project complies with the City's requirements enacted under its Quimby Act authority by |

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| to enact and enforce its General Plan, Specific Plan(s), Redevelopment Plan(s), subdivision ordinance and Zoning Ordinance to secure public and private recreation sites, open space, trails, and other related land use objectives of community planning significance. | providing on-site recreation space and/or paying required in-lieu fees (PPP R-1), directly supporting the City's use of this authority to secure recreation objectives. Thus, the proposed Project is consistent with Policy 18.5. |
| **Public Safety Element** | |
| **Goal 1:** Reduce the risk to the community's inhabitants from flood hazards. | **Consistent.** According to the Federal Emergency Management Agency (FEMA) Map 06059C0164J, the Project site is within Flood Zone X, or the 0.2 percent annual change flood area, areas of 1 percent annual chance flood with average depth less than 1 foot or with drainage areas of less than 1 square mile. The site is not within a special flood hazard area.<br>The project design incorporates on-site storm drain facilities and treatment BMPs (Section 5.10, Appendix J) and results in a decrease in peak stormwater runoff rates (Appendix I), ensuring it does not exacerbate off-site flood risks. Thus, the Project is consistent with Goal 1. |
| **Policy 1.1:** Identify flood hazard areas and provide appropriate land use regulations for areas subject to flooding. | **Consistent.** As described above, the Project site is not located within a flood hazard area and would not exacerbate flood conditions. Thus, the proposed Project is consistent with Policy 1.1. |
| **Policy 1.5:** Require detention basins as a flood control measure where applicable to reduce the risk from flood hazards. | **Consistent.** As described above, the Project site is not located within a flood hazard area and would not exacerbate flood conditions. While not requiring large detention basins, the Project incorporates a stormwater management system including 13 MWS biofiltration vaults (Appendix J) which treat runoff and contribute to managing peak flows. The project-specific Hydrology Study (Appendix I) demonstrates a net *decrease* in peak flow rates, indicating detention beyond what is provided by the treatment BMPs is not required to mitigate flood risk from this site. Further, the Project would comply with the DAMP regulations which are included in Tustin City Code Section 4902 and are the implementation method for NPDES Stormwater Permit compliance. Compliance would ensure that the Project incorporates appropriate Site Design, Source Control, and Treatment Control BMPs. Thus, the Project is consistent with Policy 1.5. |
| **Goal 3:** Reduce the risk to the community from geologic and seismic hazards. | **Consistent.** As described in Section 5.7, *Geology and Soils*, the Project would implement all grading recommendations identified within the Geotechnical Investigation (Appendix D) prepared for the Project to minimize geologic and seismic hazard. Further, the Project would comply with the California Building Code (CBC) (California Code of Regulations, Title 24, Part 2). Implementation of CBC standards would be verified by the City during the plan check and permitting process. Thus, the Project is consistent with Goal 3. |
| **Policy 3.1:** Require review of soil and geologic conditions by a State-Licensed Engineering Geologist to determine stability prior to the approval of development where appropriate. | **Consistent.** As described in Section 5.7, *Geology and Soils*, a Geotechnical Investigation was prepared for the Project (Appendix D). The Project would implement all grading recommendations identified within the Geotechnical Investigation, which would be verified by |

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| | the City during the plan check and permitting process. Thus, the Project is consistent with Policy 3.1. |
| **Policy 3.5:** Ensure that structures for human occupancy, critical structures, and vital emergency facilities are designed to minimize damage from potential geologic/seismic hazards and avoid functional impairment. | **Consistent.** The proposed residential structures will be designed and constructed according to current CBC seismic standards (PPP GEO-1) and site-specific geotechnical recommendations (Appendix D), which are intended to minimize seismic damage and ensure life safety, meeting the requirements for structures for human occupancy. Thus, the Project is consistent with Policy 3.5. |
| **Policy 3.7:** Include and periodically review and update emergency procedures for earthquakes in the City's Emergency Preparedness Plan. | **Consistent.** The Project site is not designated as an emergency evacuation route. The Project would not impair the implementation of evacuation protocol in the event of an emergency within the City or Project site. Additionally, the Project's site design would be reviewed by Tustin Police Department and the Orange County Fire Authority to ensure proper emergency access to and from the site. Thus, the Project is consistent with Policy 3.7. |
| **Goal 4:** Reduce the risk to the community's inhabitants from exposure to hazardous materials and wastes. | **Consistent.** The Project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Additionally, the Project would be required to develop and implement a SWPPP as required through the NPDES. Implementation of a SWPPP would minimize potential adverse effects to workers, the public, and the environment from the foreseeable upset and accident conditions involving the release of hazardous materials. Construction contract specifications would include strict on-site handling rules and BMPs for hazardous materials. Thus, the Project is consistent with Goal 4. |
| **Policy 4.3:** Transportation of hazardous waste will be minimized and regulated where possible to avoid environmentally sensitive areas and populated, congested, and dangerous routes. | **Consistent.** The Project involves transport of standard construction materials and demolition debris (including ACM handled per regulation). Operation involves typical household product transport/disposal. No large quantities of acutely hazardous waste transport are anticipated. All transport and disposal must comply with existing federal, state, and local regulations (e.g., DOT, DTSC, SCAQMD Rule 1403), which include provisions for safe routing and handling. Thus, the proposed Project is consistent with Policy 4.3. |
| **Policy 4.15:** Coordinate with the County of Orange in the implementation of the National Pollution Discharge Elimination System Permits (NPDES) regulations. | **Consistent.** The Project would be required to obtain coverage under the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity. This would require implementation of a SWPPP that is required to identify all potential sources of pollution that are reasonably expected to affect the quality of storm water discharges from the construction site. Additionally, operation of the Project would be required to comply with the requirements of the DAMP and the intent of the non-point source NPDES Permit for Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the incorporated Cities of Orange County within the Santa Ana Region. The DAMP requires that new development and significant redevelopment projects develop and implement a WQMP that includes BMPs and LID design |

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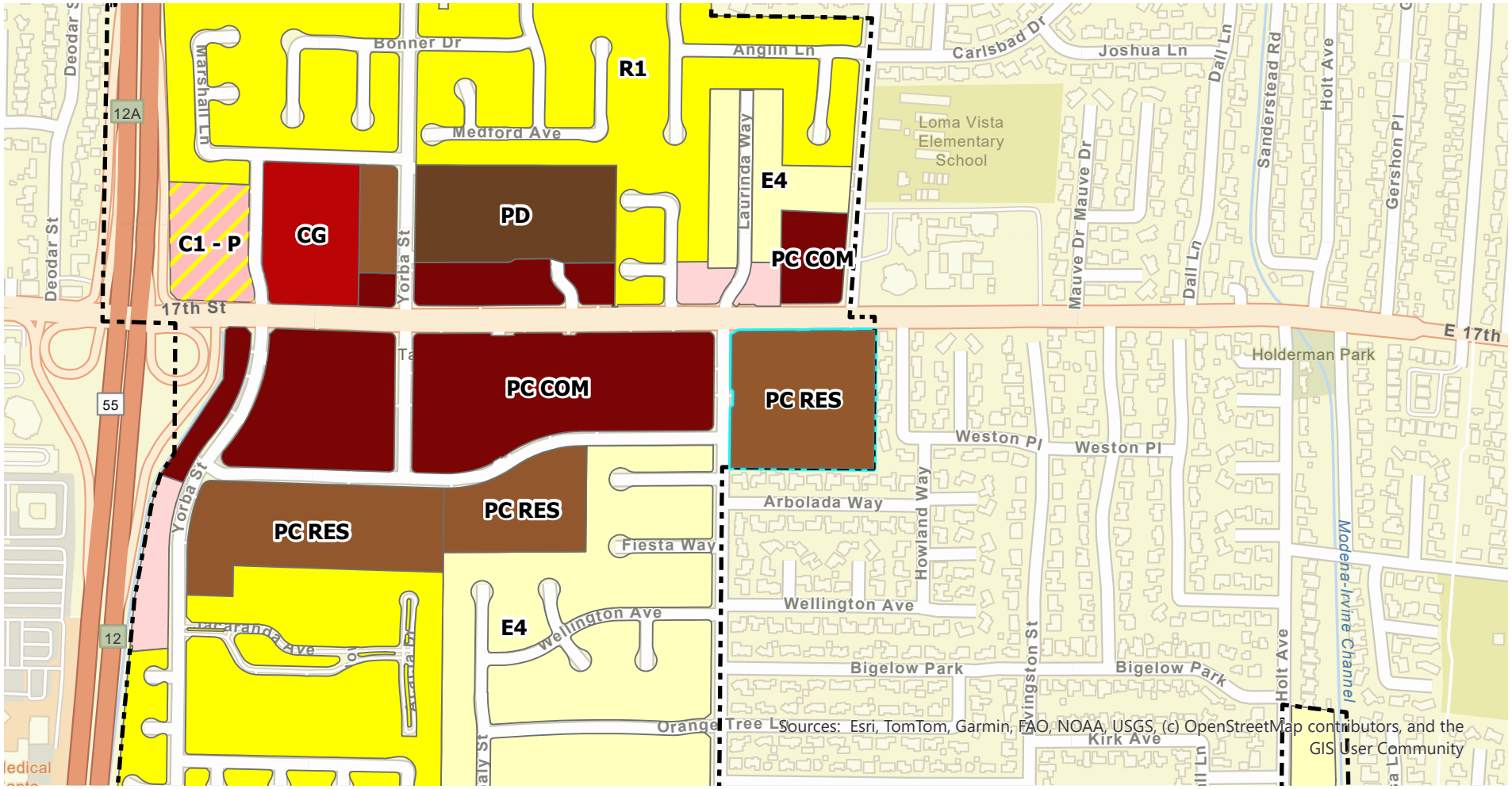
|---|---|
| | features that would provide onsite treatment of stormwater to prevent pollutants from onsite uses from leaving the site. Further, the Preliminary WQMP prepared for the Project would be reviewed and approved by the City to ensure it complies with the MS4 Permit regulations. In addition, the City's permitting process would ensure that all BMPs in the WQMP would be implemented by the Project. Thus, the proposed Project is consistent with Policy 4.15. |
| **Goal 5:** Reduce the risk to the community's inhabitants from fires or explosions. | **Consistent.** The Project site is currently developed as a commercial site and is located in an urbanized area. According to the CalFire Fire Hazard Severity Zone Map, the City of Tustin contains very high fire severity zones in the northeast portion of the City. The Project site is not located within or near State responsibility areas or lands classified as very high fire hazard severity zones. The Project would also be required to comply with the requirement of the California Building Code (CBC) (California Code of Regulations, Title 24, Part 2) (PPP GEO-1), which is a minimum requirement intended to protect life safety and prevent collapse of structures. Additionally, the Project would be required to comply with the requirements of the California Fire Code (Title 24, Part 9), as ensured by the City during plan check and permitting. Thus, the Project is consistent with Goal 5. |
| **Policy 5.4:** Enforce building code requirements that assure adequate fire protection. | **Consistent.** The Project would be required to comply with the requirements of the California Building Code (CBC) (California Code of Regulations, Title 24, Part 2) (PPP GEO-1), which impose requirements intended to protect life safety and prevent collapse of structures. Additionally, the Project would be required to comply with the requirements of the California Fire Code (Title 24, Part 9), as ensured by the City during plan check and permitting. Thus, the Project is consistent with Policy 5.4. |
| **Policy 5.6:** Cooperate with Orange County Fire Authority to ensure the provision of adequate and cost-effective fire protection services. | **Consistent.** The Project plan review process includes OCFA input on site access and fire protection measures (e.g., hydrant locations). The Project contributes to funding fire protection services through payment of applicable DIFs (Section 5.15). Thus, the Project is consistent with Policy 5.6. |
| **Goal 6:** Stabilize demand for law enforcement services. | **Consistent.** As discussed in Section 5.15, *Public Services,* the Project would include payment of appropriate DIFs for the maintenance of adequate public services. Thus, the Project is consistent with Goal 6. |
| **Policy 6.1:** Provide appropriate levels of police protection within the community. | **Consistent.** As discussed in Section 5.15, *Public Services,* the Project would include payment of appropriate DIFs for the maintenance of adequate public services. Thus, the Project is consistent with Policy 6.1. |
| **Policy 6.5:** Promote the use of defensible space concepts (site and building lighting, visual observation of open spaces, secured areas, etc.) in project design to enhance public safety. | **Consistent.** Project design, subject to City review, will incorporate elements like adequate site and building lighting, landscaping that allows visual observation, and secure building design consistent with CBC/Fire Code requirements, enhancing public safety. Additionally, the Project would be required to comply with the proposed |

| General Plan Update Goal, Policy, or Objective | Project Consistency |
|---|---|
| | PC RES development standards pursuant to Tustin City Code 9244. Thus, the Project is consistent with Policy 6.5. |
| **Growth Management Element** | |
| **Goal 2:** Ensure adequate transportation facilities are provided for existing and future inhabitants of the City. | **Consistent.** A TIA was prepared as part of this Project and will be assessed by the City to determine necessary future improvements. The Project would be responsible for implementing identified improvements. Thus, the Project is consistent with Goal 2. |
| **Policy 2.1:** Require that all new development pay its share of the street improvement costs associated with the development, including regional traffic mitigation. | **Consistent.** The Project would be required to pay their fair share of street improvement costs as identified in the Project TIA, including regional traffic mitigation, as ensured and verified by the City during the plan check and permitting process. Thus, the Project is consistent with Policy 2.1 |
| **Policy 2.5:** All new developments shall be required to establish a development phasing program which phases approval of development commensurate with required improvements to roadway capacity. The Phasing Plan shall include an overall buildout development plan which can demonstrate the ability of the infrastructure to support the planned development. | **Consistent.** The Project would be required to establish a phasing program as ensured and verified by the City during the plan check and permitting process, prior to obtaining building permits. Thus, the Project is consistent with Policy 2.5. |
| **Policy 2.6:** Development phasing for new projects shall be a component of the development review and entitlement process and shall be approved prior to issuance of building or grading permits | **Consistent.** All projects would be required to comply with the City of Tustin Grading Manual (1990). Implementation of grading manual standards would be verified by the City during the plan check and permitting process. Thus, the Project is consistent with Policy 2.6. |

Source: City of Tustin General Plan, 2018

# Proposed Zoning




N

0 500 1,000 US Feet

## Legend

- City Boundary
- Project Site

**Zoning**

- Retail Commercial - Parking Overlay (C1 - P)
- Commercial General (CG)
- Residential Estate (E4)
- Planned Community Commercial (PC COM)
- Planned Community Residential (PC RES)
- Planned Development (PD)
- Professional (PR)
- Single Family Residential (R1)

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## 5.12. MINERAL RESOURCES

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

**a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

**No Impact.** In order to protect the availability of mineral resources of value, the California Department of Conservation identifies sites to which continuing access is important to satisfying mineral production needs of the region and the state. The relative importance of potential mineral resource sites is indicated by inclusion in one of four Mineral Resource Zones (MRZ):

- MRZ 1: No mineral resources
- MRZ 2: Significant resource area (quality and quantity known)
- MRZ 3: Significant resource area (quality and quantity unknown)
- MRZ 4: No information (applies primarily to high-value ores)

The Conservation/Open Space/Recreation Element of the City's General Plan identifies one mineral resource within the Tustin Planning Area known as Mercury-Barite in Red Hill (City of Tustin, 2018). However, this resource is not utilized. Further, the Project site is not identified for mineral resource extraction. Therefore, the Project would result in no impact on the loss of availability of a known mineral resource.

**b) Result in the loss of availability of a locally important mineral resource recovery site delineated on the general plan, specific plan. or other land use plan?**

**No Impact.** As discussed above, the Project site is not identified for mineral resource extraction per the City General Plan Conservation Element (City of Tustin, 2018). Therefore, the Project would result in no impact on the loss of availability of a locally important mineral resource recovery site.

## 5.13. NOISE

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

**a) through c)**

**Potentially Significant Impact.** The Project site has a General Plan land use designation of PCCB and a zoning designation of PC BUS PARK, proposed to be rezoned to PC RES. The Project would demolish the five existing office buildings and redevelop the site with 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total) on 8.5 acres. The Project would also include construction of one driveway entrance from Prospect Avenue, an internal access drive, a recreational common space area for resident use, as well as stormwater and utility improvements to accommodate proposed residences.

Project-related short-term construction activities, as well as long-term operational activities, could expose persons and sensitive receptors in the vicinity to noise levels in excess of standards established by the City. Additionally, ground borne vibration and noise level increases could be associated with construction activities at the Project site, including demolition, grading, and building construction, and with associated hardscape and landscape improvements. Thus, a Noise Impact Analysis will be conducted to determine the significance of noise impacts for the Project, and impacts related to noise will be further analyzed in the EIR.

## 5.14. POPULATION AND HOUSING

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

**a) Induce substantial unplanned population growth in an area, either directly or indirectly?**

**Less than Significant Impact.** The Project would remove the existing office buildings and construct 62 single-family detached cluster units and 83 single-family attached townhome units, for a total of 145 residential units.

The California Department of Finance (CDF) data details that the City of Tustin has a residential population of 78,844, and 28,649 housing units as of May 2024 (California Department of Finance, 2024). Based on the average household size of 2.73 persons per dwelling unit for the medium density residential land use, the proposed 145 residential units would result in an increase of approximately 396 new residents (City of Tustin, 2018).

Based on SCAG Connect SoCal methodology, the City of Tustin had a population of 80,400 persons in 2019 and estimates that the City's population will increase to 93,317 in 2050[1], which is a 16.1 percent increase (Southern California Association of Governments, 2024). SCAG also estimates that between 2019 and 2050, the number of housing units in the City will increase from 27,000 to 34,000, which is a 25.9 percent increase. The addition of 410 new residents would represent a population increase of 0.51 percent and the new housing units would result in a 0.54 percent increase in residential units within the City. Since the Project would be consistent with the General Plan's allowed uses, the Project is consistent with SCAG's anticipated growth. Therefore, the Project would not result in unplanned growth.

Additionally, the proposed Project is located in an urbanized residential area of the City that is already served by existing roadways and infrastructure systems. As mentioned previously, the existing driveways on 17th Street providing access to the site would be closed off and no longer accessible. The Project would therefore restripe the east bound merge lane upon closure of the 17th Street driveways. The Project would also implement a Class I bike lane (off-street) within the existing public right-of-way . However, no other infrastructure would be extended to serve areas beyond the Project site, and indirect impacts related to growth would not occur from implementation of the proposed Project. Therefore, potential impacts related to inducement of unplanned population growth, either directly or indirectly, would be less than significant.

[1] The 2050 population estimate was derived using the methodology presented in Section 4.5 of the SCAG Demographics & Growth Forecast which states that an estimate of the future City-level population based on Connect SoCal's household forecast can be derived using a county-level Population: Housing ratio from TABLE 12 and applying it to the City's future household growth (Southern California Association of Governments, 2024)

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

**No Impact.** The Project site is currently developed with five office buildings and does not contain any housing. The Project would redevelop the site to construct 62 single-family detached cluster units and 83 single-family attached townhome units, for a total of 145 residential units. No people or housing would be displaced by implementation of the proposed Project. Conversely, housing would be developed by the Project. Thus, no impact would occur.

## 5.15. PUBLIC SERVICES

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

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

**i. Fire Protection and Emergency Services**

**Less Than Significant Impact.** Fire protection and emergency services in the City of Tustin are provided by the Orange County Fire Authority (OCFA). Five existing fire stations within Tustin, Santa Ana and the unincorporated County would serve the Project site. The nearest responding station within the primary responsibility area for the Project (Station 21) is 1.7 miles from the Project site. According to the OCFA, the Project site is within the Primary Responsibility Area of OCFA Station 21, however, resources are deployed upon a regional service delivery system, assigning personnel and equipment to emergency incidents without regard to jurisdictional boundaries. Therefore, the site may be served by other OCFA stations in the vicinity. The other responding stations include Station 72 located 2.0 miles from the Project site, Station 70 located 2.3 miles from the Project site, Station 8 located 3.1 miles from the Project site, and Station 75 located 3.7 miles from the Project site.

OCFA's current response standards are based on a 90th Percentile. The OCFA current standard for response is 8:30 minutes at the 90$^{th}$ percentile. According to OCFA, in 2024, OCFA first unit on scene response at the 90th percentile to the project area was 8:24 minutes. The existing 90th percentile response time for emergency calls from Station 21 is 8:37 minutes, which slightly exceeds the response time standard 90th percentile of 8:24 minutes.

The Project would demolish the five existing office buildings and redevelop the site with 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total), introducing approximately 396 new residents. This population increase may result in a marginal increase in calls for emergency service, potentially placing further strain on response times if concurrent calls occur. However, given that five fire stations are located within a 4-mile radius of the Project site, including two within 2 miles, the Project site is adequately served by existing facilities. Therefore, the Project would not require construction of new or expanded fire stations to maintain acceptable service levels.

Furthermore, new residential development would be constructed in compliance with the most recent California Building Code and Fire Code, as well as OCFA Fire Prevention Guideline B-09, which include regulations for water supply, built-in fire protection systems, adequate emergency access, fire hydrant availability, and fire-safe building materials. This would improve the fire safety of the Project site compared to the existing buildings. California's Building/Fire Codes are published in their entirety every three years and were most recently updated in 2022.

The proposed Project would not result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered fire protection facilities. Overall, impacts related to fire protection services would be less than significant.

Lastly, funding for fire facilities, equipment, and service personnel is derived from the City's General Fund, which is supported by property taxes. Population growth and new residential development are expected to generate proportional increases in tax revenue, contributing to the continued provision of fire services. Therefore, the additional demand for fire services and protection generated by the proposed Project would be satisfied through the General Fund.

### ii. Police Protection

**Less Than Significant Impact.** The Project would demolish five existing office buildings and redevelop the 8.5-acre site with 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total). The Project would also construct a new driveway entrance from Prospect Avenue, an internal access drive, a recreational common space area for resident use, and stormwater and utility improvements to accommodate proposed residences.

The City of Tustin Police Department is located at 300 Centennial Way, Tustin, CA 92780, which is approximately 1.7 roadway miles south of the Project site. As of May 2025, the Tustin Police Department has 95 full time Sworn Officers, 44 full-time civilian support personnel and 16 part time civilian support personnel. According to the City of Tustin Police Department, the City's sworn officer to population ratio is 1.295 officers per 1,000 population.

The Project would introduce approximately 396 new residents to the area, generating a corresponding increase in demand for police services. Based on the current officer-to-population ratio (1.1 sworn officers per 1,000), the Project would generate a service demand equivalent to approximately 0.44 additional officers (396/1,000 x 1.1 = 0.44). This represents less than one full-time officer and is not considered a substantial increase in demand and would not require the construction or expansion of the City's existing policing facilities. Therefore, substantial adverse physical impacts associated with the provision of new or expanded police facilities would be less than significant.

### iii. School Services

**Less Than Significant Impact.** The Project site is located within the Tustin Unified School District (TUSD), which includes 16 elementary schools, two Kindergarten through 8th-grade schools, one Kindergarten through 12th-grade online school, four middle schools, one 6th-grade through 12th-grade academy, four high schools, and one adult education school. The schools that would likely serve the Project site are Guin Foss Elementary School (18492 Vanderlip Ave), which is approximately 0.9 roadway miles from the Project site; Columbus Tustin Middle School (17952 Beneta Way), which is approximately 0.8 roadway miles from the Project site; and Foothill High School (19251 Dodge Ave), which is approximately 1.8 roadway miles from the Project site (PowerSchool Group LLC, 2024).

Table 5.10 shows the total capacity, the 2023-2024 school year enrollments, and the remaining capacity of the schools that would serve students residing on the Project site. As shown on Table 5.10, Guin Foss Elementary School does not have remaining capacity to serve additional students, while Columbus Tustin

Middle School and Foothill High School both have remaining capacity to serve approximately 175 and 37 additional students, respectively.

**Table 5-10: Existing School Capacity of Schools Serving the Project Site**

| School | 2023/2024 Capacity | 2023/2024 Enrollment | Remaining Capacity |
|---|---|---|---|
| Guin Foss Elementary School (K-5) | 415 | 389 | -26 |
| Columbus Tustin Middle School (6-8) | 606 | 781 | 175 |
| Foothill High School (9-12) | 2,195 | 2,232 | 37 |

Source: (Special District Financing & Administration, 2024)

The Project would demolish five existing office buildings and redevelop the 8.5-acre site with 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total). The Project would provide housing for families that may have school children. As shown in Table 5-11, based on the TUSD student generation rates, the proposed Project would result in an estimated 24 elementary students, 8 intermediate students, and 11 high school students, which would total approximately 43 students.

**Table 5-11: Students Generated from Project**

| Grade Level | Generation Rate (Single family detached) | Dwelling Units (Single family detached) | Generation Rate (Single family attached) | Dwelling Units (Single family attached) | Students |
|---|---|---|---|---|---|
| Elementary School (K-5) | 0.1848 | 62 | 0.1505 | 83 | 24 |
| Middle School (6-8) | 0.0624 | 62 | 0.1224 | 83 | 8 |
| High School (9-12) | 0.0833 | 62 | 0.1224 | 83 | 11 |
| | | | | **Total Students** | **43** |

Source: (Special District Financing & Administration, 2024) (Tustin Unified School District, 2025)

As shown in Table 5-11, Guin Foss Elementary is over-capacity and additional or expanded facilities may be needed, while Columbus Tustin Middle School and Foothill High School have additional capacity for future students. A service letter was sent to TUSD requesting information regarding the District's ability to service the Project. On April 11, 2025, Tom Rizzuti, Director of Facilities and Planning, responded stating TUSD has no current plans to build new schools in the District. Additionally, the response stated that TUSD would reserve the right to send students generated by the Project to other schools in the District if space is not available at the current schools of attendance. Thus, although one of the schools serving the Project site is over capacity, the District could send students generated by the Project to other schools within the District that have capacity to accommodate additional students.

Further, the need for additional school facilities is addressed through compliance with school impact fee assessment. SB 50 (Chapter 407 of Statutes of 1998) sets forth a State school facilities construction program that includes restrictions on a local jurisdiction's ability to condition a project on mitigation of a project's impacts on school facilities in excess of fees set forth in the Government Code. These fees are collected by school districts at the time of issuance of building permits for commercial, industrial, and residential projects. The existing TUSD development impact fee is $5.17 per square foot for all new residential development, and $0.84 per square foot for new commercial development (Tustin Unified

School District, 2024). Pursuant to Government Code Section 65995, applicants pay developer fees to the appropriate school districts at the time building permits are issued; and payment of the adopted fees provides full and complete mitigation of school impacts. As a result, impacts related to school facilities would be less than significant.

**iv. Parks**

**Less Than Significant Impact.** As of April 2025, the City had a total of 185.2 acres of parkland, or approximately 2.36 acres of parkland per 1,000 residents. Thus, the City is currently parkland deficient and is not meeting its City standard of 3 acres per 1,000 residents. As described previously, the Project is anticipated to result in 396 residents. This increase in residents could in turn increase demand for park and recreational facilities.

Using the City's standard of 3 acres of parkland for every 1,000 residents, the proposed Project would result in a demand for approximately 1.18 additional acres of parkland to support the additional residents. The Project would provide a 0.19-acre recreational area near the center of the proposed residential community featuring a walking path, seating areas, and a large grass lawn with ornamental vegetation for future residents. With the implementation of this recreational area, the Project's parkland demand would result in a 1.00-acre deficit. Thus, the Project would still exacerbate the City's parkland deficiency. However, pursuant to Tustin City Code Section 9331, the Project would be required to pay in lieu fees to contribute to the City's effort in the development of new or rehabilitation of existing neighborhood or community parks and recreational facilities (PPP R-1).

Additionally, there are 20.4 acres of parkland within two miles of the Project site available for use by residents. Further, there are numerous existing recreational facilities within the region such as Peters Canyon Regional Park, Santiago Canyon, and Crystal Cove State Park that would be available for use by residents. Therefore, due to the amount of recreational amenities and parkland within the vicinity of the Project site, future residents are not anticipated to increase the use of existing parks and recreation facilities such that substantial physical deterioration of such parks and facilities would occur. Therefore, with implementation of proposed recreational amenities and payment of in lieu fees (PPP R-1), impacts would be less than significant.

**v. Other Public Facilities**

**Less Than Significant Impact.** The Project would demolish five existing office buildings and redevelop the 8.5-acre site with 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total). The additional residences would result in a limited incremental increase in the need for additional services, such as public libraries and post offices, etc. Because the Project area is already served by other services and the Project would result in a limited increase in population, the Project would not result in the need for new or physically altered facilities to provide other services. Therefore, impacts would be less than significant.

**Plans, Policies, and Programs (PPP)**

**PPP R-1** **City Park Requirements.** Tustin City Code Section 9331 – Dedications, Reservations and Development Fees. To implement the Conservation/Open Space/Recreation Element of the General Plan which contains policies and standards for parks and recreational facilities, the subdivider shall dedicate land or pay a fee in lieu thereof, or a combination of both, at the option of the City except as otherwise provided in Government Code Section 66477, for the purpose of developing new or rehabilitating existing neighborhood or community parks and recreational facilities to serve the subdivision, and in accordance with the standards and formula contained in the section.

## 5.16. RECREATION

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

**a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that physical deterioration of the facility would be accelerated?**

**Less Than Significant Impact.** As described previously, the Project is anticipated to result in 369 residents, which could in turn increase demand for park and recreational facilities. Using the City's standard of 3 acres of parkland for every 1,000 residents, the proposed Project would result in a demand for approximately 1.18 additional acres of parkland to support the additional residents. The Project would provide a 0.19-acre recreational area near the center of the proposed residential community featuring a walking path, seating areas, and a large grass lawn with ornamental vegetation for future residents. With the implementation of this recreational area, the Project's parkland demand would decrease to 1.00 acres. Thus, the Project would still exacerbate the City's parkland deficiency. However, pursuant to Tustin City Code Section 9331, the Project would be required to dedicate land or pay in lieu fees to contribute to the construction or expansion of recreational facilities (PPP R-1).

Additionally, there are 20.4 acres of parkland within two miles of the Project site available for use by residents. Further, there are numerous existing recreational facilities within the region such as Peters Canyon Regional Park, Santiago Canyon, and Crystal Cove State Park that would be available for use by residents. Therefore, due to the amount of available park space within the vicinity of the Project site, future residents are not anticipated to increase the use of existing parks and recreation facilities such that substantial physical deterioration of such parks and facilities would occur. Therefore, impacts would be less than significant.

**b) Require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

**Less Than Significant Impact.** The Project would demolish five existing office buildings and redevelop the 8.5-acre site with 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total). The Project does not include the construction or expansion of parks beyond the private on-site 0.19-acre open space area. As described above, the Project would result in the need for approximately 1.00 acres of parkland to serve the future population. However, pursuant to Tustin City Code Section 9331, the Project would be required to dedicate land or pay in lieu fees to contribute to the construction or expansion of recreational facilities (PPP R-1).

Any new or expanded facilities would be constructed by the City, since they are the responsible party that acquires, constructs, and maintains new parks and recreation areas. Thus, the Project would have less-than-significant impacts on the construction or expansion of recreational facilities or services.

**Plans, Policies, and Programs (PPP)**

**PPP R-1** **City Park Requirements.** Tustin City Code Section 9331 – Dedications, Reservations and Development Fees. To implement the Conservation/Open Space/Recreation Element of the General Plan which contains policies and standards for parks and recreational facilities, the subdivider shall dedicate land or pay a fee in lieu thereof, or a combination of both, at the option of the City except as otherwise provided in Government Code Section 66477, for the purpose of developing new or rehabilitating existing neighborhood or community parks and recreational facilities to serve the subdivision, and in accordance with the standards and formula contained in the section.

# 5.17. TRANSPORTATION

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

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

**Less Than Significant Impact.** The Project would demolish five existing office buildings and redevelop the 8.5-acre site with 145 residential units. The trip generation for the Project was calculated using trip rates from the Institute of Transportation Engineers (ITE), *Trip Generation 11th Edition*, 2021. As shown in Table 5-12, the existing number of trips generated by existing uses of the Project site is 2,092. The Project would generate approximately 1,144 daily trips including 76 trips during the AM peak hour and 100 trips during the PM peak hour. Thus, the Project would generate 948 fewer daily trips than the existing uses.

**Table 5-12: Trip Generation**

| | | | | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|---|---|
| **Land Use** | | **Units** | **Daily** | **In** | **Out** | **Total** | **In** | **Out** | **Total** |
| **Trip Rates** | | | | | | | | | |
| 210 Single-Family Detached Housing[1] | | Dwelling Units | 9.43 | 0.18 | 0.52 | 0.70 | 0.59 | 0.35 | 0.94 |
| 220 Multifamily Housing (Low-Rise)[2] | | Dwelling Units | 6.74 | 0.10 | 0.30 | 0.40 | 0.32 | 0.19 | 0.51 |
| 710 General Office Building[3] | | 1,000 SF GFA | 10.84 | 1.34 | 0.18 | 1.52 | 0.24 | 1.20 | 1.44 |
| **Project Trip Generation** | | | | | | | | | |
| Single-Family Detached Housing[1] | 62 | Dwelling Units | 585 | 11 | 32 | 43 | 37 | 21 | 58 |
| Multifamily Housing (Low-Rise)[2] | 83 | Dwelling Units | 559 | 8 | 25 | 33 | 26 | 16 | 42 |
| **Existing Trip Generation** | | | | | | | | | |
| General Office Building[3] | 193.00 | 1,000 SF GFA | 2,092 | 258 | 35 | 293 | 47 | 231 | 278 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Total Project Trip Generation** | **1,144** | **19** | **57** | **76** | **63** | **37** | **100** |
| **Total Net Project Trip Generation** | **-948** | **-239** | **22** | **-217** | **16** | **-194** | **16** |

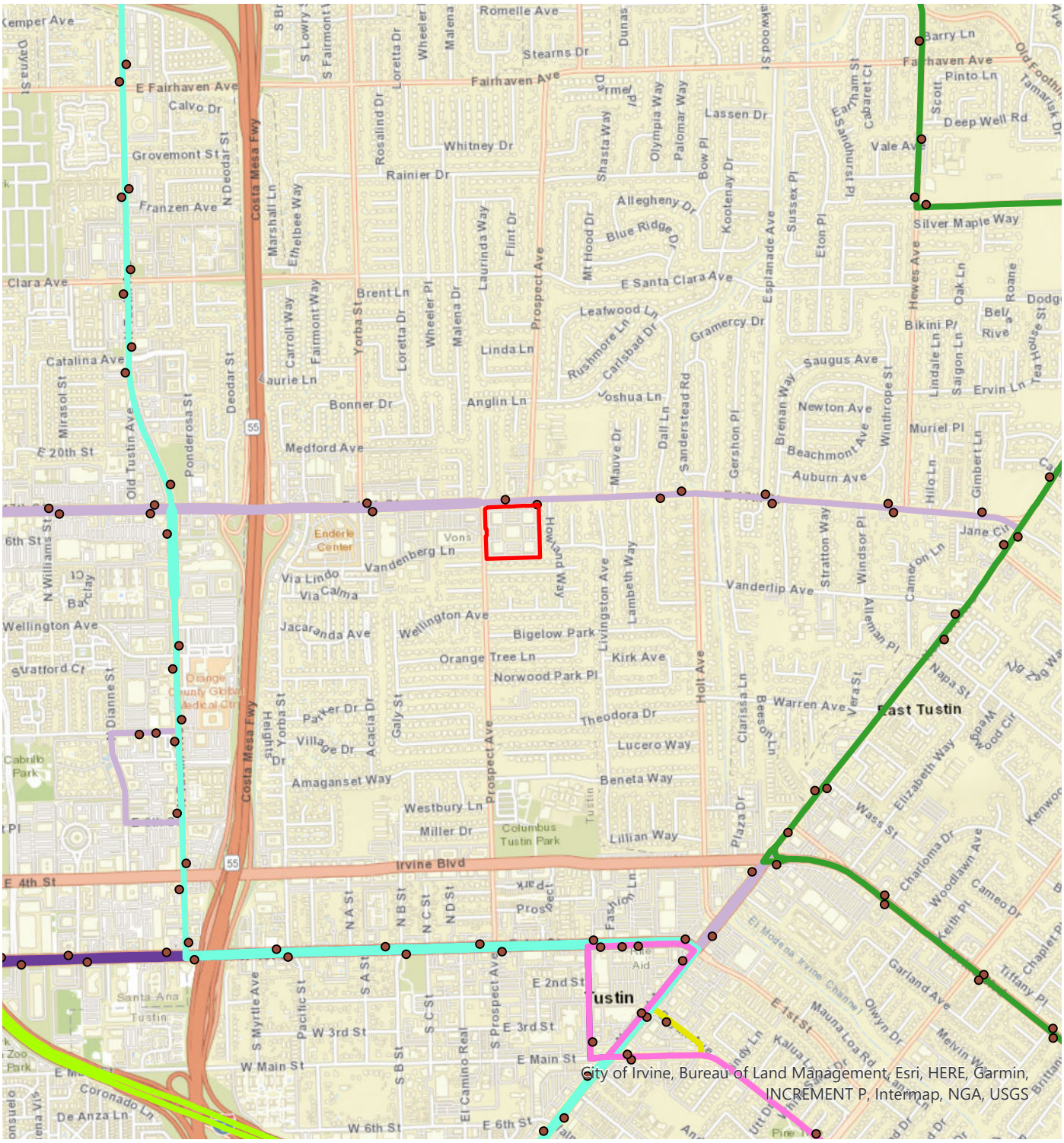
[1] Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021. Land Use Code 210 - Single-Family Detached Housing (Average Rate)
[2] Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021. Land Use Code 220 - Multifamily Housing (Low-Rise) (Average Rate)
[3] Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021. Land Use Code 710 – General Office Building (Average Rate)

***Transit Services.*** The Project vicinity is served by the Orange County Transportation Authority (OCTA). The established network includes Routes 60, 61, 65, 66, 71, 75, and 463, as shown in Figure 5-2. The nearest OCTA bus stop is located adjacent to the Project site, along 17th Street and is served by OCTA Route 60. OCTA Route 60 runs from the 7th St. and Channel Dr. intersection in Long Beach to the Larwin Square shopping center in Tustin. It operates Monday through Friday from 3:53 a.m. to 1:40 a.m. and on weekends from 3:55 a.m. to 1:31 a.m. with 15-minute headway s (Orange County Transportation Authority, 2025). Additionally, the Metrolink Inland Empire-Orange County Line has a stop 2.8 roadway miles west of the Project site at the Santa Ana Metrolink Station. This existing transit service would continue to serve its ridership in the area, in addition to Project residents. The proposed 145 residential units would not alter or conflict with existing transit stops and schedules, and impacts related to transit services would not occur.

***Bicycle Circulation.*** The City of Tustin General Plan Circulation Element, Figure C-5 *Master Bikeway Plan*, identifies a planned Class II bicycle lane along Prospect Avenue and 17th Street that runs adjacent to the Project site as shown in Figure 5-3 (City of Tustin, 2018). A Class I off-street bike lane would also be implemented on the existing public right-of-way, the design of which would be reviewed and approved by the City's Planning and Public Works departments. Thus, implementation of the Project would not conflict with existing or planned bike lanes or bicycle transportation. Thus, impacts related to existing bicycle program, plan, ordinance, or policies would not occur from the Project.

***Pedestrian Facilities.*** The Project site is located in a developed urban area with sidewalks available along all nearby roadways. However, the existing driveways on 17th Street providing access to the site would be closed off and would be replaced with sidewalks that would connect to the existing sidewalks along 17th Street, adjacent to the site. The proposed on-site roadway system also includes sidewalks throughout the Project site that would connect to the off-site sidewalks. This would facilitate pedestrian use and walking to nearby locations. Therefore, the proposed Project would improve, and not conflict with, pedestrian facilities. Thus, impacts related to pedestrian facilities would not occur.

# OCTA Transit Routes




**Legend**

| | | | |
|---|---|---|---|
| Project Site | OCTA Routes | 66 | 83 |
| Bus Stops | 60 | 71 | 167 |
| | 64 | 79 | |

0 0.25 0.5 Miles

N

Cypress Grove
City of Tustin

**Figure 5-2**

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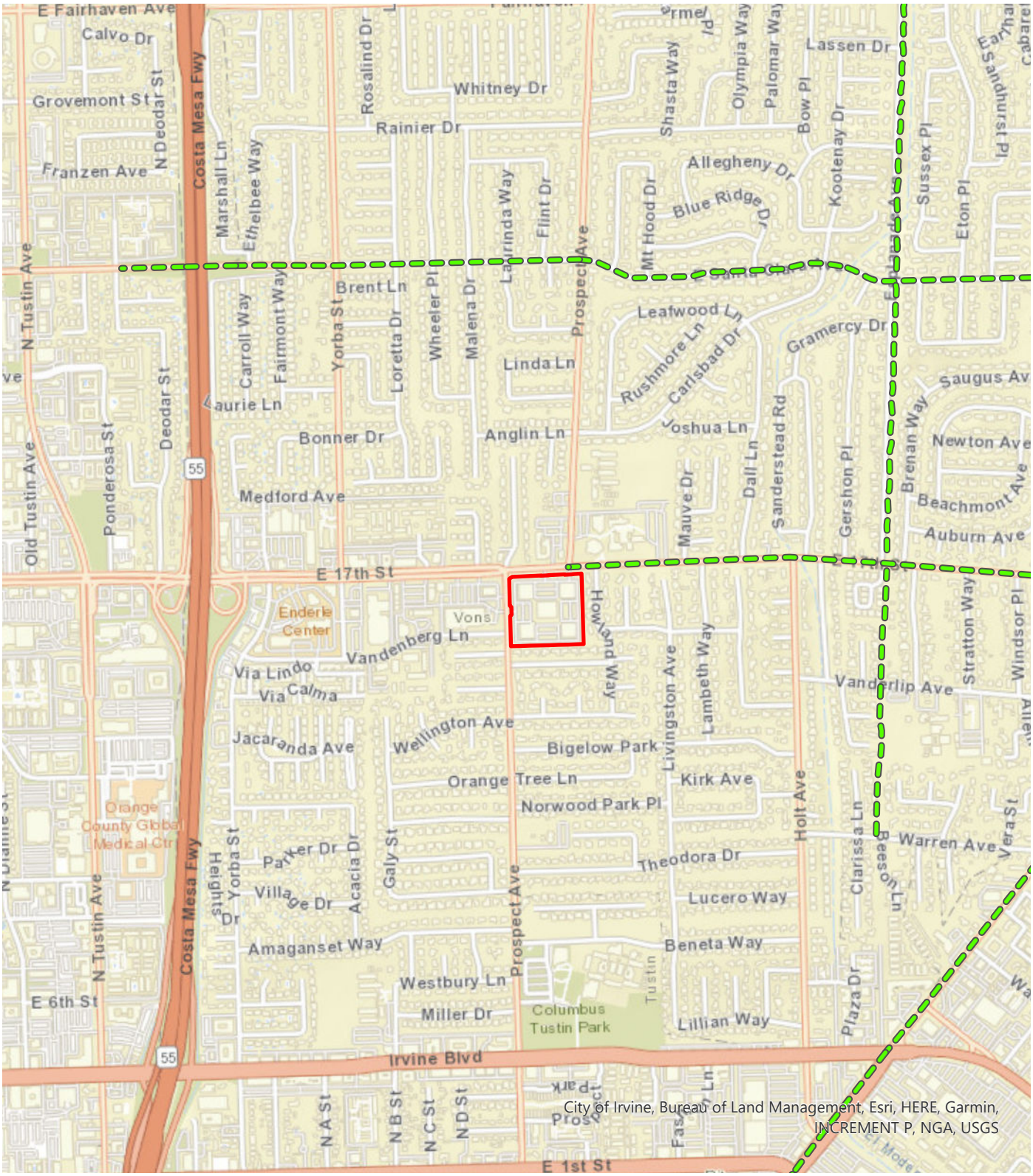
# Bike Lanes in Project Vicinity




**Legend**

Project Site

Bikeways

0 0.25 0.5 Miles

N

Cypress Grove
City of Tustin

**Figure 5-3**

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**b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?**

**Less Than Significant Impact.** Senate Bill (SB) 743 was signed by Governor Brown in 2013 and required the Governor's Office of Planning and Research (OPR), now known as the Governor's Office of Land Use and Climate Innovation (LCI), to amend the State CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. SB743 specified that the new criteria should promote the reduction of GHGs, the development of multimodal transportation networks, and a diversity of land uses. In response, Section 15064.3 was added to the CEQA Guidelines beginning January 1, 2019, with the provisions of the section applying statewide beginning on July 1, 2020. State CEQA Guidelines Section 15064.3, *Determining the Significance of Transportation Impacts*, states that VMT is the most appropriate measure of transportation impacts and provides lead agencies with the discretion to choose the most appropriate methodology and thresholds for evaluating VMT.

The City of Tustin VMT Guidelines contain screening thresholds to assess whether a project has the potential to result in an impact and further VMT analysis is required. If none of the screening criteria are met, then the project may require mitigation measures and/or VMT modeling to determine if the VMT thresholds are exceeded.

The screening criteria include the following:

- Screening Criteria 1 – Is the Project 100 percent affordable housing?
- Screening Criteria 2 – Is the Project within 1/2 mile of qualifying transit?
- Screening Criteria 3 - Is the Project a local serving land use?
- Screening Criteria 4 - Is the Project in a low VMT area?
- Screening Criteria 5 - Are the Project's Net Daily Trips less than 500 ADT?

The Project would not meet screening criteria 1, 2, or 3; however, the Project would meet screening criteria 4 and 5. As illustrated on the City of Tustin VMT Screening Form prepared for the Project, the City of Tustin has a VMT Threshold of 15.0 VMT/Capita for Citywide Average Home-Based VMT (City of Tustin , 2025). The Project is in Traffic Analysis Zone (TAZ) 853, which has a corresponding 11.6 VMT/Capita rate for residential projects. The 11.6 VMT/Capita rate is below the VMT Threshold of 15.0 VMT/ Capita for Citywide Average Home-Based VMT. Therefore, the Project is located in a low VMT area and would screen under Screening Criteria 4.

Additionally, as described previously, the Project would generate 1,144 daily trips. The existing uses currently generate 2,092 daily trips; thus, the Project would result in 948 fewer daily trips than what is currently generated by the existing uses. As such, the Project would have a net negative trip generation, far below 500 ADT threshold and would screen under Screening Criteria 5. Thus, pursuant to the City's VMT analysis guidelines and guidance from OPR and CEQA Guidelines Section 15064.3(b), the Project would result in a less-than-significant VMT impact.

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

**Less Than Significant Impact.** The Project would demolish five existing office buildings and redevelop the 8.5-acre site with 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total). The Project would also include construction of one driveway entrance from Prospect Avenue, an internal access drive, a recreational common space area for resident use, as well as stormwater and utility improvements to accommodate proposed residences.

The Project would not include incompatible uses such as farm equipment. The Project would also not increase any hazards related to a design feature. As mentioned previously, the existing driveways on 17th Street

providing access to the site would be closed off and no longer accessible. The Project would therefore restripe the east bound merge lane upon closure of the 17th street driveways. Further, all the on-site drives would be developed in conformance with City design standards. The City's construction permitting process includes review of Project plans to ensure that potentially hazardous transportation design features would not be introduced by the Project. For example, the design of the on-site circulation would be reviewed to ensure fire engine accessibility is provided to Fire Code standards. Also, access to the Project site would be provided by a 27-foot-wide driveway along Prospect Avenue that would taper into a 28-foot-wide drive aisle. The driveway and drive aisle would be designed in compliance with the City's design standards to provide for adequate turning for passenger cars, fire trucks, and delivery trucks. As a result, impacts related to geometric design features or incompatible uses would be less than significant.

**d) Result in inadequate emergency access?**

**Less than Significant Impact.** The proposed construction activities, including equipment and supply staging and storage, would occur within and adjacent to the Project area and would not restrict access of emergency vehicles to the Project site or adjacent areas.

Further, operation of the proposed Project would not result in inadequate emergency access. Direct access to the Project site would be provided from a 24-foot driveway on Prospect Avenue. All drive aisles would be consistent with City requirements to accommodate emergency vehicles as well as provide fire suppression facilities (e.g., hydrants, fire sprinklers and fire-resistant construction materials) in conformance with the Tustin City Code and the California Fire Code (Title 24, California Code of Regulations, Part 9). Additionally, should road closures be needed during construction, the Project would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures and measures to properly route heavy-duty construction vehicles entering and leaving the site (as applicable), consistent with the City of Tustin Standard Plans and Design Standards (City of Tustin Department of Public Works, 2022) (PPP T-1).

Compliance with appropriate code specifications would be verified by the City's Building and Safety Department during the construction and occupancy permitting process. Thus, potential impacts related to inadequate emergency access during Project construction or operation would be less than significant.

**Plans, Policies, and Programs (PPP)**

**PPP T-1** **Traffic Control/Utilities.** Prior to commencing construction within the City public right-of-way (including utility work), and specifications for operational roadway and traffic control design, the Project shall be subject to the traffic control standards specified by the City's latest Standard Plans and Design Standards, which includes the requirement for Traffic Control Plan during construction.

## 5.18. TRIBAL CULTURAL RESOURCES

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

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

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

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

**Potentially Significant Impact.** The Project site has a General Plan land use designation of PCCB and a zoning designation of PC BUS PARK, and is proposed to be rezoned to PC RES. The Project proposes development of 62 single-family detached cluster units and 83 single-family attached townhome units, for a total of 145 residential units on 8.5 acres in the City of Tustin. The Project would also include construction of one driveway entrance from Prospect Avenue, an internal access drive, one recreational common space area for resident use, and additional stormwater and utility improvements to accommodate proposed residences.

Tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible or listed in the California Register of Historical Resources or local register of historical resources (Public Resources Code § 21074). Pursuant to Assembly Bill 52 (AB 52), the City will conduct consultation with tribes that indicate an interest in consulting on the Project. The results of the consultation will be incorporated into the EIR, and this topic will be further analyzed.

## 5.19. UTILITIES AND SERVICE SYSTEMS

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

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

**Less Than Significant Impact.**

***Water Infrastructure.*** The Tustin Water District (TWD) provides water infrastructure and services in the Project vicinity. The proposed Project would redevelop the Project site, which is currently served by TWD's water infrastructure. Existing 8-inch water lines in Prospect Avenue and 17th Street currently provide water service to the Project site The proposed Project would install new water lines on the Project site that would connect to the existing 8-inch water line in Prospect Avenue. As described under threshold b) of this section, the proposed Project would result in a net decrease in water demand compared to the site's existing uses, thus the City would have sufficient water supplies available to serve the Project and would not result in the need for additional water infrastructure. Further, the new on-site water system would distribute water to the proposed residences and landscaped areas through fixtures compliant with the CALGreen Plumbing Code, ensuring efficient water use. The new water distribution system would exclusively serve the proposed Project and would not extend to off-site areas.

The construction activities related to on-site water infrastructure needed to serve the proposed residences are included as part of the proposed Project and would not result in any physical environmental effects beyond those identified. For example, analysis of construction emissions for excavation and installation of the water infrastructure is included in Section 5.8, *Greenhouse Gas Emissions*. Therefore, the Project would not

result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

***Wastewater Infrastructure.*** The Project site is currently served by an existing 8-inch sewer line within Prospect Avenue. The Project proposes installation of on-site sewer lines that would connect to this line. As described under threshold c) of this section, the Project would generate a nominal increase in wastewater flows compared to existing conditions, and the proposed development would not require off-site improvements. Installation of the on-site wastewater infrastructure is part of the Project scope and would not result in any physical environmental effects beyond those identified. For example, analysis of construction emissions for excavation and installation of the sewer infrastructure is included in 5.8, *Greenhouse Gas Emissions*. As the Project includes facilities to serve the proposed development, it would not result in the need for construction of other new wastewater facilities or expansions, the construction of which could cause significant environmental effects. Therefore, impacts would be less than significant.

***Stormwater Drainage.*** The Project includes a series of on-site storm drain facilities with low impact development (LID) and peak storm elements. Street surface runoff would be collected and conveyed through curb inlet catch basins and diverted to 13 proposed modular wetlands system (MWS) biofiltration vaults for water quality treatment. During larger storm events when the proposed biofiltration vaults are at capacity, stormwater would pond within the catch basins near the Project driveway, which would overflow into the public right of-way on Prospect Avenue. As detailed in Section 5.10, *Hydrology and Water Quality*, the proposed on-site drainage system has been designed to accommodate runoff from the Project site, which will have a design capture volume (DCV) of 22,322 cf, consistent with the applicable NPDES permit requirements. Further, the proposed Project would result in a decrease in overall peak flow rates compared to existing condition. Construction activities related to installation of the on-site storm water infrastructure serving the Project are included as part of the Project scope and would not result in any physical environmental effects beyond those identified. As the Project includes facilities to serve the proposed development, it would not result in the need for construction of other new stormwater facilities or expansions, the construction of which could cause significant environmental effects. Therefore, impacts would be less than significant.

***Electricity, Natural Gas, & Telecommunications.*** Electric power, natural gas, and telecommunications facilities are available to serve the Project without the need to construct or relocate more. The Project would connect to existing Southern California Edison electrical distribution facilities adjacent to the Project site and would not require the construction of new electrical facilities. Additionally, the Project would not include the use of natural gas. As such, the Project would not result in the need for construction of new electricity, natural gas, or telecommunications facilities or expansions, the construction of which could cause significant environmental effects. Therefore, impacts would be less than significant.

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

**Less Than Significant Impact.**

***Water Supply and Demand.*** According to the City of Tustin's 2020 Urban Water Management Plan (UWMP), per capita water usage in 2020 was 95 gallons per day (gpd), well below its 2020 target of 151 gpd. For a conservative estimate of Project water use, the higher water demand rate of 151 gallons per capita per day was used to estimate water demand associated with the proposed Project.

The Project site is currently developed with five operational office buildings totaling 193,000 SF. Based on the 2001 SCAG Employment Density Report, this space could accommodate approximately 593 employees (1 employee per 325 SF) (The Natelson Company, Inc., 2001). Applying the City's per capita water usage

target, existing conditions generate an estimated water demand of 89,543 gallons of water per day, or 100.30 acre-feet per year (AFY).

The proposed Project would introduce approximately 396 new residents to the site. Using the same per capita rate of 151 gpd, this equates to a project demand of 59,796 gallons of water per day, or 66.98 AFY – a net reduction of 29,747 gpd compared to existing conditions. Based on this projected reduction and the supply-demand projections in the 2020 UWMP, the City has sufficient water supplies to serve the Project and cumulative development, even under normal, dry, and multiple dry year scenarios through 2045. Therefore, implementation of the proposed Project would result in a less than significant impact related to water supplies.

***Groundwater.*** The Project site currently consists of 89 percent impervious surfaces and 11 percent pervious area. After completion of Project construction, the site would be approximately 100 percent impervious and 0 percent pervious, which is an increase of 11 percent impervious surface area (Appendix J). However, 23 percent of the surface area on the site would be landscaped which would increase perviousness and inhibit erosion. Though the proposed Project would result in an increase of impervious surfaces, the Project would follow a similar drainage pattern as is currently existing and convey runoff to landscaped areas or into the underground storm drain system. Thus, the Project would not interfere with the rate of groundwater recharge at the Project site compared to existing conditions. Further, the Project site is not in or near a groundwater recharge area/facility, nor does it represent a source of groundwater recharge. Therefore, the Project would not substantially interfere with groundwater supplies or recharge. Impacts would be less than significant.

The Project overlies the Orange County Groundwater Basin (OC Basin). Pursuant to the Sustainable Groundwater Management Act (SGMA), the Department of Water Resources (DWR) has designated the OC Basin, (also known as Basin 8-1), as a medium priority basin for purposes of groundwater management. The SGMA specifically calls for Orange County Water District (OCWD), which regulates the OC Basin, to serve as the GSA. The SGMA allows Special Act Districts created by statute, such as OCWD, to prepare and submit an alternative to a Groundwater Sustainability Plan (GSP) that is "functionally equivalent" to a GSP. Basin 8-1 includes the OCWD service area and several fringe areas outside of OCWD that are within the Basin 8-1 boundary. Per the requirements of SGMA, an Alternative Plan must encompass the entire groundwater basin as defined by DWR. On January 1, 2017, OCWD and the overlying agencies within Basin 8-1 jointly prepared and submitted an alternative plan in compliance with SGMA (Basin 8-1 Alternative). The Basin 8-1 Alternative was updated in January 2022.

As described previously, the Project would not decrease groundwater supplies or interfere substantially with groundwater recharge. Therefore, the Project would not conflict or obstruct the implementation of the Basin 8-1 Alternative Plan. Additionally, groundwater supply and demand is evaluated through the City's 2020 UWMP which determined groundwater supplies are sufficient to serve the City's service area through 2045. Therefore, the proposed Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

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

**Less Than Significant Impact.** Wastewater services are provided to the Project site by EOCWD. In 2020, EOCWD collected approximately 360 AF of wastewater (East Orange County Water District, 2020). While EOCWD is responsible for wastewater collection, it does not own or operate its own wastewater treatment facilities. Instead, it conveys all collected wastewater to the Orange County Sanitation District (OC San) for treatment and disposal. Wastewater collected within EOCWD's service area is conveyed to OC San's wastewater treatment plants in Fountain Valley (Plant No. 1) and Huntington Beach (Plant No. 2). Plant No. 1 has a total rated primary capacity of 208 million gallons per day (MGD) and a secondary treatment

capacity of 182 MGD. Plant No. 2 has a rated primary capacity of 1168 MGD and secondary treatment capacity of 150 MGD (Orange County Sanitation District, 2022). Wastewater from the Project site is treated at Plant No. 1.

According to EOCWD, high density residential uses use approximately 250 gpd per dwelling unit (gpd/du) and commercial office uses use approximately 3,000 gallons per day per acre (gpd/ac) (B. Young, personal communication, April 28, 2025).

As mentioned previously, the Project site is currently developed with five commercial office buildings totaling 193,000 SF (4.43 ac) and is fully operational. Therefore, based on wastewater generation rates from EOCWD, the 4.43 acres of existing commercial office uses generate approximately 13,290 gpd/ac or 14.87 AFY.

Using EOCWD's recommended rate, the proposed 145 residential dwelling units would result in a wastewater generation rate of 36,250 gpd or 40.61 AFY which would result in a net increase of 22,960 gpd or 25.74 AFY of wastewater based on the existing use. However, Plant No.1 treats an average of 124 MGD and has a remaining capacity of 84 MGD (Orange County Sanitation District, 2024). Thus, the amount of wastewater that would be generated by the proposed Project is less than .03 percent of Plant No. 1's total remaining daily treatment capacity. As a result, the wastewater treatment plant serving the Project would have adequate capacity to serve the proposed Project's demand in addition to existing service commitments, and impacts would be less than significant.

**d) and e)**

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

**Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?**

**Less Than Significant Impact.**

Solid waste generated by the Project could be disposed of at the Frank R. Bowerman Landfill and Olinda Alpha Sanitary Landfill.

***Construction***

Project construction would generate solid waste for landfill disposal in the form of demolition debris from the existing buildings and infrastructure that would be removed from the site. Demolition waste would be properly characterized as required by law and recycled or disposed of at an appropriate type of landfill for such materials. Construction waste in the form of packaging and discarded materials would also be generated by the proposed project.

Utilizing a residential construction waste factor of 4.38 pounds per square foot, the Project would generate approximately 811,443 lbs (185,261 SF x 4.38 lbs = 811,443 lbs per SF) of waste (Environmental Protection Agency, 1998). In addition, the Project would generate approximately 37,698 total tons of waste during demolition. However, Section 5.408.1 of the 2022 California Green Building Standards Code requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste. Thus, the demolition and construction solid waste that would be disposed of at the landfill would be approximately 35 percent of the waste generated. However, as mentioned previously, existing hazardous materials would be disposed of according to SCAQMD Rule 1403 as well as state and federal hazardous materials regulations, thus only nontoxic material would be recycled in accordance with the CalGreen code. For a conservative analysis, the assumption that all demolition waste is hazardous has been assumed. Therefore, only construction waste would be recycled or reused, which would

result in approximately 527,437 lbs (811,443 multiplied by 65 percent) of recycled/reused waste. The Project would thus generate a remainder of 284,005 lbs (142 tons) of construction waste in addition to the 37,698 tons of demolition waste, which would result in a total of 321,703 tons total or approximately 707 tons of debris per day over the course of the 15-month construction.

The Frank Bowerman Landfill is permitted to accept 11,500 tons per day of solid waste and is permitted to operate through 2053. In January 2024, the maximum daily tonnage received was 8,710.78 tons. Thus, the facility had additional capacity of 2,789.22 tons per day (CalRecycle, 2024a). Per a Solid Waste Facility Permit (SWFP) issued on July 8, 2021, the Olinda Alpha Sanitary Landfill is permitted to receive 10,000 tons per day for 36 days of the year and is permitted to receive 8,000 tons per day for the other 271 days of the year. The Olinda Alpha Sanitary Landfill is permitted to operate through 2036. In January 2024, the maximum tonnage received was 8,404 tons, which is below the 10,000 tons per day that the facility is allowed to receive for 36 days of the year (CalRecycle, 2024b).

The Frank Bowerman Sanitary Landfill had additional capacity of approximately 3,123 tons per day. Therefore, the facility would be able to accommodate the addition of 707 tons of waste per day during demolition and construction of the proposed Project, and impacts would be less than significant.

***Operation***

The CalEEMod solid waste generation rate for residential is 0.25 tons per year. The Project proposes construction of 62 single-family detached cluster units and 83 single-family attached townhome units (145 units total). Thus, operation of the Project would generate approximately 36.25 tons of solid waste per year; or 0.7 tons per week. However, at least 75 percent of the solid waste is required by AB 341 to be recycled, which would reduce the volume of landfilled solid waste to approximately 0.2 tons per week or 440 pounds per week. As the Frank Bowerman Sanitary Landfill has additional capacity of approximately 3,123 tons per day, the solid waste generated by the Project would be within the capacity of the landfill. Thus, the Project would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs and the Project would not impair the attainment of solid waste reduction goals. Impacts related to landfill capacity would be less than significant.

## 5.20. WILDFIRE

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

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

**No Impact.** According to the California Fire Hazard Severity Zones map, the Project site is not located within a Very High Fire Hazard Severity Zone (California Department of Forestry and Fire, 2025). Direct access to the project site would be provided from a 27-foot-wide driveway along Prospect Avenue. The Project is required to design and construct internal access and provide fire suppression facilities (e.g., hydrants and sprinklers) in conformance with the Tustin City Code, and the Orange County Fire Authority would review the development plans prior to approval to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9, adopted by reference in the Tustin City Code Section 8100). Further, should a road closure be needed during construction, the Project would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures and measures to properly route heavy-duty construction vehicles entering and leaving the site (as applicable), consistent with the City of Tustin Standard Plans and Design Standards (City of Tustin Department of Public Works, 2022) (PPP T-1).

As a result, the proposed Project would not impair an adopted emergency response plan or emergency evacuation plan and impacts not occur.

**b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**No Impact.** As described previously, the Project site is not located within a Very High Fire Hazard Severity Zone (California Department of Forestry and Fire, 2025). The Project site is relatively flat with less than 5

feet of elevation differential across the property. The areas within the Project's vicinity also do not contain hillsides or other factors that could exacerbate wildfire risks. Therefore, no impact would occur.

**c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**No Impact.** As described previously, the Project site is not located within a Very High Fire Hazard Severity Zone (California Department of Forestry and Fire, 2025). The Project site is located within an urbanized area within the City of Tustin. The Project does not involve any new infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risks or result in other impacts to the environment. Therefore, no impact would occur.

**d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

**No Impact.** As described previously, the Project site is not located within a Very High Fire Hazard Severity Zone (California Department of Forestry and Fire, 2025). The Project site is relatively flat with less than five feet of elevation differential across the property. Likewise, areas adjacent to the Project site are relatively flat urban sites that do not contain hillsides or other factors that would expose people or structures to flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. The Project would not generate significant slopes and would connect to existing drainage facilities. Thus, the Project would not result in risks related to wildfires or risks related to downslope or downstream flooding or landslides after wildfires. Therefore, impacts would not occur.

**Plans, Policies, and Programs (PPP)**

**PPP T-1** **Traffic Control/Utilities.** Prior to commencing construction within the City public right-of-way (including utility work), and specifications for operational roadway and traffic control design, the Project shall be subject to the traffic control standards specified by the City's latest Standard Plans and Design Standards, which includes the requirement for Traffic Control Plan during construction.

## 5.21. MANDATORY FINDINGS OF SIGNIFICANCE

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

**a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

**Potentially Significant Impact.** As discussed in Section 5.4, *Biological Resources*, the Project site is currently developed and does not contain habitat of a fish or wildlife species. However, the Project site contains existing ornamental trees that could be used for nesting by common bird species that are protected by the federal MBTA and the California Fish and Game Code Sections 3503.5, 3511, and 3515 during the avian nesting and breeding season that occurs between February 1 and September 15. The provisions of the MBTA prohibits disturbing or destroying active nests. Therefore, Mitigation Measure BIO-1 has been included to require that if commencement of vegetation clearing occurs between February 1 and September 15, a qualified biologist shall conduct a nesting bird survey no more than 3 days prior to commencement of activities to confirm the absence of nesting birds. With implementation of Mitigation Measure BIO-1, potential impacts to nesting birds would be less than significant.

Additionally, as described in Section 5.5, *Cultural Resources*, the Project site has five existing office buildings that could meet the California Register of Historical Resources (California Register) criteria or qualify as "historical resources" as defined by CEQA. Therefore, the Project would cause a substantial adverse change in the significance of a historical resource.

Additionally, the Project site is completely paved and is not anticipated to contain archaeological resources; however, Mitigation Measure CUL-1 has been included to stop all ground disturbing activity within a 50-foot radius of an inadvertent discovery in the unlikely event that a potential archeological resource is unearthed during excavation activities. With implementation of Mitigation Measure CUL-1, potential impacts to archaeological resources would be less than significant.

As discussed in Section 5.7, *Geology and Soils*, the Project site is located in an area with high paleontological sensitivity, thus, Mitigation Measure PAL-1 has been included to implement paleontological monitoring.

The Project would result in a potentially significant impact to eliminate important examples of the major periods of California history or prehistory and will be further evaluated in the EIR.

**b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

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

a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

As presented in this document, potential Project-related impacts are either less than significant or would be less than significant with mitigation incorporated for impacts related to aesthetics, agriculture and forestry resources, biological resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation, utilities and service systems, and wildfire risk. Given that the potential Project-related impacts would be less than significant or mitigated to a less-than-significant level, implementation of the proposed Project would not result in impacts that are cumulatively considerable when evaluated with the impacts of other current projects, or the effects of probable future projects. Therefore, the proposed Project's contribution to any significant cumulative impacts would be less than cumulatively considerable for aesthetics, agriculture and forestry resources, biological resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation, utilities and service systems, and wildfire risk.

The Project could result in significant impacts on several environmental topics, and further, cumulatively considerable impacts. Specifically, the Project has the potential to result in cumulatively considerable impacts related to air quality, historic resources, noise, and tribal cultural resources. The Project's potential for contribution to cumulatively considerable impacts will be further analyzed within the EIR.

**c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Potentially Significant Impact.** As discussed in Section 5.13, *Noise*, the Project could facilitate development that could result in significant air quality and noise impacts, as well as conflict with policies implemented to mitigate environmental impacts on existing populations. An air quality and noise study will be prepared for the Project to evaluate potential impacts on human beings, with specific focus on sensitive receptor populations. Therefore, the Project could result in a potentially significant impact and this topic will be further analyzed in the EIR.

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*End of document.*

# NOTICE OF PREPARATION AND SCOPING MEETING

**DATE:** May 28, 2025

**TO:** Agencies, Organizations, and Interested Parties

**SUBJECT:** Notice of Preparation of a Draft Environmental Impact Report for the Cypress Grove Residential Project in Compliance with Title 14, Section 15082(a) of the California Code of Regulations

**PUBLIC REVIEW:** **May 30, 2025, to June 30, 2025**

The Applicant for the Cypress Grove Residential Project (Project) proposes the demolition of an existing office complex (Tustin Financial Plaza) and redevelopment with a 145-unit, for-sale residential condominium community. The Project would require a Zone Change from Planned Community Business Park (PC BUS PARK) to Planned Community Residential (PC RES) (ZC-2025-0001), approval of a Vesting Tentative (Condo) Tract Map (VTTM) (SUB-2025-0001), and Design Review (DR-2025-0004).

The City of Tustin (City), as lead agency, intends to prepare an Environmental Impact Report (EIR), pursuant to the requirements of the California Environmental Quality Act (CEQA) for the proposed Project. We request your review and comments as to the scope and content of the proposed EIR, as summarized in the Initial Study, available via:

- City's website at https://www.tustinca.org/1080/Current-Projects;
- City of Tustin Community Development Department, 300 Centennial Way, Tustin, CA 92780; and
- Orange County Library – Tustin Branch, 345 E. Main Street, Tustin, CA 92780.

**AGENCIES:** The City requests your review of the scope and content of the environmental information relevant to your agency's statutory responsibilities in connection with the proposed Project, in accordance with California Code of Regulations, Title 14, Section 15082(b). Your agency may need to use the EIR prepared by the City when considering any permits that your agency must issue, or other approval for the Project.

**ORGANIZATIONS AND INTERESTED PARTIES:** The City requests your comments and concerns regarding the environmental issues associated with implementation of the proposed Project.

**PROJECT TITLE:** Cypress Grove Residential Project (ZC-2025-0001, SUB-2025-0001, and DR-2025-0004)

**PROJECT LOCATION:** As shown in Figure 1, *Vicinity Map*, the Project site is in northwestern Tustin, bordered to the west by Prospect Avenue, to the north by 17th Street, to the east by single-family residential uses followed by Howland Way, and to the south by single-family residential uses followed by Arbolada Way. Tustin is situated in the central part of Orange County and is surrounded by the City of Irvine to the east and south, City of Santa Ana to the west, City of Orange and unincorporated Orange County to the north. The Project site borders the unincorporated Orange County community of North Tustin along its eastern and southern property lines.

The Project site is approximately 8.5 acres and consists of Assessor Parcel Numbers (APNs) 401-401-12, -13, -14, -15, -16, and -17.

**DESCRIPTION:** The Project site (Tustin Financial Plaza) is occupied by an existing business park developed with approximately 193,000 square feet (SF) of office space across five buildings. The Project

# NOTICE OF PREPARATION AND SCOPING MEETING

would redevelop the entire site into a 145-unit for-sale residential condominium community, consisting of 62 single-family detached cluster units and 83 single-family attached townhomes for an average net density of 17.06 dwelling units per acre (du/ac). The Project would eliminate the two existing driveways along 17th Street and relocate the Prospect Avenue driveway. Additionally, the Project would include an internal access drive aisle, a recreational common space area, new bicycle facilities, stormwater drainage improvements, and utility connections to accommodate the proposed residences.

The Project site has a General Plan land use designation of Planned Community Commercial/Business (PCCB). The Project would be consistent with the PCCB land use designation, which provides opportunities for residential use in addition to a variety of miscellaneous retail, professional office, and service-oriented business activities. The Project site has a zoning designation of Planned Community Business Park (PC BUS PARK). The Project would require a Zone Change (ZC) from PC BUS PARK to Planned Community Residential (PC RES) to allow the residential development.

In addition to a Zone Change (ZC), the Project would require approval of a Vesting Tentative (Condo) Tract Map (SUB) to subdivide the Project site and Design Review (DR) approval of the site plans.

**POTENTIAL ENVIRONMENTAL EFFECTS:** This Initial Study analyzes potential impacts of the proposed residential development and related infrastructure improvements. An EIR will be prepared to evaluate the Project's potentially significant environmental impacts.

As determined by the Initial Study, the topic areas to be further analyzed and discussed in the EIR are Air Quality, Cultural Resources (Historic only), Noise, Tribal Cultural Resources, and Mandatory Findings of Significance.

**PUBLIC REVIEW PERIOD:** The City has determined to make this Notice of Preparation (NOP) and Initial Study available for public review and comment, pursuant to California Code of Regulations, Title 14, Section 15082(b). Please provide any comments by **June 30, 2025, at 5:00 p.m.** to the contact person listed below.

**RESPONSES AND COMMENTS:** Please indicate a contact person for your agency or organization and send your responses and comments to: Jorge Maldonado, Senior Planner; Phone: (714) 573-3174; E-mail: jmaldonado@tustinca.org; Mailing Address: City of Tustin, Community Development Department, Attn: Jorge Maldonado, 300 Centennial Way, Tustin, CA 92780; Website: http://www.tustinca.org.

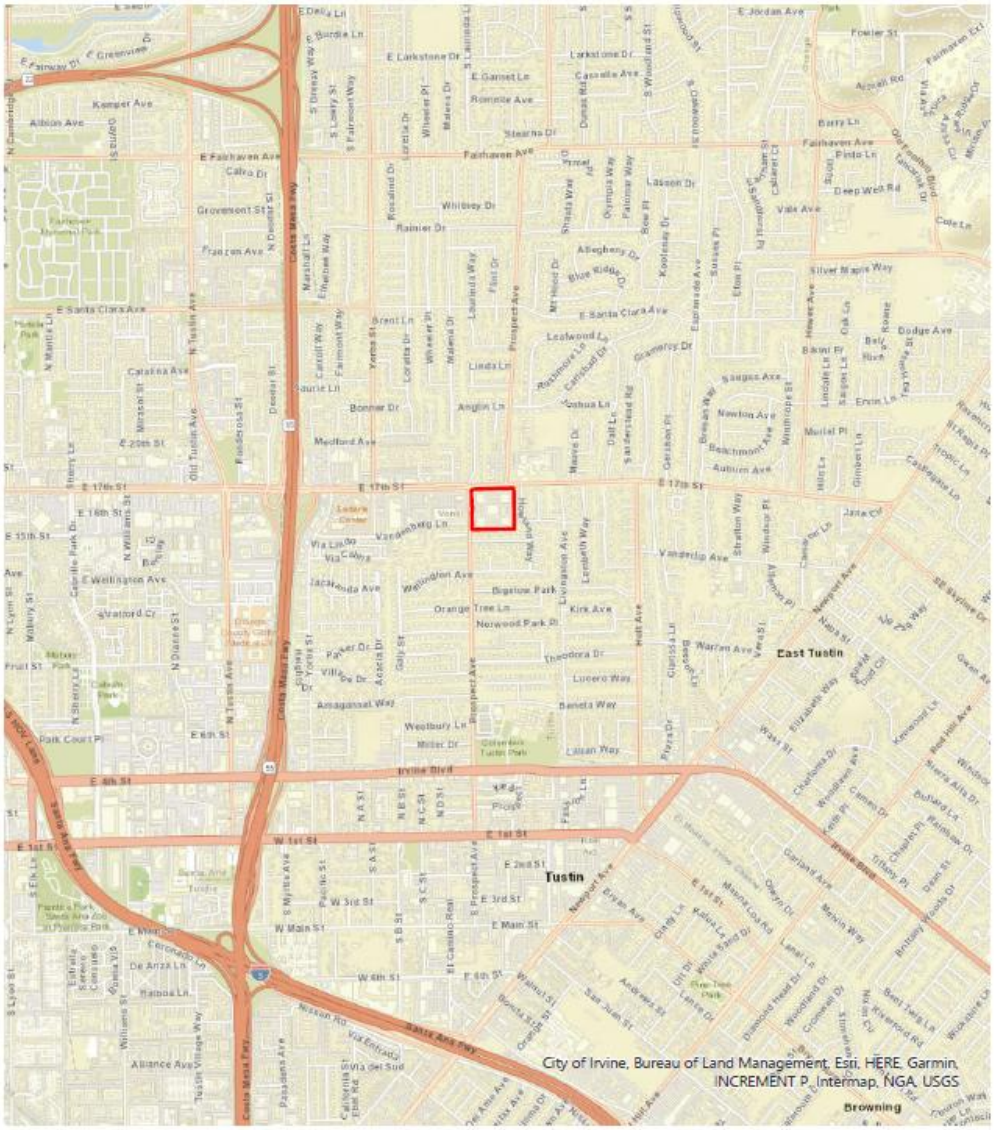
**SCOPING MEETING:** One scoping meeting will be held to receive comments on the proposed scope and content of the Cypress Grove Residential Project Draft Environmental Impact Report (DEIR). You are invited to attend and present environmental information that you believe should be addressed in the DEIR. The meeting is scheduled for:

Date: Monday, June 16, 2025
Time: 5:00 p.m.
Place: Orange County Library – Tustin Branch
345 E. Main Street
Tustin, CA 92780

**DOCUMENT AVAILABILITY:** The Initial Study is available for public review during regular business hours at the City's website, Community Development Department, and Tustin Library as listed above.

# NOTICE OF PREPARATION AND SCOPING MEETING

## Figure 1 - Vicinity Map




**Legend**

Project Site

0 0.5 1 Miles

N

# NATIVE AMERICAN HERITAGE COMMISSION

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**NAHC HEADQUARTERS**
1550 Harbor Boulevard
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West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov

June 6, 2025

Jorge Maldonado
City of Tustin
300 Centennial Way
Tustin CA 92780

**Re: 2025060042 Cypress Grove Residential Project, Orange County**

Dear Mr. Maldonado:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements**. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws**.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

**1.** Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

**2.** Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

**3.** Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

**4.** Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

**5.** Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

**6.** Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

**7.** Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

**a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

**b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

**8.** Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

**9.** Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

**10.** Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

**a.** Avoidance and preservation of the resources in place, including, but not limited to:

**i.** Planning and construction to avoid the resources and protect the cultural and natural context.

**ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

**b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

**i.** Protecting the cultural character and integrity of the resource.

**ii.** Protecting the traditional use of the resource.

**iii.** Protecting the confidentiality of the resource.

**c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

**d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).

**e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

**f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

**11.** Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

**a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

**b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

**c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

**1.** Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).

**2.** No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

**3.** Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

**4.** Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

- **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

**1.** Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:

- **a.** If part or all of the APE has been previously surveyed for cultural resources.
- **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
- **c.** If the probability is low, moderate, or high that cultural resources are located in the APE.
- **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.

**2.** If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

**3.** Contact the NAHC for:

**a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

**b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

**4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

**a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

**b.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

**c.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@NAHC.ca.gov.

Sincerely,

Andrew Green

Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

**From:** Thomas Cole Baron
**Sent:** Tuesday, June 3, 2025 10:34 AM
**To:** Maldonado, Jorge <JMaldonado@tustinca.org>
**Subject:** Cypress Grove Residential Project Support

Hi Jorge,

I hope you're well. My name is Thomas - I grew up in North Tustin near the corner of 17th and Newport (92705), just down the road from this development. I still spend part of my week in North Tustin and follow development in the area.

After a quick review of the environmental materials provided on the city website, I want to write to express my full hearted support for this project. Tustin, Orange County, and Southern California desperately need new housing, and for-sale units of this type fill an important need in the market.

The CEQA process is often used by NIMBYs to delay or block vital new construction. It is vital that the loud minority in this case does not overshadow the needs of the unknown future constituent - the families that will live in this proposed community who can't speak to their interest in this project at this time.

# ORANGE COUNTY FIRE AUTHORITY

**P. O. Box 57115, Irvine, CA 92619-7115 • 1 Fire Authority Road, Irvine, CA 92602-0125**

**Brian Fennessy, Fire Chief** **(714) 573-6000** **www.ocfa.org**


June 18th 2025 (SR 25002832)
**Jorge Maldonado Senior Planner**
**jmaldonado@tustinca.org**

Subject: EIR for Tutin Financial Plaza

Dear Jorge

Thank you for the opportunity to review the subject document. The Orange County Fire Authority (OCFA) provides fire protection and emergency medical services response to 23 cities in Orange County and all unincorporated areas. The OCFA operates 78 fire stations throughout Orange County.

Per Ttile14 CCR § 15164 Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

We believe that the project will have less than a significant impact.

Please contact me at 714-573-6102 if you have any questions.

Sincerely.


Todd Letterman
Assistant Fire Marshal
Planning and Development
toddletterman@ocfa.org
www.ocfa.org

ORANGE COUNTY SANITATION DISTRICT
18480 Bandilier Circle
Fountain Valley, CA 92708
714.962.2411
www.ocsan.gov

June 23, 2025

Jorge Maldonado, Senior Planner
City of Tustin, Community Development Department
300 Centennial Way, Tustin, CA 92780

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report for the Cypress Grove Residential Project

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Thank you for providing the Notice of Preparation of a Draft Environmental Impact Report for the Cypress Grove Residential Project. The Orange County Sanitation District (OC San) has reviewed the Notice of Preparation and would like to provide clarification regarding Section 3.2 in the Initial Study (IS). The IS mentions the development will connect to the existing 18 inch sanitary sewer line on Prospect. While the IS does not call it out, this line belongs to OC San and is 27 inches. Just a reminder, OC San does not permit connection to OC San's trunkline to private developers and that developers will need to work with their local sewer provider for sewer connection.

If you have any questions, please contact Kevin Hadden, Principal Staff Analyst, Planning Division, at (714) 593-7462.

Andrew Brown
Engineering Supervisor
Planning Division
(714) 593-7052

AB:KH:op

https://ocsdgov.sharepoint.com/sites/Planning/CEQA Externally Generated/2025 Comment Letters/City of Tustin Response Letter - Notice of Preparation of a DEIR for the Cypress Grove Residential Project- 20250623.docx

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