

# **CEQA INITIAL STUDY NEGATIVE DECLARATION**

## **CHABAD JEWISH CENTER OF TUSTIN**

**18802 E. 17<sup>th</sup> Street  
Santa Ana, California 92705**

**Planning Application PA21-0055**



Lead Agency:

### **County of Orange**

OC Public Works | Development Services | Planning  
601 North Ross Street  
Santa Ana, California 92701-4048

Project Sponsor/Applicant:

### **Chabad Jewish Center of Tustin**

13112 Newport Avenue, Suite H  
Tustin, California 92780

December 2021

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601 North Ross Street

Santa Ana, California 92701-4048

(714) 667-8847

Project Sponsor/Applicant:

**Chabad Jewish Center of Tustin**

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## Acronyms and Abbreviations

### Symbols

°	degrees
°C	degrees Celsius
°F	degrees Fahrenheit
§	section
µg/m <sup>3</sup>	micrograms per cubic meter
µm	micrometer

### Numbers

1982 NTSP FEIR	Final Environmental Impact Report for the North Tustin Specific Plan, EIR No. 421, SCH No. 82070201, certified September 29, 1982
2003 DAMP	Drainage Area Management Plan (July 1, 2003)
2010 HMP	2010 Hazard Mitigation Plan (March 2010)
2012 AQMP	2012 Air Quality Management Plan (December 7, 2012)
2012-2035 RTP	2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (April 4, 2012)
2015 LHMP	Local Hazard Mitigation Plan (November 2015)
2015 Tustin UWMP	2015 Urban Water Management Plan – City of Tustin (June 2016)
2016 AQMP	2016 Air Quality Management Plan (March 3, 2017)
2016-2040 RTP/SCS	2016-2040 Regional Transportation Plan/Sustainable Communities Strategy: A Plan for Mobility, Accessibility, Sustainability and a High Quality of Life (2016)
2017 CGP	2017 Construction General Permit
2-19 BEES	Building Energy Efficiency Standards for Residential and Nonresidential Buildings” (CEC-400-2018-020-CMF
2019 CalGreen	California Green Building Standards Code, 2019 Edition
2019 CBC	California Building Code, 2019 Edition
2019 CEC	California Energy Code, 2019 Edition
2019 CFC	California Fire Code, 2019 Edition
2019 EOP	United County of Orange and Orange County Operational Area Emergency Operations Plan (February 2019)

### Letters

AAQC	Ambient Air Quality Standards
AB	Assembly Bill
AB 32	Assembly Bill 32
ACBM	asbestos-containing building materials
ADA	Americans with Disabilities Act
ADL	Anti-Defamation League
Afy	acre-feet per year
AM	ante meridiem (morning)
APCD	air pollution control district
APEFZ	Alquist-Priolo Earthquake Fault Zone
APEFZA	Alquist-Priolo Earthquake Fault Zoning Act of 1972
APN	Assessor’s parcel number
Applicant	Chabad Jewish Center of Tustin
AQMD	air quality management district
ASBS	Area of Special Biological Significance
BACT	Best Available Control Technology
Basin	South Coast Air Basin
Basin Plan	Water Quality Control Plan – Santa Ana River Basin (8)
BAU	business-as-usual
BERB	Built Environment Resources Directory
BGL	below ground level

**Acronyms and Abbreviations**

(Continued)

BMPs	Best Management Practices
Board	Orange County Board of Supervisors
BPR	Bureau of Public Roads
BUG	backlight, uplight, and glare
CAA	Federal Clean Air Act
C&D	construction and demolition
CalEPA	California Environmental Protection Agency
CalFire	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
Cal OES	California Office of Emergency Services
CARB	California Air Resources Board
CAT	Climate Action Team
CCAA	California Clean Air Act
CCR	California Code of Regulations
CCE	California Department of Education
CCR	California Code of Regulations
CDC	California Department of Conservation
CDMG	California Department of Mines and Geology
CEC	California Education Code or California Energy Commission
CEQA	California Environmental Quality Act
CFC	California Fire Code, 2019 Edition
CFCC	capital facilities capacity charge”
CFR	Code of Federal Regulations
CGC	California Government Code
CGS	California Geological Survey
CHL	California Historical Landmarks
CHRIS	California Historic Resources Information System
chs	Gunter’s Chains
CII	commercial, industrial, and institutional
CISA	Cybersecurity and Infrastructure Security Agency
City	City of Tustin
CIWMB	California Integrated Waste Management Board
CJCT	Chabad Jewish Center of Tustin
CHK Act	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
CLOMA	conditional letter of map amendment
CLOMR	conditional letter of map revision
CMB	concrete masonry block
CNEL	Community Noise Equivalent Level
Codified Ordinances	Codified Ordinances of the County of Orange
COLAFCO	Orange County Local Agency Formation Commission
County CEQA Manual	Local CEQA Procedures Manual (November 17, 2020)
County	County of Orange
CPHI	California Points of Historical Interest
CRFC	California Retail Food Code
CRHR	California Register of Historic Resources
CSPP	California State Preschool Program
CTMC	City of Tustin Municipal Code
CWA	Federal Clean Water Act
CWC	California Water Code

**Acronyms and Abbreviations**  
(Continued)

DAMP	drainage area management plan
dB	decibels
dBA	decibels, A-weighted
DDt	dichlorodiphenyltrichloroethane
DHS	United States Department of Homeland Security
DMG	California Department of Conservation Division of Mines and Geology
DOJ	United States Department of Justice
DSOS	Division of Safety of Dams
DSS	California Department of Social Services
DU	dwelling units
DU/Ac	dwelling units per acre
DWR	California Department of Water Resources
E	East
ECE/CD	Early Childhood Education/Child Development
ECSP	erosion control sediment plan
EIR	environmental impact report
EIS	Environmental Impact Sciences
EOC	Emergency Operations Center
ET	evapotranspiration
EOCWD	East Orange County Water District
EVCS	electric vehicle charging station
FAR	floor-area-ratio
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
First Update	First Update to the Climate Scoping Plan (December 14, 2017)
FMMP	Farmland Mapping and Monitoring Program
FRAP	Fire and Resource Assessment Program
FRB Landfill	Frank R. Bowerman Landfill
ft	feet
GMP	groundwater management plan
Gpd	gallons per day
GSA	groundwater sustainability agency
GSWC	Golden State Water Company
H&SC	California Health and Safety Code
Handbook	CEQA Air Quality Handbook (April 1993)
HAP	hazardous air pollutant
HATS	Harvard Avenue Trunk Sewer
HCOCs	hydrologic conditions of concern
HBP	Harbors, Beaches & Parks
HPDF	Historic Property Data File
HQA	high quality transit area or corridor
IRWD	Irvine Ranch Water District
JWA	John Wayne Airport
K	kindergarten

**Acronyms and Abbreviations**

(Continued)

LAFCO	Local Agency Formation Commission
LAFCOCO	Orange County Local Agency Formation Commission
LEA	Local Enforcement Agency
LID	low impact development
LOMA	letter of map amendment
LOMR	letter of map revision
LRA	Local Responsibility Area
MEP	maximum extent practicable
MET	Metropolitan Water District of Southern California
mgd	million gallons per day
MND	mitigated negative declaration
MPO	Metropolitan Planning Organization
MSR	Municipal Service Review
MS4	municipal separate storm sewer systems
MWD	Metropolitan Water District of Southern California
MWDOC	Municipal Water District of Orange County
NAHC	Native American Heritage Commission
NALMAs	North American Land Mammal Ages
ND	negative declaration
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
No.	number
NOC	North Orange County (SARWQCB Jurisdictional Area)
NOI	Notice of Intent to Adopt a Mitigated Negative Declaration
Noise Compatibility Manual	Land Use/Noise Compatibility Manual
NPDES	National Pollution Discharge Elimination System
NPDES No. CAS6180020	Order No. R8-2002-0010 (NPDES No. CAS6180020): Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff, Orange County, as amended
NRCS	Natural Resource Conservation Service
NRHR	National Register of Historic Resources
NSR	New Source Review
NTSP	North Tustin Specific Plan
OA	Operational Area
OCFA	Orange County Fire Authority
OCFCD	Orange County Flood Control District
OCFD	Orange County Fire Department
OCGP	County of Orange Comprehensive General Plan
OCOA Agreement	<b>Orange County Operational Area (OCOA) Agreement</b>
OCPL	Orange County Public Library
OC Planning	OC Public Works   Development Services Department   Planning
OCRTN	Orange County Real Time Network
OCSD	Orange County Sheriff's Department
OCTA	Orange County Transportation Authority
OCWD	Orange County Water District
OCX	John Wayne Airport
Orange County Grading Manual	Orange County Grading Manual, 2017 Edition
OHP	California State Parks California Office of Historic Preservation

**Acronyms and Abbreviations**

(Continued)

OPR	California Governor's Office of Planning and Research
OTIS	OHP Tracking and Inventory System
PCBs	Polychlorinated biphenyls
PD	Planned Development
PDS	Planning and Development Services
PI	plasticity index
PM	post meridiem (evening)
POCs	pollutants of concern
ppb	parts per billion
ppm	parts per million
PRC	California Public Resources Code
PSD	Prevention of Significant Deterioration
REC1	water contact recreation
REC2	non-contact water recreation
RELOOC	Regional Landfill Options for Orange County
RSF	Residential Single Family
SARWQCB	California Regional Water Quality Control Board, Santa Ana Region (8)
SAVI	Santa Ana Valley Irrigation
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCGC	Southern California Gas Company
SCE	Southern California Edison
SCN	Security Community Network
SCSs	sustainable community strategies
SDRWQCB	California Regional Water Quality Control Board, San Diego Region (9)
SEMS	Standardized Emergency Management System
SF	square feet
SFHA	Special Flood Hazard Areas
SHMA	Seismic Hazards Mapping Act of 1990
SIP	State Implementation Plan
SLCPs	short-lived climate pollutants
SOC	South Orange County (SDRQOCB Jurisdictional Area)
SOI	sphere of influence
SRA	State Responsibility Area <u>or</u> Source Receptor Area
SR-22 Freeway	Garden Grove Freeway
SSAB	Salton Sea Air Basin
State CEQA Guidelines	Guidelines for the Implementation of the California Environmental Quality Act
STS	Sasaki Transportation Services
TAC	toxic air contaminant
T-BACT	toxics best available control technology
TCRs	tribal cultural resources
TMDLs	total maximum daily loads
Transportation Manual	2020 Updated Transportation Implementation Manual, Final (November 17, 2020)
TUSD	Tustin Unified School District
Tustin	City of Tustin

**Acronyms and Abbreviations**

(Continued)

U.S.	United States
USACOE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
USGS	United States Geological Survey
USFWS	United States Fish and Wildlife Service
VHFHSZ	Very High Fire Hazard Severity Zone
VMT Guidelines	Guidelines for Evaluating Vehicle Miles Traveled under CEQA (September 17, 2020)
WARM	warm freshwater habitat
WIHMP	Watershed Infiltration and Hydromodification Master Plan
WILD	wildlife habitat
WQMP	water quality management plan
WQs	water quality standards
ybp	years before present

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## **PREFACE**

Based on the receipt of a development application from the Chabad Jewish Center of Tustin (Applicant or CJCT), the County of Orange’s OC Public Works / Development Services / Planning (OC Planning) has prepared this “Initial Study” document in compliance with specific analytical and disclosure requirements established under the provisions of the California Environmental Quality Act (CEQA), as codified in Section 21000 et seq., Chapter 3, Division 13 of the California Public Resources Code (PRC), the Guidelines for the California Environmental Quality Act (CEQA Guidelines), as codified in Title 14, Chapter 3, Section 15000 et seq. of the California Code of Regulations (CCR), and the County’s “2020 Local CEQA Procedures Manual” (County CEQA Manual), as adopted by the Orange County Board of Supervisors on November 17, 2020, and constitutes a component of the County of Orange’s (County or Lead Agency) entitlement process for the development project more thoroughly described herein.

## **1.0 INTRODUCTION**

### **1.1 Project Title(s)**

Chabad Jewish Center of Tustin

### **1.2 Lead Agency**

County of Orange  
OC Public Works | Development Services | Planning  
601 N. Ross Street, Santa Ana, California 92701

### **1.3 Lead Agency Contact Person**

County of Orange  
OC Public Works | Development Services | Planning  
Attn: Kevin Canning, Contract Planner  
601 N. Ross Street, Santa Ana, California 92701

Telephone: (714) 667-8847  
Email: kevin.canning@ocpw.ocgov.com

### **1.4 Introduction and Background**

The Chabad Jewish Center of Tustin presently operates an existing synagogue and Hebrew Sunday School from a “temporary” leased office space at an existing commercial center in the City of Tustin (City). In order to better serve the religious needs of its congregation, the Applicant seeks all requisite entitlements as may be required to construct and operate a more “permanent” religious center on an Applicant-owned site in the unincorporated North Tustin area of Orange County (County).

The existing storefront temple (13112 Newport Avenue, Suite H, Tustin 92780) is located only about 1.02-mile southeast of the subject property (18802 E. 17<sup>th</sup> Street, Santa Ana 92705). Based upon this, the Applicant and other leaders of the congregation believe that most of the synagogue’s existing congregation would follow the rabbi (Jewish religious leader) and the

rebbetzin (wife of the rabbi) to its new site. Additionally, the new self-owned facility would allow the CJCT to both increase the size of its existing congregation and to offer more community-based services for religious needs of its congregation than can be presently provided at and from its existing location.

### **1.5 Project Description**

The existing Chabad Jewish Center of Tustin, a presently operating Jewish synagogue, seeks to relocate from its existing 1,052 square-foot leased office space located at “Packers Square” (13112 Newport Avenue, Suite H, Tustin 92780), located on the east side of Newport Avenue and south of Irvine Boulevard in the City, to a proposed new synagogue-built facility in the North Tustin area of unincorporated Orange County. The new site will be an Applicant-owned facility located at 18802 E. 17<sup>th</sup> Street in the unincorporated “North Tustin Specific Plan” (NTSP) area of the County.

Key components of the proposed project include:

- Demolition of the existing single-family residence and clearance of the new site;
- Construction of a new approximately 9,850± square-foot place of worship consisting of a community assembly facility (main sanctuary) containing 50-fixed seats, an approximately 1,080± square foot accessory religious education room, a reference “Torah” library, a social hall and kitchen, administrative offices, and other ancillary facilities;
- Relocation of the existing synagogue and its operations from its existing storefront location to the newly constructed temple site, including the continuing operation of its religious and educational services, and community-outreach efforts;
- Establishment and operation of a new private preschool, licensed by the California Department of Social Services (DSS) to accommodate an estimated 30 pre-kindergarten-age children; and
- Issuance of all requisite permits and entitlements as may be required from the County for the approval, construction, and operation of the proposed project, including all its proposed component parts.

The community assembly facility, Hebrew Sunday School, and private preschool will each maintain distinct hours of operation. The proposed hours of operation of the Hebrew Sunday School (Sundays between 10:00 AM and 12:00 PM) and those of the private preschool (Monday through Friday between 8:00 AM and 5:30 PM) are different from those associated with the main sanctuary (Saturday between 9:00 AM to 12:00 PM). As a result, no operational or other conflicts would be expected as a result of the multiple religious, educational, and social functions to be offered on the project site.

Relative to the proposed Hebrew Sunday School and private preschool:

- **Hebrew Sunday School.** The Applicant presently operates a Hebrew Sunday School at its existing facility (13112 Newport Avenue, Suite H, Tustin 92780). By increasing the square footage of other communal areas distinct from the main sanctuary, it is the Applicant’s intent to continue and to expand the number of individuals that are able of attend the Hebrew Sunday School once the new facility is constructed. The Hebrew Sunday School does not offer general education, is not age-specific, and its curriculum is not regulated by any public agencies at the local, State, or federal levels. The primary purpose of the Hebrew Sunday School is to teach children to learn and to read Hebrew for recital at their bar/bat mitzvah.

## Chabad Jewish Center of Tustin

18802 E. 17<sup>th</sup> Street, Santa Ana 92705

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Because the Hebrew Sunday School is not “separately classified and regulated” by any federal, State, or local agency, it is considered an integral part of the proposed synagogue and not independent therefrom.

- **Private Preschool.** Independent of the Hebrew Sunday School, it is the Applicant’s intent to operate a private preschool for preschool age children (3-5 years old).

### 1.6 Project Location

The proposed project’s regional and local vicinities are depicted in [Figure 1](#) (Chabad Jewish Center of Tustin - Regional Vicinity Map) and [Figure 2](#) (Chabad Jewish Center of Tustin - General Vicinity Map). As illustrated in [Figure 3](#) (Assessor’s Parcel Map [APN 401-081-12] [March 1967]), the project site is recorded in Book 401, Page 081 of the County’s Official Maps and has been assigned Assessor’s Parcel Number (APN) 401-081-12. The approximately 0.88-acre (38,136 gross/31,656 net square feet) project site, as illustrated in [Figure 4](#) (Chabad Jewish Center of Tustin Project Site [18802 E. 17<sup>th</sup> Street, Santa Ana, California 92705]), is located on unincorporated County lands, east of Hemes Avenue and west of Gimbert Lane, in the North Tustin area.

The project site is located in the United States Geological Survey’s (USGS) Orange 7.5-Minute Topographic Quadrangle (Township 5 South, Range 9 West, San Bernardino Base Meridian). In addition, the project site is located within the jurisdictional area of the California Regional Water Quality Control Board, Santa Ana Region (SARWQCB) and the South Coast Air Quality Management District (SCAQMD).

### 1.7 Project Sponsor/Applicant

Chabad Jewish Center of Tustin  
Attn: Rabbi Shuey Eliezrie  
13112 Newport Avenue, Suite H  
Tustin, California 92780

Telephone: (714) 508-2150  
Email: chabadtustin@sbcglobal.net

### 1.8 General Plan/Specific Plan Designations

Orange County General Plan: Suburban Residential (1B)  
Suburban Residential Communities (0.5-18 DU/Ac)  
Specific Plan (S) (North Tustin)

North Tustin Specific Plan: 1.2 Residential, Medium Low Density (2.0-3.5 DU/Ac)

### 1.9 Zoning Districts

North Tustin Specific Plan: RSF - Residential Single Family  
(Minimum lot size 10,000 square feet) (100 RSF)

Chabad Jewish Center of Tustin  
18802 E. 17<sup>th</sup> Street, Santa Ana 92705



Figure 1  
**CHABAD JEWISH CENTER OF TUSTIN REGIONAL VICINITY MAP**  
Source: United States Department of the Army Corps of Engineers, Los Angeles District

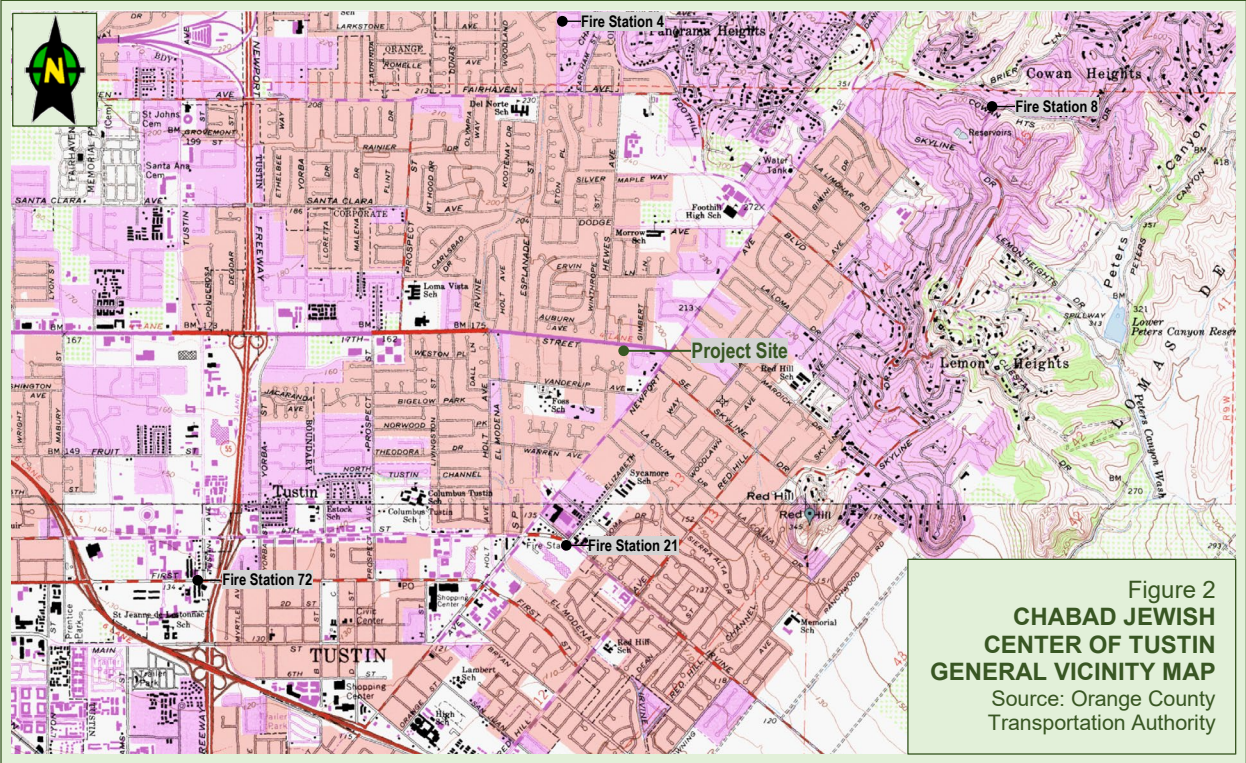


Figure 2  
**CHABAD JEWISH CENTER OF TUSTIN GENERAL VICINITY MAP**  
Source: Orange County Transportation Authority

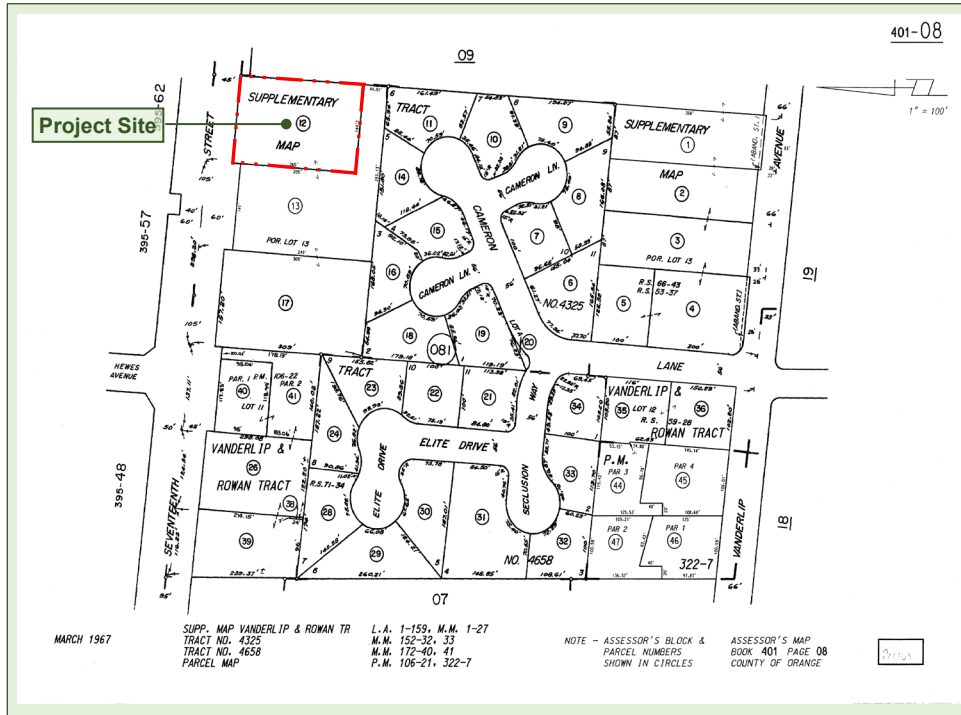


Figure 3  
**ASSESSOR'S  
 PARCEL MAP**  
 (APN 401-081-12)  
 (March 1967)  
 Source: Orange  
 County Recorder

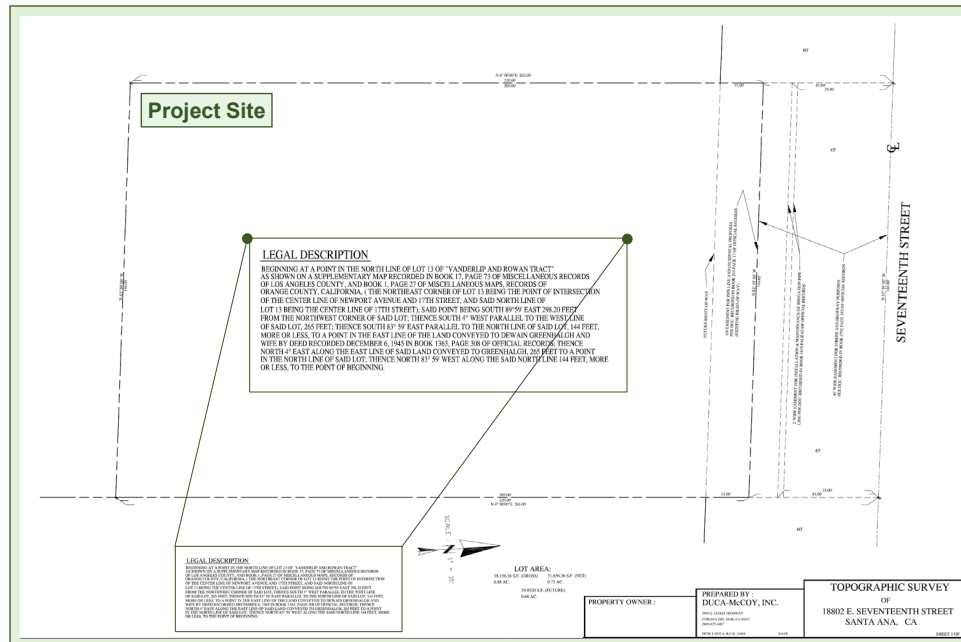


Figure 4  
**CHABAD JEWISH  
 CENTER OF TUSTIN  
 PROJECT SITE**  
 (18802 E. 17<sup>th</sup> Street,  
 Santa Ana, CA 92705)  
 Source: Duco-McCoy, Inc.

## **1.10 Proposed Project Overview**

Churches, synagogues, and mosques are common examples of structures created specifically as places for worship. A synagogue constitutes a physical space where individuals and groups can come to perform acts of devotion, veneration, and religious study. Synagogues typically include a house of prayer, a house of study, a social hall and kitchen, administrative offices, and other ancillary facilities.

In addition to the synagogue's traditional religious services, Hebrew Sunday School, and proposed private preschool, the CJCT plans to continue to host bar/bat mitzvahs, small weddings, memorial services, associated preschool activities, and other associated events (as typically associated with places of worship) celebrating the Jewish community and its heritage, welcoming thereto not only the members of its current congregation and the families of preschool students but also other invitees of the larger community, independent of whether those individuals and those families presently attend the existing synagogue, actively practice, or have a deep understanding of Judaism.

Since 2011, the existing synagogue has operated from an interim location. The existing CJCT and Hebrew Sunday School presently operate from a leased office located at "Packers Square" (13112 Newport Avenue, Suite H, Tustin 92780). In order to create a permanent home and to better serve the religious needs of the larger community, the CJCT seeks the County's authorization to construct and operate a new, single-story approximately 9,850± square-foot synagogue, Hebrew Sunday School, and private preschool, inclusive of other accessory and ancillary activities associated therewith, at 18002 E. 17<sup>th</sup> Street, Santa Ana, California 92705.

The proposed project includes the following components:

- 1,950± square-foot community assembly facility (main sanctuary) with 50-fixed seats, including ancillary facilities (e.g., administrative offices, restrooms, laundry room, storage space);
- 1,080± square-foot accessory religious education room (e.g., classroom);
- 790± square foot "Torah" library;
- 1,200± square foot social hall;
- 550± square-foot kitchen and associated pantry space;
- 940± square-foot lobby;
- 1,875± square-foot outdoor patio area for fellowship and social gatherings;
- Children's outdoor playground area; and
- Off-street parking accommodating 20 vehicles.

Within the confines of the approximately 9,850± square-foot proposed facility, all square footages represent approximations and remain subject to further change and refinement.

Refer to [Section 3.0](#) (Project Description) for a more detailed description of the proposed project.

The project site was selected because it is situated near the center of the area's Jewish communities and is directly accessible by motorists, pedestrians, and via public transit. The facility's placement is important because Jewish religious law of this Orthodox congregation limits travel on the "Sabbath" (lasting from just before sundown on Friday to nightfall on Saturday), the time when most members of the congregation would attend worship services. Because the synagogue is Orthodox, some of its members would be expected to follow its religious tenets and walk to the synagogue on the "Sabbath."

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## 1.11 Surrounding Land Uses and Setting

The project area can be generally characterized as primarily consisting of low-density (single-family, detached) residential uses. Notwithstanding that characterization, the site abuts a non-residential, skilled nursing facility (Neuro Restorative, 18792 E. 17<sup>th</sup> Street, Santa Ana 92705) on both the west and on the south. An existing private school (Foothill Montessori School, 18692 E. 17<sup>th</sup> Street, North Tustin 92705), offering pre-kindergarten (pre-K) through 3<sup>rd</sup> grade education, is located about 450 feet (0.08 miles) west of the site. Office-related and general commercial uses are located east of the site along Newport Avenue, south of E. 17<sup>th</sup> Street.

As illustrated in Figure 5 (Aerial Photograph), the project site (APN 401-018-12) is presently occupied by an existing but vacant single-family residential unit. The site is developed and contains no native vegetation.



Figure 5  
**AERIAL PHOTOGRAPH**  
Source: Google Earth



The subject property is bordered on the north by E. 17<sup>th</sup> Street and on both south and west by Neuro Restorative (18792 E. 17<sup>th</sup> Street, Santa Ana 92705), an existing assisted-living facility. To the south of the project site is an existing parking area associated with Neuro Restorative.

To the south of that parking lot are a number of additional single-family homes located along Cameron Lane (14071 and 14072). The masonry wall located to the south of the adjoining parking area (associated with Neuro Restorative) appears to be about 6 feet tall and raises to about 8 feet where the residence to the south is the closest to the project site.

As illustrated in [Figure 6](#) (Adjoining Residential Land Uses [Sleepy Hollow] [18842-18852 Jane Circle and 14031-14041 Dryden Lane]), the project site is bordered on the east by the rear yards of four existing single-story, detached residential units located along Jane Circle (18842 and 18852) and Dryden Lane (14031 and 14041) within the abutting “Sleepy Hollow” residential community. A minimum 8-foot-tall concrete block wall separates the project site from those existing residences. In addition, along the southern and western property boundary there are also, masonry walls, ranging in height between about 6 and 7 feet with regular “windows” provided every other panel.



On the north side of E. 17<sup>th</sup> Street, located along Bermington Court, is “California Crossing” (Kaufman and Broad, 1995), an existing gated residential community.

Figure 6  
**ADJOINING RESIDENTIAL LAND USES (SLEEPY HOLLOW)**  
(18842-18852 JANE CIRCLE AND 14031-14041 DRYDEN LANE)  
Source: Redfin Real Estate

An existing raised center median accommodating access to Bermington Court, generally extending between Hewes Avenue on the west and Gimbert Lane on the east, prevents the westbound movement of vehicles exiting the project site onto E. 17<sup>th</sup> Street. Similarly, the center median prevents vehicles traveling westbound on E. 17<sup>th</sup> Street from turning left to enter the project site.



## **1.12 California Native American Consultation**

Senate Bill (SB) 18 (Traditional Tribal Cultural Places), as codified in Section 65352.3, of the California Government Code (CGC), requires local governments to consult with California Native American tribes, organizations, and persons prior to taking certain planning actions. Prior to the approval of any general or specific plan or an amendment thereto, a local government must notify those California Native American tribes identified on the Native American Heritage Commission's (NAHC) contact list of the opportunity to conduct consultation for the purpose of preserving in place or mitigating impacts to cultural places or resources that may be affected by the proposed action. Since the proposed project does not include either the adoption of amendment of a general or specific plan, the notification and consultation provisions of SB 18 are not applicable to this proposed project.

Assembly Bill (AB) 52 (Native American Historic Resource Protection Act), codified in Section 21080.3.1(b)-(e) and 21080.3.2 of the Public Resources Code (PRC), requires that the Lead Agency consult with California Native American tribes identified by the NAHC for the purpose of mitigating potential project-related impacts to "tribal cultural resources" (TCR). Under CEQA, AB 52 applies to all projects on or after July 1, 2015, for which a lead agency has issued a "Notice of Preparation" for the preparation of an environmental impact report (EIR) or a "Notice of Intent" (NOI) to adopt a negative declaration or mitigated negative declaration.

Additional information concerning compliance with AB 52 is presented in Section XVIII (Tribal Cultural Resources) of this document.

On June 10, 2021, the County sent "Initial Consultation" letters in compliance with AB 52 to the following Native American tribes:

- Gabrieleño Band of Mission Indians - Kizh Nation;
- Juaneño Band of Mission Indians;
- San Gabriel Band of Mission Indians; and
- Soboba Band of Luiseño Indians.

## **2.0 ENVIRONMENTAL DETERMINATION**

If approved, the proposed project would necessitate the approval of a number of separate discretionary permits and approvals from the County. The presence of one or more discretionary actions requires compliance with the provisions of CEQA, as codified in Section 21000 et seq., Chapter 3, Division 13 of the PRC, the CEQA Guidelines, and the County's "2020 Local CEQA Procedures Manual" (adopted November 17, 2020).

OC Planning conducted an analysis of the potential environmental impacts associated with the construction, and operation of the proposed project based, in part, on the environmental checklist form presented in Appendix G (Environmental Checklist Form) of the CEQA Guidelines and the County's "2020 Local CEQA Procedures Manual." The environmental checklist form and the information presented by OC Planning in support of the determinations presented therein are included in Chapter 4 (Environmental Evaluation) of this Initial Study.

## **3.0 PROJECT DESCRIPTION**

### **3.1 Introduction**

The proposed project is subject to the provisions of the “County of Orange Comprehensive General Plan” (OCGP), adopted September 13, 2005 (Resolution 05-222), as amended, the “North Tustin Specific Plan” (NTSP), adopted on September 29, 1982 (Ordinance No. 3348/Resolution No. 82-1469), as amended on April 30, 1986 (Ordinance No. 3586) and on August 29, 2018 (Ordinance No. 18-006), and “The Codified Ordinances of the County of Orange,” as adopted on December 19, 1973, as amended (Codified Ordinances).

In addition, the proposed project will be required to comply with all applicable provisions of the “California Energy Code, 2019 Edition” (2019 CEC), “California Green Building Code, 2019 Edition” (2019 CalGreen), and other applicable codes and ordinances relating to the project’s design, construction, and operation.

### **3.2 Construction Activities**

Subject to a County-issued demolition permit, project implementation will necessitate the demolition of the existing single-family residence located on the project site, including the removal of construction and demolition (C&D) debris associated therewith. Subject to a separate County-issued precise grading permit, all grading activities will be conducted in compliance with the “Orange County Grading Manual, 2017 Edition” (OC Grading Manual) and “California Building Code, 2019 Edition” and the “International Building Code, 2018 Edition” (2019 CBC), as modified under Ordinance No. 19-006 (November 5, 2019), or as otherwise determined by the Building Official.

Unless otherwise waived by the Building Official, prior to the commencement of construction activities the Applicant shall submit a geotechnical/soil engineering and engineering geology report (Codified Ordinances § 7-1-819). Recommendations included in that report, as approved by the Building Official, are required to be incorporated in the project’s grading plans or specifications.

Either a preliminary grading permit or a precise grading permit (Codified Ordinances §§ 7-1-805 and 7-1-806) may be issued for grading work upon completion of an application in accordance with Subarticle 5 (Grading Permit Requirements) of the OC Grading Manual and approval by the Building Official.

With the exception of legal on-street parking in the general proximity of the project site, no construction staging or other material storage activities are presently planned at any off-site locations. While no discussions have been initiated between the Applicant and the owners and operators of the adjoining parking area located to the south of the project site and associated with the existing Neuro Restorative (18792 E. 17<sup>th</sup> Street, Santa Ana 92705), a potential off-site and off-street construction staging area could exist on the southeasterly portion of that facility’s parking area. Any such use would be subject to any agreement negotiated between the Applicant and Neuro Restorative and would ensure that any such use would not adversely impact the ongoing operation of Neuro Restorative or its parking area. If an agreement is reached between the Applicant and Neuro Restorative, direct access to and from the project site would ensure that Neuro Restorative’s existing operations would experience only minimal impacts.

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The project site includes an existing single-family residence (18802 E. 17<sup>th</sup> Street, Santa Ana 92705) constructed in 1950. That partially raised foundation and partially slab-on-grade residence, detached garage, and in-ground swimming pool, will require demolition and site clearance (including vegetation removal) as a precursor to the site's development for the proposed project. Site clearance would require that portions of the site be excavated to a depth ranging between approximately 3 and 9 feet below existing grade.

The site survey indicates that the project site consists of an estimated 38,136.36 gross square feet, 31,656.36 net square feet, and 29,952 future square feet (after exactions). The proposed project was addressed at the North Tustin Advisory Committee (NTAC) on July 21, 2021 and in comments submitted by the Foothill Communities Association (FCA) dated July 19, 2021. Both the NTAC's guidance and all written and oral comments received by and presented to the NTAC were considered and integrated in this CEQA analysis. At the NTAC meeting, the subject property was alternatively referred to as "slightly less than 39,000 square feet" and consisting of a "property net as 31,689 square feet." Those figures are assumed to constitute generalization rather than precise depictions. The information presented in the site survey is assumed to be the most accurate depiction of the gross, net, and future sizes of the project site.

Grading activities are not expected to balance on the project site. Based on an engineering analysis conducted by Wolfe Engineering, grading quantities are assumed to include an estimated four cubic yards (CY) of cut and 1,346 CY of fill. The proposed project's conceptual grading plan, including both east-west and north-south cross sections, is included in Figure 7 (Chabad Jewish Center of Tustin – Conceptual Grading Plan and Drainage Cross-Sections [May 2021]).

Although no borrow sites have yet to be identified, because the existing grade of the project site is below that of the adjoining street frontage, an estimated 1,346 cubic yards of soil would likely be imported from one or more nearby construction sites. All soil transport activities will fully comply with applicable local and State regulations.

### 3.3 Site Improvement Characteristics

Unless subsequently amended, the project's design, development, and operation shall fully and faithfully comply with all applicable provisions of the 2019 California Fire Code (24 CCR Part 9), (2019 CFC) as adopted by the County Board of Supervisors on November 5, 2019 (Ordinance No. 19-010). In the 2019 CFC, a "place of religious worship" is defined as "[a] building or portion thereof intended for the performance of religious services." The physical structure associated with the proposed project meet that definition.

The proposed site plan, building configuration, and off-street parking plan are intended to accommodate those functions and have been formulated specifically in recognition of abutting land uses. To the south and to the west of the project site is an existing parking lot and drive aisle associated with an existing skilled nursing facility (Neuro Restorative). To the north is E. 17<sup>th</sup> Street. The only abutting sensitive land uses (four single-family homes in Sleepy Hollow) are located to the east of the subject property. No operable windows or doors **open directly to the east**. The proposed Project's conceptual site plan, configuration and elevations are illustrated in Figure 8 (Chabad Jewish Center of Tustin - Conceptual Site Plan [April 2021]), Figure 9 (Chabad Jewish Center of Tustin - Conceptual Building Layout [January 2021]), and Figure 10 (Chabad Jewish Center of Tustin - Conceptual Elevations [January 2021]), respectively. Topographic information and pre- and post-project cross section elevations are presented in

Figure 7 (Chabad Jewish Center of Tustin – Conceptual Grading Plan and Drainage Cross-Sections [May 2021]).

- Subject to the specified design parameters (e.g., gross square footage and specific permit authorizations), the site plan (e.g., building placement), interior space (e.g., the placement and square footages of each area), and the exterior design (e.g., building design and fenestration), remain subject to change and refinement. Design changes could result from Applicant-initiated actions, environmental and engineering consideration, DSS requirements, or other causes.

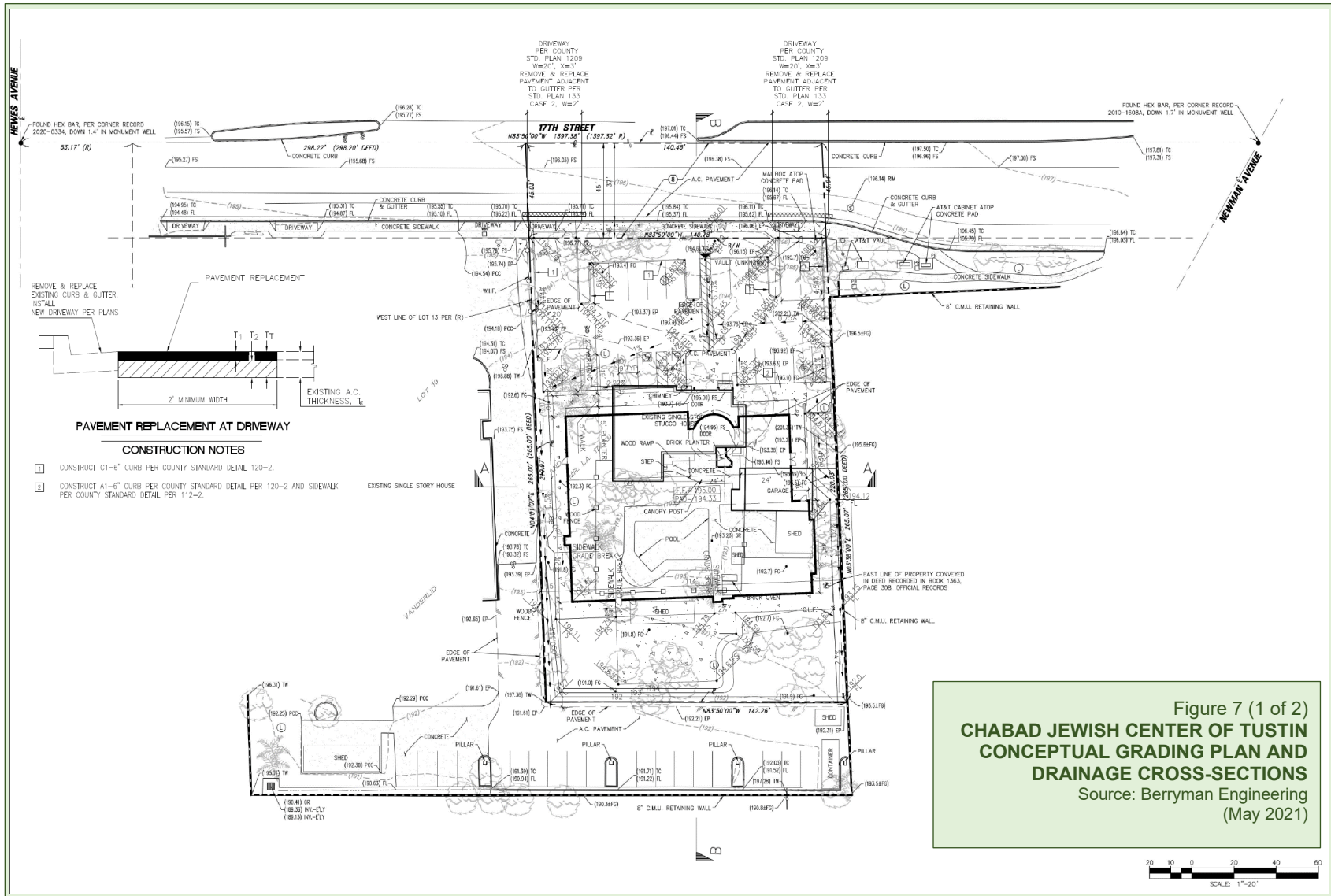
All stormwater will be conveyed through the site per the existing drainage pattern. Flows currently drain in the westerly direction toward the rear property line. The project accepts no off-site run on. Flows from the rear property boundary are conveyed to an existing drainage inlet in the downstream offsite property. All flows leaving the site will be reduced by on-site retention and equal to the existing flow. No increased runoff is allowed.

As illustrated in Figure 10 (Chabad Jewish Center of Tustin - Conceptual Elevations [January 2021]), the maximum height of the main sanctuary is 30 feet above finish grade. Based on the NTAC's review of and comments on the proposed project, the proposed 30-foot building height was reduced from the original design height of 34 feet so as to be more compatible with other proximal uses. The main sanctuary has been designed and will be operated as a single-story building with a vaulted ceiling, as appropriate and common for a place of worship (no operable second-floor areas are proposed).

As proposed, the main sanctuary will include only 50-fixed seats. The number of fixed seats is not, however, synonymous with the physical design capacity of the building, as established by the 2019 CBC and 2019 CFC.

The proposed site plan, building configuration, and off-street parking plan have been formulated specifically in recognition of adjacent land uses. The only abutting sensitive land uses (four single-family homes in the Sleepy Hollow neighborhood) and the adjacent Neuro Restorative facility are located to the east of the subject property. Functional outdoor areas have been purposefully located in the southwestern portion of the property to provide the maximum physical separation distance between those active and passive recreational areas and the existing single-story, single-family residential uses abutting the property's eastern boundary (18842 and 18852 Jane Circle and 14031 and 14041 Dryden Lane).

Ground-level exterior openings, including both windows and doors, to the main sanctuary are limited to mitigate noise transmission to adjoining residential receptors, to reduce distractions during religious services, and for the security of worshipers. A single door, allowing for emergency ingress and egress from the main sanctuary, opens to the north, such that any noises emanating from the main sanctuary would not be directed toward the existing abutting residences. One set of double doors from the "Torah" library will open to the east. All outdoor areas where individuals might congregate, including the active playground area associated with the proposed private preschool and the passive communal patio areas are located toward the west side of the property.



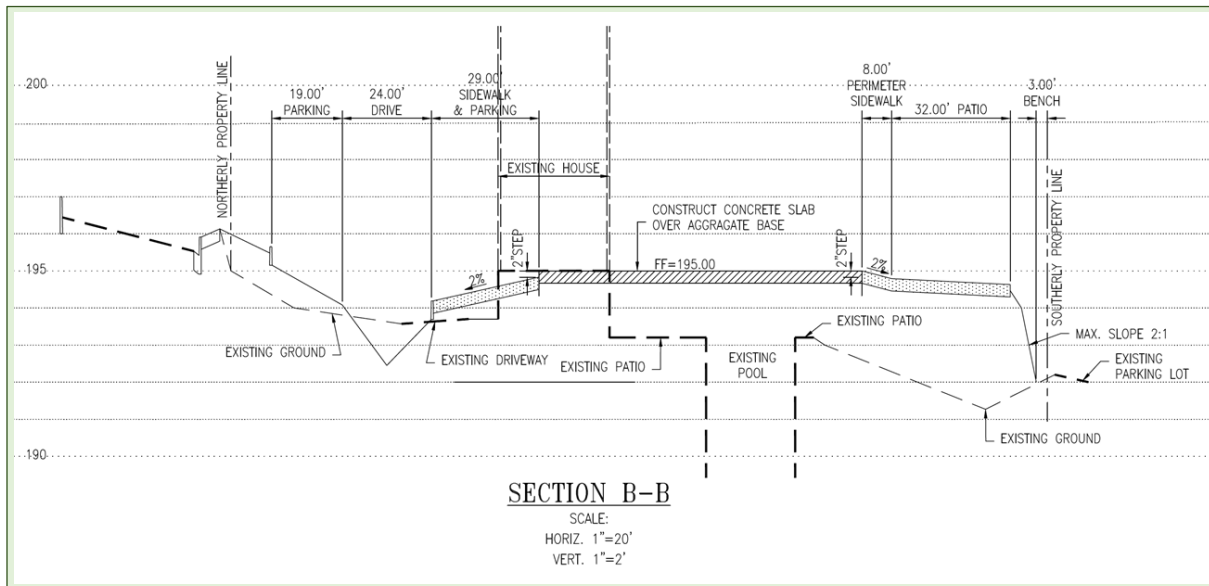
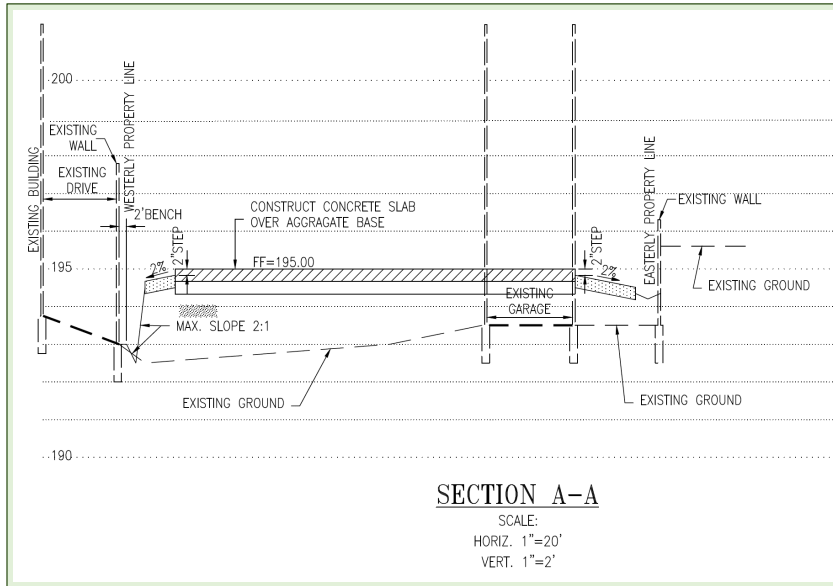
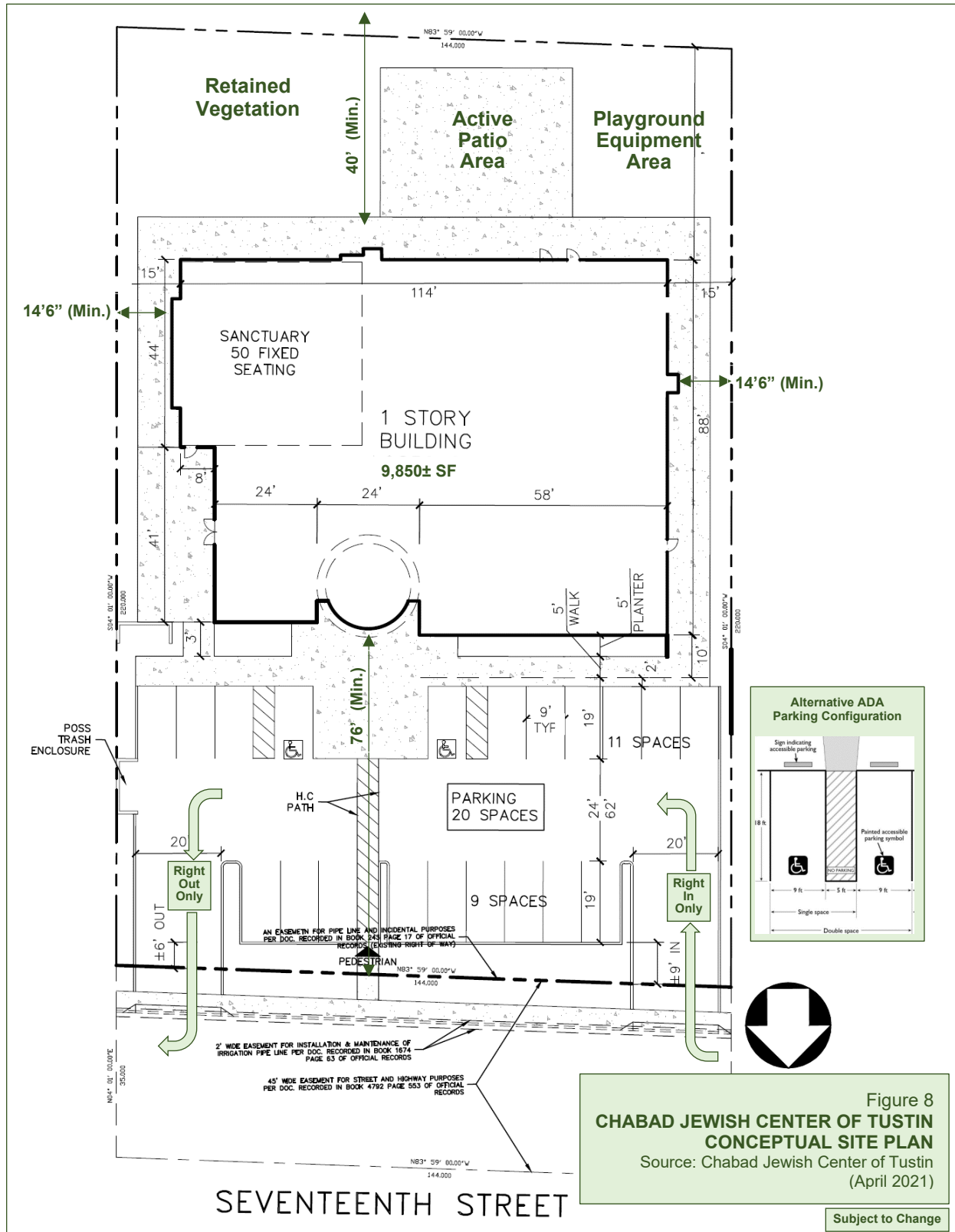


Figure 7 (2 of 2)  
**CHABAD JEWISH CENTER OF TUSTIN**  
**CONCEPTUAL GRADING PLAN AND**  
**DRAINAGE CROSS-SECTIONS**  
 Source: Berryman Engineering  
 (May 2021)



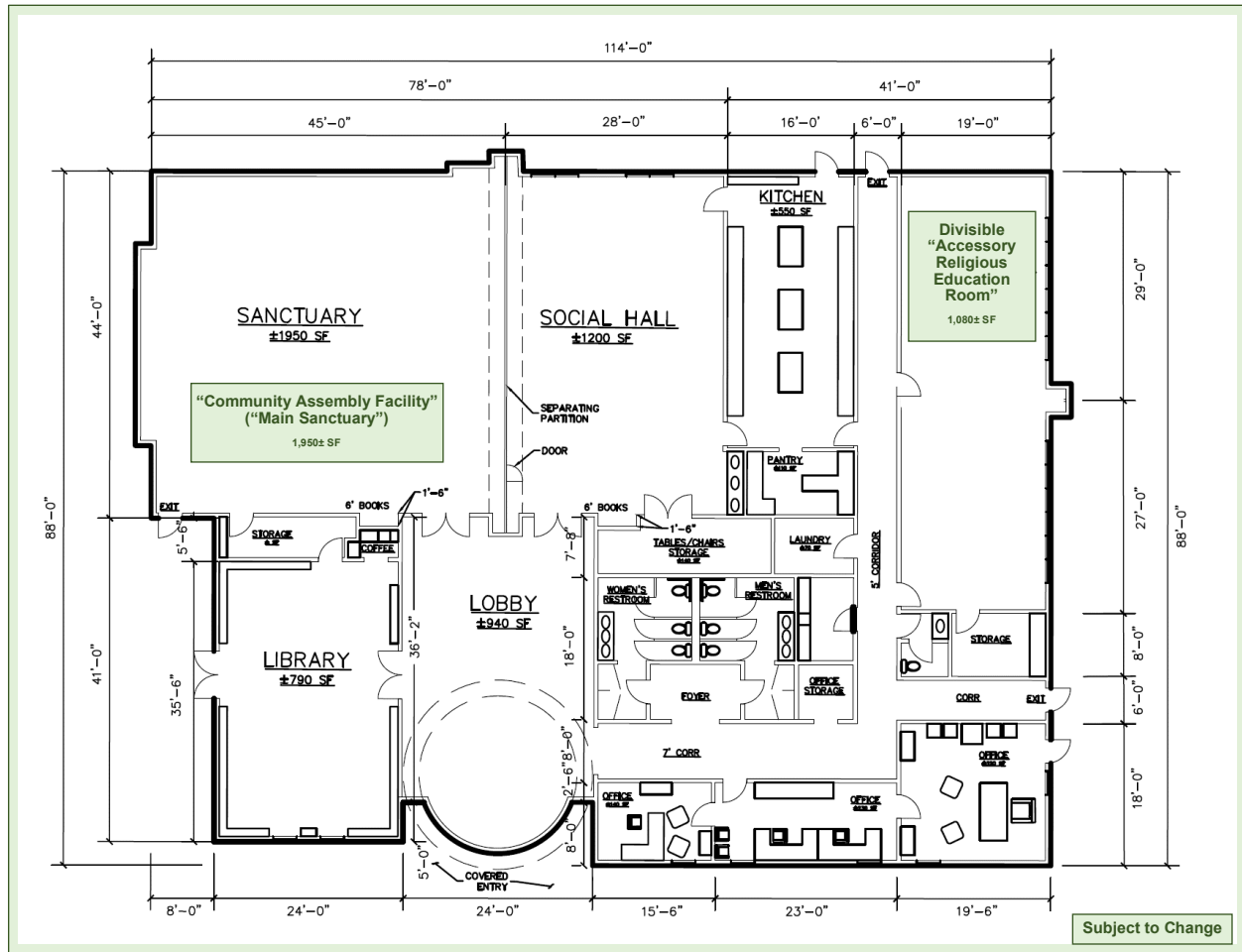


Figure 9  
**CHABAD JEWISH CENTER OF TUSTIN  
CONCEPTUAL BUILDING LAYOUT**  
Source: Chabad Jewish Center of Tustin (January 2021)

Outdoor areas have multiple points of pedestrian access, including direct access from the building's interior and a separate exterior route located along the west side of the building. Natural lighting to the main sanctuary will be provided from a wide-extent of high windows and/or roof-mounted skylights.

- Conceptual Landscape Plan.** As illustrated in [Figure 11](#) (Chabad Jewish Center of Tustin - Conceptual Landscape Plan), extensive vegetation is proposed both along the site's northern frontage and eastern property line. The project has been designed to retain both the large *Ficus nitida* located in the southeastern corner of the property and *Schinus molle* adjacent to the E. 17<sup>th</sup> Street right-of-way (ROW).

Final landscape plans will be submitted during the building permit process.



# Chabad Jewish Center of Tustin

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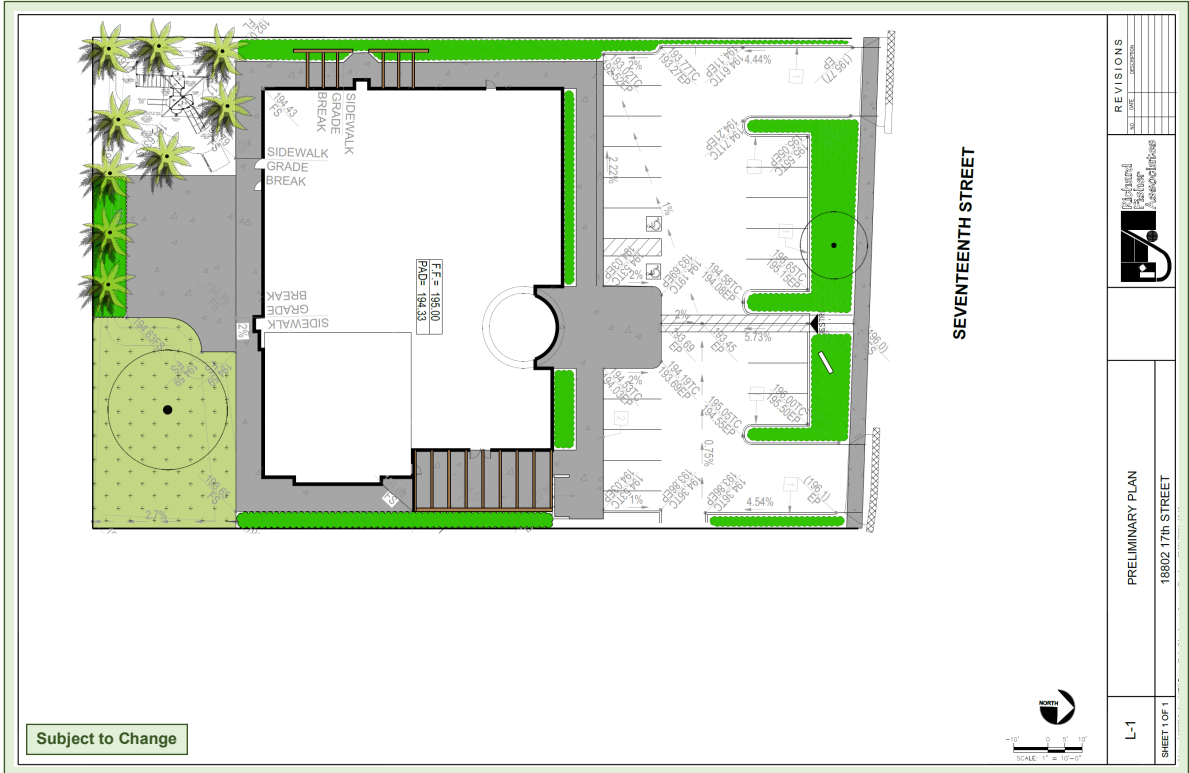


North Elevation



South Elevation

Figure 10  
**CHABAD JEWISH CENTER OF TUSTIN  
CONCEPTUAL ELEVATIONS**  
Source: Chabad Jewish Center of Tustin (January 2021)



Subject to Change

REVISIONS	
NO.	DATE
Richard Fisher Associates	
<b>PRELIMINARY PLAN</b>	
18802 17th STREET	
L-1	SHEET 1 OF 1

TREES	BOTANICAL NAME	COMMON NAME	SIZE
	<i>Archontophoenix cunninghamiana</i>	King Palm	12' BTH
	<i>Agonis flexuosa</i>	Peppermint Tree	24" BOX
	<i>Lagerstroemia indica 'Catawba'</i>	Purple Crape Myrtle	24" BOX
	<i>Lagerstroemia indica 'Natchez'</i>	White Crape Myrtle	24" BOX
	<i>Lophostemon confertus</i>	Brisbane Box	24" BOX
	<i>Schinus molle</i>	California Pepper Tree	24" BOX

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE
	<i>Aeonium attenuata</i>	Foxtail Agave	15 GAL
	<i>Agave 'Blue Glow'</i>	Blue Glow Agave	15 GAL
	<i>Aloe ferax</i>	Cape Aloe	15 GAL
	<i>Aloe plicata</i>	Fan Aloe	15 GAL
	<i>Bougainvillea 'Barbara Karst'</i>	Bougainvillea	5 GAL
	<i>Callistemon viminalis 'Little John'</i>	Dwarf Bottlebrush	5 GAL
	<i>Carex pansa</i>	Dune Sedge	1 GAL
	<i>Carissa M. 'Green Carpet'</i>	Green Carpet Natal Plum	5 GAL
	<i>Chondropetalum tectorum</i>	Small Cape Rush	1 GAL
	<i>Clematis 'armandii'</i>	Evergreen Clematis	15 GAL

SHRUBS CONT.	BOTANICAL NAME	COMMON NAME	SIZE
	<i>Cupressus sempervirens 'Tiny Tower'</i>	Tiny Tower Italian Cypress	15 GAL
	<i>Dianella tasmanica 'Variegata'</i>	White-striped Tasmanian Flax Lily	5 GAL
	<i>Distictus buccinatoria</i>	Blood-Red Trumpet Vine	15 GAL
	<i>Festua 'Maurei'</i>	Atlas Fescue	1 GAL
	<i>Gelsemium sempervirens</i>	Carolina Jasmine	15 GAL
	<i>Hesperaloe parviflora</i>	Red Yucca	15 GAL
	<i>Ilex aquifolium 'Argentea Marginata'</i>	Briard-leafed Silver Holly	5 GAL
	<i>Ligustrum japonica 'Texanum'</i>	Waxleaf Privet	5 GAL
	<i>Muhlenbergia rigens</i>	Deer Grass	5 GAL
	<i>Parthenocissus tricuspidata</i>	Boston Ivy	1 GAL
	<i>Pennisetum spathiolatum</i>	Splendor Veldt Grass	5 GAL
	<i>Podocarpus gracillior</i>	Fern Pine	15 GAL
	<i>Rhaphiolepis indica 'Clara'</i>	Indian Hawthorn	5 GAL
	<i>Senecio serpens</i>	Mini Blue Chalksticks	1 GAL
	<i>Sesleria autumnalis</i>	Autumn Moor Grass	1 GAL
	<i>Syzygium paniculatum</i>	Bush Cherry	5 GAL
	<i>Yucca filamentosa 'Bright Edge'</i>	Adam's Needle	15 GAL

Figure 11  
**CHABAD JEWISH CENTER OF TUSTIN**  
**CONCEPTUAL LANDSCAPE PLAN**  
 Source: Richard Fisher Associates (September 2021)

- Conceptual Fencing Plan.** The existing approximately 8-foot-tall concrete masonry block (CMB) wall located along the project site's eastern border will be retained. Similarly, the approximately 6-foot-tall CBM wall located along the southern and western property boundary will be retained. No wall is proposed along the property's E. 17<sup>th</sup> Street ROW.

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- **Conceptual Signage Plan.** Pursuant to the NTSP: “Require exterior signage and lighting to be subdued in character and nonintrusive upon neighboring uses” (Policy A-5). As illustrated in Figure 12 (Chabad Jewish Center of Tustin – Conceptual Signage Plan), the Applicant seeks authorization to construct a monument (ground) sign along the E. 17<sup>th</sup> Street frontage. That free-standing signage may be internally illuminated and/or be illuminated through the use of landscape (accent) lighting.



Figure 12  
**CHABAD JEWISH CENTER OF TUSTIN  
CONCEPTUAL SIGNAGE PLAN**  
Source: Chabad Jewish Center of Tustin (September 2021)

- **Conceptual Circulation Plan.** As indicated in the conceptual site plan, allowing for one-directional circulation, two separate points of vehicular ingress and egress are proposed for the project site so that motorists and emergency responders are not required to back onto E. 17<sup>th</sup> Street but rather enter through one driveway and depart via the other.

The proposed configuration of the project driveway is depicted as a loop that has two openings to E. 17<sup>th</sup> Street that may accommodate vehicles entering the site from the easterly driveway and then exiting the site at the westerly driveway in a continuous forward maneuver without the need for reverse movements or a 3-point turn. The proposed driveway design is adequate for the maneuvering movements of passenger cars and waste management full-size pickup trucks. The proposed driveway design is also adequate for the maneuvering movements of a FedEx and UPS standard parcel delivery van/truck. Both driveways will be

separately marked and, based on the existing median, posted as “right in” (ingress) and “right out” (egress) only.

- **Conceptual Parking Plan.** Each of the uses proposed on the project site generally operate during different hours:
  - ◆ Synagogue (main sanctuary): Saturday between 10:00 AM to 12:00 PM;
  - ◆ Sunday school: Sundays between 10:00 AM and 12:00 PM; and
  - ◆ Private preschool: Monday through Friday between 8:00 AM and 5:30 PM

The proposed project’s three uses (i.e., place of worship, Sunday school, private preschool) each operate separately, such that each use has distinct hours of operation. Parking demands associated with each of those uses are, therefore, not expected to overlap.

The County’s methodology for the calculation of parking requirements for places of worship includes a ratio of one parking space for “each 3 fixed seats.” With 50 fixed seats, only 17 parking spaces are required for the proposed place of worship. In compliance with the provisions of the Codified Ordinances (Codified Ordinances § 7-9-70.4 et seq.), a total of 20 off-street parking spaces are presently proposed. Two accessible parking spaces designed and configured in compliance with the current version of the 2019 CBC and United States Department of Justice’s “Americans with Disabilities Act Standards for Accessible Design,” inclusive of one van accessible parking space, are proposed.

In compliance with the Codified Ordinances (Codified Ordinances § 7-9-70.4), all standard parking spaces shall have a minimum clear unobstructed 9-foot width and minimum 18-foot length. Accessways and drive aisles shall be designed in compliance with the Codified Ordinances (Codified Ordinances § 7-9-70[c]). Excluding the two driveways and pedestrian access, the parking area will be screened from E. 17<sup>th</sup> Street by a landscaped area not less than 6-feet in width.

With regards to “child care centers/early educational facilities,” as specified in the Codified Ordinances (Codified Ordinances § 7-9-70.6), licensed facilities providing non-medical daytime care and/or early education for children shall provide two parking spaces for each three employees and teachers plus one loading space for every eight children.

Pursuant to Section 101216.3 (Teacher-Child Ratio) of the CCR, teacher-child ratios for pre-school age children (2-5 years old) include: (1) one fully-qualified teacher for every 12 preschool children (1:12); or (2) one fully-qualified teacher with one teacher assistant for every 15 preschool children (1:15). With a maximum capacity of 30 students, the proposed private preschool will provide a minimum of two teachers and two teacher assistants (a minimum of four teachers and teacher assistants).

As specified in the Codified Ordinances (Codified Ordinances § 7-9-70.6), two parking spaces shall be provided for every three employees and teachers plus one loading space for every 8 children. In compliance therewith, a total of only two off-street parking spaces, plus four loading spaces, are required for the private preschool. Since 20 off-street parking spaces are presently proposed on the project site, parking for employees, teachers, and teacher assistants, including the required loading spaces, can be readily accommodated on the project site.

Since parking demands associated with the synagogue and Sunday school are not concurrent with the private preschool, on-site parking will be sufficient to accommodate the private preschool, including the loading space requirements associated therewith.

Off-street parking is legally authorized along E. 17<sup>th</sup> Street in the general area of the project site and is routinely utilized for a range of other land-uses (e.g., places of worship and private schools) located thereupon. The use of legally allowable on-street parking cannot be assumed to result in any safety hazards or otherwise impede traffic.

In compliance with Section 5.106.5.2 (Designated Parking for Clean Air Vehicles) of 2019 CalGreen, the proposed project shall provide and delineate one designated parking space for any combination of low-emitting, fuel-efficient, and carpool/van pool vehicles. Alternatively, as required under Section 5.106.5.3.1 (Single Charging Space Required) of the “California Electrical Code, 2019 Edition,” a raceway for a future electric vehicle charging station (EVCS) shall be installed at the time of construction. An EVCS would qualify as the designated parking for clean air vehicles described in Section 5.106.5.2 (Designated Parking for Clean Air Vehicles) of 2019 CalGreen.

The Jewish “Sabbath” is a weekly day of rest, observed from sundown on Friday until the appearance of three stars in the sky on Saturday night. Many Jewish communities hold “Shabbat” services on both Friday night and on Saturday morning. Because the tenets of this Orthodox congregation generally forbid the performance of certain labors, including operating a vehicle except in a life-threatening emergency, during the “Shabbat,” parking demands during many religious services may be less than Countywide standardized ratios which do not expressly consider Jewish tradition and practices. Because the synagogue is Orthodox, some of its members would be expected to walk to the synagogue on the “Sabbath.”

During certain Jewish holidays and days of commemoration, attendance levels may rise about the synagogue’s more customary usage. In addition, the currently CJCT hosts bar/bat mitzvahs, weddings, memorial services, and other special occasions outside traditional Jewish holidays when attendance may further increase. Throughout the year, in total, there may be an estimated 10 to 15 occurrences throughout the year where the number of users may rise above those that would be present during typical services. Those events will typically last for two hours or less.

During those limited occasions when parking demands exceed the number of available on-site parking, on-street parking is presently authorized along both westbound and eastbound E. 17<sup>th</sup> Street in the general vicinity of the project site.

- **Conceptual Bicycle Parking.** Pursuant to the provisions of 2019 CalGreen, certain mandatory measures apply to all non-residential projects in California. In compliance with Section 5.106.4.1.1 (Short-Term Bicycle Parking) in Chapter 5 (Nonresidential Mandatory Measures) of 2019 CalGreen, the Applicant shall provide permanently anchored bicycle racks equal to 5 percent of new visitor motorized vehicle parking spaces, with a minimum of one two-bicycle capacity rack.
- **Dedications.** 17<sup>th</sup> Street is designated a “major” arterial highway at this location requiring a 60-foot-wide ROW, as measured from centerline. In order to accommodate that width, the

Applicant is required to provide a 15-foot-wide irrevocable offer of dedication across the property's frontage to the County.

### **3.4 Building Characteristics**

In "Building Fraught with Meaning: An Introduction to a Special Issue on Synagogue Architecture in Context" (Jewish History [2011]; 1-11), the author noted:

Scholars in the field have often acknowledged that synagogue buildings not only fulfill several practical functions, but also reveal a great deal about the nature of the communities they serve. These buildings derive much of their meaning from the way they reflect the Jewish experience more generally.

Although there exists no universal synagogue design, the following traditional design principals are traditionally applied, although some are not feasible in specific environmental settings:

- As appropriate for a house of worship, the synagogue should be built in a beautiful manner;
- The synagogue should be the tallest building in the city (often this is not practical, desirable, or generally achievable);
- The synagogue should have windows that face Jerusalem; ideally, there should be (at least) twelve windows but it is not necessary for all of them to face toward Jerusalem;
- A room or hallway should separate the door to the street from the door to the main sanctuary, allowing congregants the opportunity to compose themselves before entering the main sanctuary;
- The entrance to the main sanctuary should not be oriented in the same direction in which people pray; and
- Every Jewish community is obligated to have a "Torah" library which includes a "Tanach" (Hebrew Bible), "Talmud" (the central text of Rabbinic Judaism), Code of Jewish Law, and other essential "Torah" books.

Proposed is an approximately 9,850± square-foot, single-story place of worship, including an approximately 1,080± square foot accessory religious education room (Section 305.1.1, 2019 CBC). Pursuant to the 2019 CBC (Ordinance No. 19-006) and 2019 CFC (Ordinance No. 19-010), subject to a determination of the County Fire Marshal, the building, or portions thereof, will be designed in compliance with "Assembly Group A-5" and/or "Education Group E."

### **3.5 Infrastructure Characteristics**

All utilities, water, and wastewater systems are presently available at the project site. New and upgraded utility connections appropriately sized to accommodate the proposed use, will be provided.

Relative to domestic water service, the City Public Works, Water Services Division provides potable water services within the City's corporate boundaries and to the unincorporated and North Tustin and Lemon Heights areas, including the project site. The water service area covers an area of 8.4 square miles and includes most of the City's incorporated and County's unincorporated areas north of the City. The City's Water Services Division presently provides potable water to the project site.

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The Orange County Sanitation District (OCSD) is a regional sewer provider to local sewer agencies and municipalities. Private connections (to other than trunk sewer lines) are permitted and are serviced by those local sewer agencies and municipalities. The project site is within “Service Area 7” of the OCSD. The OCSD has completed studies that indicate Service Area 7 is generally in a good condition. OCSD has stated that the system was designed with a capacity to support the current and future populations in the area under current land use designations.

On May 11, 2016, EOCWD’s application for transfer of the OCSD’s Area 7 local sewer system was approved by the Orange County Local Agency Formation Commission (LAFCO). Reorganization allowed OCSD to divest itself of its local retail sewer service responsibilities and facilities in Service Area 7 and to transfer those services and responsibilities to East Orange County Water District (EOCWD).

### 3.6 Project Design Features

“Project design features” (PDFs) represent self-imposed actions proposed by project proponents designed to reduce or eliminate, either directly or indirectly, potential environmental effects associated with new development activities. As such, PDFs are integral parts of the project description and are neither conditions of approval nor mitigation measures under CEQA.

**PDF-1** Proposed is a variable height single-story building integrating a “house of prayer,” a “house of study,” interior and exterior areas for observants to congregate, a social hall and kitchen, administrative offices, and an accessory religious education room (classroom). Upon entering the synagogue, a large lobby area provides a place to congregate before entering and after exiting the main sanctuary. In the United States, so as to orientate parishioners toward Jerusalem, fixed seats in the main sanctuary are traditionally oriented toward the east.

**PDF-2** Where practicable, existing mature trees located on the project site, including the mature *Ficus nitida* located in the southeastern corner of the property and the *Schinus molle* abutting the E. 17<sup>th</sup> Street frontage, will be retained. In addition, shade tree plantings (minimum #10 container size or equal) shall be installed to provide: (1) shade over 50 percent of the parking area within 15 years (Section 5.106.12.1: Surface Parking Areas, 2019 CalGreen); and (2) shade over 20 percent of the hardscape area within 15 years (Section 5.106.12.3: Hardscape Areas, 2019 CalGreen).

### 3.7 Offsite Improvements

Subject to any County-imposed exactions, with the exception of curb-cuts for the proposed access, sidewalk improvements within the public right-of-way, and sewer connections, no additional offsite improvements are presently planned or proposed.

### 3.8 Project Schedule

Construction is anticipated to commence in 2022 and would require approximately 123 days to complete.

### 3.9 Land-Use Approvals and Entitlements Required

The proposed project includes the following County-issued discretionary approvals from the County Planning Commission:

- “Use Permit” to establish a church, temple or other place of worship;
- “Use Permit” to establish an educational/child care facility;
- “Variance Permit” to permit a church, temple or place of worship on a building site of less than 40,000 square feet; and
- “Site Development Permit” to allow joint/shared parking for other associated uses operating on the same site with differing peak-period parking demands.

Although other public agencies may have both review and ministerial functions, no discretionary permits and/or approvals are presently anticipated from any other federal, State, or local governmental entities for the proposed project’s approval, construction, and operation.

The Applicant is responsible for obtaining a sewer connection permit from the East Orange County Water District (EOCWD), including the payment of the applicable “capital facilities capacity charge” (CFCC). In addition, pursuant to Section 1596.951 in Chapter 3.5 (Day Care Centers) of the Health & Safety Code, a child care center license or similar licensing authorization is required for the proposed private preschool. Because the DSS lacks discretion regarding the issuance of a child care center license and only applies definable standards and criteria thereto, this approval is not subject to CEQA review.

### 3.10 Related Projects

Based on their general proximity and implementation schedules, the following related projects have been identified for analysis in Section XXI(b):

- **Crawford Canyon Park and Crawford Canyon Road Sidewalk Extension Project.** The County has approved a “Mitigated Negative Declaration” and preliminary designs for the “Crawford Canyon Park and Crawford Canyon Road Sidewalk Extension Project” (County Project No. IP 21-093).

The proposed Crawford Canyon Park is a 2.5-acre neighborhood park located at the northwest corner of Newport Avenue and Crawford Canyon Road. As proposed, recreational amenities would include, but are not limited to, walkways/pathways, foot bridges, two playgrounds/natural play areas, picnic tables, a bioswale and bioretention basin, and a paved surface parking lot with vehicular access from Newport Avenue. The proposed Crawford Canyon Road Sidewalk Extension would include, but is not limited to, approximately 630 feet of sidewalk construction along the north side of Newport Avenue beginning across from Hyde Park Drive proceeding easterly and approximately 815 feet of



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sidewalk construction along the west side of Crawford Canyon Road from the northeasterly end of the Park Site to Country Haven Lane. Additional improvements include decomposed granite walkways, pavement reconstruction, driveways, drainage inlet modifications, utility relocations, traffic pole replacement, pedestrian push button relocation and adjustments to pull boxes at the intersection of Crawford Canyon Road and Newport Avenue.

The Crawford Canyon Park and Crawford Canyon Road Sidewalk Extension Project site is located approximately 1.33 miles northeast of the proposed Chabad Jewish Center of Tustin project site.

- **Ranch Hills Planned Development Project (City of Tustin).** On June 17, 2021, OC Planning released a “Notice of Preparation of a Draft Environmental Impact Report” (Planning Application No. PA 180034/VTTM 18119) for a proposed residential subdivision consisting of 34 single-family townhouse units and 3 single-family detached units located on a 5.88-acre site located at the intersection of Pavillion Drive and Simon Ranch Road (11782 Simon Ranch Road). The project site is currently developed as the Tustin Hills Racquet Club. The proposed Ranch Hills Planned Development Project site is located approximately 1.40 miles southeast of the proposed Chabad Jewish Center of Tustin project site.
- **13751 and 13831 Red Hill Avenue Mixed-Use Project (City of Tustin).** Located approximately 1.7 miles southeast of the project site, this mixed-use project includes the construction of a new, 4-story, vertical mixed-use project on a 3.38-acre site within the “Red Hill Avenue Specific Plan” area. The project will contain 137 residential units and 7,000 square feet of commercial retail space. Primary access to the site will be off Red Hill Avenue with a secondary access off San Juan Street. The project will also include ten flexible-format retail spaces (i.e., live-work units), 228 on-site parking spaces, and six affordable housing units. On-site amenities include corner and retail plazas adjacent to Red Hill Avenue, gateway signage at San Juan Street/Red Hill Avenue, open air courtyards with enhanced paving, outdoor benches and tables, landscape planters, and public art. This project was approved by the Tustin City Council on August 17, 2021.
- **Aldi Grocery Store (City of Tustin).** Located approximately 0.65 miles south of the project site, this tenant-improvement project includes renovation (i.e., interior and exterior tenant improvements) to an existing retail building (Orchard Hardware Store) to accommodate a new Aldi Grocery Store (1091 Old Irvine Boulevard, Tustin 92780). This project is in the City of Tustin’s planning process.
- **Cowan Heights Residential Development Project.** The project involves the demolition of an existing shed located on the project site and construction of 16 detached single-family homes at a density of approximately 3.6 units/acre. The proposed project would have a zoning of 10,000 square foot average lot size. The project conforms to the current General Plan designation of “Suburban Residential”; however, a zone change would be required from “AR” to “PC” or “Planned Unit Development.” The 16 single-family units would be two stories in height.
- **Peter’s Canyon Bikeway Extension.** The project would construct a new shared-use Class I path and buffered (striped) Class II bicycle lane that would extend the Peters Canyon Bikeway Trail to the existing bikeway at the intersections of Jamboree Road/Canyon View Avenue and Pioneer Road/Pioneer Way in the Cities of Orange and Tustin. The proposed project closes a critical gap in the County’s existing bikeway network and will enhance

bicyclists' safety and comfort. The project would provide a continuous bike and pedestrian route that connects to the Cedar Grove Park, Pioneer Road Park, Peters Canyon Regional Park, Santiago Canyon College, Peters Canyon Elementary School, and neighborhoods along Jamboree Road and Pioneer Road.

- **Clearwater at North Tustin.** The property owner (RCBO) has partnered with the future operator (Clearwater Living) to propose a project revised from that originally approved in 2011. The amended project (PA 170040) proposes a 100-unit senior living facility composed of 72 assisted living units in the main building and 28 units for memory care in a smaller secondary building. Both structures will be single-story. As part of the facility's community program, services provided to the residents would include meals and snacks, daily group activities, medication monitoring, assistance with dressing and bathing, housekeeping, transportation, utilities, maintenance and 24-hour emergency response. There will also be a chapel area with services for the facility's residents.
- **Tentative Tract No. 18071, Brier Lane Subdivision Project.** Tract map to build five single-family dwellings.

No additional related projects other than those listed above, potentially creating or contributing to the generation of cumulatively significant environmental effects, related either directly or indirectly to the proposed project, have been identified either by the Applicant or by OC Planning. Since it does not require the issuance of either a ministerial or discretionary permit, the cessation of religious services at the CJCT's existing synagogue at "Packers Square" (13112 Newport Avenue, Suite H, Tustin 92780) is neither identified herein as a related project under CEQA nor is any future tenancy of that vacated space included herein.

## 4.0 ENVIRONMENTAL EVALUATION

### 4.1 Environmental Factors Potentially Affected:

The CEQA Guidelines require the preparation of an “Initial Study/Negative Declaration” (IS/ND) if the “Initial Study” prepared for a project does not identify any potentially significant effects or an “Initial Study/Mitigated Negative Declaration” (IS/MND) if the “Initial Study” prepared for a project identifies potentially significant effects but: (1) revisions in the project plans or proposals made by or agreed to by the applicant before an IS/MND and “Initial Study” are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and (2) there is no substantial evidence, in light of the whole record before the Lead Agency, that the project as revised may have a significant effect on the environment (Section 15070[b], CEQA Guidelines).

The County utilizes the most current CEQA “environmental checklist” from Appendix G of the CEQA Guidelines, which is revised from time to time by the Secretary for Natural Resources, to assist in the evaluation of the potential environmental impact of a proposed project. The updated Appendix G (Environmental Checklist) of the CEQA Guidelines was used in preparing this IS/ND. The Checklist form is designed for use when the initial analysis is conducted for a proposed project to ensure it addresses the breadth of issues required by CEQA. This “environmental checklist” form is also consistent with the “Orange County Local CEQA Procedures Manual.”

The environmental factors listed below are evaluated in this document. Environmental factors that are checked contain at least one impact that has been determined to be a “potentially significant impact.” Environmental factors unchecked indicate that impacts were determined to have resulted in “no impacts,” “less-than-significant impacts,” or “less-than-significant impacts with mitigation measures,” project design features, or County “Standard Conditions of Approval” incorporated into the proposed project.

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

**4.2 Environmental Determination:**

On the basis of this initial evaluation:

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

*Kevin Shannon*  
\_\_\_\_\_  
Signature

January 12  
\_\_\_\_\_, 2022  
Date

### 4.3 Threshold of Significance Criteria

Thresholds of significance are identifiable quantitative, qualitative or performance level standards of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by a Lead Agency and compliance with which means the effect will normally be determined to be less than significant (CEQA Guidelines, § 15064.7[a]).

On November 17, 2020, the County adopted “Guidelines for Evaluating Vehicle Miles Traveled under CEQA” (VMT Guidelines), included as Appendix C in the County CEQA Manual. The VMT Guidelines included CEQA thresholds of significance for vehicle miles traveled (VMT). Other than the VMT thresholds, the County has not adopted specific thresholds of significance and rather relies upon the specific questions relating to the topical environmental factors listed in Appendix G to the CEQA Guidelines to assist in the determination of whether an identified impact is potentially significant. The County may, depending on the circumstances of a particular project, use specific thresholds of significance on a case-by-case basis as provided by CEQA Guidelines Section 15064.7(b).

### 4.4 County “Standard Conditions of Approval”

OC Planning has prepared a list of “Standard Conditions of Approval” (undated), representing permit conditions routinely imposed by the County on development projects in unincorporated areas of the County. Relative to each of the topical issues identified herein, relevant “Standard Conditions of Approval” are identified and, for the purpose of environmental review, are assumed to constitute a reasonable listing of “conditions” to be imposed on the proposed project. These “Standard Conditions of Approval” may be modified as they are applied to individual projects or created based on professional practice associated with other projects subject to County approval.

The County’s “Standard Conditions of Approval” constitute “uniformly applicable development policies or standards (i.e., policies or standards adopted or enacted by a city or county or by a lead agency that reduce one or more adverse environmental effects) as defined in Section 15183.3(f)(7) of the CEQA Guidelines. Because not all the “Standard Conditions of Approval” formulated by the County are applicable to all development projects, only those “Standard Conditions of Approval” applicable to the proposed project have been identified in this document. Similarly, because other “Standard Conditions of Approval” may exist that are not identified in this document, should the proposed project be approved or conditionally approved, this listing may not be inclusive of all “Standard Conditions of Approval that may be imposed by the County. The categorization of “Standard Conditions of Approval” as shown in this section is present for convenience only and does not limit the application of those “Standard Conditions of Approval” to other resources or topical issues to which they are also relevant.

Where deemed applicable by OC Planning, each of the “Standard Conditions of Approval” listed are assumed to constitute components of and incorporated into the project description and are not separate measures from the project itself. Standard Conditions of Approval identified in each of the topical issues are mandatory components of the Project. In the context of CEQA and the State CEQA Guidelines, these “Standard Conditions of Approval” are not analogous to “mitigation measures” and are not, therefore, subject to mitigation reporting and monitoring program obligations (Section 15097, CEQA Guidelines).

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### 4.5 Environmental Setting

The proposed project consists of the relocation and expansion of the existing Chabad Jewish Center of Tustin, a presently operating Jewish synagogue, from its existing 1,052 square foot leased office space located at “Packers Square” (13112 Newport Avenue, Suite H, Tustin 92780) to an Applicant-owned approximately 0.88-acre (38,136 gross/31,656 net square feet) site located at 18802 E. 17<sup>th</sup> Street in unincorporated Orange County.

The North Tustin community can be described as being semi-rural, and predominately low-density, single family residential. The study area can be divided into two sub-areas, with 17<sup>th</sup> Street serving as the dividing line. The portion north of 17<sup>th</sup> Street is nearly all single-family type residences, with exception of “Detailed Review Parcels 2 and 3” (vacant), as identified in the “North Tustin Specific Plan” (NTSP), and the parcel on the southwest corner of Dodge Avenue and Newport Avenue (public/quasi-public). South of 17<sup>th</sup> Street, the character changes slightly. The land use make-up is more diversified with more intense uses existing. Public/quasi-public facilities, offices, and multiple family residences can be found adjacent to low-density residential uses in the area south of 17<sup>th</sup> Street.

As illustrated in [Figure 13](#) (Chabad Jewish Center of Tustin Relocation Map), the proposed project site is bordered on the north by E. 17<sup>th</sup> Street. The County’s “Master Plan of Arterial Highways” (June 1, 2020) designates 17<sup>th</sup> Street (from Newport Avenue on the east to Euclid Avenue on the west) as a “Major Arterial” (6-lane). Average daily traffic counts on arterial roadways are collected from each of the 34 cities within the County and the County on an annual basis. Relative to the general project area, a portion of the most recent Orange County Transportation Authority (OCTA) generated “Traffic Flow Map” is illustrated in [Figure 14](#) (North Tustin Area – Traffic Flow Map [2019]). As noted in [Figure 15](#) (North Tustin Zoning), in the general vicinity of the project site, traffic volumes along E. 17<sup>th</sup> Street were about 20,000 average vehicles/day, diminishing to about 18,000 average vehicles/day approaching Newport Avenue. Likely, the delta relates to traffic associated with vehicles entering and exiting the “Sleepy Hollow” and “California Crossing” neighborhoods and traversing that segment of E. 17<sup>th</sup> Street east of Jayne Circle and Gimbert Lane, respectively.

Land uses adjacent to the project site include:

- **North:** E. 17<sup>th</sup> Street; across E.17<sup>th</sup> Street, located along Bermington Court, is an existing gated residential development (“California Crossing”).
- **East:** Neuro Restorative (18792 E. 17<sup>th</sup> Street, Santa Ana 92705), a skilled living facility.
- **South:** A private parking lot associated with Neuro Restorative.
- **West:** Rear yards of four existing single-story, single-family, detached residential units located along Jane Circle (18842 and 18852) and Dryden Lane (14031 and 14041) within the abutting “Sleepy Hollow” residential community.

The project site is located within the United States Census Bureau’s (Census Bureau) “North Tustin” census-designated place (CDP). The North Tustin CDP is located outside the corporate boundaries of the Cities of Orange and Tustin and includes two zip code areas (92705 and 92780). The North Tustin CDP is bordered by the City on the west, south, and east and by the City of Orange on the north. According to the Census Bureau, the North Tustin CDP has a total area of approximately 6.7 square miles and includes a number of distinct

neighborhoods, including Cowan Heights, East Tustin, Lemon Heights, North Tustin, Panorama Heights, and Red Hill. The 2020 United States Census (2020 Census) reported that North Tustin CDP had a population of 25,719 persons (April 1, 2020), representing a population density of about 3,838.7 people per square mile.



The unincorporated portion of the North Tustin area is governed by the County Board of Supervisors. The County establishes land-use policies regulating the uses of real property within the unincorporated portion of North Tustin. While no local government authorities are subordinate to the County, some social and community services are provided by the Foothill Communities Association (FCA). The County’s land-use policies applicable to the North Tustin Specific Plan are provided in Section XI - Land Use and Planning.

Figure 13  
**CHABAD JEWISH CENTER OF TUSTIN RELOCATION MAP**  
Source: OC Planning

The proposed project is subject to the provisions of the “County of Orange Comprehensive General Plan” (OCGP), as adopted on September 13, 2005 (Resolution 05-222), as amended, and “The Codified Ordinances of the County of Orange,” as adopted on December 19, 1973, as amended (Codified Ordinances). In addition, in April 1986, the County adopted the “North Tustin Specific Plan” (NTSP), as amended, addressing an approximately 530-acre portion of the North Tustin CPD.

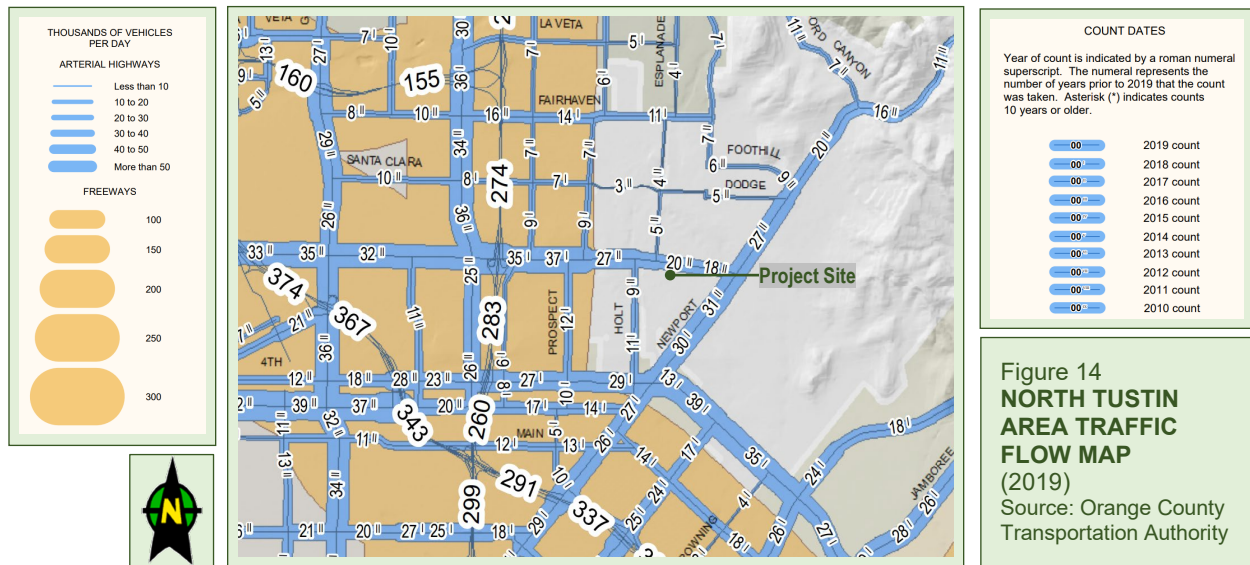
As depicted in Figure 16 (North Tustin Specific Plan – Land Use Plan) and Figure 17 (North Tustin Specific Plan – Land-Use Districts), the NTSP designates the project site “1.2 Residential, Medium Low Density (2.0-3.5 DU/Ac)” and “RSF - Residential Single Family” (Minimum lot size 10,000 SF) (100 RSF). The “principal uses permitted subject to a Use Permit” within the “RSF - Residential Single Family District” pursuant to the NTSP include, but are not limited to “churches, temples, and other places of worship and “educational institutions.”

The subject property is presently developed with an older approximately 1,872 square foot single-family residence. The house, which has been vacant since, at least, August 2019, is habitable but exhibits deferred maintenance. That structure contains both a partially raised

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foundation and partially slab-on-grade foundation, detached garage, in-ground swimming pool, mature landscaping, and associated flatwork.



The property exists in an urban setting, surrounded by residential and non-residential land uses. Vehicular and non-vehicular access to the project site is obtained directly from E. 17<sup>th</sup> Street, located to the north of the project site. The subject property is located to the west of Newport Avenue and to the east of Holt Avenue. Because of the highly disturbed (urbanized) area of the project site, no habitat value has been assigned thereto. Similarly, as indicated by the United States Fish and Wildlife Service (USFWS), no wetlands exist either on the project site or in the general project area (Wetlands Mapper [<http://www.fws.gov/wetlands/Wetlands-Mapper.html>]).

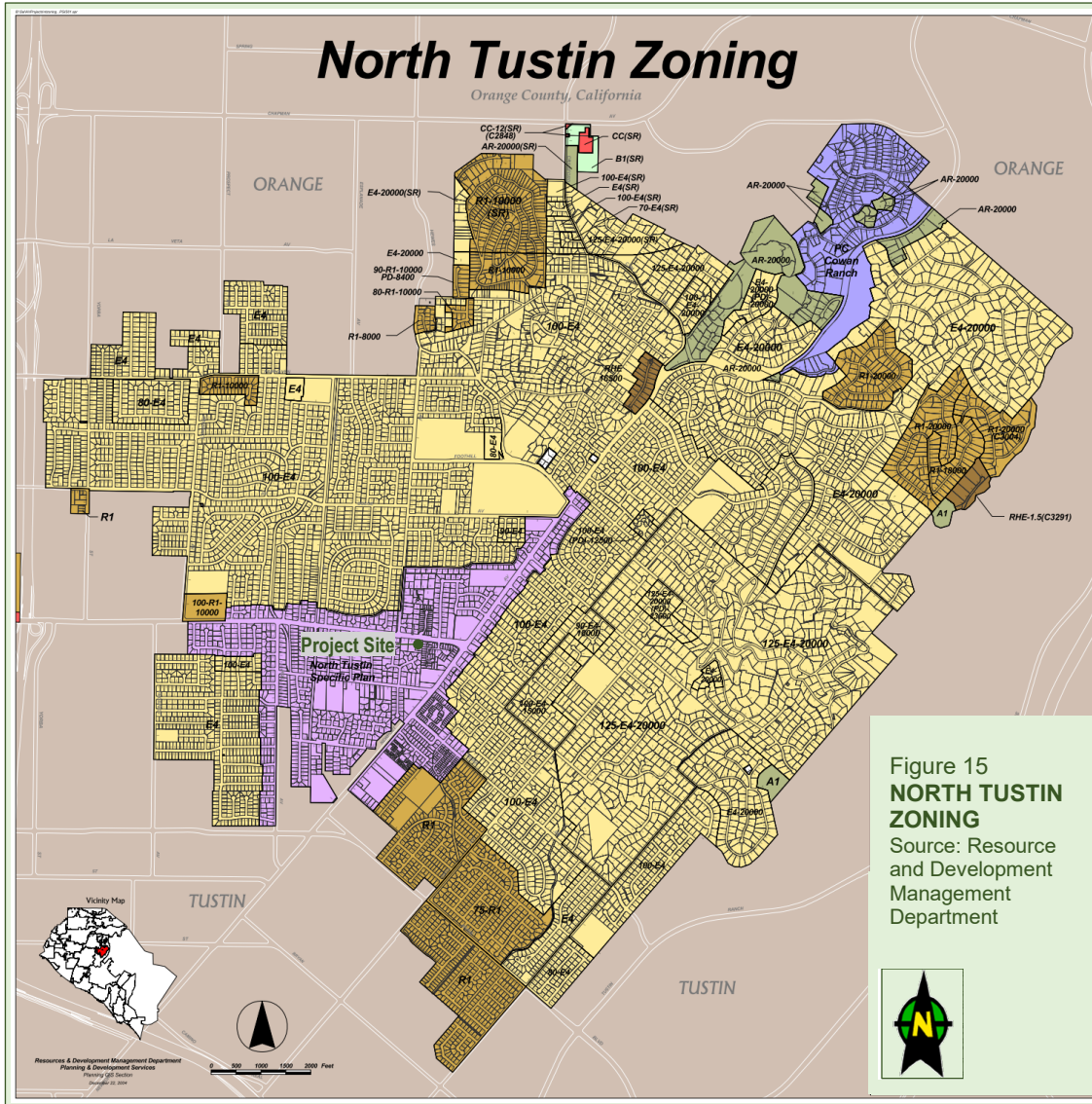
## 4.6 Topic-Specific Analysis

Presented below is OC Planning’s assessment of each of the topical issues and specific inquiries identified in Appendix G (Environmental Checklist) of the CEQA Guidelines.

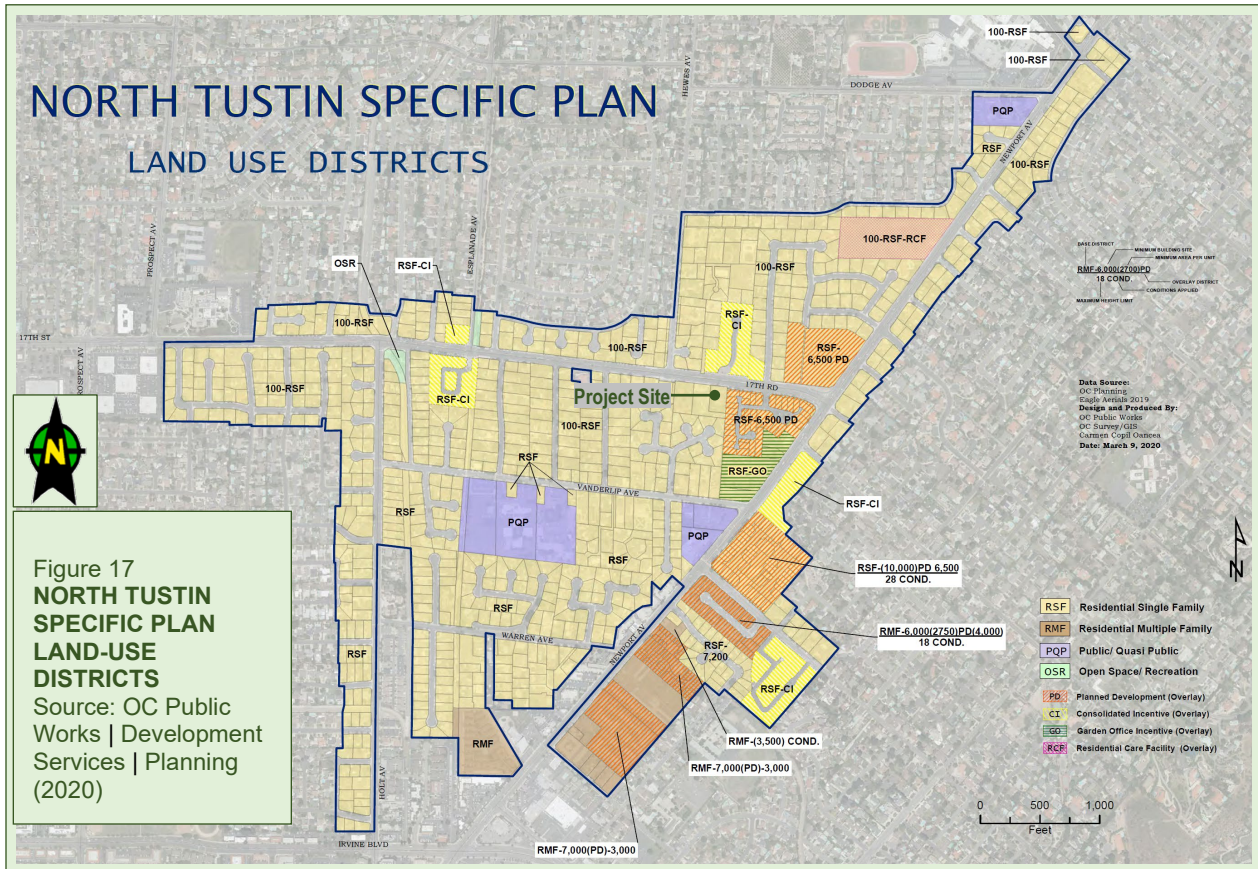
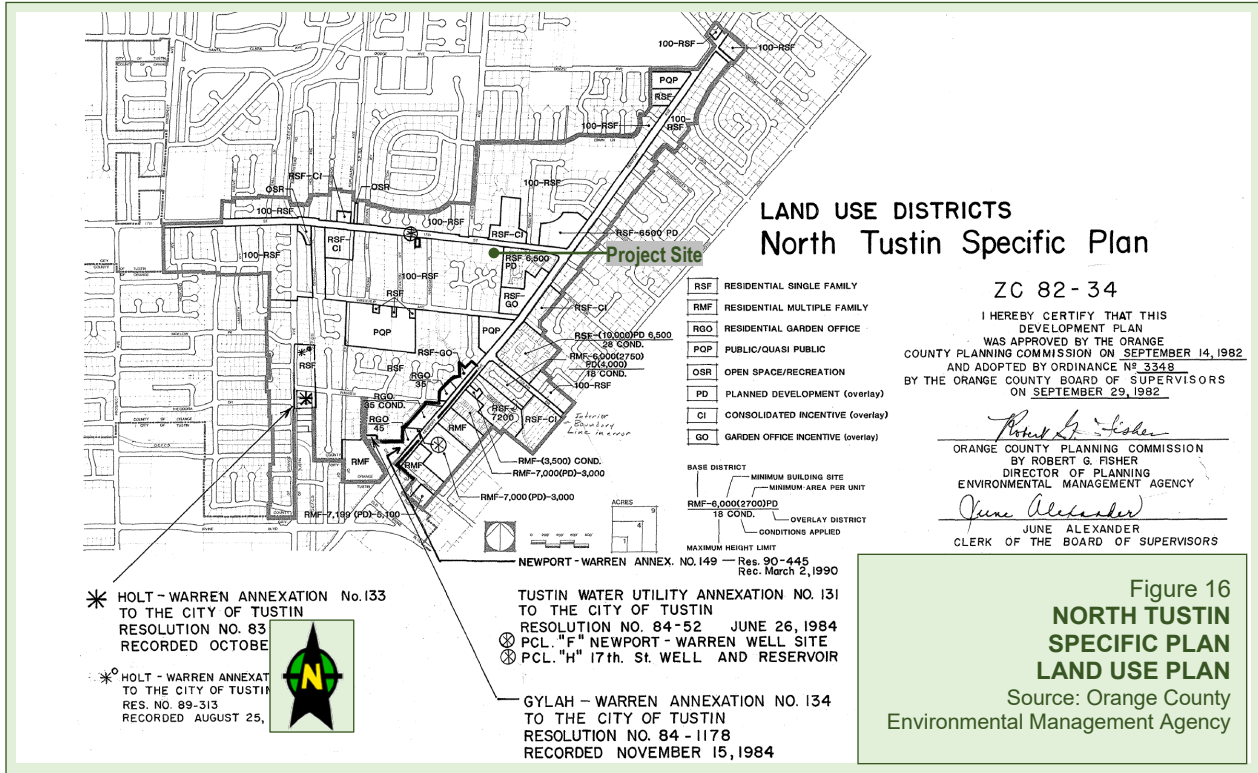
## I. AESTHETICS

Except as provided in Section 21099 of the Public Resources Code, would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>





<b>Agricultural</b>	
A1	General Agricultural
AR-20000	Agricultural Residential(min. lot size 20000 sq.ft.)
AR-20000(SR)	Agricultural Residential(min. lot size 20000 sq.ft.) Sign Restriction
<b>Buffer</b>	
B1(SR)	Buffer Sign Restriction
<b>Residential</b>	
100-E4	Small Estates(min. lot width 100 ft.)
100-E4(PD)-12500	Small Estates(min. lot width 100 ft.) Planned Development(min. 12500 sq.ft. per dwelling)
100-E4(SR)	Small Estates(min. lot width 100 ft.)Sign Restriction
100-E4-15000	Small Estates(min. lot width 100 ft.) (min. lot size 15000 sq.ft.)
100-E4-20000	Small Estates(min. lot width 100 ft.) (min. lot size 20000 sq.ft.)
125-E4 20000	Small Estates(min. lot width 125 ft.) (min. lot size 20000 sq.ft.)
125-E4-20000(PD)-23500	Small Estates(min. lot width 125 ft.)(min. lot size 20000 sq.ft.) Planned Development(min. 23500 sq.ft. per dwelling)
125-E4-20000(SR)	Small Estates(min. lot width 125 ft.)(min. lot size 20000 sq.ft.) Sign Restriction
70-E4(SR)	Small Estates(min. lot width 70 ft.)Sign Restriction
80-E4	Small Estates(min. lot width 80 ft.)
90-E4	Small Estates(min. lot width 90 ft.)
90-E4-18000	Small Estates(min. lot width 90 ft.)(min. lot size 18000 sq.ft.)
E4	Small Estates
E4-20000	Small Estates(min. lot size 20000 ft.)
E4-20000(PD)-200000	Small Estates(min. lot size 20000 sq.ft.) Planned Development(min. 200000 sq.ft. per dwelling)
E4-20000(SR)	Small Estates(min. lot size 20000 sq.ft.)Sign Restriction
R1	Single-Family Residence
R1-10000	Single-Family Residence(min. lot size 10000 sq.ft.)
R1-10000(SR)	Single-Family Residence(min. lot size 10000 sq.ft.) Sign Restriction
R1-18000	Single-Family Residence(min. lot size 18000 sq.ft.)
R1-20000	Single-Family Residence(min. lot size 20000 sq.ft.)
R1-20000(C3004)	Single-Family Residence (min. lot size 20000 sq.ft.)(Condition 3004)
R1-8000	Single-Family Residence(min. lot size 8000 sq.ft.)
R2	Multi-Family Residence
RHE-16500	Residential Hillside Estates(min. lot size 16500 sq.ft.)
RHE-1.5(C3291)	Residential Hillside Estates (min. lot size 1.5 sq.ft.)(Condition 3291)
100-R1-10000	Single-Family Residence(min lot width 100 ft.) (min lot size 10000 sq.ft.)
80-R1-10000	Single-Family Residence(min lot width 80 ft.) (min lot size 10000 sq.ft.)
90-R1-10000 PD-8400	Single-Family Residence(min lot width 90 ft.) (min lot size 10000 sq.ft.) Planned Development(min. 8400 sq.ft. per dwelling)
75-R1	Single-Family Residence(min. lot width 75 sq.ft.)
<b>Commercial</b>	
C1	Local Business
CC(SR)	Commercial Community Sign Restriction
CC-12(SR)(C2848)	Commercial Community(min. lot size 12 sq.ft.) Sign Restriction(Condition 2848)
100-C1-10000	Local Business(min. lot width 100 ft.)(min. lot size 10000 sq.ft.)
<b>Planned Community</b>	
COWAN RANCH PC	Cowan Ranch Planned Community
<b>Specific Plan</b>	
NORTH TUSTIN SP	North Tustin Specific Plan



	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings. If the project is in an urbanized area, would the project conflict with applicable zoning or other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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**STANDARD CONDITIONS OF APPROVAL**

- **Standard Condition LA02a (Private Landscaping).** (A) Prior to the issuance of precise grading permits, the applicant shall prepare a detailed landscape plan for the project area which shall be approved by the Manager, Subdivision and Grading. The plan shall be certified by a licensed landscape architect or a licensed landscape contractor, as required, as taking into account approved preliminary landscape plan (if any), County Standard Plans for landscape areas, adopted plant palette guides, applicable scenic and specific plan requirements, water conservation measures contained in Board Resolution 90-487, and Board Resolution 90-1341 (Water Conservation Implementation Plan). (B) Prior to the issuance of certificates of use and occupancy, applicant shall install said landscaping and irrigation system and shall have a licensed landscape architect or licensed landscape contractor, certify that it was installed in accordance with the approved plan. (C) Prior to the issuance of any certificates of use and occupancy, the applicant shall furnish said installation certification, including an irrigation management report for each landscape irrigation. (D) System, and any other implementation report determined applicable, to the Manager, Building Inspection Services.
- **Standard Condition LG01 (Light and Glare).** Prior to issuance of any building permit, the applicant shall demonstrate that all exterior lighting has been designed and located so that all direct rays are confined to the property in a manner meeting the approval of the Manager, Building Permit Services.

**RESPONSE TO TOPIC-SPECIFIC QUESTIONS**

▪ **Response to Question I(a) – No Impact**

The OCGP’s Resource Element notes that “[l]andforms are distinctive natural topographic features of the Orange County area. Major landforms, few in number, must be considered natural as well as aesthetic resources.” The project site is relatively flat to slightly sloping and lacks any “distinctive natural topographic features.”

Neither E. 17<sup>th</sup> Street nor any other streets in the general project area are identified on the County’s “Scenic Highway Plan Map” (Figure IV-11, April 2005) as a “landscape corridor” or “viewscape corridor” in Chapter IV (Transportation Element) in the OCGP. The OCGP Transportation Element defines a “landscape corridor” or “viewscape corridor” as follows:

- ♦ **Landscape Corridor.** A landscape corridor traverses developed or developing areas and has been designated for special treatment to provide a pleasant driving

environment as well as community enhancement. Development within the corridor should serve to complement the scenic highway.

- ♦ **Viewscape Corridor.** A viewscape corridor is a route which traverses a corridor within which unique or unusual scenic resources and aesthetic values are found. This designation is intended to minimize the impact of the highway and land development upon the significant scenic resources along the route

None of the “goals, objectives, and policies” associated with the County’s “Scenic Highway Plan” are relevant to the proposed project. As a result, based on information now known to OC Planning, absent any “scenic resources” and/or “distinctive natural topographic features,” relative to this topical issue, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts would be expected by OC Planning to manifest from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

- **Response to Question I(b) – No Impact**

As noted, “scenic resources” include, but not limited to, “trees, rock outcroppings, and historic buildings, within a State scenic highway.” A portion of State Route 91 is an officially designated “State Scenic Highway.” All or portions of State Route (SR) 1, 57, 74, and 91 are eligible (but not officially designated) “State scenic highways.” None of these highways are visible from the project site.

As a result, based on information now known to OC Planning, absent any identifiable “scenic resources,” relative to this topical issue, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to any views to or from a scenic highway would be expected by OC Planning to manifest from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

- **Response to Question I(c) – No Impact**

Although there exists no precise definition of a “non-urban area.” With development activities being widespread in the general project area and with a minimum of remaining open space, neither the project site nor the general project area would be categorized as comprising a “non-urban area.” As a result, based on information now known to OC Planning, absent any identifiable “non-urban areas,” relative to this topical issue, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to scenic quality would be expected by OC Planning to manifest from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

- **Response to Question I(d) – No Impact**

The California Energy Commission (CEC) updates the “California Building Energy Efficiency Standards” on a three-year cycle. The 2019 “Building Energy Efficiency Standards for Residential and Nonresidential Buildings” (CEC-400-2018-020-CMF) (2019 BEES) went into effect on January 1, 2020 for building permit applications submitted on or after that date.

Separate and apart from building aesthetics, excessive and misdirected outdoor lighting has the potential to produce the greatest aesthetic impacts. Subchapter 4 (Requirements for Lighting Systems and Equipment, and Electrical Power Distribution Systems) of the 2019 BEES establishes standards for outdoor lighting systems and equipment in nonresidential, buildings. Section 130.2 (Outdoor Lighting Controls and Equipment) of the 2019 BEES outlines specific requirements relating to outdoor lighting controls and equipment. Under Section 130.2(c) (Controls for Outdoor Lighting), outdoor lighting (including parking and other common outdoor hardscape areas) shall be independently controlled from other electrical loads and its controls shall meet specified requirements designed to accomplish different types of energy savings, including:

- ◆ Daylight controls to ensure that lights are turned off during daylight hours using photocontrol astronomical time-switch or other controls (Section 130.2[c][1]);
- ◆ Automatic scheduling controls capable of reducing the outdoor lighting power by at least 50 percent and separately capable of turning the lighting off during scheduled unoccupied periods (Section 130.2[c][2][A]); and
- ◆ Scheduling of a minimum of two nighttime periods with independent lighting levels.

Outdoor lighting of signage is regulated under Section 130.3 (Sign Lighting Controls) of the 2019 BEES. All outdoor sign lighting that is on both day and night shall be controlled with a dimmer that provides the ability to automatically reduce sign lighting power by a minimum of 65 percent during nighttime hours.

The 2019 BEES include a threshold metric based on initial luminaire lumens for the “backlight, uplight, and glare” (BUG) rating requirement. All outdoor luminaires that emit 6,200 lumens or greater must comply with requirements contained in Section 5.106.8 of 2019 CalGreen. The BUG ratings assume that the light emitted from the luminaire is illuminating a specific area in a useful manner and is not scattering light in areas where it is not needed or intended to be (e.g., light scattering towards the sky. These BUG ratings also increases visibility because high amounts of light shining directly into observer’s eyes are reduced, thereby decreasing glare. Light pollution into neighbors’ properties is also reduced.

In addition, in compliance with the Codified Ordinances (Codified Ordinances § 7-9-94), outdoor lighting shall not exceed an intensity of one footcandle (fc) of light throughout the facility and shall be directed toward the site. In addition, the proposed outdoor lighting systems shall be designed and installed in compliance with Section 5.106.8.3 (Light Pollution Reduction) in 2019 CalGreen. Because the proposed project would be required to comply with these provisions, post-project, exterior lighting attributable to the proposed project would be directed inward and would, therefore, not encroach upon other abutting areas.

Constructed in or around 1950, the project site is presently developed with an approximately 1,872 square foot single-family residence. Although presently vacant, based on the presence of that use, the site has historically been a source of “light and glare,” including both indoor and outdoor lighting and vehicle headlights. Only minimal security and access lighting is proposed in the proposed project’s exterior areas. Such lighting is intended to be sufficient to safely illuminate pedestrian movements but not to be overpowering. No such lighting is designed to be pole mounted, such as to create conditions of light trespass. While the proposed use is larger in size that the use to be replaced, the resulting increase in light and glare would not be deemed “substantial.”

Based on information now known to OC Planning, in the absent “new sources of substantial light or glare,” relative to this topical issue, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts would be expected by OC Planning to manifest from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

## II. AGRICULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Conflict with existing zoning for agricultural use or with a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Section 12220[g], Public Resources Code [PRC]), timberland (as defined by Section 4526, PRC), or timberland zoned Timberland Production (as defined by Section 51104[g], California Government Code [CGC])?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### STANDARD CONDITIONS OF APPROVAL

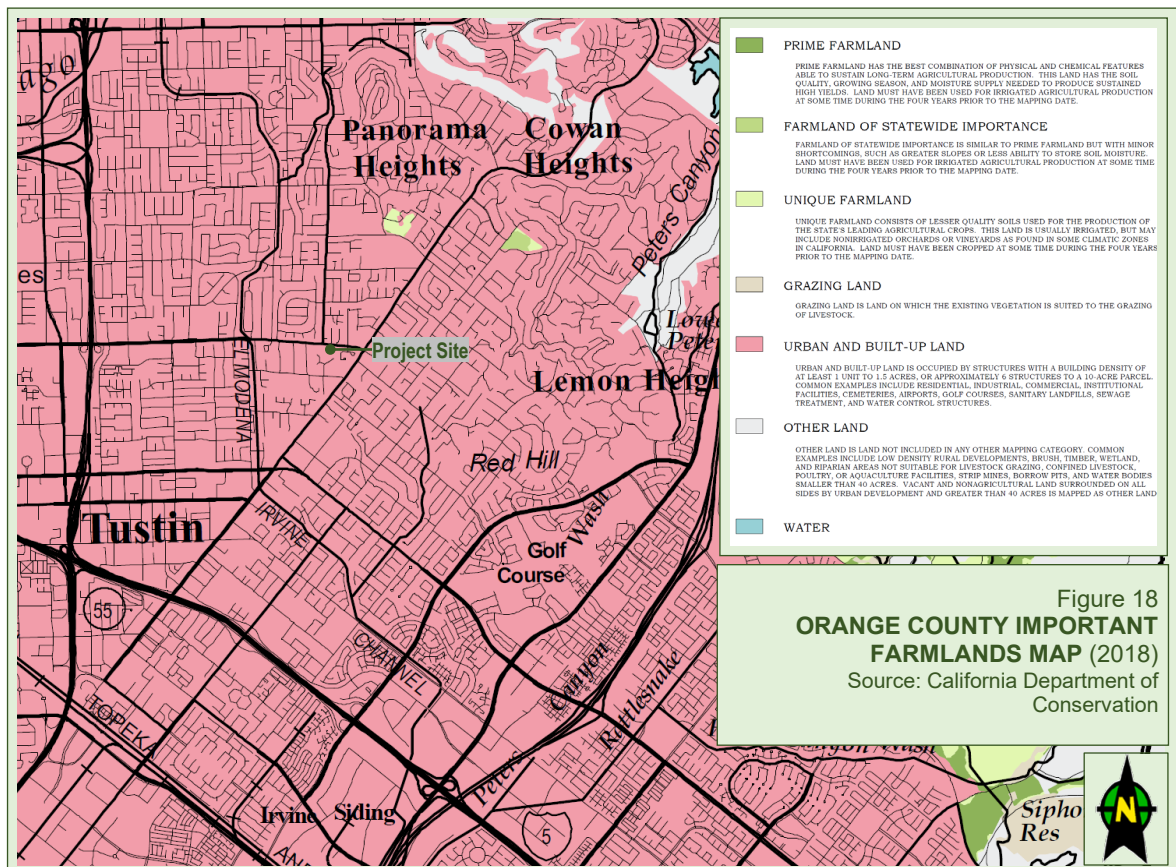
- **Standard Condition.** As it relates to “agricultural resources,” there are no applicable County “Standard Conditions of Approval.”

**RESPONSE TO TOPIC-SPECIFIC QUESTIONS**

▪ **Response to Question II(a) – No Impact**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 defines “agricultural lands” as land currently used for the purpose of producing an agricultural commodity for commercial purposes, land left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program. Because the project site does not meet the definition of “agricultural lands,” the project does not involve the conversion of agricultural lands to a non-agricultural use.

As illustrated in Figure 18 (Orange County Important Farmlands Map [2018]), as prepared by the California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program, the project site is designated “urban and built-up land,” defined as “[l]and occupied by structures with a building density of at least one unit per 1.5 acres, or approximately six structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.”



Because the project site is not designated as “Prime Farmland,” “Unique Farmland,” or “Farmland of Statewide Importance” or presently committed to an agricultural use, the project’s implementation would not adversely impact any such lands. In the absence of those resources, no on-site, off-site, short-term construction, long-term operational, direct,

indirect, and/or cumulative impacts related to the conversion of agricultural lands to a non-agricultural use would be expected to manifest from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question II(b) – No Impact**

The California Land Conservation Act of 1965 (Sections 51200-51297.4, CGC), commonly referred to as the “Williamson Act,” allows county governments to enter into contracts with private landowners who agree to restrict parcels of land to agricultural uses or uses compatible with agriculture for at least 10 years or a 20-year period for property restricted by a “Farmland Security Zone” (FSZ) contract. In return for entering into these contracts, landowners receive property tax assessments that are much lower than normal because they are based on income derived from farming and open space uses as opposed to full market value of the property. The term of the contract automatically renews each year so that the contract always has a 10-year period left to function, unless terminated.

The site is not located within a FSZ and is not encumbered by a Williamson Act contract. In the absence of an existing “Williamson Act contract and agricultural zoning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to conversion of land covered by a Williamson Act contract or land zoned for agriculture would be expected to manifest from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question II(c) - No Impact**

“Forestry resources” are separate and distinct from the definitions of “Prime Farmland,” “Unique Farmland,” or “Farmland of Statewide Importance.” As indicated in [Table 1](#) (Forestry Resources Definitions), “forestry resources” are defined in various provisions of the California Government Code (CGC) and the Public Resources Code (PRC).

Neither the OCGP nor the NTSP presently include a “forest land,” “timberland,” or “timberland production zone” land-use designation.

Based on the level of existing urbanization and the relatively small size of the subject property (0.88 acres), the project site is neither suitable for development as nor zoned as or for “forest land” and/or “timberland.” In addition, the site is not located within a locally or State-designated “timberland production zone.” As a result, the proposed project would not conflict with any existing zoning promulgated to promote the preservation or expansion of agricultural and forestry resources within the County.

Based on information now known to OC Planning, in the absence of any “forest land,” “timberland” and/or “timberland production zone” on or in close proximity to the project site, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to forest land or timberland would be expected to manifest from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.



Table 1  
**FORESTRY RESOURCES DEFINITIONS**

Designation	Definition
Forest Land (Section 12220[g], PRC)	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 (Section 4526, PRC)	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. Commercial species shall be determined by the [State] Board [of Forestry and Fire Protection] on a district basis.
Timberland Production Zone (Section 51104[g], CGC)	With respect to the general plans of cities and counties, “timberland preserve zone” means “timberland production zone.” A “timberland production zone” is an area which has been zoned for and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses. A “compatible use” is any use which does not significantly detract from the use of the property for or inhibit growing and harvesting timber and shall include, but not be limited to, any of the following, unless in a specific instance such use would be contrary to the preceding definition of “compatible use”: (1) management for watershed; (2) management for fish and wildlife habitat or hunting and fishing; (3) a use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings, and log storage areas; (4) the erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities; (5) grazing; and (6) a residence or other structure necessary for the management of land zoned as timberland production.

Source: OC Planning

▪ **Response to Question II(d) – No Impact**

The project site is neither improved as nor designated as “forest land.” As a result, the project’s approval, construction, and operation would not result in the “conversion of forest land to a non-forest use.” No on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts would, therefore, be expected by OC Planning to manifest from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question II(e) – No Impact**

The project site is neither improved as nor designated as “forest land.” As a result, the project’s approval, construction, and operation would not result in the “conversion of forest land to a non-forest use.” No on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts would, therefore, be expected by OC Planning to manifest from the approval, construction, and operation of the proposed project.

As a result, the proposed project would not further impact the loss of agricultural resources in the general project area. No on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts would, therefore, be expected by OC Planning to manifest from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

### III. AIR QUALITY

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### STANDARD CONDITIONS OF APPROVAL

- **Standard Condition.** Relating to both “air quality” and “greenhouse gases,” there are no relevant County “Standard Conditions of Approval.”

#### RESPONSE TO TOPIC-SPECIFIC QUESTIONS

The quality of the ambient air is affected by pollutants emitted into the air from stationary and mobile sources. Stationary sources can be divided into two major subcategories: “point sources” and “area sources.” Point sources consist of one or more emission sources at a facility with an identified location and are usually associated with manufacturing and industrial processing plants. Area sources are widely distributed and produce many small emissions.

Mobile sources refer to emissions from motor vehicles (including tailpipe and evaporative emissions) and are classified as either on-road or off-road. On-road sources are a combination of emissions from automobiles, trucks, and indirect sources. Indirect sources are sources that, by themselves, may not emit air contaminants; however, they indirectly cause the generation of air pollutants by attracting vehicle trips or consuming energy. Examples of indirect sources include a commercial center that generates vehicle trips and consumes energy resources through the use of natural gas for space and water heating. Indirect sources also include actions proposed by local governments, such as public and private development projects.

The air pollutants emitted into the ambient air by stationary and mobile sources are regulated by State and federal law. These regulated air pollutants are known as “criteria air pollutants” and are categorized as “primary” and “secondary” pollutants. Primary air pollutants are those that are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), and most fine particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), including lead (Pb) and fugitive dust, are primary air pollutants. Of these CO, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are criteria pollutants. ROG and NO<sub>x</sub> are criteria pollutant precursors and go on to form secondary criteria pollutants through chemical and photochemical reaction in the atmosphere. Ozone (O<sub>3</sub>) and nitrogen dioxide (NO<sub>2</sub>) are the principal secondary pollutants.

In addition to criteria air pollutants, greenhouse gases (GHG) also contribute to air quality impacts and are emitted by both “stationary” and “mobile” sources. As defined in Section 38505 of the H&SC, GHG include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). GHG emissions are separately addressed in Section VIII (Greenhouse Gases) of this document.

In addition to the information presented herein, additional information concerning the proposed project’s potential air quality and greenhouse gas (GHG) impacts is presented in Appendix A (Air Quality and Greenhouse Gas Emissions Analysis: Chabad Jewish Center of Tustin Relocation and Expansion Project [October 2021]) to this document. The air quality modeling was performed using the 2020 version (Version 2020.4.0) of the California Emissions Estimator (CalEEMod) model.

Modeling results demonstrated that projected emission levels were substantially below those thresholds of significance formulated by the South Coast Air Quality Management District (SCAQMD) for both construction and operations.

▪ **Response to Question III(a) – Less-than-Significant Impact**

The SCAQMD and the Southern California Association of Governments (SCAG) are the governmental entities responsible for preparing the regional “Air Quality Management Plan” (AQMP) for the South Coast Air Basin (SCAB). CEQA requires that projects be consistent with the AQMP. A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to the AQMP in the following ways: (1) it fulfills the CEQA goal of fully informing local agency decision-makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are fully addressed; and (2) it provides the local agency with ongoing information assuring local decision-makers that they are making real contributions to clean air goals contained in the AQMP.

Only new or amended general plan elements, specific plans, and regionally significant projects need to undergo a consistency review. This is because the AQMP strategy is based on projections from local general plans. Projects that are consistent with the local general plan are, therefore, considered consistent with the AQMP. Subject to certain discretionary approvals, the proposed project is consistent with both the OCGP and NTSP.

As indicated in Table 2 (Comparison of Projected Construction Emissions and Daily Criteria Values), during construction) the proposed project are below and would not exceed the daily threshold values suggested by the SCAQMD.

Table 2  
**COMPARISON OF PROJECTED CONSTRUCTION EMISSIONS  
AND DAILY CRITERIA VALUES**  
(pounds/day)<sup>1</sup>

Source	ROG	NOx	CO	SO <sub>2</sub>	PM <sub>10</sub> Dust	PM <sub>10</sub> Exhaust	PM <sub>10</sub> Total	PM <sub>2.5</sub> Dust	PM <sub>2.5</sub> Exhaust	PM <sub>2.5</sub> Total
<b>Demolition</b>										
Off Road Diesel	0.71	6.41	7.47	0.01	0.49	0.34	0.83	0.07	0.32	0.40
On Road Diesel	0.01	0.37	0.10	0.00	0.04	0.00	0.04	0.01	0.00	0.01
Worker Trips	0.03	0.02	0.33	0.00	0.11	0.00	0.11	0.03	0.00	0.03
Totals	0.75	6.80	7.90	0.01	0.64	0.34	0.98	0.11	0.32	0.44
<b>Site Preparation</b>										
Off Road Diesel	0.58	6.93	3.96	0.01	0.53	0.26	0.79	0.06	0.24	0.29
Worker Trips	0.02	0.01	0.14	0.00	0.06	0.00	0.06	0.01	0.00	0.02
Totals	0.60	6.94	4.12	0.01	0.59	0.26	0.85	0.07	0.24	0.31
<b>Grading</b>										
Off Road Diesel	1.08	12.00	5.94	0.01	1.08	0.52	1.60	0.52	0.32	0.52
On Road Diesel	0.05	1.86	0.51	0.01	0.20	0.01	0.21	0.05	0.01	0.06
Worker Trips	0.03	0.02	0.26	0.00	0.08	0.00	0.09	0.02	0.00	0.02
Totals	1.16	13.88	6.71	0.02	1.37	0.53	1.90	0.59	0.33	0.36
<b>Building Construction</b>										
Off Road Diesel	0.69	7.03	7.15	0.01	0.00	0.37	0.37	0.00	0.34	0.34
Vendor Trips	0.01	0.09	0.03	0.00	0.01	0.00	0.01	0.00	0.00	0.00
Worker Trips	0.02	0.01	0.59	0.06	0.06	0.00	0.06	0.01	0.00	0.02
Totals	0.72	7.13	7.62	0.07	0.07	0.37	0.44	0.01	0.34	0.36
<b>Asphalt Paving</b>										
Off-Gas	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off Road Diesel	0.65	5.92	7.03	0.01	0.00	0.30	0.30	0.00	0.28	0.28
Worker Trips	0.06	0.04	0.59	0.00	0.20	0.00	0.20	0.05	0.00	0.05
Asphalt Totals	0.79	5.96	7.62	0.01	0.20	0.30	0.50	0.05	0.28	0.33
<b>Coating</b>										
Off-Gas	20.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off Road Diesel	0.20	1.41	1.81	0.00	0.00	0.08	0.08	0.00	0.08	0.08
Worker Trips	0.00	0.00	0.03	0.00	0.01	0.00	0.01	0.00	0.00	0.00
Coating Totals	20.46	1.41	1.84	0.00	0.01	0.08	0.09	0.00	0.08	0.08
Daily Threshold	75	100	550	150	→	→	150	→	→	55
Exceeds Threshold?	No	No	No	No			No			No
Notes: 1. The CalEEMod model projects summer and winter emissions and the higher of the two values is included in the table.										

Source: Environmental Impact Sciences / Synectecology

The CalEEMod model reports the day with the highest emissions production. For the purpose of estimating operational emissions, based on the nature of the facility's operation, the estimation of Saturday and Sunday values has been used in the calculation of the annual GHG emissions. In the case of peak day emissions, both summer and winter scenarios were modeled and the higher of the two values is included in Table 3 (Comparison of Projected Peak [Weekday] and Annual Average Daily Operational Emissions for the School and Daily Criteria Values). All emissions are within their criteria values and the resulting impact is less than significant.

Table 3  
**COMPARISON OF PROJECTED PEAK (WEEKDAY) AND ANNUAL AVERAGE DAILY OPERATIONAL EMISSIONS FOR THE SCHOOL AND DAILY CRITERIA VALUES**  
(pounds/day)<sup>1</sup>

Source	ROG	NOx	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Peak Day Emissions</b>						
Mobile Sources <sup>2</sup>	0.29	0.39	2.53	0.01	0.56	0.15
Natural Gas	0.01	0.06	0.05	0.00	0.00	0.00
Structural Maintenance	0.03	0.00	0.00	0.00	0.00	0.00
Consumer Products	0.22	0.00	0.00	0.00	0.00	0.00
Landscape Maintenance	0.00	0.00	0.00	0.00	0.00	0.00
Total Daily Emissions	0.55	0.45	2.58	0.01	0.56	0.15
Threshold	55	55	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No
Notes: 1. The CalEEMod model projects summer and winter emissions. These can differ for mobile sources and the higher of the two values were included in the table. 2. Value uses the 9 <sup>th</sup> Edition ITE default scaled to the mileage presented in "VMT Analysis: Chabad Jewish Center of Tustin, County of County Relocation and Expansion Project" (Sasaki Transportation Services, May 15, 2021), included as <a href="#">Appendix B</a> (VMT Analysis: Chabad Jewish Center of Tustin, County of County - Relocation and Expansion Project [Sasaki Transportation Services, May 15, 2021]) of this document.						

Source: Environmental Impact Sciences / Synectecology

Additionally, the project would not result in significant localized air quality impacts. As such, the project is consistent with the goals of the AQMP and, in that respect, does not present a significant air quality impact. No mitigation measures are either required or recommended.

▪ **Response to Question III(b) – Less-than-Significant Impact**

The potential air quality impacts associated with and attributable to the construction and operation of the proposed project are separately addressed below.

**Construction Impacts**

Air quality impacts may occur during site preparation and construction activities required to implement the proposed land use. Major sources of emissions during construction include exhaust emissions, fugitive dust generated as a result of soil disturbance during site preparation and grading activities, and the emission of reactive organic gases (ROGs) during the painting of the structures.

Based on the proposed land use, the CalEEMod emissions model allocates (by default) the proposed project's construction over a period of 123 working days. CalEEMod's default values constitute a reasonable estimation of actual construction time as stated in Section 3.8 - Project Schedule. The air quality and greenhouse emissions were completed in October 2021. Construction is anticipated to commence in 2022. Assuming that construction commences in

2022, the air quality and GHG assumptions and modeling continue to remain applicable although the actual construction dates may have changed. If construction were to continue into 2023, based on increased efficiencies in mechanized equipment, the presence of more fuel-efficient vehicles, and air quality regulations, projected construction emissions would be anticipated to be less because a “worst-case” analysis was used in the air quality and greenhouse gas emissions calculations.

The project site includes an existing single-family residence to be removed as part of the proposed project. CalEEMod estimates (by default) that demolition and removal of the existing residence would generate 23 haul trips over the 10-day demolition period or, on average, about 2 haul trips per day.

Grading activities are not expected to balance on the project site. Based on an engineering analysis conducted by Wolfe Engineering, grading quantities are assumed to include an estimated four cubic yards (CY) of cut and 1,346 CY of fill. Although no borrow sites have yet to be identified, an estimated 1,346 cubic yards of soil would likely be imported from one or more nearby construction sites. All soil transport activities will fully comply with applicable local and State regulations.

CalEEMod literature indicates a value of 2.62 pounds of ROG per acre paved divided over the paving schedule. Based on an on-site area of approximately 0.15 acre, including parking, driveways, and pedestrian paths, over the default period of five working days, emissions from paving operations are calculated to be approximately 0.08 pounds/day.

SCAQMD Rule 403 governs fugitive dust emissions from construction projects. This rule sets forth a list of control measures that must be undertaken for all construction projects to ensure that no dust emissions from the project are visible beyond the property boundaries. Adherence to Rule 403 is mandatory and, therefore, does not constitute a mitigation measure under CEQA.

The air quality analysis assumed the use of those minimal control measures specified in Rule 403 that are common to both the rule and to the CalEEMod model. These common measures include: (1) with regards to “off-road” emission, soil stabilizers shall be applied to unpaved roads; (2) ground cover shall be quickly applied in all disturbed areas; and (3) the active construction site shall be watered twice daily. The model assigns a control efficiency of 55 percent for twice daily watering and a similar efficiency was assumed for other control measures for dust-producing heavy equipment operations.

In accordance with Rule 403, the SCAQMD requires that contractors implement “Best Available Control Technology” (BACT) for construction activities. Rule 403 identifies two sets of specific measures, one for projects less than 50 acres and another set of conditions for projects that exceed 50 acres. The requirements applicable to the project are included in Table 4 (South Coast Air Quality Management District – Best Available Control Measures). These measures are regulatory requirements and, as such, do not constitute mitigation under CEQA. Because the CalEEMod does not incorporate those additional control measures, the modeled of PM<sub>10</sub> and PM<sub>2.5</sub> emissions associated with fugitive dust presented in this analysis are considered conservative.

Table 4  
**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
BEST AVAILABLE CONTROL MEASURES**  
(Applicable to all Construction Activity Sources)

Source Category	Control Measures	Guidance
Backfilling	Stabilize backfill material when not actively handling; and Stabilize backfill material during handling; and Stabilize soil at completion of activity	Mix backfill soil with water prior to moving; Dedicate water truck or high capacity hose to backfilling equipment; Empty loader bucket slowly so that no dust plumes are generated; Minimize drop height from loader bucket.
Clearing and Grubbing	Maintain stability of soil through prewatering of site prior to clearing and grubbing; and Stabilize soil during clearing and grubbing activities; and Stabilize soil immediately after clearing and grubbing activities.	Maintain live perennial vegetation where possible; Apply water in sufficient quantity to prevent generation of dust plumes.
Clearing Forms	Use water spray to clear forms or use sweeping and water spray to clear forms or use vacuum system to clear forms.	Use of high-pressure air to clear forms may cause exceedance of rule requirements.
Crushing	Stabilize surface soils prior to operation of support equipment; and Stabilize material after crushing.	Follow permit conditions for crushing equipment; Pre-water material prior to loading into crusher; Monitor crusher emissions opacity; Apply water to crushed material to prevent dust plumes.
Cut and Fill	Pre-water soils prior to cut and fill activities; and Stabilize soil during and after cut and fill activities.	For large sites, pre-water with sprinklers or water trucks and allow time for penetration; and Use water trucks/pulls to water soils to depth of cut prior to subsequent cuts.
Demolition Mechanical/Manual	Stabilize wind erodible surfaces to reduce dust; and Stabilize surface soil where support equipment and vehicles will operate; Stabilize loose soil and demolition debris; and Comply with Rule 1403.	Apply water in sufficient quantities to prevent the generation of visible dust plumes.
Disturbed Soil	Stabilize disturbed soil throughout the construction site; Stabilize disturbed soil between structures	Limit vehicular traffic and disturbances on soils where possible; If interior block walls are planned, install as early as possible; Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.
Earth-Moving Activities	Pre-apply water to depth of proposed cuts; Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 feet in any direction; Stabilize soils once earth-moving activities are complete.	Grade each project phase separately, timed to coincide with construction phase; Upwind fencing can prevent material movement on site; Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.
Importing/Exporting of Bulk Materials	Stabilize material while loading to reduce fugitive dust emissions; Maintain at least six inches of freeboard on haul vehicles; Stabilize material while transporting to reduce fugitive dust emissions; Stabilize material while unloading to reduce fugitive dust emissions; Comply with California Vehicle Code (CVC) Section 23114.	Use tarps or other suitable enclosures on haul trucks; Check belly-dump truck seals regularly and remove any trapped rocks to prevent spillage; Comply with track-out prevention/mitigation requirements; Provide water while loading and unloading to reduce visible dust plumes.
Landscaping	Stabilize soils, materials, slopes	Apply water to materials to stabilize; Maintain materials in a crusted condition; Maintain effective cover over materials; Stabilize sloping surfaces using soil binders until vegetation or ground cover can effectively stabilize the slopes; Hydroseed prior to rain season.
Road Shoulder Maintenance	Apply water to unpaved shoulders prior to clearing; Apply chemical dust suppressants and/or washed gravel to maintain a stabilized surface after completing road shoulder maintenance.	Installation of curbing and/or paving of road shoulders can reduce recurring maintenance costs; Use of chemical dust suppressants can inhibit vegetation growth and reduce future road shoulder maintenance costs.

**Table 4 (Continued)**  
**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**BEST AVAILABLE CONTROL MEASURES**  
(Applicable to all Construction Activity Sources)

Source Category	Control Measures	Guidance
Screening	Pre-water material prior to screening; Limit fugitive dust emissions to opacity and plume length standards; Stabilize material immediately after screening.	Dedicate water truck or high capacity hose to screening operation; Drop material through the screen slowly and minimize drop height; Install wind barrier with a porosity of no more than 50% upwind of screen to the height of the drop point.
Staging Areas	Stabilize staging areas during use; Stabilize staging area soils at project completion.	Limit size of staging area; Limit vehicle speeds to 15 miles per hour; Limit number and size of staging area entrances/exits.
Stockpiles/Bulk Material Handling	Stabilize stockpiled materials, and stockpiles within 100 yards of off-site occupied buildings must not be greater than eight feet in height or must have a road bladed to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage.	Add or remove material from the downwind portion of the storage pile; Maintain storage piles to avoid steep sides or faces.
Traffic Areas for Construction Activities	Stabilize all off-road traffic and parking areas; Stabilize all haul routes; Direct construction traffic over established haul routes.	Apply gravel/paving to all haul routes as soon as possible to all future roadway areas; Barriers can be used to ensure vehicles are only used on established parking areas/haul routes.
Trenching	Stabilize surface soils where trencher or excavator and support equipment will operate; Stabilize soils at the completion of trenching activities.	Pre-watering of soils prior to trenching is an effective preventive measure. For deep trenching activities, pre-trench to 18 inches soak soils via the pre-trench and resuming trenching; Washing mud and soils from equipment at the conclusion of trenching activities can prevent crusting and drying of soil on equipment.
Truck Loading	Pre-water material prior to loading; Ensure that freeboard exceeds six inches (CVC Section 23114)	Empty loader bucket such that no visible dust plumes are created; Ensure that the loader bucket is close to the truck to minimize drop height while loading.
Turf Overseeding	Apply sufficient water immediately prior to conducting turf vacuuming activities to meet opacity and plume length standards; Cover haul vehicles prior to exiting the site.	Haul waste material immediately off-site.
Unpaved Roads/Parking Lots	Stabilize soils to meet the applicable performance standards; Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots.	Restricting vehicular access to established unpaved travel paths and parking lots can reduce stabilization requirements.
Vacant Land	In instances where vacant lots are 0.10 acre or larger and have a cumulative area of 500 square feet or more that are driven over and/or used by motor vehicles and/or off-road vehicles, prevent motor vehicle and/or off-road vehicle trespassing, parking and/or access by installing barriers, curbs, fences, gates, posts, signs, shrubs, trees or other effective control measures.	-

Source: South Coast Air Quality Management District

Table 2 (Comparison of Projected Construction Emissions and Daily Criteria Values) includes the daily emissions projected for site construction. Note that all emissions are below the threshold values set by SCAQMD and the impact is, therefore, less than



significant. All of the estimated emissions quantities are so low such that even if all phases of construction were to overlap (that is, to occur all at once), the impact would remain at a less-than-significant level because they would fall below the emissions thresholds set by SCAQMD. Accordingly, they would be less than significant for CEQA purposes. No mitigation measures are either required or recommended.

### **Operational Impacts**

The major source of long-term air quality impacts for the proposed project is that associated with the emissions produced from project-generated vehicle trips. Stationary sources (e.g., heating and air conditioning) add only minimally to these values.

From an operational perspective, CalEEMod reports the day with the highest emissions production. Based on the nature of the facility's operation, the estimation of Saturday and Sunday values has been used because these are the days anticipated to have the highest levels of mobile source emissions. To identify peak-day emissions, both summer and winter scenarios were modeled and the higher of the two values included in [Table 3](#) (Comparison of Projected Peak [Weekday] and Annual Average Daily Operational Emissions for the School and Daily Criteria Values), to provide the most conservative estimate.

This analysis assumes that the proposed project includes the operation of a place of worship and private pre-school. In addition, the proposed project includes the relocation of an existing facility to a site that currently includes a single-family residential unit. By their elimination, air emissions associated with the operation of the existing single-family residence and the cessation of operations at the existing synagogue could reasonably be subtracted from the emissions associated with the proposed project, representing potential "off-setting credits." In order to present a worst-case scenario, the project has been examined only as a "new" land use and no potential off-setting credits have been taken for either the removal of the existing residence or the relocation of the existing facility.

Even absent those off-setting credits, all projected emissions fall below the threshold levels set by the SCAQMD and the resulting impact is, therefore, less than significant. No mitigation measures are either required or recommended.

- **Response to Question III(c) – Less-than-Significant Impact**

Short-term and long-term localized impacts are separately addressed below.

### **Short-Term Localized Impacts**

Project construction has the potential to raise localized ambient air pollutant concentrations. This could present a significant impact if these concentrations were to exceed the ambient air quality standards formulated by the SCAQMD. The SCAQMD has developed "screening tables" for evaluating the construction and operational air quality impacts of projects up to five acres in size. These tables provide a preliminary yardstick against which the potential significance of localized air quality impacts can be evaluated and have been included in the SCAQMD's "Final Localized Significance Threshold Methodology" (June 2003), as periodically updated on the SCAQMD's public website. The most current update was in 2008 and these data are used in this analysis.

The emissions values included in the SCAQMD's "screening tables" are based on the emissions produced from on-site sources and, as determined by the SCAQMD, do not include off-site mobile source emissions (i.e., trucks and worker vehicles) that are spread over a much larger area. These emissions are spread over a vast area and do not result in localized concentrations in proximity to the project site.

The proposed project includes only a single approximately 9,850 SF building to be constructed on a single 0.88-acre site. Because it is not possible to accurately predict the source from which materials will be delivered and workers will commute, the SCAQMD's "screening tables" incorporate generalized mobile source emissions from those sources.

Rather than using the entirety of the site, CalEEMod bases the area of disturbance on equipment use. Dozers, graders, and crawler tractors are estimated to disturb an area of 0.5 acre while scrapers are estimated to disturb 1.0 acre over an 8-hour workday.

CalEEMod estimates that site preparation and grading would each cover an area of 0.5 acre per day. The screening tables include sites of 1, 2, and 5 acres with receptors at 25, 50, 100, 200, and 500 meters away. The methodology notes that site sizes and receptor distances that lie between those values included in the screening manual may be determined by linear interpolation. In the case of the proposed project, this means that because the projected daily disturbance covers an area of 0.5 acre, the threshold values for a 1-acre site were reduced by half. The methodology also denotes that the 25-meter distance is the minimum distance to be used, even if receptors are located closer than this distance.

The project site is bordered on the west by Neuro Restorative, on the south by a private parking lot associated with Neuro Restorative with residential units located just beyond, and by residential units to the immediate east. Residential units are also located across E. 17<sup>th</sup> Street to the north of the project site. Based on these locations, as required under the model's methodology, the 25-meter minimal distance for receptors was used in this analysis.

Allowable emissions are based on the source receptor area in which they are produced. The project is located in the east end of Source Receptor Area (SRA) 17 (Central Orange County) and the screening level for a 1-acre site for carbon monoxide (CO) with receptors at 25 meters is 485 pounds per day (242.5 pounds per day for a 0.5-acre site). Similarly, the screening level for a 1-acre site for nitrogen dioxide (NO<sub>2</sub>) with receptors at 25 meters is 81 pounds per day (40.5 pounds per day for a 0.5-acre site). At a peak value of 7.47 pounds per day for CO during grading and 6.93 pounds per day for NO<sub>x</sub> during site preparation, these construction emissions would not create localized impacts because they both fall far below the screening levels for those pollutants identified by the SCAQMD.

The Clean Air Act Amendment of 1971 established national Ambient Air Quality Standards (AAQS). These standards are the levels of air quality considered safe, with an adequate margin of safety, to protect the public health and welfare. As set forth in [Table 5](#) (Ambient Air Quality Standards for Criteria Pollutants), the California Ambient Air Quality Standards (CAAQS) and the National Ambient Air Quality Standards (NAAQS) constitute health-based standards for the following six air pollutants: ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulate matter (PM<sub>10</sub>, PM<sub>2.5</sub>), and lead. In addition, the State has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility reducing particles. In addition to "primary" and "secondary" AAQS, the State has also

established a set of episode criteria for ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and particulate matter. These criteria refer to episode levels representing periods of short-term exposure to air pollutants, which could threaten public health.

Projects that have the ability to exceed or add measurably to an existing excess of the ambient concentrations presented in Table 5 (Ambient Air Quality Standards for Criteria Pollutants) may be considered significant. The following localized significance thresholds, as published in the SCAQMD’s “Final Localized Significance Threshold Methodology” (June 2003), have been formulated by the SCAQMD for individual projects:

**Table 5  
AMBIENT AIR QUALITY STANDARDS FOR CRITERIA POLLUTANTS**

<b>Pollutant</b>	<b>Averaging Time</b>	<b>California Standard</b>	<b>Federal Primary Standard</b>	<b>Major Pollutant Sources</b>
Ozone (O <sub>3</sub> )	1 hour	0.09 ppm	*	Motor vehicles, paints, coatings, and solvents.
	8 hours	0.070	0.070 ppm	
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9.0 ppm	9 ppm	
Nitrogen Dioxide (NO <sub>2</sub> )	Annual Average	0.030 ppm	0.053 ppm	Motor vehicles, petroleum-refining operations, industrial sources, aircraft, ships, and railroads.
	1 hour	0.18 ppm	*	
Sulfur Dioxide (SO <sub>2</sub> )	Annual Average	*	0.03 ppm	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	1 hour	0.25 ppm	*	
	24 hours	0.04 ppm	0.14 ppm	
Suspended Particulate Matter (PM <sub>10</sub> )	Annual Arithmetic Mean	20 µg/m <sup>3</sup>	*	Dust and fume-producing construction, industrial, and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g. wind-raised dust and ocean sprays).
	24 hours	50 µg/m <sup>3</sup>	150 µg/m <sup>3</sup>	
Suspended Particulate Matter (PM <sub>2.5</sub> )	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	15 µg/m <sup>3</sup>	Dust and fume-producing construction, industrial, and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g. wind-raised dust and ocean sprays).
	24 hours	*	35 µg/m <sup>3</sup>	
Lead (Pb)	Monthly	1.5 µg/m <sup>3</sup>	*	Present source: lead smelters, battery manufacturing & recycling facilities. Past source: combustion of leaded gasoline.
	Quarterly	*	1.5 µg/m <sup>3</sup>	
Sulfates (SO <sub>4</sub> )	24 hours	25 µg/m <sup>3</sup>	*	Industrial processes.
Notes: ppm: parts per million; µg/m <sup>3</sup> : micrograms per cubic meter * Standard is not applicable for this pollutant/duration by this entity.				

Source: California Air Resources Board

- California State 1-hour CO standard of 20.0 ppm
- California State 8-hour CO standard of 9.0 ppm
- California State 1-hour NO<sub>2</sub> standard of 0.18 ppm
- SCAQMD 24-hour construction PM<sub>10</sub> and PM<sub>2.5</sub> standards of 10.4 µg/m<sup>3</sup>
- SCAQMD 24-hour operational PM<sub>10</sub> and PM<sub>2.5</sub> standards of 2.5 µg/m<sup>3</sup>

Areas that meet the AAQS are classified as “attainment” while those that do not meet these standards are classified as “nonattainment” areas. The attainment status for the SCAB is included in [Table 6](#) (Attainment Status for the South Coast Air Basin).

Table 6  
**ATTAINMENT STATUS FOR THE SOUTH COAST AIR BASIN**

Pollutant	State Status	Federal Status
Ozone (1-hour)	Extreme Nonattainment	Extreme Nonattainment (under the prior standard)
Ozone (8-hour)	Extreme Nonattainment	Severe-17 (may petition for Extreme)
PM <sub>10</sub>	Serious Nonattainment	Serious Nonattainment
PM <sub>2.5</sub>	Nonattainment	Nonattainment
CO	Attainment	Attainment/Maintenance
NO <sub>2</sub>	Attainment	Attainment/Maintenance

Source: California Air Resources Board

The SCAQMD’s thresholds are meant to implement and achieve the standards set forth in the CAAQS and NAAQS. Because the SCAB is a “nonattainment” area for PM, the thresholds for both PM<sub>10</sub> and PM<sub>2.5</sub> are much more stringent than those for CO and NO<sub>x</sub>. The screening level for a 1-acre site for PM<sub>10</sub> with receptors at 25 meters is 4 pounds per day (2 pounds per day for a 0.5-acre site). At 0.79 pound per day, PM<sub>10</sub> emissions associated with the short-term construction of the proposed project would not exceed this value and the resulting impact is, therefore, less than significant. Similarly, the screening level for a 1-acre site for PM<sub>2.5</sub> with receptors at 25 meters is 3 pounds per day (1.5 pounds per day for a 0.5-acre site), and, at 0.41 pound per day during grading, PM<sub>2.5</sub> emissions associated with the short-term construction of the proposed project would not exceed this value and would, therefore, not constitute a significant localized impact. No mitigation measures are either required or recommended.

### Long-Term Localized Impacts

Long-term effects of the proposed project could also be significant if they were to exceed the CAAQS’ CAAQS have been set for CO, NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. CO and NO<sub>2</sub> would be significant if the proposed project were to raise existing levels above those levels set by the CAAQS. Because the SCAB is a “nonattainment” area for PM (meaning that those emissions exceeds the levels set by the CAAQS), the operational thresholds for both PM<sub>10</sub> and PM<sub>2.5</sub> are set at a measurable increase of 2.5 micrograms per cubic meter (µg/m<sup>3</sup>).

Unlike construction equipment that generates exhaust and dust in a set area, the primary source of emissions from project operations is due to the addition of vehicles on the roadway system. These emissions are then spread over a vast area and do not result in localized concentrations in proximity to the project site. As such, localized modeling for project operations is not prepared for residential, limited commercial, or for light industrial development that does not include a truck terminal, which would generate localized concentrated emissions.

Because CO is the criteria pollutant that is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, long-term adherence to CAAQS is typically demonstrated through an analysis of localized CO concentrations. In the past, areas of vehicle congestion had the potential to create “pockets” of CO called “hot spots”; however, the SCAB has now been designated as an attainment area for both the State and federal CO standards, meaning that the levels of CO within the SCAB comply

with those standards. No “hot spots” have been reported in the general project area in more than the last five years; therefore, CO is no longer a localized pollutant of concern near roadways and, as such, a “hot spot” analysis is no longer necessary. No mitigation measures are either required or recommended.

▪ **Response to Question III(d) – Less-than-Significant Impact**

Odors are generally considered to be an annoyance rather than a health hazard. An individual’s reaction to a perceivable odor can range from psychological (e.g., irritation) to physiological (e.g., circulation and respiratory effects). The ability to detect odors varies considerably among the general population and can be quite subjective.

As indicated in “Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems” (United Kingdom Department for Environment, January 2005), odors (odours) have been defined as:

Odour is perceived by our brains in response to chemicals present in the air we breathe. Odour is the effect that those chemicals have upon us. Humans have sensitive senses of smell and they can detect odour even when chemicals are present in very low concentrations. Most odours are a mixture of many chemicals that interact to produce what we detect as an odour. Odour-free air contains no odorous chemicals whilst fresh air is usually perceived as being air that contains no chemicals or contaminants that could cause harm, or air that smells “clean.” Fresh air may contain some odour, but these odours will usually be pleasant in character such as the smell of freshly mown grass or sea spray. Different life experiences and natural variation in the population can result in different sensations and emotional responses by individuals to the same odorous compounds. Because the response to odour is synthesized in our brains, other senses such as sight and taste, and even our upbringing, can influence our perception of odour and whether we find it acceptable, objectionable or offensive.

With limited exceptions (e.g., flowers and some nostalgic cooking odors), most perceptible odors not originating from or directly attributable to the receptor might be considered a “nuisance odor.” Common off-site odors in urban environments include, but are not limited to, wildfire smoke, industrial emissions, diesel exhausts, and cooking odors. Since the proposed project is neither an industrial use nor are there any existing industrial uses in the general project area, no such perceptible industrial odor emissions are envisioned. Although diesel-fueled vehicles may access the site (both during construction and operationally), the limited number of vehicles accessing the property is minimal compared to 18,000 average daily vehicle trips along E. 17<sup>th</sup> Street between Hewes Avenue and Newport Avenue (OCTA’s “2019 Annual Traffic Flow Map”). E. 17<sup>th</sup> Street is already an existing sources of diesel and exhaust odors.

Because the proposed project includes a kitchen, exhausts attributable to cooking operations may, during limited periods, be evident during certain hours of operation. Cooking odors are common and may emanate from both residential and non-residential uses. Because the proposed project is neither a “commercial kitchen” nor a “retail food facility” regulated under the California Retail Food Code (CRFC), as codified in Section 113700 et seq. in Part 7 of the California Health and Safety Code (H&SC), use of the on-site kitchen is assumed to be limited and sporadic. Compliance with applicable building codes will require the use, operation, and maintenance of appropriate exhaust ventilation

equipment. Cooking odors are common in the surrounding environment and would, therefore, not constitute a significant impact, due to cooking done at the nearby residences and cooking done on site at Neuro Restorative.

Project construction would involve the use of heavy equipment creating exhaust pollutants from on-site earth movement and from equipment bringing asphalt and other building materials to the site. By the time such emissions reach any sensitive receptor sites away from the project site, they will be diluted to below any actionable level of air quality concern. Although dilution quickly occurs as odors move away from their source, an occasional “whiff” of diesel exhaust from equipment and trucks accessing the site from public roadways and operating on the project site could potentially be evident by proximal receptors during limited periods when meteorological conditions direct those odors toward those receptors. While such brief exhaust-related odors constitute an adverse impact, those occasional, short-term emissions would not be expected to rise above a less-than-significant level under CEQA.

Additionally, some odor would be produced from the application of asphalt, paints, and coatings. Any exposure to these common odors, which are typical of most construction projects, would be of short-term duration. While potentially adverse, any associated odors would constitute a less-than-significant environmental impact under CEQA due to their very short-term duration. No mitigation measures are either required or recommended.

#### IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Have a substantial adverse effect on any sensitive riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other local, regional, or State habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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**STANDARD CONDITIONS OF APPROVAL**

- **Standard Condition.** As it relates to “biological resources,” there are no applicable County “Standard Conditions of Approval.”

**RESPONSE TO TOPIC-SPECIFIC QUESTIONS**

- **Response to Question IV(a) – No Impact**

The California Natural Diversity Database (CNDDDB) is a USGS quadrangle-based tool that inventories the status and locations of rare plants and animals in California maintained by the California Department of Fish and Wildlife’s (CDFW) Biogeographic Data Branch. The project site is located within the USGS 7.5-minute Orange Quadrangle. Three versions of the database are available, including a free public (CNDDDB QuickView Tool) version and two subscription-based versions (RareFind 5 and CNDDDB in BIOS). Because it is broadly accessible to the general public, for the USGS Orange Quadrangle, a CNDDDB QuickView Tool search of all sensitive flora and fauna was conducted. Within the Orange Quadrangle, the database search revealed the presence of 65 species, including: (1) one amphibian; (2) thirty-three birds; (3) two fish; (4) two insects; (5) five mammals; (5) one mollusks; (6) six reptiles; (7) one community aquatic habitat; (8) three community terrestrial habitats; and (9) eleven vascular plants. Because no amphibian or aquatic habits exist on the project site, no habitat is present at the project site to support many of those species (amphibians, mollusks, fish).

The project site has been operated and maintained as a residential use since 1950. It can be assumed that domesticated cats and dogs were kept on the project site for all or substantial portions of that residence. As reported by the United States Fish and Wildlife Service (USFWS), because domestic cats have been documented to range up to 3,100 feet (0.6 miles) from their home. Free-roaming domestic cats (*Felis catus*) are a major anthropogenic source of morbidity and mortality to wild birds and mammals in the United States (The Wildlife Society, Vol. 81, No. 1, January 2017). Both the long-term presence

of a residential use and the likely presence of domesticated cats and dogs between 1950 and the present, the entirety of the project site is heavily disturbed.

The presence of human occupants and large volumes of traffic along E. 17<sup>th</sup> Street presents a near constant source of disturbance for native fauna. Approximately 35% of the property is covered with impervious surfaces, due to the existing residential development. The remainder of the site contains ornamental (non-native) landscaping. The planting of non-native, invasive species, such as may occur in ornamental landscaping, reduces the available habitat for native plant and wildlife species. No native, indigenous vegetation remains on the project site.

Bird community diversity in urban landscapes is markedly lower than in comparable rural/exurban communities. Diversity is reduced because some species' habitat requirements are no longer met and other species able to exploit humans (human commensals) increase in abundance and dominate resources such as food and nesting space or reduce the productivity of other species by preying on their nest contents. American crows frequently benefit from inhabiting areas changed by artificial lighting. The presence of crows can have detrimental effects to other native bird species.

Due to the absence of supporting habitat features, there is no reasonable potential that any candidate, sensitive, or special status plant or animal species, as identified in local or regional plans, policies or regulations or by the CDFW or USFWS, exist on the project site.

Unless otherwise permitted by statute, nesting and migratory birds are protected under the Federal Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-711) (MBTA). The MBTA makes it unlawful to "pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird included in the terms of this convention. . .or any part, nest, or egg of any such bird."

Based on the absence of suitable habitat, no nesting or foraging activities by migratory birds is expected to occur on the project site. Compliance with existing laws and regulations, including the application of "Standard Conditions of Approval," with which the project is already required to comply, do not constitute mitigation under CEQA. Based on compliance with existing laws and standard conditions, no impacts to migratory or nesting birds are expected and, therefore, no further mitigation is required. Relative to this topical issue, based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to migratory or nesting birds would, therefore, be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question IV(b) – No Impact**

As defined in the CDFW's "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (March 20, 2018): "Sensitive natural communities" (SNCs) are "communities that are of limited distribution Statewide or within a county or region and are often vulnerable to environmental effects of



projects. These communities may or may not contain special status plants or their habitat.” The CDFW’s “List of California Terrestrial Natural Communities” indicates which natural communities are considered “sensitive.”

Not all “natural communities” are considered SNCs. Natural communities assigned a rarity ranking by the CDFW of “S1” to “S3” are considered SNCs and are to be addressed in the environmental review processes under CEQA and its equivalents.

Based on a “CNDDDB QuickView Tool” search, with regards to terrestrial resources, the following SNCs are known to exist within the USGS’ Orange Quadrangle: (1) California Walnut Woodlands; (2) South Coast Live Oak Riparian Forest; and (3) Southern Cottonwood Willow Riparian Forest. None of those SNCs exist on the project site.

Based on multiple site visits by experienced CEQA technicians experienced in identifying sensitive species, the habitat type present on the project site can be described as “disturbed/developed” (i.e., neither representative of nor associated with a native habitat or plant alliance), generally comprised of land that have been cleared of vegetation, containing existing structures, and including pavement areas providing little to no habitat value for native animal species. Vegetation that is present is composed of decaying non-native plant species, such as ornamentals or ruderal exotic invasive species, that take advantage of disturbance or show signs of past and present animal usage, including foraging by domesticated cats and dogs, that have resulted in the removal of any capability of providing viable natural habitat for uses other than dispersal.

Because no SNCs exist on the project site, relative to this topical issue, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to SNCs would, therefore, be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question IV(c) - No Impact**

The United States Army Corps of Engineers (USACOE) defines “wetlands” as “[t]hose areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas” (33 CFR 328.3[b]; 40 CFR 230.3[t]).

Under the provisions of the Federal Water Pollution Control Act (33 U.S.C. 1251-1376), more commonly known as the federal Clean Water Act (CWA), examples of “wetland” areas include swamps, freshwater marshes, bogs, vernal pools, wet meadows, wet pastures, springs and seeps; portions of lakes, ponds, rivers, and streams; and all other areas which are periodically or permanently covered by shallow water or dominated by hydrophytic vegetation or in which the soils are predominantly hydric in nature. When all three wetland indicators (i.e., hydric soils, wetland vegetation, and hydrology) are present, the presumption of wetland existence shall be conclusive. Where less than three indicators are present, wetland existence shall be supported by the demonstrable use of wetland areas by wetland associated fish or wildlife resources, related biological activity, and wetland habitat values. No areas meeting the definition of “wetlands” and no wetland indicators exist on the project site.

As a result, based on information now known to OC Planning, relative to this topical issue, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to wetlands would, therefore, be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question IV(d) – No Impact**

Because the project site exists within a highly urbanized area, is surrounded by existing development, and lacks any drainage features which could facilitate wildlife movement and mobility, the project's approval, construction, and operation would not substantially interfere 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. There are no known or suspected wildlife or migratory bird corridors of which the project site plays any substantial part. Absent any water resources, no migratory fish species would be present on the project site.

As a result, based on information now known to OC Planning, relative to this topical issue, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to wildlife movement or wildlife corridors would, therefore, occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question IV(e) – No Impact**

The NTSP does not contain "local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance." References to "local policies or ordinances" in this document, means only those policies or ordinances adopted by the County through the County's Codified Ordinances. Absent any relevant "local policies or ordinances," the proposed project would neither impede nor conflict with any local rules or regulations formulated for the protection of biological resources.

As a result, based on information now known to OC Planning, relative to this topical issue, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to the ability to fully implement and carry out "local policies or ordinances" protecting biological resources would, therefore, occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question IV(f) – No Impact**

As noted, the project site is located within the boundaries of the Orange County NCCP/HCP area; however, the subject property is not located in a designated "reserve area," included as part of an identified "wildlife corridor," or categorized as a "sensitive resource area" in the Orange County NCCP/HCP. As a result, based on information now known to OC Planning, relative to this topical issue, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to proposed project's consistency with and the implementation of an adopted NCCP/HCP, Statewide, or local conservation plan would, therefore, occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

## V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5 in Title 14 of the California Code of Regulations (CCR)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant Section 15064.5 in Title 14 of the CCR?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### STANDARD CONDITIONS OF APPROVAL

- No relevant “Standard Conditions of Approval” pertaining to “cultural resources” have been adopted by the County.

### RESPONSE TO TOPIC-SPECIFIC QUESTIONS

- Response to Question V(a) – Less-than-Significant Impact**

The site’s existing structures have not been included in any local, State, or federal register of historic resources and the County has made no previous determination that the existing home and associated structures (e.g., the in ground pool) are historically significant.

With the exception of the project area’s broad affiliation with pre-1950 agricultural operations and the role that agriculture historically played in the origins and subsequent development of the County, there is no clear historic or cultural association with the project site itself. Although numerous prehistoric and historic events and individuals are associated with the general project area, none of those events and no such individuals appear directly or indirectly associated with the project site.

Although the existing single-family residence is more than 50-years old and, therefore, constitutes a potential “historic resource,” per Section 4852(d)(2) of title 14 of the California Code of Regulations, it does not meet the eligibility criteria for listing as a historical resource on the California Register of Historic Resources (CRHR) and/or the National Register of Historic Places (NRHP). Because the residence is not eligible for listing on either the CRHR or the NRHP, no on-site, off-site, short-term construction, long-term

operational, direct, indirect, and/or cumulative impacts to the significance of a historical resource would be expected to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question V(b) – No Impact**

A review of the available “County of Orange Historic Aerial Imagery” (1931, 1938, 1947, 1952, 1953, and 1960) reveals that: (1) widespread agricultural operations existed both on the project site and throughout the general project area prior to 1947; (2) with the exception of agricultural uses, the project site did not include any physical improvements in 1947; (3) in 1950, a residential structure existed on the project site; and (4) much of the North Tustin area remained in productive agricultural use through 1960. Agricultural operations in the project area typically included discing of surface and near-surface soils and the removal of all non-soil materials, disturbing the entire surface of the project site. Similarly, building construction, including associated site clearance, vegetation removal, pad excavation, trenching for utilities and exterior footing, and the construction of an 8-foot-deep swimming pool, further contributed to the overall extent disturbance of the project site. Any recoverable artifacts (e.g., primarily those associated with agricultural operations) that may have been present on the project site would have been removed as a result of those prior activities.

Based on the site’s historic agricultural use and the extent of existing site disturbance, no significant archaeological resources (as defined by Section 15064.5 of the CEQA Guidelines) are expected to exist on the project site. Because there are no significant archaeological resources present on the project site, no impact to such resources would occur as the result of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question V(c) – No Impact**

In accordance with Section 7050.5 of the California Health and Safety Code (H&SC), if human remains are found, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains. The County Coroner shall be notified within 24 hours and shall make such determination within two working days of notification of discovery.

If the County Coroner determines that the remains are or believed to be of prehistoric origin, the County Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with Section 5097.98 of the PRC, the NAHC will determine and notify a Most Likely Descendant (MLD). With the permission of the property owner, the MLD may inspect the site of the discovery (within 24 hours of notification by the NAHC). The MLD may recommend scientific removal and non-destructive analysis of human remains and items associated with Native American burial practices. In consultation with the property owner, the designated Native American representative would then determine the disposition of the human remains.

Because existing regulations already exist regarding the discovery of human remains, no mitigation measures are either required or recommended.

## VI. ENERGY

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

### STANDARD CONDITIONS OF APPROVAL

- **Standard Condition.** No “Standard Conditions of Approval” pertaining to “energy” have been adopted by the County.

### RESPONSE TO TOPIC-SPECIFIC QUESTIONS

- **Response to Question VI(a) – Less-than-Significant Impact**

The “California Building Standards Code” refers to the building standards located in Title 24 of the CCR as published by the California Building Standards Commission. The California Building Standards Code constitute State regulations developed or adopted by various State agencies.

Every three years, the State adopts new standards in the California Building Standards Code. The County has adopted the 2019 California Building Standards Code, which became effective Statewide on January 1, 2020. Cities and counties can adopt amendments to the California Building Standards Code that exceed minimum requirements of the California Building Standards Code.

Title 24 of the CCR provides State regulations governing the design and construction of buildings, associated facilities, and equipment. These regulations are defined as building standards in Section 18909 of the H&SC. The Title 24 regulations contain requirements for structural, mechanical, electrical, and plumbing systems, and require measures for energy conservation, sustainable design, construction and maintenance, fire and life safety, and accessibility.

The 2019 “Building Energy Efficiency Standards for Residential and Nonresidential Buildings” (24 CCR Part 6) (2019 CEC) set energy and water design standards for

residential and nonresidential buildings. The 2019 CEC includes cost-effective energy efficiency requirements for newly constructed buildings, additions, and alterations to existing buildings. Effective on January 1, 2020, the 2019 CEC improves envelope efficiency, which refers to improving the insulation of windows, exterior walls, floors, and the roof of a building. These standards will reduce 700,000 tons of CO<sub>2</sub> emissions over three years.

The 2019 CalGreen (24 CCR Part 11) contains both mandatory requirements and voluntary measures for new residential and nonresidential buildings throughout California. The 2019 CalGreen is intended to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the following construction practices: (1) planning and design; (2) energy efficiency; (3) water efficiency and conservation; (4) material conservation and resource efficiency; and (5) environmental quality. The 2019 CalGreen promotes the reduction of construction waste, makes buildings more efficient relative to the use of materials and energy, and reduces environmental impacts during and after construction.

Compliance with the 2019 CEC and 2019 CalGreen, including the California Energy Commission's "2019 Nonresidential Compliance Manual for the 2019 Building Energy Efficiency Standards" (December 2018), as may be updated, revised, and superseded, will ensure that the proposed project neither results in the "wasteful, inefficient, and unnecessary consumption of energy" nor causes a significant energy-related impact under CEQA. As a result, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to energy usage would be related to energy usage the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question VI(b) – No Impact**

Relative to the Codified Ordinances (Codified Ordinances § 7-1-12), the proposed project is subject to compliance with both the 2019 CEC and 2019 CalGreen.

At a minimum, the proposed project will comply with all mandatory provisions of the State's 2019 CEC. Compliance therewith will ensure that the proposed project will not obstruct a State or local plan for renewable energy or energy efficiency. As a result, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to energy efficiency would be expected to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

## VII. GEOLOGY AND SOILS

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

### STANDARD CONDITIONS OF APPROVAL

#### Geology and Soils

- **Standard Condition G01 (Geology Report).** Prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the Manager, Subdivision and Grading, for approval. The report shall include the information and be in the form as required by the Grading Manual.

- **Standard Condition G05 (Vector Control).** Prior to the issuance of any preliminary grading permits, the applicant shall provide evidence to the Manager, Subdivision & Grading, that the Vector Control District has surveyed the site to determine if vector control measures are necessary. If the District determines measures are warranted, the applicant shall conduct such measures in a manner meeting the approval of the Manager, Subdivision and Grading.
- **Standard Condition G09 (Grading Consistency).** Prior to the issuance of any grading permit or revisions thereto, the Manager, Current Planning, shall determine that the proposed grading is consistent with the grading depicted within this approved planning application.

### **Paleontological Resources**

- No applicable “Standard Conditions of Approval” for “paleontological resources” have been adopted by the County.

### **RESPONSE TO TOPIC-SPECIFIC QUESTIONS**

As specified under “Standard Condition G01” (Geology Report), a geotechnical report will be prepared and submitted to the “Manager, Subdivision and Grading” prior to the issuance of a grading permit for the project.

- **Response to Question VII(a) – Less-than-Significant Impact**

No portion of the project site is located in or in close proximity to a State-designated Alquist-Priolo Earthquake Fault Zone (APEFZ), as established under the Alquist-Priolo Earthquake Fault Zoning Act of 1972 (Section 2621 et seq., Chapter 7.5, Division 2, PRC).

Because earthquake-related hazards cannot be avoided, the project site, the improvements planned as part of the project, and the site’s occupants and users likely will be subjected to “strong seismic ground shaking.” The project site is located in relatively close proximity to numerous active faults within the southern California area including, but not limited to: (1) approximately 4.7 miles south of the Peralta Hills Fault; (2) approximately 8.3 miles north of the Newport-Inglewood-Rose Canyon Fault Zone (South Los Angeles Basin Section); (3) approximately 18.3 miles southeast of the Elsinore Fault Zone (Whittier Section); (4) approximately 25.9 miles south of the Sierra Madre Fault Zone (Sierra Madre East Section); and (5) approximately 43.0 miles south of the San Andreas Fault Zone.

From a structural perspective, all building improvements are required to conform to applicable “Earthquake Design Regulations,” as specified in Section 1613 in Chapter 16 (Structural Design) of the 2019 “California Building Standards Code” (2019 CBC). As specified, in pertinent part: “Every structure, and portion thereof, including nonstructural components that are permanently attached to structures and their supports and attachments, shall be designed and constructed to resist the effects of earthquake motions” (24 CCR Section 1613.1). Compliance with these requirements will reduce potential “strong seismic ground shaking” impacts to a less-than-significant level under CEQA. Significantly, the strong seismic ground shaking experienced by the project and project users and occupants will not differ from those experienced by the existing residence and will be lessened through compliance with modern earthquake design requirements of the 2019 CBC.



As a result, relative to this topical issue, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts would not be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project.

No mitigation measures are either required or recommended.

▪ **Response to Question VII(b) – Less-than-Significant Impact**

Urban runoff from developed sites and stormwater pollution associated with the runoff has the potential to contribute pollutants to the municipal storm drain system and ultimately to the tributary receiving waters. Pollutants that are commonly associated with urban development include suspended solids/sediment, nutrients, metals, microbial pathogens, oil and grease, toxic organic compounds, and trash and debris. The pollutants of concern for a specific project are based upon the pollutants identified by regulatory agencies as impairing receiving waters before implementation of the project, and pollutants that are anticipated or potentially could be generated by the project based on the proposed land uses.

Construction activities for the proposed project could potentially impact soil resources by increasing soil erosion and soil compaction. Soil compaction increases soil density by reducing soil pore space. This, in turn, reduces the ability of the soil to absorb precipitation and transmit gases for respiration of soil microfauna, which can increase the rate of soil erosion. The effect of soil erosion is that soil lost during or after construction could increase the sediment load in surface receiving waters downstream of the construction site. Sediment is considered stormwater pollution and impacts the water quality of receiving waters.

Subject to the findings of a project-specific “geology report” (“Standard Condition G01”), the “Myford sandy loam, thick surface, 0 to 2 percent slope” that is present on the project site appears generally suitable for building purposes. Sandy soil has a gritty texture because it is formed from small particles of weathered rock. It is a good soil for building structures because it allows water to drain away from a building site but will not shift or move. Sand may be compacted to add additional stability to the soil. Because sand particles have irregular shapes, the fragments will catch against one another and lock into place, providing additional stability. Loamy soils (which are also present on site as part of the Myford sandy loam) are an intermediate soil halfway between sand and clay. This soil typically has a mix of organic material, sand and clay. Loamy soils are considered by builders to be adequate for building on, which means that they are better than clay but worse than sand.

Anticipated impacts are minimal and will be sufficiently addressed through compliance with the existing policies, procedures, laws, and regulations with which the proposed project is already required to comply. As a result, based on information now known to OC Planning, relative to this topical issue, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to soil erosion would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question VII(c) – Less-than-Significant Impact**

As illustrated in the California Geological Survey’s “Seismic Hazards Zone Map, Orange Quadrangle” (Released April 15, 1998), the California Department of Conservation’s (CDC) “Seismic Hazards Zone Map, Orange Quadrangle, 7.5-Minute Series, Open File Report 97-19” (April 15, 1998), and the CDC’s “Seismic Hazard Zone Report for the Orange 7.5-Minute Quadrangle, Orange County, California – Seismic Hazard Zone Report 011” (1997), the project site is not identified as an area of “required investigation” for liquefaction and earthquake-induced landslide hazards.

Lateral spreading and subsidence are separately addressed below.

- ♦ **Lateral Spreading.** As defined in the USGS and CSG’s “The ShakeOut Scenario, Open File Report 2008-1150/CGS Preliminary Report 25” (Appendix C [Characteristics of Earthquake-Induced Permanent Ground Deformation and Examples from Past Earthquakes]) (2008):

A “lateral spread” ground failure describes the case where lateral displacement of surficial blocks of sediment occurs due to liquefaction that develops in a subsurface layer. Once the process of liquefaction transforms one or more subsurface layers into a fluidized mass, gravitational forces plus inertial forces resulting from the earthquake’s ground motions may cause the mass to move down slope or toward a free face, such as a cut slope or incised river channel. Historically, lateral spreads occur on gentle slopes that range from about 0.3° and 3°. Amounts of horizontal displacement range from millimeters to several meters and appreciable differential settlement may also occur between displaced blocks. Greater horizontal and vertical displacement occur where (a) the liquefied layer is relatively thick, (b) the boundary conditions are favorable for lateral displacement, as when the location is near a free face, (c) the soil is especially loose or otherwise susceptible to liquefaction, (d) where the earthquake shaking is of greater duration, or (e) where the depth to ground water is particularly shallow. Lateral spreads are especially destructive to pipelines, road, utilities, bridge piers, or structures with shallow foundations.

As indicated in the DOC’s “Seismic Hazards Zone Map, Orange Quadrangle, 7.7-Minute Series, Open File Report 97-19” (April 15, 1998): “The potential for ground failure resulting from liquefaction-induced lateral spreading of alluvial materials, considered by some to be a form of landsliding, is not specifically addressed by the earthquake-induced landslide zone or this report.” Similarly, subsidence is not addressed therein.

The project site is not subject to earthquake-induced liquefaction hazards and the site’s boundary conditions do not include exposure to a free face. Additionally, being comprised of sandy loam and sandy clay, “Myford sandy loam” is relatively dense, moderately well drained, and very slowly permeable, decreasing the risk of liquefaction. As indicated in the “Orange County and Part of Western Riverside County Soil Survey” - Myford Sandy Loam, Thick Surface, 0 to 2 Percent Slope, depth to the water table is more than 80 inches. Due to all of these factors, the conditions for a liquefaction-induced lateral spread landslide at the project site do not exist.

In Figure 19 (Orange County Groundwater Basin Groundwater Contour Map [June 2019]), as extracted from the Orange County Water District's (OCWD) "2018-2019 Engineer's Report on Groundwater Conditions, Water Supply and Basin Utilization in the Orange County Water District" (February 2020) and as further verified in in Figure XVI-2D (North Orange County Mapped Depth to First Groundwater) in the California Regional Water Control Board, Santa Ana Region's (SARWQCB) "Technical Guidance Document (TGD) for the Preparation of Conceptual/Preliminary and/or Project Water Quality Management Plans (WQMP)" (December 20, 2013) (TGD), groundwater levels in the general vicinity of the project site are depicted as being between 10 and 20 feet below ground level (BGL).

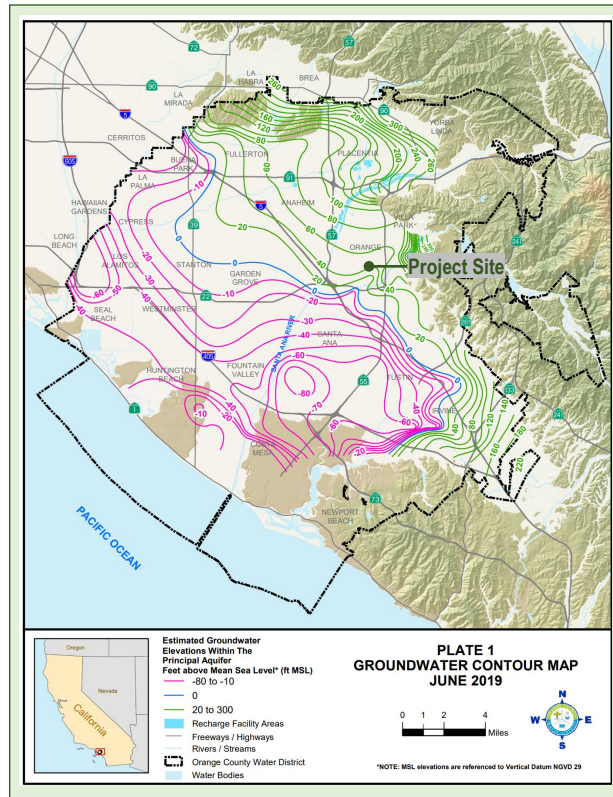


Figure 19  
**ORANGE COUNTY  
GROUNDWATER BASIN  
GROUNDWATER CONTOUR MAP**  
(June 2019)  
Source: Natural Resources Conservation Service

Due to the depth of the groundwater levels, and lack of liquefaction risk at the project site, there is little risk of any lateral spreading ground failure at the project site.

Although conditions for a liquefaction-induced lateral spread landslide do not exist on the project site, where relevant, the potential for lateral spreading ground failure would be addressed in the project's upcoming geotechnical report ("Standard Condition G01"), and the recommendations in the geotechnical report will be implemented to address any potential risk for lateral spreading.

- ♦ **Subsidence.** Ground subsidence is typically a gradual setting or sinking of the ground surface with little or no horizontal movement. A major cause of land subsidence is the withdrawal of groundwater from compressible sediments. As water is withdrawn and the water table lowered, the effective pressure in the drained sediments is increased. Compressible layers then compact under the over-pressure burden that is no longer compensated by hydrostatic pressure. The resulting land

subsidence is most pronounced in uncompacted sediments. Although oil and gas extraction can also be a cause of subsidence, because no such activities occur in the general project area, oil and gas extraction is not a relevant environmental concern relating to the proposed project.

The project site is located within the Orange County Water District's (OCWD) service area boundaries and overtops the principal, deep, and shallow aquifers of the Orange County Groundwater Basin, identified by the California Department of Water Resources (DWR) as Basin 8.1 (Coastal Plain of Orange County Groundwater Basin) (California Groundwater - Bulletin 118, February 27, 2004). OCWD's applicable policies and plans for management of the Orange County Groundwater Basin are outlined in the OCWD's "Groundwater Management Plan" (June 17, 2015).

As illustrated in [Figure 20](#) (Orange County Groundwater Management Plan Groundwater Basin 8-1 Forebay and Pressure Areas and Mesas) and as noted in the OCWD's "Basin 8-1 Alternatives" (January 1, 2017), the DWR divides the Orange County Groundwater Basin into two primary hydrologic divisions, identified as the "Forebay" and the "Pressure" areas. Area boundaries generally delineate where surface water or shallow groundwater can or cannot effectively move downward to the first producible aquifer in quantities that are deemed to be significant from a water-supply perspective. The "Forebay" is the area of intake or recharge where the major basin aquifers are replenished by direct percolation or groundwater from hydraulically connected aquifers.



Figure 20  
**ORANGE COUNTY  
GROUNDWATER MANAGEMENT PLAN  
GROUNDWATER BASIN 8-1  
FOREBAY AND PRESSURE  
AREAS AND MESAS**  
Source: Orange County Water District

The "Forebay" area is characterized by a stratigraphic sequence of relatively coarse-grained sand and gravel deposits with occasional lenses of clay and silt. These clay and silt lenses do not generally impede groundwater flow from one aquifer to another.

The "Pressure" area is generally defined as the basin area where large quantities of surface and near-surface groundwater are impeded from draining into the major producible aquifers by clay and silt layers at shallow depths ( $\leq 50$  feet). The area is characterized by semi-perched groundwater at depths of less than 50 feet, with substantially clayey or silty sediments in the shallow subsurface. Because the principal and the deeper aquifers within the "Pressure" area are under "confined"

conditions (under hydrostatic pressure), the water levels in wells penetrating these aquifers exhibit large seasonal variations.

The project site is located in the “Forebay” area and will increase the impervious area of the property. Relative to infiltration of water into the groundwater, the project’s implementation will have de minimis impacts. Additionally, the proposed project will not contribute to either localized or regional subsidence.

The OCWD’s Orange County Real Time Network (OCRTN) consists of continuously operating GPS reference stations that monitor horizontal/vertical groundwater movement throughout the County. GPS data collected between 2002 and 2014 shows that the ground surface fluctuations appear to be completely elastic, reversible, and well correlated with fluctuations in groundwater levels. Data indicate that there has not been any permanent, irreversible subsidence of the ground surface over that period. Little potential exists for future widespread permanent, irreversible subsidence given statutory obligation for sustainable groundwater management under the Sustainable Groundwater Management Act and policies for the maintenance of groundwater storage levels within a specified operating range. None of those policies directly affect the proposed project.

As a result, based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to lateral spreading or subsidence would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project.

No mitigation measures are either required or recommended.

▪ **Response to Question VII(d) – Less-than-Significant Impact**

The American Society of Testing Materials (ASTM) soil expansion potential (ASTM D-4829) test was developed in Orange County in the mid-1960s and introduced in the 1973 Uniform Building Code (UBC) as UBC Test Standard 29-2. It was re-designated as UBC Test Standard 18-1 in the 1994 code. Section 1803.2 of the 1994 UBC directed that expansive soil tendency be graded by that method. Table 18-1-B (Classification of Expansive Soil) is extracted from the 1994 UBC and is presented in Table 7 (Classification of Expansive Soils) below:

Table 7  
**CLASSIFICATION OF EXPANSIVE SOIL**  
(Table 18-1-B)

Expansion Index	Potential Expansion
0-20	Very low
21-50	Low
51-90	Medium
91-130	High
Above 130	Very High

Source: International Conference of Building Officials, Uniform Building Code Vol. 2 (Structural Engineering Design Provisions, May 1994)

Section 1803.1 (General – Geotechnical Investigation) in Chapter 18 (Soils and Foundations) of the 2019 CBC provides: “Geotechnical investigations shall be conducted in accordance with Section 1803.2 and reported in accordance with Section 1803.6. Where

required by the building official or where geotechnical investigations involve in-situ testing, laboratory testing or engineering calculations, such investigations shall be conducted by a registered design professional.”

Section 1803.1.1.2 (Soil Investigation by Lot, Necessity, Preparation and Recommendations) of the 2019 CBC further provides: “If the preliminary soil report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, such ordinance shall require a soil investigation of each lot in the subdivision. The soil investigation shall be prepared by a civil engineer who is registered in this state. It shall recommend corrective action which is likely to prevent structural damage to each dwelling proposed to be constructed on the expansive soil.”

As further specified in Section 1803.4.3 (Expansive Soils) therein of the 2019 CBC: “In areas likely to have expansive soil, the building official shall require soil tests to determine where such soils do exist. Soils meeting all four of the following provisions shall be considered expansive, except those tests to show compliance with Items 1, 2 and 3 shall not be required if the test prescribed in Item 4 is conducted: (1) Plasticity index (PI) of 15 or greater, determined in accordance with ASTM D4318. (2) More than 10 percent of the soil particles pass a No. 200 sieve (75 µm), determined in accordance with ASTM D422. (3) More than 10 percent of the soil particles are less than 5 micrometers in size, determined in accordance with ASTM D422. (4) Expansion index greater than 20, determined in accordance with ASTM D4829.”

As specified in the Codified Ordinances: “A geotechnical/soil engineering and engineering geology report shall be required for grading projects, unless otherwise waived by the Building Official. The reports shall include information appropriate for the site including any information required by the Building Official and currently adopted State Building Codes. Recommendations included in the reports and approved by the Building Official shall be incorporated in the grading plans or specifications” (Codified Ordinances § 7-1-819).

Pursuant to the Codified Ordinances: “The Building Official may require plans and specifications to be modified in order to make them consistent with the Orange County General Plan, Specific Plans, Zoning Code, water quality requirements or other rules, regulations, or conditions applicable to the project. The Building Official may deny the grading permit if the proposed project cannot be designed in accordance with these rules, regulations or conditions” (Codified Ordinances § 7-1-821[c]).

All of the above regulations constitute existing obligations that the proposed project is required to comply with. Project approval will include the issuance of a grading permit. Although in-situ testing, laboratory testing, or engineering calculations of existing soils have yet to be conducted, pursuant to the provisions of the 2019 CBC, Article 6 (Grading and Excavation Code) of the Codified Ordinances, and “Standard Condition G01” (Geology Report), soil testing is required for the purpose of ascertaining and, if required, mitigating the presence of expansive soils (in the event that such soils exist on site). Remedial actions that could be implemented to eliminate expansive soils include, but are not limited to, grouting, recompaction, and replacement with nonexpansive materials. Since soils testing constitutes an existing obligation and because a range of remedial actions readily exist and will be implemented as part of the proposed project if recommended, the resulting impact is less than significant and no additional mitigation measures are required.

As a result, based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to expansive soils would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project.

No mitigation measures are either required or recommended.

- **Response to Question VII(e) – No Impact**

Because the proposed project neither includes septic tanks nor alternative wastewater disposal systems, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to septic tanks and/or alternative wastewater disposal systems would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project.

No mitigation measures are either required or recommended.

- **Response to Question VII(f) – No Impact**

Based, in part, on the extent of historical agricultural and recent urban development in the general project area, as indicated in Chapter VI (General Plan Resources Element - Figure VI-9 (General Areas of Sensitivity) of the OCGP, no areas within the project vicinity are suspected to contain sensitive paleontological resources.

The project site was previously used for agricultural production and is currently developed with a single-family residence. Grading activities associated with that development resulted in the disruption to or removal of near-surface soils on the project site. As a result, any near-surface paleontological resources likely would have been removed as part of the prior development.

The geotechnical investigation prepared for the WQMP did not identify the presence of any paleontological resources. Public Resources Code section 5097.5 prohibits the unauthorized removal of resources and California Penal Code Section 622.5 both have legal penalties for removal or damage. The County General Plan Resources Element contains the following policies: 1) identify paleontological resources through literature and records research and surface surveys, 2) monitor and salvage paleontological resources during the grading of a project, and 3) preserve paleontological resources by maintaining them in an undisturbed condition. Explicit permission from the County would be required for removal or disturbance of any unanticipated paleontological resources discovered during construction.

Therefore, based on the information currently known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to sensitive paleontological resources would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

## VIII. GREENHOUSE GAS EMISSIONS

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

### STANDARD CONDITIONS OF APPROVAL

- **Standard Condition.** No relevant “Standard Conditions of Approval” have been adopted by the County related to “greenhouse gas emissions.”

### RESPONSE TO TOPIC-SPECIFIC QUESTIONS

As defined in Section 38505 of the California Health and Safety Code (H&SC), GHGs include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). Additional information concerning the proposed project’s potential air quality and greenhouse gas (GHG) impacts is presented in [Appendix A](#) (Air Quality and Greenhouse Gas Emissions Analysis: Chabad Jewish Center of Tustin Relocation and Expansion Project [Environmental Impact Sciences/Synectecology, October 2021]) to this document. The air quality modeling in [Appendix A](#) was performed using standard inputs in the 2020 version (Version 2020.4.0) of the California Emissions Estimator (CalEEMod) model approved by the California Air Resources Board (CARB) as was done for the air quality analysis in Section III.

The proposed approximately 9,850± square-foot, single-story place of worship, including an approximately 1,080± square foot accessory religious education room, serves the dual purpose of providing classroom space for both the Sunday school and the private preschool. Each of those activities will operate within distinct and non-overlapping hours and under the same roofline. In order to ensure that the analysis presents a “worst-case” air quality scenario, the proposed project’s total square footage has been modeled as the combination of those two functional spaces, inclusive of the: (1) entirety of the synagogue and all its associated interior spaces (9,850± square feet); and (2) the “accessory religious education room” (1,080± square feet) as if to assume that the “accessory religious education room” functioned as an independent space therefrom. For modeling purposes, a total of project size of approximately 10,930± square feet (9,850 + 1,080 = 10,930) was, therefore, assumed. The modeled emissions would thusly exceed the actual emissions associated with the proposed project because the actual emissions would be constrained to a smaller total area, operating under the same roofline and with non-overlapping operating hours of operation for the planned uses.

Modeling results demonstrated that projected emission levels were substantially below the thresholds of significance criteria for both construction (see [Table 8](#) [Construction-Related



GHG Emissions]) and operations (see Table 9 ([Yearly Operational GHG Emissions]) set by the South Coast Air Quality Management District (SCAQMD).

Table 8  
**CONSTRUCTION-RELATED GHG EMISSIONS**  
(Mtons/year)

Year	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	Total CO <sub>2</sub> e <sup>1</sup>
2022	66.31	0.02	0.00	66.85
Total per Year <sup>2</sup>	2.21	0.00	0.00	2.23
Notes: 1. Because different gases have different conversion factors, totals may not equal. 2. Averaged over a period of 30 years.				

Source: Environmental Impact Sciences / Synectecology

Table 9  
**YEARLY OPERATIONAL GHG EMISSIONS**  
(Mtons/year)

Source	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	Total CO <sub>2</sub> e <sup>1</sup>
Mobile Sources <sup>2</sup>	75.13	0.01	0.00	76.32
Electricity	16.03	0.00	0.00	16.11
Natural Gas	12.11	0.00	0.00	12.18
Landscape Maintenance	0.00	0.00	0.00	0.00
Water Use	1.95	0.01	0.00	2.32
Waste Disposal	12.65	0.75	0.00	31.33
Amortized Construction	2.21	0.00	0.00	2.22
Total Yearly Emissions	120.08	0.77	0.00	140.49
Threshold	---	---	---	3,000.00
Exceeds Threshold?				No
Notes: 1. Because different gases have different conversion factors, totals may not equal. 2. Value uses the ITE's "Trip Generation Manual, 9 <sup>th</sup> Edition" default scaled to STS mileage.				

Source: Environmental Impact Sciences / Synectecology

▪ **Response to Question VIII(a) – Less-than-Significant Impact**

The CalEEMod model default estimates that construction would take 123 working days to complete. For modeling purposes, construction was estimated to begin on February 2, 2022 and follow the CalEEMod default construction schedule, completing on July 22, 2022 (allowing for full occupancy in 2022).

Based on the length of the entitlement process, that anticipated construction schedule will not realistically come to fruition. Construction is still likely to commence in 2022 and should still require approximately 123 days to complete. Assuming that construction does commence in 2022, the air quality and GHG assumptions presented herein remain applicable. If construction were to continue into 2023, based on increased efficiencies in mechanized equipment, the presence of more fuel-efficient motor vehicles, and air quality regulations, projected construction emissions would be anticipated to be less than the “worst-case” analysis assumed therein.

Assumptions relating to the type and number of pieces of construction equipment and the number of associated construction-related vehicle trips, as derived from the CalEEMod emissions model, are described in [Response to Question XIII\(a\)](#) ([Table 10](#)).

Construction activities would consume fuel and result in the generation of GHG as a result of fuel consumption. Carbon dioxide equivalent or CO<sub>2</sub>e means the number of metric tons of CO<sub>2</sub> emissions with the same global warming potential as one metric ton of another greenhouse gas (40 CFR Part 98). Construction CO<sub>2</sub> equivalent (CO<sub>2</sub>e) emissions are projected using the CalEEMod computer model and are included in [Table 8](#) (Construction-Related GHG Emissions).

In the case of project operations, the majority of GHG emissions, specifically CO<sub>2</sub>, is due to vehicle travel to and from the site by congregants and staff and energy consumption for project-related uses (e.g., kitchen operations and lighting, etc.). Although no off-setting “credit” has been assumed for the removal of the existing single-family residence and cessation of operations at the Chabad Jewish Center of Tustin’s existing site, those actions would result in emission reductions as compared to baseline conditions.

[Table 9](#) (Yearly Operational GHG Emissions) shows the annual GHG emissions for the proposed project including the amortized construction emissions presented in [Table 8](#) (Construction-Related GHG Emissions) as averaged over the assumed 30-year lifespan of the project.

On September 28, 2010, the SCAQMD staff identified a screening significance threshold level of 10,000 MTons CO<sub>2</sub>e/year for industrial projects to be adopted where the SCAQMD is the CEQA lead agency and proposed to extend the industrial GHG significance threshold for use by all CEQA lead agencies. With regard to numerical residential and commercial GHG significance thresholds, SCAQMD staff presented two options that CEQA lead agencies could choose from.

- ◇ Option #1 presents separate numerical thresholds for residential projects (3,500 MTons CO<sub>2</sub>e/year), commercial projects (1,400 MTons CO<sub>2</sub>e/year), and mixed-use projects (3,000 MTons CO<sub>2</sub>e/year).
- ◇ Option #2 presents a single numerical threshold for all nonindustrial projects of 3,000 MTons CO<sub>2</sub>e/year.

For the purposes of this analysis, the resulting impact would be considered significant if the proposed project were to generate GHG emissions in excess of the recommendation by the SCAQMD for Option #2 for mixed-use land uses (i.e., 3,000 MTons CO<sub>2</sub>e/year).

As indicated in [Table 5](#) (Yearly Operational GHG Emissions), projected operational GHG emissions (140.49 CO<sub>2</sub>e) fall far below the significance threshold values (3,000.00 CO<sub>2</sub>e) set by SCAQMD. No on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative GHG impacts would, therefore, be expected by OC Planning to manifest from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

### ▪ **Response to Question VIII(b) – Less-than-Significant Impact**

In September 2006, Assembly Bill (AB) 32 (California Global Warming Solutions Act of 2006) declared that global warming poses a serious threat to the economic well-being, public health, natural resources, and environment of California and charged the CARB with “monitoring and regulating sources of emissions of greenhouse gases that cause global warming to reduce emissions of greenhouse gases” (Section 38510, H&SC). AB 32 provided initial direction on creating a comprehensive multi-year program to limit California’s GHG emissions to 1990 levels by 2020 and initiated the transformations required to achieve the State’s long-range climate objectives.

Executive Order S-3-05, in combination with AB 32 and Senate Bill (SB) 1803 (as approved by the Governor on July 18, 2006), established a comprehensive program to reduce GHGs by 2020 and identified several major requirements that the California Air Resources Board (CARB) was mandated to implement, including: (1) the adoption and implementation of a list of discrete and early action GHG reduction measures; (2) approval of a Statewide 1990 emission level that becomes the Statewide 2020 emissions limits; (3) adoption of mandatory GHG reporting rules for significant GHG sources; and (4) adoption of emission regulations to achieve the maximum technologically feasible and cost-effective reductions.

AB 32 committed the State to achieving the following reductions in GHG emissions: (1) 2000 GHG emission levels by 2010 (which represents an approximately 11 percent reduction from “business-as-usual” [BAU]); and (2) 1990 levels by 2020 (approximately 30 percent below BAU). To achieve these goals, AB 32 mandated that the CARB establish a quantified emissions cap, institute a schedule to meet the cap, implement regulations to reduce Statewide GHG emissions from stationary sources, and develop tracking, reporting, and enforcement mechanisms to ensure that reductions are achieved.

Section 38561(a) of the California Health and Safety Code (H&SC) required CARB to prepare and approve an AB 32 “scoping plan” for achieving the maximum technologically feasible and cost effective GHG emission reductions by 2020. On December 11, 2008, the CARB approved a “Climate Change Scoping Plan” (Resolution 08-47) (2008 Scoping Plan or Initial Scoping Plan). The Initial Scoping Plan proposed a “comprehensive set of actions designed to reduce overall carbon greenhouse gas emissions in California, improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance public health” and stated that “reducing greenhouse gas emissions to 1990 levels means cutting approximately 30 percent from business-as-usual emission levels projected for 2020, or about 15 percent from today’s [absolute] levels.”

The 2008 Scoping Plan called for a “coordinated set of solutions” to address all major categories of GHG emissions. Transportation emissions were addressed through a combination of higher standards for vehicle fuel economy, implementation of the Low Carbon Fuel Standard, and greater consideration to reducing trip length and generation through land-use planning and transit-oriented development. Buildings, land use, and industrial operations were encouraged and, sometimes, required to use energy more efficiently. Utility energy supplies included more renewable energy sources through implementation of the Renewable Portfolio Standard (RPS). Those actions were to be complemented with an emphasis on local generation, including rooftop photovoltaics and solar hot water installations. Additionally, the plan emphasized opportunities for households and businesses to save energy and money through increasing energy efficiency.

The 2008 Scoping Plan identified a number of specific issues potentially relevant to the proposed project, including:

- ◆ The potential of using the green building framework as a mechanism that could enable GHG emissions reductions in other sectors, including electricity and natural gas, noting that green buildings “exceed minimum energy-efficiency standards, decrease consumption of potable water, reduce solid waste during construction and operation, and incorporate sustainable and low-emitting materials. Combined, these measures can also contribute to healthy indoor air quality, protect human health and minimize impacts to the environment.”
- ◆ Encouraging local governments to set quantifiable emissions reduction targets for their jurisdictions and use their influence and authority to encourage reductions in emissions caused by energy use, waste and recycling, water and wastewater systems, transportation, and community design.

On December 14, 2017, the CARB prepared the “First Update to the Climate Scoping Plan” (First Update). The Initial Scoping Plan in 2008 presented the first economy-wide approach to reducing emissions and highlighted the value of combining both carbon pricing with other complementary programs to meet California’s 2020 GHG emissions target while ensuring progress in all sectors. The coordinated set of policies in the Initial Scoping Plan employed strategies tailored to specific needs, including market-based compliance mechanisms, performance standards, technology requirements, and voluntary reductions. The Initial Scoping Plan also described a conceptual design for a cap-and-trade program that included eventual linkage to other cap-and-trade programs to form a larger regional trading program.

AB 32 required CARB to update the scoping plan at least every five years. The First Update presented an update on the program and its progress toward meeting the 2020 limit. It also developed the first vision for long-term progress beyond 2020. In doing so, the First Update laid the groundwork for the goals set forth in Executive Orders S-3-05 and B-16-2012. It also identified the need for a 2030 mid-term target to establish a continuum of actions to maintain and continue reductions, rather than only focusing on targets for 2020 or 2050.

The update recommended the establishment of 2030 mid-term Statewide emission reduction targets for “short-lived climate pollutants” (SLCPs) as a component of the State’s comprehensive strategy for addressing climate change. In 2016, the State Legislature enacted Senate Bill (SB) 1383 which required CARB to develop, adopt, and begin to implement a “short-lived climate pollutant strategy.” SLCPs include the methane, HFC, and anthropogenic black carbon. State law mandates a 40 percent reduction in methane and HFC emissions by 2030 and a 50 percent reduction in anthropogenic emissions of black carbon by 2030.

SB 1383 set targets for Statewide reductions in SLCP emissions of 40 percent below 2013 levels by 2030 for methane and HFCs and 50 percent below 2013 levels by 2030 for anthropogenic black carbon as well as provides specific direction for reductions from dairy and livestock operations and from landfills by diverting organic materials.

On December 14, 2017, the CARB approved the “California’s 2017 Climate Change Scoping Plan” (2017 Scoping Plan), settings out specific measures to accomplish

California's plan to reduce GHG emissions an additional 40 percent below 1990 levels by 2030.

California's climate strategy will require contributions from all sectors of the economy, including enhanced focus on zero and near-zero emission vehicle technologies; continued investment in renewables, such as solar roofs, wind, and other types of distributed generation; greater use of low carbon fuels; integrated land conservation and development strategies; coordinated efforts to reduce emissions of SLCPs; and an increased focus on integrated land-use planning, to support livable, transit-connected communities and conservation of agricultural and other lands.

In 2018, CARB adopted more aggressive SB 375 targets as one measure to support progress toward the 2017 Scoping Plan goals, which aim to get "sustainable community strategies" (SCSs) that plan to achieve, in aggregate, a 19 percent reduction in Statewide per capita GHG emissions reductions relative to 2005 by 2035 from passenger vehicles. Additional State and local actions are, however, needed to achieve the transportation system reductions necessary to meet the State's climate goals of an approximately 25 percent reduction in Statewide per capita GHG emissions by 2035 relative to 2005.

The California Supreme Court (Center for Biological Diversity v. Department of Fish and Game [2016]) has held that "because of the global scale of climate change, any one project's contribution is unlikely to be significant by itself. The challenge for CEQA purposes is to determine whether the impact of the project's emissions of greenhouse gases is cumulatively considerable." Based on the global reach of GHG emissions, the court noted that: "These considerations militate in favor of consistency with meeting A.B. 32's Statewide goals as a permissible significance criterion for project emissions. Meeting our Statewide reduction goals does not preclude all new development. Rather, the Scoping Plan - the State's roadmap for meeting A.B. 32's target - assumes continued growth and depends on increased efficiency and conservation in land use and transportation from all Californians. To the extent a project incorporates efficiency and conservation measures sufficient to contribute its portion of the overall greenhouse gas reductions necessary, one can reasonably argue that the project's impact 'is not "cumulatively considerable," because it is helping to solve the cumulative problem of greenhouse gas emissions as envisioned by California law.'"

Although neither AB 32 nor SB 1803 mandated precise local actions, the 2008 and 2017 Scoping Plans made it clear that local governments were important partners in the achievement of the State's GHG emission reduction goals. Those plans gave some direction while building in flexibility so that each community had the freedom to develop localized climate action/GHG reduction plans based on location, resources, strengths, constraints, policies, and public participation. The County has neither adopted a localized climate action/GHG reduction plan nor set quantifiable emission reduction targets within its jurisdiction.

Local plans and programs relevant to the proposed project and its consistency with those local plans, policies, and regulations adopted for the purpose of reducing or avoiding potential air quality impacts include the "County of Orange Comprehensive General Plan" (OCGP) and the Codified Ordinances. Relative to the OCGP and Codified Ordinances, the County has not set quantifiable emission reduction targets within its jurisdiction. Projects that are consistent with the OCGP and Codified Ordinances would be deemed to be

consistent with those local plans, policies, and regulations adopted for the purpose of avoiding or mitigating associated environmental effects.

The OCGP, as implemented, in part, through the NTSP, is the long-range guide for growth and development in the unincorporated County area. As addressed in Section XI (Land Use and Planning) herein, in the NTSP the general project area is designated “RSF - Residential Single Family” (Minimum lot size 10,000 square feet) (100 RSF). Section A (RSF - Residential Single Family District) in Chapter 3 (District Regulations) of the NTSP provides that, “permitted principal uses” include: (1) single-family detached dwelling units; (2) parks and playgrounds (non-commercial); (3) riding and hiking trails; and (4) community care facilities serving six or fewer persons. Although the Applicant’s proposed uses are not expressly included among that list, the NTSP and the Codified Ordinances include provisions, including authorization for the issuance of specified discretionary actions, which expand the types of permitted principal uses allowable in the 100 RSF District.

The proposed project includes a “community assembly facility,” an “early educational facilities,” and a “child care centers.” As defined in the Codified Ordinances, a “community assembly facility” constitutes a “facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, union halls, meeting halls for clubs and other membership organizations” (Codified Ordinances § 7-9-134.3). Additionally, as indicated in the Codified Ordinances: “Child care centers and/or early education facilities serving more than fourteen (14) persons may be permitted in any district, planned community, or specific plan area (except in designated airport accident potential zones) where this use is not otherwise identified as a permitted use, subject to the approval of a Use Permit by the Planning Commission per Section 7-9-125” (Codified Ordinances § 7-9-95.5). The proposed uses are, therefore, permitted within the 100 RSF District with a Use Permit and accompanying Variance issued by the Planning Commission. Upon approval of the specified discretionary actions, the proposed project would be consistent with the OCSP and the NTSP.

Relative to the Codified Ordinances (Codified Ordinances § 7-1-12), the proposed project is subject to compliance with both the 2019 CEC and 2019 CalGreen. Compliance with the 2019 CEC and 2019 CalGreen will ensure that energy is consumed in an efficient manner and building design and compliance with insulation standards will minimized energy loss. By reducing energy consumption, GHG emissions associated with energy generation will also be reduced. In addition, compliance with the 2019 CEC and 2019 CalGreen serve to demonstrate compliance with AB 32 nor SB 1803.

Additionally, the South Coast Air Quality Management District (SCAQMD) and the Southern California Association of Governments (SCAG) are the agencies responsible for preparing the air quality management plan (AQMP) for the South Coast Air Basin (SCAB). Since 1979, a number of AQMPs have been prepared. The current comprehensive plan is the 2016 AQMP (March 2017) which incorporates significant scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools.

CEQA requires that projects be consistent with the AQMP. A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to the AQMP in the following ways: (1) it fulfills the CEQA goal of fully informing local agency decision-makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are fully

addressed; and (2) it provides the local agency with ongoing information assuring local decision-makers that they are making real contributions to clean air goals contained in the AQMP. Only new or amended general plan elements, specific plans, and regionally significant projects need to undergo a consistency review. This is because the AQMP strategy is based on projections from local general plans. Projects that are consistent with the local general plan and any applicable specific plan and that do not generate significant air quality impacts are, therefore, considered consistent with the AQMP.

The project represents infill development. Neither the construction nor the operation of the project is projected to exceed the daily thresholds of significance suggested by the SCAQMD. Similarly, the proposed project would not result in significant localized air quality impacts. As such, the project is consistent with the goals of the AQMP and, in that respect, does not present a significant air quality impact.

As noted by the SCAQMD, proposed projects located throughout southern California will likely achieve the 2035 efficiency threshold because targeted GHG reductions are expected to be met primarily through cleaner vehicles as a result of fleet turnover and reducing vehicle miles traveled (VMT). Consequently, fleet turnover plus a small increment of GHG reductions expected from more onerous code anticipated by 2035 and applicable to land use projects could potentially achieve the 2035 efficiency threshold.

As such, the policies implemented by the SCAQMD become the applicable plan. Based on their criteria, the impact is less than significant and no mitigation measures are either required or recommended

**IX. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Chabad Jewish Center of Tustin

18802 E. 17<sup>th</sup> Street, Santa Ana 92705

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	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) For a project located within an airport land-use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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### STANDARD CONDITIONS OF APPROVAL

#### Above-Ground / Underground Storage Tanks

- **Standard Condition FD02** (Uniform Fire Code Implementation).

Prior to issuance of certificates of use and occupancy, the applicant shall provide plans or identify measures to comply with standard County procedures for implementing the Uniform Fire Code (UFC) in the use of any combustible and flammable liquids, above-ground or underground storage of such materials, welding and potential spark production, and building occupancy rating in a manner meeting the approval of the Fire Chief. Further, a copy of the approved "UFC Implementation Plan" shall be furnished to the Manager, Building Inspection Services, prior to the issuance of any certificates of use and occupancy.

- **Standard Condition FPC17** (Storage Tanks).

Prior to the issuance of a building permit or installation of an aboveground or an underground tank, plans shall be submitted to the Fire Chief for review and approval. Please contact the Orange County Fire Authority at (714) 744-0499 or visit the Orange County Fire Authority website to obtain a copy of "Guidelines for Private Use Dispensing of



Motor Vehicle Fuel from Protected or Multi-Hazard Aboveground Storage Tanks,” or “Guidelines for the Installation and Modification of Underground Storage Tanks at Fuel Dispensing Stations.”

### **Hazardous Materials / Petroleum Products**

- **Standard Condition FPC11** (Hazardous Materials).

(A) Prior to the issuance of a grading or building permit, the applicant shall submit to the Fire Chief a list of all hazardous, flammable and combustible liquids, solids or gases to be stored, used or handled on site. These materials shall be classified according to the Uniform Fire Code and a document submitted to the Fire Chief with a summary sheet listing the totals for storage and use for each hazard class. Please contact the Orange County Fire Authority at (714) 744-0499 or visit the Orange County Fire Authority website to obtain a copy of the “Guideline for Completing Chemical Classification Packets.” (B) Prior to the issuance of a building permit, the applicant shall complete and submit to the Fire Chief a copy of a “Hazardous Materials Disclosure Chemical Inventory and Business Emergency Plan” packet. Please contact the Orange County Fire Authority Hazardous Materials Services Section at (714) 744-0463 to obtain a copy of the packet.

- **Standard Condition RC02** (Waste Disposal).

Applicant/operator shall store, manifest, transport, and dispose of all on-site generated waste that meets hazardous materials criteria in accordance with the California Code of Regulations Title 22 and in a manner to meet the satisfaction of the Manager, HCA/Hazardous Materials Program. Applicant shall keep storage, transportation, and disposal records on site and open for inspection by any government agency upon request. Applicant shall store used oil filters in a closed rainproof container that is capable of containing all used oil and shall manage the container as specified in Title 22, Chapter 30, Division 4, Section 66828 of the California Code of Regulations.

### **Vector Control**

- **Standard Condition G05** (Vector Control). Prior to the issuance of any preliminary grading permits, the applicant shall provide evidence to the Manager, Subdivision & Grading, that the Vector Control District has surveyed the site to determine if vector control measures are necessary. If the District determines measures are warranted, the applicant shall conduct such measures in a manner meeting the approval of the Manager, Subdivision and Grading.

## **RESPONSE TO TOPIC-SPECIFIC QUESTIONS**

- **Response to Question IX(a) – Less-than-Significant Impact**

The construction of the proposed project, including the demolition of the existing single-family residence, will require the use of certain materials, such as fuels, oils, adhesives, solvents, and other chemical products that could pose a potential hazard to the public and to the environment during routine transport, handling, use, storage, and/or disposal. The use of hazardous materials and substances during construction would be subject to federal, State, and local health and safety regulations for the handling, storage, transportation, and disposal of those materials. Adherence to those requirements would

reduce the potential for the proposed project to pose a potentially significant hazard to the public or the environment to a less than significant level.

Operationally, with the limited exception of common cleaning products and pesticides and paints, all of which are routinely found in residential areas, the proposed project does not involve the routine transport, storage, production, use, or disposal of hazardous materials.

No mitigation measures are either required or recommended.

▪ **Response to Question IX(b) – No Impact**

As noted in Response to Question IX(a), with limited exceptions, the proposed project does not involve the use of any significant quantities of hazardous materials and/or result in the disposal of any significant quantities of hazardous wastes. Local, State, and federal health and safety regulations have been promulgated for the purpose of avoiding (or effectively minimizing) the accidental discharge of those materials and wastes into the environment. The transport, handling, use, storage, and disposal of all such materials and waste shall be fully compliance with all local, State, and federal regulations.

Because the proposed project does not utilize any substantial quantities of hazardous materials or result in the disposal of substantial amounts of hazardous wastes, the project does not have the potential to create significant hazards to the public and/or to the environment through reasonably foreseeable upset and accident conditions. No mitigation measures are either required or recommended.

▪ **Response to Question IX(c) – No Impact**

Foothill Montessori School (18692 E. 17<sup>th</sup> Street, North Tustin 92705), providing pre-kindergarten (pre-K) through 3<sup>rd</sup> grade education, is located approximately 450 feet (0.08 miles) west of the project site. Additionally, Fairmont Private School (12421 Newport Avenue, Tustin 92705), providing kindergarten through 8<sup>th</sup> grade education, is located about 990 feet (0.19 miles) south of the project site.

Except as noted in Response to Question IX(a), although multiple schools are located within a 0.25-mile radius, neither the construction of the proposed project will result in the release of hazardous emissions and/or the handling of hazardous or acutely hazardous materials, substance, or wastes. The use of limited hazardous materials during the construction process will be constrained to the project site and will conform to all applicable laws and regulations pertaining to the transport, handling, and use of those materials. Similarly, during the operational phase of the project, hazardous materials use will be limited to cleaning products, commercially-available pesticides, and paint, all of which will be used in compliance with applicable laws, regulations, and guidance and constrained to the project site. None of these uses are expected to generate hazardous waste nor will they result in the release of hazardous materials off-site. So, despite the proximity of schools to the project site, the proposed project would not result in any impact with respect to the release of hazardous materials and/or the handling of hazardous or acutely hazardous materials, substances, or wastes. No mitigation measures are either required or recommended.

▪ **Response to Question IX(d) – No Impact**

As last examined in December 2021, the project site is not included on or adjacent to a hazardous waste site included on a list compiled pursuant to Section 65962.5 of the California Government Code (Source: <https://geotracker.waterboards.ca.gov/>).

Because the project site is not included on or adjacent to a hazardous materials site, the proposed project would have no impact on a hazardous materials site included on a list compiled pursuant to Section 65962.5 of the California Government Code. No mitigation measures are either required or recommended.

▪ **Response to Question IX(e) – No Impact**

The project site is located approximately 6.1 miles northeast of John Wayne Airport (JWA). No other private airstrip, public airport, and/or public use airport is located in proximity to the project site. Due to the project site's distance from JWA, the project site is not located within an airport land-use plan and is similarly not located within two miles of a public airport or public use airport. Therefore, the proposed project will have no impact as relates to an airport land use plan or to a public airport or public use airport. No mitigation measures are either required or recommended.

▪ **Response to Question IX(f) – No Impact**

The Orange County Fire Authority's (OCFA) "2010 Hazard Mitigation Plan" (2010 HMP), as adopted by the County Board of Supervisors (Board) in March 2010, was updated in 2015 with the release of the "Local Hazard Mitigation Plan" (November 2015) (2015 LHMP), adopted by the Board on July 12, 2016 (Resolution No. 16-066). As noted in the 2015 LHMP: "Orange County uses building codes, zoning codes, and various planning strategies to address the goals aimed at restricting development in areas of known hazards, and applying the appropriate safeguards."

Synagogues, as with other temples, churches, and mosques, are categorized as "community assembly facilities" by the Codified Ordinances. The Codified Ordinances (Codified Ordinances § 7-9-134.3) defines a "community assembly facility" as:

A facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, union halls, meeting halls for clubs and other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, or facilities, such as child care centers, early educational facilities and schools that are separately classified and regulated.

As noted in the NTSP, the project site is designated "RSF – Residential Single Family" (Minimum lot size 10,000 square feet) (100 RSF). Pursuant to the Codified Ordinances (Codified Ordinances § 7-9-31.1):

The purpose of the Single-Family Residential districts is to provide for a range of low-density single-family development that is compatible with the natural terrain and conforms to the County's residential growth projections. Housing types range from rural, large-lot estates to medium-density single-family attached and detached residential neighborhoods. These districts also include a variety of neighborhood-serving facilities and services such as schools, childcare facilities, community assembly facilities as well as local and community open space, trails, and parks.

As noted in the Codified Ordinances (Codified Ordinances § 7-9-95.5):

Child care centers/early education facilities. Child care centers and/or early education facilities serving more than fourteen persons may be permitted in any district, planned community, or specific plan area where this use is not otherwise identified as a permitted use, subject to the approval of a Use Permit by the Planning Commission.

Although multiple discretionary entitlements are required to accommodate the proposed use, the construction and operation of "community assembly facilities," "early educational facilities," and "child care centers" all constitute allowable and authorized land uses on the project site. As indicated in the Land Use Element of the OCGP, "land use policies provide a basis for the evaluation of physical development and growth trends in order to achieve the General Plan goals." As further indicated in the Growth Management Element:

The purpose and intent of this [Growth Management] Element is to mandate that growth and development be based upon the County's ability to provide an adequate circulation system; adequate sheriff, fire, paramedic and library services and other necessary facilities; and through all of the processes established in this [Growth Management] Element, natural resources and the natural environment shall be protected.

Projects that are, therefore, consistent with applicable building and zoning codes and associated planning documents would not be expected to "physically interfere with an adopted emergency response plan." Because the project is fully compliant with applicable building and zoning codes and associated planning documents, potential impacts on "emergency response" would be de minimis.

As further noted in the Orange County Sheriff's Department's (Orange County Operational Area Executive Board and Orange County Emergency Management Council) "United County of Orange and Orange County Operational Area Emergency Operations Plan" (February 2019) (2019 EOP):

Highways and freeways are the major transportation routes in Orange County. Over 250 miles of interstate highway, including the third busiest highway transportation corridor in the country (Highway 5), and 719 miles of other major transportation routes run through Orange County. . .In addition to the freeway system, Orange County's major transportation routes include surface streets and railroads.

To the extent that the County's highways, freeways, and arterial street system constitute primary emergency access routes, because the proposed project would not impede access to any highways, freeways, and/or arterial street systems, approval, construction, and

operation of the proposed project would not adversely affect “emergency evacuation plans.” Because the proposed project would not interfere with any emergency evacuation plans, nor would it impede access to any of the primary emergency access routes, the proposed project’s impacts on emergency evacuation and access would be less than significant. As a result, based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to emergency evacuation or access would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question IX(g) – No Impact**

As defined in the “California Fire Code, 2019 Edition” (Title 24, Part 9) (2019 CFC), a “wildfire risk area” is defined as “[l]and that is covered with grass, grain, brush or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon it would present an abnormally difficult job of suppression or would result in great or unusual damage through fire or such areas designated by the fire code official.” The 2019 CFC imposes specific requirements and limitations on uses and development within those areas identified as wildfire risk areas.

Based on Statewide criteria addressing the severity of fire hazards expected the California Department of Forestry and Fire Protection (CalFire) identifies specific areas in the State as “Fire Hazard Severity Zones” (FHSZs). FHSZs are geographic areas designated pursuant to Sections 4201-4204 of the PRC in State Responsibility Areas (SRAs) or, pursuant to Sections 51175-51189 of the California Government Code as local agency “Very High Fire Hazard Severity Zones” (VHFHSZs) in Local Responsibility Areas (LRAs). SRAs are areas where the State is financially responsible for the prevention and suppression of wildland fires. SRAs do not include lands within incorporated city boundaries or federally-owned lands. LRAs include incorporated cities, cultivated agriculture lands, and portions of the desert. In LRAs fire protection is typically provided by municipal fire departments, fire protection districts, counties, and by CalFire under a contract with a local government.

As depicted in the CalFire’s Fire and Resource Assessment Program’s (FRAP) “Orange County Fire Hazard Severity Zones in SRA” (November 7, 2007), the project site is neither located in a “wildfire risk area” nor within a “moderate,” “high,” or “very high” FHSZ. Because the subject property is located within an already heavily urbanized setting, the proposed project will neither result in nor exacerbate existing wildfire safety hazards, as it will not be exposed to undeveloped areas in which a wildland fire could occur nor will it introduce new development into such areas.

Figure 21 (Orange County Fire Authority – North Tustin Wildfire Fire History) illustrates the location and extent of wildfires in the North Tustin area since 1948. As indicated in that figure, during the last 73 years, there is no evidence of the occurrence of wildfires affecting the general project area. No mitigation measures are either required or recommended.

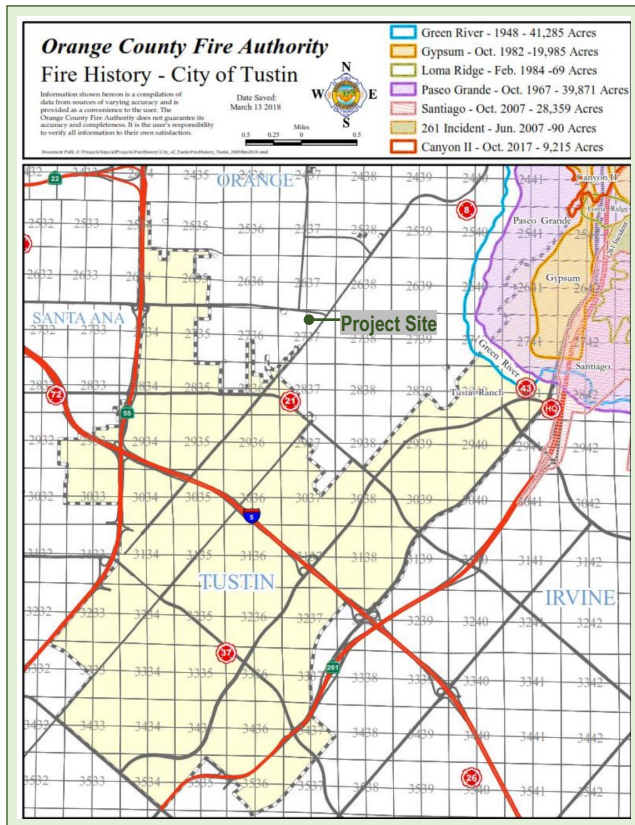


Figure 21  
**ORANGE COUNTY FIRE AUTHORITY  
 NORTH TUSTIN WILDFIRE FIRE HISTORY**  
 Source: City of Tustin  
 Emergency Operations Plan (November 2019)



## X. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(1) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(4) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## STANDARD CONDITIONS OF APPROVAL

- **Standard Condition D01b** (Drainage Study).

Prior to the issuance of any grading permits, the following drainage studies shall be submitted to and approved by the Manager, Subdivision and Grading: (A) A drainage study of the project including diversions, off-site areas that drain onto and/or through the project, and justification of any diversions; and (B) When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and (C) Detailed drainage studies indicating how the project grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood.

- **Standard Condition D02b** (Drainage Improvements).

(A) Prior to the issuance of any grading permits, the applicant shall in a manner meeting the approval of the Manager, Subdivision and Grading: (1) Design provisions for surface drainage; and (2) Design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and (3) Dedicate the associated easements to the County of Orange, if determined necessary. (B) Prior to the issuance of any certificates of use and occupancy, said improvements shall be constructed in a manner meeting the approval of the Manager, Construction.

▪ **Standard Condition D06a** (Easement Subordination).

Prior to the issuance of any certificates of use and occupancy, the applicant shall not grant any easements over any property subject to a requirement of dedication or irrevocable offer to the County of Orange or the Orange County Flood Control District, unless such easements are expressly made subordinate to the easements to be offered for dedication to the County. Prior to granting any of said easements, the subdivider shall furnish a copy of the proposed easement to the Manager, Subdivision and Grading, for review and approval. Further, a copy of the approved easement shall be furnished to the Manager, Building Inspection Services, prior to the issuance of any certificate of use and occupancy.

▪ **Standard Condition WQ01** (Water Quality Management Plan).

Prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the Manager, Inspection Services Division, a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used onsite to control predictable pollutant runoff. This WQMP shall identify, at a minimum, the routine structural and non-structural measures specified in the current Drainage Area Management Plan (DAMP). The WQMP must also: [1] Address Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or “zero discharge” areas, and conserving natural areas; [2] Incorporate applicable Routine Source Control BMPs as defined in the DAMP; [3] Include an Operation and Maintenance (O&M) Plan that identifies the mechanism(s) by which long-term O&M of all structural BMPs will be provided.

▪ **Standard Condition WQ02** (Water Quality Management Plan for Priority Projects).

Prior to the issuance of any grading or building permits, the applicant shall include in the WQMP the following additional Priority Project information in a manner meeting the approval of the Manager, Inspection Services Division: [1] Include post-construction Treatment Control BMP(s) as defined in the DAMP; [2] For applicants relying on Regional Treatment Controls, discuss applicable regional water quality and/or watershed program; [3] Include a Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and maintenance requirements for post-construction Treatment Control BMP(s); (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced Treatment Control BMP(s); and (3) describes the mechanism for funding the long-term operation and maintenance of the referenced Treatment Control BMP(s).

▪ **Standard Condition WQ03** (Compliance with Water Quality Management Plan).

Prior to the issuance of a certificate of use and occupancy, the applicant shall demonstrate compliance with the WQMP in a manner meeting the satisfaction of the Manager, Inspection Services Division, including: [1] Demonstrate that all structural Best Management Practices (BMPs) described in the project’s WQMP have been implemented, constructed and installed in conformance with approved plans and specifications; [2] Demonstrate that the applicant has complied with all non-structural BMPs described in the project’s WQMP; [3] Submit for review and approval an Operations and Maintenance (O&M) Plan for all structural BMPs for attachment to the WQMP; [4] Demonstrate that copies of the project’s approved WQMP (with attached O&M Plan) are available for each of the incoming occupants; [5] Agree to pay for a Special Investigation from the County of Orange for a date (12) twelve months after the issuance of a Certificate of Use and



Occupancy for the project to verify compliance with the approved WQMP and O&M Plan; and [6] Demonstrate that the applicant has agreed to and recorded one of the following: (1) the CC&R's (that must include the approved WQMP and O&M Plan) for the project Home Owner's Association; (2) a water quality implementation agreement that has the approved WQMP and O&M Plan attached; or (3) the final approved Water Quality Management Plan (WQMP) and Operations and Maintenance (O&M) Plan.

- **Standard Condition WQ04** (Stormwater Pollution Prevention Plan).

Prior to the issuance of any grading or building permits, the applicant shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing in a manner meeting the satisfaction of the Manager, Building Permit Services. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for County review on request.

- **Standard Condition WQ05** (Erosion and Sediment Control Plan).

Prior to the issuance of any grading or building permit, the applicant shall submit an Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Building Permit Services, to demonstrate compliance with local and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the applicant will ensure that all BMP's will be maintained during construction of any future public rights-of-way. A copy of the current ESCP shall be kept at the project site and be available for County review on request.

- **Standard Condition WQ07** (Drainage Facilities).

Prior to issuance of grading or building permits, drainage studies that demonstrate the following shall be submitted to and approved by Manager, Subdivision & Grading: (1) All surface runoff and subsurface drainage directed to the nearest acceptable drainage facility, via sump pumps if necessary, as determined by the Manager, Subdivision & Grading. (2) Drainage facilities discharging onto adjacent property shall be designed to imitate the manner in which runoff is currently produced from the site and in a manner meeting the satisfaction of the Manager, Building Permit Services. Alternatively, the project applicant may obtain a drainage acceptance and maintenance agreement, suitable for recordation, from the owner of said adjacent property. All drainage facilities must be consistent with the County of Orange Grading Ordinance and Drainage Manual.

## **RESPONSE TO TOPIC-SPECIFIC QUESTIONS**

### **▪ Response to Question X(a) – Less-than-Significant Impact**

#### **Model Water Quality Management Plan / Technical Guidance Document**

As indicated in the SARWQCB’s “Model Water Quality Management Plan (Model WQMP)” (May 19, 2011):

This Model Water Quality Management Plan (Model WQMP) has been developed to aid the County of Orange, the Orange County Flood Control District, and the cities in Orange County (Permittees) and project proponents with addressing post-construction urban runoff and stormwater pollution from new development and significant redevelopment projects that qualify as Priority Projects. . .The purpose of the Model WQMP is to describe the process that Permittees will employ for developing a Project WQMP for individual new development and significant redevelopment projects, which, when implemented will minimize the effects of urbanization on site hydrology, runoff flow rates or velocities and pollutant loads.

Pursuant to Section 7.II-1.2 (Priority Project Categories) in the Model WQMP, the proposed project is categorized as a “significant redevelopment” project because it will result in the addition or replacement of 5,000 or more square feet of impervious surface on an already developed site. In addition, pursuant to Table 7.II-2 (Priority Project Categories for North County Permit Area), the project also constitutes a “priority project” under the following categories:

- ♦ New development projects that create 10,000 square feet or more of impervious surface. This category includes commercial, industrial, residential housing subdivisions, mixed-use, and public projects on private or public property that falls under the planning and building authority or the Permittees.
- ♦ Parking lots 5,000 square feet or more including associated drive aisle, and potentially exposed to urban stormwater runoff. A parking lot is defined as a land area or facility for the temporary parking or storage of motor vehicles used personally, for business, or for commerce.

As specified in Table VII.2.1 (Definition of Project Size Categories) of the SARWQCB’s “Technical Guidance Document (TGD) for the Preparation of Conceptual/Preliminary and/or Project Water Quality Management Plans (WQMP)” (December 20, 2013) (TGD), the proposed project is categorized as a “small project,” defined as a commercial and/or industrial project which is less than five acres and with a floor area of less than 50,000 SF. The TGD notes that “[i]n certain cases, alternative investigation approaches may be acceptable for small projects.” As a result, pursuant to the provisions of Section 7.II-3.0 (Alternative Compliance Approaches) of the Model WQMP, the Applicant is authorized to propose an “alternative investigation approach” for water quality compliance.

Additionally, specific provisions apply where the proposed project is either “participating in a regional or watershed-based program” or is located in an approved “Watershed Infiltration and Hydromodification Master Plan” (WIHMP) area. Neither of those provisions apply to the proposed project.

Additionally, because the project site is less than one acre in size, the Applicant may not be required to obtain a General Permit for Stormwater Discharges Associated with Construction Activity or to prepare a Stormwater Pollution Prevention Plan. The Applicant, however, remains legally obligated to prepare a Project WQMP and comply with the provisions of the Model WQMP.

As indicated in Section 7.II-2.3.4 (Determine Pollutants of Concern) of the Model WQMP:

Stormwater runoff from new development and significant redevelopment project sites has the potential to contribute pollutants, including suspended solids/sediment, nutrients, metals, microbial pathogens, oil and grease, toxic organic compounds, and trash and debris from the municipal storm drain system to tributary receiving waters. Knowing the POCs [pollutants of concern] is necessary to select the most effective BMPs, since some BMPs are more effective for some pollutants than others. POCs are identified based on the type of development project that is proposed. POCs are considered Primary POCs if a waterbody located downstream of a project (receiving water) has an approved Total Maximum Daily Load (TMDL) or is listed as impaired, according to CWA [Federal Clean Water Act] Section 303(d), for that pollutant.

Primary POCs are any pollutants anticipated to be generated by the project that also have approved TMDLs or which are causing an impairment for which a TMDL has not yet been approved. Other POCs are those pollutants anticipated to be generated by the project that have not been identified as causing impairment or have an adopted TMDL for the project's receiving waters.

As further indicated in the TGD: "The pollutants of concern for a specific project are based upon the pollutants identified by regulatory agencies as impairing receiving waters, and pollutants that are anticipated or potentially could be generated by the project based on the proposed land uses." Relative to parking lots, potential POCs are identified in Table 2-1 (Anticipated and Potential Pollutants of Concern by Land Use Type) in the TGD. Other than by delineation, the terms "anticipated POCs" and "potential POCs" are not explicitly defined in either the Model WQMP or in the TGD.

"Potential" POCs include bacteria/virus (including fecal waste), nutrients (including fertilizers and eroded soils), pesticides (including herbicides), sediments (including soils and other surficial materials), and oxygen-demanding substances (potential pollutant if landscaping or open space exists on the site). "Anticipated" pollutants of concern include heavy metals, organic compounds (including petroleum hydrocarbons), trash and debris, and oil and grease.

Permittees throughout the County constructing "priority projects" are required to prepare a "Project WQMP" to identify permanent BMPs that will be included in the project (Section 7.5, Model WQMP). Within SARWQCB jurisdiction, for all "new development" and "significant redevelopment" projects meeting the criteria as "priority projects" in Table 7.II-2 (Priority Project Categories for North County Permit Area), a "Project WQMP" shall be developed to define the quality and quantity of stormwater runoff that must be considered during project planning and to identify permanent (post-construction) BMPs that will be included in project design, constructed as part of the project, and operated and maintained for the life of the project (Section 7.5.1, Model WQMP).

This CEQA document is not intended to either serve as or substitute for the Applicant's subsequent filing of a "Project WQMP." Pursuant to Standard Conditions "WQ01," "WQ02," and "WQ03," a "Project WQMP" will be submitted prior to the issuance of any grading or building permits that will accommodate any potential minor revisions to the site plan. The Applicant's "Project WQMP" shall comply with and conform to both the Model WQMP and the TGD.

In accordance with the TGD, the "Project WQMP" shall demonstrate conformance with all applicable standards" (Section 2.4.3.1, TGD), including the performance criteria applicable to the proposed project. Applicable "low impact development" (LID) performance criteria include: (1) priority projects must infiltrate, harvest and use, evapotranspire, or biotreat/biofilter, the 85<sup>th</sup> percentile, 24-hour storm event (Design Capture Volume); or (2) A properly designed biotreatment system may only be considered if infiltration, harvest and use, and evapotranspiration cannot be feasibly implemented for the full design capture volume. Post-development drainage patterns will, therefore, not materially alter pre-development conditions as a result of the implementation of the proposed project.

controls, identified as "Best Management Practices" (BMPs), for "new development" and "significant redevelopment" projects that are subject to WQMP requirements pursuant to the "Drainage Area Management Plan" (revised May 26, 2011) (DAMP). BMPs are programs and policies, including structural controls that are implemented to control the discharge of pollutants.

The Orange County Stormwater Program's "Construction Runoff Guidance Manual for Contractors, Project Owners, and Developers" (December 2012) includes a number of BMP fact sheets associated with the various program elements of the DAMP. In accordance therewith, the "Project WQMP" shall incorporate reasonable and appropriate Low Impact Development (LID) and hydromodification control BMPs.

As indicated in the SARWQCB's "Order No. R8-2002-0010 (NPDES No. CAS618020): Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff, Orange County" (January 18, 2002) (NPDES No. CAS6180020), as amended by "Order No. R8-2009-0030 (NPDES No. CAS618030)" and "Order No. R8-2010-0062" (collectively NPDES Permit): "Recent studies have indicated that low impact development (LID) BMPs are effective storm water management tools that minimize adverse impacts on storm water runoff quality and quantity resulting from urban developments."

The "Project WQMP" for all "new development" and "significant redevelopment" projects that are "priority projects" is required to:

- ♦ Incorporate and implement all Source Control BMPs (routine structural and routine non- structural), unless not applicable to the project due to project characteristics, and document clearly why any applicable Source Control BMP was not included.
- ♦ Incorporate and implement Site Design BMPs [now more commonly referred to as Low Impact Development BMPs], as appropriate, and document the Site Design BMPs that are included.
- ♦ Either incorporate and implement Non-Structural and Structural Treatment Control BMPs, by including a selection of such BMPs into the project design or participate in or contribute to an acceptable

regional or watershed-based program (Section 7-II.3.3.3 [Selection of Regional or Project-Based Approach to Treatment Control BMPs]). Projects participating in a regional or watershed program will also implement Source Control BMPs and Site Design BMPs consistent with the requirements of the approved regional or watershed-based plan.

- ♦ The combination of Source Control, Site Design, and Treatment Control BMPs or regional or watershed-based programs must adequately address all identified pollutants and hydrologic conditions of concern.

### **Water Quality Control Plan**

As indicated in the County's "Integrated Regional Water Management Plan for the North and Central Orange County Watershed Management Areas" (March 2018), the project site is located in the Central Orange County Watershed Management Area of the Newport Bay Watershed. As noted in the SARWQCB's "Water Quality Control Plan – Santa Ana River Basin (8)" (1995) (Basin Plan), relative to the Newport Bay Watershed, "[e]rosion in the watershed and the resultant siltation in the [Newport] Bay is a continual threat to the Bay's designated uses. Sediment loads result from erosion of open space lands in foothill areas and from man's activities in the watershed: extensive grading for development; increased runoff and channel erosion due to urbanization; and erosion of agricultural lands."

SARWQCB "Resolution No. 98-101" (Basin Plan Total Maximum Daily Load for Sediment in the Newport Bay/San Diego Creek Watershed) imposed "total maximum daily load" (TMDL) for sediment in the Newport Bay/San Diego Creek Watershed, including quantifiable targets and load allocations, for sediment discharged into stormwater and flood control conveyances which discharge into San Diego Creek and/or Newport Bay.

TMDLs have been established by the SARWQCB for sediment, fecal coliform, diazinon, chlorpyrifos and nutrients (nitrogen and phosphorus) for the Newport Bay watershed. In addition, toxics TMDLs have been promulgated by the United States Environmental Protection Agency (USEPA) MDLs for metals and selenium.

As specified in the County's "Erosion and Sediment Control Plan (ESCPs) Instruction Manual" (December 2008):

All private and public construction projects within County jurisdiction, regardless of size or priority, are required to implement an effective combination of Best Management Practices (BMPs) to minimize pollutant discharges into the storm drain system or watercourses to the maximum extent practicable. To ensure compliance, the County requires the submission of Erosion and Sediment Control Plans (ESCPs) with each set of grading and building plans. The review and approval of the ESCPs will occur during the plan check process. The ESCPs must show proposed locations of the erosion and sediment control BMPs that are to be installed and maintained throughout the construction period.

Where applicable, as specified, in pertinent part, in "Standard Condition WQ05," prior to the issuance of any grading or building permit, the Applicant shall submit and, when acceptable, the County shall approve a ESCP. In accordance therewith, sediments discharged from areas disturbed by construction shall be minimized using an effective combination of erosion and sediment controls to the maximum extent practicable (MEP) and stockpiles of soil shall be properly contained to minimize sediment transport from the

site to streets, drainage facilities, or adjacent properties. Additionally, construction-related materials, wastes, spills or residues shall be retained on site to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff.

The Basin Plan specifies that beneficial uses of surface waters within the San Diego Creek Watershed include water contact recreation (REC1); non-contact water recreation (REC2); warm freshwater habitat (WARM); and wildlife habitat (WILD). Compliance with the County's NPDES Permit, the Model WQMP, the Codified Ordinances, applicable "Standard Conditions of Approval," and the implementation of applicable BMPs will ensure that none of those beneficial uses will be adversely affected.

In response to the Applicant's existing requirements, including the preparation and the County subsequent approval of a Project WQMP (requiring that the proposed project demonstrate conformance with all applicable standards) and ESCP (requiring that the proposed project minimize pollutant discharges into the storm drain system or watercourses to the maximum extent practicable), based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts would be expected by OC Planning to manifest from the approval, construction, and operation of the proposed project.

No mitigation measures are either required or recommended.

▪ **Response to Question X(b) – No Impact**

Potable water service to the project site is presently provided by and will continue to be provided by the City Public Works Department, Water Services Division. As indicated in the City's "2020 Urban Water Management Plan" (June 2021) (2020 UWMP): "The City's main source of water supply is groundwater from the OC Basin. Imported water makes up the rest of the City's water supply portfolio. In FY 2019-20, the City relied on 96% groundwater and 4% imported water." The 2020 UWMP concluded:

The City's main sources of water supply are groundwater from the Lower Santa Ana River Groundwater Basin and imported water from Metropolitan through MWDOC. Today, the City relies on 85% groundwater and 15% imported water. It is projected that through 2035, the water supply mix will remain roughly the same. . . The City is capable of meeting the water demands of its customers in normal, single dry, and multiple dry years between 2015 and 2035."

The proposed project neither involves the direct withdrawals of groundwater nor interferes with groundwater recharge resulting in a net deficit in aquifer volume or lowering of the local groundwater table levels. Based on information now known to OC Planning, because the proposed project does not propose any actions that would affect groundwater recharge, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts would be expected by OC Planning to manifest from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question X(c)(1) – Less-than-Significant Impact**

Construction-related activities that are primarily responsible for sediment releases are associated with the exposure previously stabilized soils to potential mobilization by rainfall runoff and wind. Such activities include the removal of vegetation and site grading operations. If proper controls are not implemented during the construction phase, siltation from exposed loose soils could be blown or washed off the project site.

In order to ensure a minimum level of water quality control, construction contractors implement and maintain appropriate BMPs, including compliance with the following requirements: (1) sediment shall not be discharged to the storm drain system or receiving waters; (2) no construction-related materials, wastes, spills, or residues shall be discharged from the project site onto streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff; and (3) non-storm water runoff from equipment, vehicle washing, or other activities shall be contained within the project site using appropriate BMPs.

Pursuant to “Standard Condition WQ05” (Erosion and Sediment Control Plan), prior to the issuance of any grading or building permit, applicants shall submit an “erosion and sediment control plan” (ESCP) demonstrating compliance with local and State water quality regulations for grading and construction activities.

Compliance with the County’s NPDES Permit, Model WQMP, Codified Ordinances, and applicable “Standard Conditions of Approval,” implementation of applicable BMPs, and the application of the County’s “County of Orange Standard Plans – Orange County Public Works Department, September 2018 Edition” (2018) will minimize the potential for substantial erosion and siltation affecting both on-site and off-site areas to a level that is less-than-significant.

No mitigation measures are either required or recommended.

See also Response to Question X(a) above.

▪ **Response to Question X(c)(2) – Less-than-Significant Impact**

Pursuant to “Standard Condition WQ07” (Drainage Facilities), prior to issuance of grading or building permits, applicants shall demonstrate that drainage facilities shall be designed to imitate the manner in which runoff is currently produced from the site and in a manner meeting the satisfaction of the Manager, Building Permit Services.

No mitigation measures are either required or recommended.

See also Response to Question X(a) above.

▪ **Response to Question X(c)(3) – Less-than-Significant Impact**

The proposed project would increase the amount of impervious surface on the project site from 35% to 89%. On-site hydromodification controls would be implemented such that

the volume and time of concentration for the post-project condition are reduced from the pre-development condition.

Pursuant to Section 7.II-2.4.3 (Determine LID and Treatment Control BMP Performance Criteria), the Model WQMP, the following performance criteria for LID implementation: (1) Priority Projects must infiltrate, harvest and use, evapotranspire, or biotreat/biofilter, the 85th percentile, 24-hour storm event (Design Capture Volume); and (2) A properly designed biotreatment system may only be considered if infiltration, harvest and use, and evapotranspiration (ET) cannot be feasibly implemented for the full design capture volume.

Volume-based BMPs serve to infiltrate, filter, or treat the volume of runoff which is produced in order to prevent the causation of hydrologic conditions of concern in receiving waters. In this case, infiltration, harvest and use, and ET practices must be implemented to the greatest extent feasible and biotreatment may be provided for the remaining design capture volume.

No impact upon the two nearest storm drain facilities, namely the Hewes Storm Drain (OCFCD No. F07P06) and the La Colina-Redhill Storm Drain (OCFCD No. P07S01) would occur because sufficient capacity exists in these facilities.

The proposed project is further required to comply with those County's drainage and flood control "Standard Conditions of Approval" formulated to control runoff and regulate water quality at each development/redevelopment site. The proposed project would not substantially alter existing drainage pattern or significantly contribute to either on-site or off-site flooding.

No mitigation measures are either required or recommended.

▪ **Response to Question X(c)(4) – Less-than-Significant Impact**

Areas of "minimal" flood hazard, defined as areas outside the federally designated "Special Flood Hazard Areas" (SFHAs) and higher than the elevation of the 0.2-percent-annual-chance flood, are, among other labels, designated by the Federal Emergency Management Agency's (FEMA) as "Zone X."

The project site is located on FEMA's Flood Insurance Rate Map (FIRM) 06059C0277J (Orange County, California). As indicated therein, the project site is designated "Zone X," defined as "areas of 0.2% annual chance flood; areas of 1% annual chance 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% annual chance flood."

The proposed project constitutes the redevelopment of the project site, replacing an existing single-family residence with a multi-purpose place of worship and private preschool. Implementation will not substantially alter existing drainage patterns, result in the redirection of flood flows, or require FEMA to develop FIRM map revision through a "conditional letter of map amendment" (CLOMA) and "letter of map amendment" (LOMA) or a "conditional letter of map revision" (CLOMR) and "letter of map revision" (LOMR).



Based on information now known to OC Planning, excluding FEMA's "Zone X" designation, because the site is not located within a designated flood hazard areas, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts would be expected by OC Planning to manifest from the approval, construction, and operation of the proposed project.

No mitigation measures are either required or recommended.

▪ **Response to Question X(d) – Less-than-Significant Impact**

FEMA's flood insurance rate maps (FIRMs) identify those areas that are located within the 100-year floodplain boundary, termed "Special Flood Hazard Areas" (SFHAs). A 100-year flood does not refer to a flood that occurs once every 100 years but refers to a flood level with a one percent chance of being equaled or exceeded in any given year. The SFHAs are subdivided into insurance risk rate zones. Areas between the 100- and 500-year flood boundaries are termed "moderate flood hazard areas." Areas located outside the 500-year flood boundary, are termed "minimal flood hazard areas."

On FIRMS, those areas designated as "Zones A, A0, AH, A1-A30, and A99" represent SFHAs and reflect those areas subject to inundation by the 100-year flood. Mandatory flood insurance purchase requirements apply within those designated areas.

Areas designated as "Zone B" (areas between limits of the 100- and 500-year flood or certain areas subject to 100-year flooding with average depths of less than one foot or where the contributing drainage area is less than one square mile or areas protected by levees from the base flood) have been identified as areas of "moderate" or "minimal" hazard. Areas designated as "Zone C" (minimal flooding) do not have known flood hazards.

The project site is located on FIRM 06059C0277J (Orange County, California). As indicated therein, the project site is designated "Zone X," defined as "minimal" flood hazard area. That zone depicts "areas of 0.2% annual chance flood; areas of 1% annual chance 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% annual chance flood." In other words, the project site is zoned similarly to Zone C, and therefore is not a high flood hazard risk area.

Additionally, the project site is not located in an area that is subject to inundation risk from a tsunami or seiche. Accordingly, there is no risk of a release of pollutants from the project as the result of a tsunami or seiche.

Based on information now known to OC Planning, because the project site faces only a very minimal risk of flooding and no risk of inundation from a tsunami or seiche, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to the release of pollutants as the result of inundation would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project.

No mitigation measures are either required or recommended.

▪ **Response to Question X(e) – Less-than-Significant Impact**

Potable water service to the project site is presently provided by and will continue to be provided by the City of Tustin (Public Works Department, Water Services Division). As indicated in the City’s “2020 Urban Water Management Plan” (June 2021) (2020 UWMP): “The City’s main source of water supply is groundwater from the OC Basin. Imported water makes up the rest of the City’s water supply portfolio. In FY 2019-20, the City relied on 96% groundwater and 4% imported water.”

On September 16, 2014, the Governor signed the Sustainable Groundwater Management Act (SGMA) into law, as codified, in part, in Sections 65350.5, 65353, and 65352.5 of the California Government Code and in Section 10720 et seq. in Part 2.74 (Sustainable Groundwater Management), Division 6 of the California Water Code. SGMA granted certain local public agencies the ability to become a “groundwater sustainability agency” (GSA) for their groundwater basin or a portion thereof. SGMA also directed the Department of Water Resources (DWR) to identify groundwater basins and subbasins in conditions of critical overdraft. Conditions of critical overdraft result from factors including seawater intrusion, land subsidence, groundwater depletion, and/or chronic lowering of groundwater levels. DWR identified basins in a state of critical overdraft in “Bulletin 118” (California Groundwater). As indicated in “Bulletin 118” (updated February 27, 2014), the “Coastal Plain of Orange County Groundwater Basin” (Groundwater Basin No. 8-001) underlines a coastal alluvial plain the northwestern portion of Orange County. The basin underlies the lower Santa Ana River Watershed.

On July 19, 2019, the DWR approved an alternative to a “groundwater sustainability plan” (GSP) for the Orange County Groundwater Basin (Groundwater Basin 8.1). The Orange County Groundwater Basin, as managed by the Orange County Water District (OCWD) provides 77 percent of the drinking water supply to north and central Orange County. The “Basin 8-1 Alternative” (January 1, 2017), as prepared by the OCWD in cooperation with the City of La Habra and the Irvine Ranch Water District, divided Basin 8-1 into the following four management areas: La Habra-Brea, OCWD, South East, and Santa Ana Canyon Management Areas. In accordance therewith, the project site is located in the “OCWD Management Area.” Groundwater produced within the OCWD Management Area provides approximately 70 percent of the total water supply for a population of around 2.4 million residents. Water demands within the OCWD Management Area have grown from approximately 150,000 acre-feet per year (afy) in the mid-1950s to a high of approximately 366,000 afy in water year 2007-08. OCWD operates an extensive network of recharge basins to increase recharge of surface water into the groundwater basin to support groundwater production.

The adopted “sustainability goal” for the OCWD Management Area is to continue to sustainably manage the groundwater basin to prevent conditions that would lead to significant and unreasonable lowering of groundwater levels, reduction in storage, water quality degradation, seawater intrusion, inelastic land subsidence and adverse impacts on hydrologically connected surface water.

Grading activities associated with the proposed project are not anticipated to occur at a depth sufficient to intercept known groundwater resources. As indicated in Section XIX (Utilities and Service Systems) herein, based on the proposed intensification of uses, the proposed project is projected to minimally increase water demands attributable to the project site. Even with a projected conservative demand increase, the City is capable of meeting all customer demands from 2020 through 2045 due to diversified supply and conservation measure. As a result, no aspect of the proposed project would be expected to impede the attainment of that goal.

As noted in the 2020 UWMP:

Every urban water supplier is required to assess the reliability of their water service to its customers under a normal year, a single dry year, and a drought period lasting five consecutive years. The water service reliability assessment compares projected supply to projected demand for the three hydrological conditions between 2025 and 2045. Factors affecting reliability, such as climate change and regulatory impacts, are accounted for as part of the assessment. The City depends on a combination of imported and local supplies to meet its water demands and has taken numerous steps to ensure it has adequate supplies. MET's [Metropolitan Water District of Southern California] and MWDOC's [Metropolitan Water District of Orange County] 2020 UWMPs conclude that they can meet full-service demands of their member agencies through 2045 during normal years, single-dry years, and multiple-dry years. Consequently, the City is projected to meet full-service demands through 2045 for the same scenarios, due to diversified supply and conservation measures.

Relative to water quality management plans, compliance with the County's NPDES Permit, Model WQMP, Codified Ordinances, and applicable "Standard Conditions of Approval," implementation of applicable BMPs, and the application of the County's "County of Orange Standard Plans – Orange County Public Works Department, September 2018 Edition" (2018 will minimize the potential for the proposed project to obstruct implementation of any water quality control plan to a less than significant level.

No mitigation measures are either required or recommended.

See also [Response to Question X\(a\)](#) above.

## XI. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### STANDARD CONDITIONS OF APPROVAL

- **Standard Condition FPC14 (Architectural Building Plan).** Prior to the issuance of a building permit, the applicant shall submit architectural plans for the review and approval of the Fire Chief if required per the “Orange County Fire Authority Plan Submittal Criteria Form.”

### RESPONSE TO TOPIC-SPECIFIC QUESTIONS

- **Response to Question XI(a) – No Impact**

The proposed project is located on and confined to a single parcel (APN 401-018-12), already containing an urban use. Although the nature of the use will change from residential to institutional (e.g., place of worship and preschool), the proposed use is compatible with those existing residential and non-residential uses in the general project area. The project also will not cause the existing residential or non-residential uses to be disjointed from one another. There are two existing residential communities in the vicinity of the proposed project, neither of which will be impacted in terms of access or continuity by the proposed project. Those residential communities will remain both accessible and intact with and without the proposed project. As a result, the project will not physically divide an established community. Therefore, the proposed project will have no impact. No additional mitigation measures are either required or recommended.

- **Response to Question XI(b) – Less-than-Significant Impact**

#### Discretionary Entitlements

In the NTSP the general project area is designated “RSF - Residential Single Family” (Minimum lot size 10,000 square feet) (100 RSF). Section A (RSF - Residential Single Family District) in Chapter 3 (District Regulations) of the NTSP provides that, “permitted principal uses” include: (1) single-family detached dwelling units; (2) parks and playgrounds (non-commercial); (3) riding and hiking trails; and (4) community care facilities serving six or fewer persons. Although the Applicant’s proposed uses are not expressly included among that list, the NTSP and/or the Codified Ordinances include additional provisions, including authorization for the issuance of specified discretionary actions, which expand the types of permitted principal uses allowable in the RSF District.

Construction and operation of the proposed synagogue and Sunday school requires both a Planning Commission-issued Use Permit and a variance. Both of those discretionary actions are discussed below.

- ◇ **“Use Permit.”** As defined in the Codified Ordinances, a “community assembly facility” constitutes a “facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, union halls, meeting halls for clubs and other membership organizations” (Codified Ordinances § 7-9-134.3). These uses are permitted within the RSF District with a Use Permit issued by the Planning Commission.

As a “church, temple, and other places of worship,” pursuant to Subsection (4)(b)(1) in Section A (RSF - Residential Single Family District) in Chapter 3 (District Regulations) of the NTSP and the Codified Ordinances (Codified Ordinances § 7-9-126.2), the proposed synagogue and Sunday school constitute a “principal use permitted subject to a Use Permit.”

The Applicant seeks a Use Permit for the proposed place of worship, inclusive of the accessory religious education room and all ancillary facilities (e.g., administrative offices, restrooms, laundry room, storage space) directly associated therewith.

- ◇ **“Use Permit.”** Within the “RSF – Residential Single Family District,” as outlined in Section A (RSF - Residential Single Family District) in Chapter 3 (District Regulations) of the NTSP, there are no “permitted principal uses” (Subsection [2]), no “principal uses permitted subject to a Site Development Permit” (Subsection [3]), no “principal uses permitted subject to a Use Permit” (Subsection [4]), no “temporary uses and structures” (Subsection [5]), and no “accessory uses permitted” (Subsection [6]), that would authorize the operation of a private preschool (as a child care center and/or as an early education facility) within the NTSP. Instead, Subsection (7)(a) of the RSF Section of the NTSP provides that: “All uses not permitted above are prohibited.”

Separately from that prohibition in the NTSP, the Codified Ordinances (Codified Ordinances § 7-9-95.5[c]) provides:

Child care centers and/or early education facilities serving more than fourteen persons may be permitted in any district, planned community, or specific plan area where this use is not otherwise identified as a permitted use, subject to the approval of a Use Permit by the Planning Commission.

With regards to “child care centers” and/or “early education facilities,” the above referenced Codified Ordinances provision authorizes those uses within all unincorporated County areas with adopted specific plans, so long as a Use Permit is issued by the Planning Commission. Because this use requires the issuance of Use Permit, the Applicant seeks a Use Permit for the proposed private preschool.

- ◇ **“Site Development Permit.”** Pursuant to the Codified Ordinances (Codified Ordinances 7-9-70.6), the Applicant seeks a Site Development Permit for the shared parking associated with the synagogue, the Sunday school, and the private preschool operating on the same site and with different peak-period parking demands.

Subsection (8)(e) in Section A (RSF - Residential Single Family District) in Chapter 3 (District Regulations) of the NTSP specifies that, off-street parking shall be in accordance with the Codified Ordinances (Codified Ordinances § 7-9-145). After the adoption of the NTSP, parking requirements for non-residential land uses were recodified in the Codified Ordinances (Codified Ordinances § 7-9-70.4 et seq.).

The Codified Ordinances (Codified Ordinances § 7-9-70.6) identifies the following requirements:

- **Places of assembly** (churches and temples) - 1 for each 3 fixed seats, or 1 for each 35 square feet of gross floor area where there are no fixed seats (every 18 lineal inches of bench seating shall be considered one fixed seat), plus 1 space for every 3 employees of the largest shift.
- **Child care centers/Early educational facilities** (licensed facilities providing non-medical daytime care and/or early education for children) - 2 for each 3 employees and teachers plus 1 loading space for every 8 children.

Each of the proposed uses generally operate during different hours. Those proposed operational hours are as follows:

- Synagogue (main sanctuary): Saturday between 10:00 AM to 12:00 PM;
- Sunday school: Sundays between 10:00 AM and 12:00 PM; and
- Private preschool: Monday through Friday between 8:00 AM and 5:30 PM.

Because none of the proposed uses would operate concurrently, the off-street parking demands associated with the proposed synagogue, Sunday school, and private preschool would not overlap.

As proposed, the place of worship's main sanctuary includes 50-fixed seats. In addition, the proposed place of worship includes not more than three "employees." The synagogue would, therefore, require a total of 18 ( $17 + 1=18$ ) off-street parking spaces. A total of 20 off-street parking spaces are proposed.

Although the Codified Ordinances includes no explicit provisions for the proposed Sunday school, since many of the participants would not be of a legal age to drive, it can be assumed that the 30 students would require fewer parking spaces than that associated with the 50-fixed seats associated with the main sanctuary. Sufficient to accommodate the proposed synagogue and Sunday school, a minimum of 18 off-street parking spaces are presently proposed on the project site for those land uses. A total of 20 off-street parking spaces are proposed.

Pursuant to Section 101216.3 (Teacher-Child Ratio) of Title 22 of the CCR, teacher-child ratios for pre-school age children (2-5 years old) include: (1) one fully qualified teacher for every 12 preschool children; or (2) one fully qualified teacher with one teacher assistant for every 15 preschool children.

With regards to the proposed private preschool, assuming a maximum DSS-licensed capacity of 30 children, based on the required child-teacher ratio which results in a minimum of two teachers and two teacher assistants, a total of only two off-street parking spaces would be required for the proposed private preschool. No off-street

parking provisions are associated with the 30 children are explicitly cited in the Codified Ordinances. A total of 20 off-street parking spaces are proposed.

When each use is examined individually, the Codified Ordinances (Codified Ordinances § 7-9-70.6) dictates the need for a combined total of 20 ( $18 + 2 = 20$ ) off-street parking spaces. Pursuant to the Codified Ordinances (Codified Ordinances § 7-9-70.7), unless otherwise expressly stated, when two or more uses are located on the same parcel of land or within the same building, the number of off-street parking spaces required shall be the sum total of the requirements of the various individual uses computed separately.

In accordance with the Codified Ordinances (Codified Ordinances § 7-9-70.9[b][1][b]), “shared (joint) parking facilities” are authorized for “[p]arking facilities that are cooperatively established and operated to serve multiple uses and these uses generate parking demands primarily during hours when the remaining uses are not in operation.” Pursuant to the Codified Ordinances (Codified Ordinances § 7.9-70.9[d][2][a]-[c]), the “required findings for approval” for “shared (joint) parking” include the following determinations:

- The peak hours of use shall not overlap or coincide to the degree that peak demand for parking spaces from all uses shall be greater than the total supply of spaces;
- The proposed shared parking shall be adequate to serve each use; and
- A written agreement between landowner(s) and the County, in a form satisfactory to County Counsel, has been submitted to and approved by the Director.

The proposed project involves only a single landowner and tenant, such that only that single landowner/tenant would be a signatory thereto. In other cases where there were two or more landowners the referenced “written agreement” would be in a form capable of and subject to being recorded and constitute a covenant running with the land. Where applicable, that agreement would include, but may not be limited to:

- A written guarantee that there shall be no substantial alteration in the uses that will create a greater demand for off-street parking;
- A guarantee among the landowner(s) for access to and use of the shared parking facilities;
- A provision that the County may require parking facilities in addition to those originally approved upon a finding that adequate parking to serve the use(s) has not been provided; and
- A provision stating that the agreement shall not be modified or terminated without the approval of the Director.

- ◇ **“Variance Permit.”** Pursuant to Section A (Residential Single Family District) in Chapter 3 (District Regulations) of the NTSP, “principal uses permitted subject to a Use Permit” within the “RSF - Residential Single Family District” include, but are not limited to “churches, temples, and other places of worship (minimum building site area – 40,000 square feet)” and “educational institutions.” The subject parcel does not include a “minimum building site area” of 40,000 square feet and it is not feasible for the Applicant to expand the parcel’s existing square footage to achieve that

standard because the project is constrained by the size of the existing parcel. As a result, a Variance Permit is required to accommodate the proposed place of worship on a property containing fewer than 40,000 SF.

### **General/Specific Plan Consistency**

The NTSP provides: “The goals and policies presented in this section provide direction for implementing the County General Plan within the area of the North Tustin Specific Plan. They are focused on resolving the issues described in the previous section. Although these goals and policies find their basis in and are consistent with the respective countywide documents, they are applicable to the North Tustin Specific Plan area.” Each of the three goals and twelve policies listed in the NTSP, including the proposed project’s consistency, inconsistency, or applicability to those goals and policies are presented below.

- ◆ **Goal A: Compatibility with Existing Community.** Promote future development which is compatible with the existing surrounding community.

*Consistent. The proposed site plan, building configuration, and off-street parking plan have been formulated specifically in recognition of abutting land uses.*

*In terms of scale, design, configuration, and use, the proposed project is compatible with the surrounding community. Roof height has been reduced from that originally proposed (from 34-feet to 30-feet) so as to more closely conform to the height of other residential structures in proximity to the project site.*

*Operable doors and windows are primarily oriented to the north, south, and west, generally away from abutting sensitive receptors. With the exception of a single-door, to be used as an “emergency” point of ingress and egress to the 50-fixed-seat main sanctuary, no operational doors or windows open toward those residential receptors located in the “Sleepy Hollow” neighborhood. Similarly, outdoor activities, including an exterior patio area (primarily intended as an area for fellowship and social gatherings) and playground (associated with the private preschool), located in the southwestern corner of the property are also located away from those residential receptors, to reduce the potential noise and visual impact to sensitive receptors.*

*The project site has direct ingress from and egress to E. 17<sup>th</sup> Street, a County-designated “Major Arterial” (6-lane roadway) and will neither require an access or egress easement or other access across neighboring properties nor require additional traffic lanes or circulation controls. With direct street access, no pedestrian encroachment upon other proximal properties would be expected to occur. Operationally, the project will not, therefore, substantively encroach on any existing land uses.*

*With the provision of Codified Ordinances-compliant off-street parking, use-specific parking will neither adversely impact other proximal land uses nor the existing residential neighborhoods (including, but not limited to, “Sleepy Hollow” and those residential areas located along Hewes Avenue, Windsor Place, and Vanderlip Street). No “cut-through” traffic would be expected, as the project site will provide sufficient parking for all of the proposed uses and already provides direct access and egress from a major arterial roadway.*



*Except during some religious occasions and other scheduled events, operational activities would generally be confined to morning and early evening hours, generally extending between 8:00 AM and 5:30 PM (inclusive of both weekdays and weekends). As a result, no late evening on-site activities would be routinely scheduled that would potentially conflict with or interfere with the use and enjoyment of other proximal residential uses.*

- ◇ **Policy A-1:** Establish and enforce detailed development standards which emphasize a residential character for all development.

**Consistent.** *The proposed project includes a place of worship and is not a residential development. As a non-residential development, although the proposed project does not explicitly “emphasize a residential character,” the structures 30-foot height limit, Codified Ordinances-compliance parking and setbacks, extensive landscaping, and minimal signage does not create a substantial deviation from a traditional “residential character.”*

*The term “residential character” does not include any expressed or inferred inference that such character be limited to a single-story building. Additionally, since places of worship constitute permitted uses within the NTSP area and since such facilities typically include vertical elements (stylistically connecting “heaven” and “earth”), the proposed project’s design is not inherently inconsistency with this policy.*

- ◇ **Policy A-2:** Orient employment land uses toward major and primary arterial streets so that activities associated with these uses will have minimal effect upon adjacent residential neighborhoods.

**Consistent.** *Because the proposed place of worship and private preschool includes only minimal employment opportunities, the proposed project would not typically be considered an “employment land use.” Nevertheless, the proposed project is oriented toward an existing “major and primary street.”*

*Based on that orientation and absence of any encroachment upon other proximal properties, as evidenced by the analysis presented herein, the proposed project would not result in any significant effects on the “adjacent residential neighborhood.”*

- ◇ **Policy A-3:** Use landscaping to enhance building design and, where necessary, to soften the effects of building and pavement.

**Consistent.** *As illustrated in Figure 10 (Chabad Jewish Center of Tustin - Conceptual Landscape Plan), the proposed project has been designed to retain some of the mature vegetation that now exists on the project site, include both the large *Ficus nitida* located in the southeastern corner of the property and *Schinus molle* adjacent to the E. 17<sup>th</sup> Street ROW.*

*Although separated from the abutting “Sleepy Hollow” neighborhood to the east of the project site by an existing approximately 8-foot CMB wall, enhanced vegetation is proposed along the site’s eastern border to “soften” (i.e., buffer) that edge and potentially contribute to noise abatement.*

- ◇ **Policy A-4:** Enhanced new development provides an appropriate buffer to adjacent existing uses of less intensity.

**Consistent.** *The proposed project includes a minimum 50-foot front yard setback, a minimum 14½-foot side yard setback, and a minimum 40-foot rear yard setback. Each of those setback areas will be landscaped and, with the possible exception of the rear yard area, no intensive uses are proposed therein. Because the rear yard area abuts an existing parking lot associated with Neuro Restorative (18792 E. 17<sup>th</sup> Street, Santa Ana 92705), no “appropriate buffer” would be associated therewith.*

*The project has been designed in recognition of the level of sensitive abutting uses, including the presence of residential receptors to the east of the project site. The existing approximately 6-foot to 8-foot-tall concrete masonry block (CMB) wall separating the proposed synagogue and its side and rear yard areas from residential properties located in proximity to the project site will be retained. To reduce potential noise impacts, minimal door openings and no operable windows are proposed along the building’s eastern wall. Outdoor activity areas are oriented to the southwest of the property, away from the abutting residences. Proposed on-site parking abuts E. 17<sup>th</sup> Street, thus concentrating the project’s vehicular traffic (and associated noise impacts) adjacent to an existing source of vehicular traffic.*

*Relevant design standards imposed under the NTSP and/or Codified Ordinances include, but are not limited to:*

- **Setbacks.** *The provisions of the NTSP are given precedence over those of the Codified Ordinances. With regard to setbacks, as noted in Subsection (8)(d) in Section A (RSF - Residential Single Family District) in Chapter 3 (District Regulations) of the NTSP: (1) Front setback – 25 feet minimum; (2) Rear setback – 25 feet minimum; and (3) Side setback – ten percent of the average ultimate net width of the building site (maximum 20 feet). Based on a uniform lot width of 144 feet, the side yard setback is 14.4 feet (or about 14’5”). The proposed project is fully compliant with established setback requirements.*
  - **Building Height and Site Coverage.** *As authorized under Subsections (8)(c) and (f) in Section A (RSF - Residential Single Family District) in Chapter 3 (District Regulations) of the NTSP, the maximum allowable building height is 35 feet and the maximum building site coverage is 50 percent, respectively. As proposed, the maximum building height is 30 feet above finish grade. Based on a net site area of 31,656 square feet and a building area of approximately 9,850± square feet, the resulting floor-area-ratio (FAR) would be approximately 0.31, meaning that the building would cover significantly less than 50 percent of the project site. As a result, the proposed project does not exceed those adopted design standards and is, therefore, consistent with these requirements.*
- ◇ **Policy A-5:** Require exterior signage and lighting to be subdued in character and nonintrusive upon neighboring uses.

**Consistent.** As illustrated in Figure 12 (Chabad Jewish Center of Tustin – Conceptual Signage Plan), the Applicant seeks authorization to construct a monument (ground) sign along the E. 17<sup>th</sup> Street frontage.

Outdoor lighting systems shall be designed and installed in compliance with: (1) Section 5.106.8.3 (Light Pollution Reduction) of 2019 CalGreen; and (2) the Codified Ordinances (Codified Ordinances § 7-9-94), specifying that outdoor lighting shall not exceed an intensity of one footcandle (fc) of light throughout the facility and shall be directed toward the site.

Based on the required consistency between the OCGP and its accompanying Codified Ordinances, compliance with the applicable provisions of the Codified Ordinances relating to exterior signage and lighting serves to effectuate and demonstrate consistency with the policies of the OCGP.

- ◆ **Goal B: Innovative Development Concepts.** Promote innovative development concepts that contribute to resolving land use problems in the area.

**Consistent.** So as to minimize intrusion upon sensitive receptors, building opening, including doors and operable windows, and exterior uses are orientated away from nearby residential uses.

- ◆ **Policy B-1:** Establish and enforce design standards for improving the visual attractiveness of the arterial corridors in the specific plan area.

**Consistent.** The proposed project has been designed to include a minimum 76-foot front-yard setback from E. 17<sup>th</sup> Street. Additionally, the project includes a relatively flat roof with a maximum height of 30 feet above finish grade. The proposed structure will, therefore, neither appear to visually encroach onto that roadway nor include a height and bulk inconsistent with other proximal single-family dwellings located in the general project area (e.g., “California Crossing”).

Low-level landscaping is proposed within the front yard setback area to “soften” the visual edge of the proposed development along E. 17<sup>th</sup> Street that would, in whole or in part, visually screen the proposed project’s parking area from passing vehicles, bicycles, and pedestrians.

The proposed project fully conforms to the design provisions of the NTSP, the OCTA’s “Guidance for Administration of the Orange County Master Plan of Arterial Highways” (effective August 14, 2017), and the Codified Ordinances in terms of maintaining the visual character of the corridors in the NTSP area.

- ◆ **Policy B-2:** Encourage parcel consolidation or joint development planning within detailed review parcels.

**Consistent.** The proposed project is proposed on a single parcel (APN 401-018-12) and no parcel consolidation is necessary for the proposed project’s implementation. Similarly, since the proposed project involves the redevelopment of a single parcel, no “joint development planning” opportunities have been identified.

- ◇ **Policy B-3:** Encourage use of the planned development process for coordinating development within the detailed review parcels.

***Consistent.** The proposed project constitutes a single development (consisting of a single structure) occurring on a single parcel. Because the possible application of the “planned development process” cannot be applied to the proposed project, implementation would not be inconsistent with this policy.*

- ◇ **Policy B-4:** Encourage architectural unity of employment land use.

***Consistent.** Because multiple land uses will operate under a single roofline, the place of worship, Sunday school, and private preschool each contain “architectural unity.”*

*The proposed place of worship and private preschool include only minimal employment opportunities. The proposed project would, therefore, not typically be considered to be an “employment land use.” Consisting of only a single structure, the proposed project is not able to take advantage of or benefit from any unifying architectural theme that would otherwise occur with projects involving multiple uses and/or structures.*

- ◇ **Policy B-5:** Encourage a street orientation for professional office buildings in order to better use the building to screen at-grade parking lots from view.

***Consistent.** Although the proposed project is not a “professional office building,” with the exception of the project’s driveway, the proposed parking area will be screened along the E. 17<sup>th</sup> Street frontage through the use of landscaping.*

- ◆ **Goal C: Balance of Housing Opportunities.** Seek a balance of housing opportunities through encouraging a variety of types and densities of housing.

***Consistent.** The proposed development is not a housing project and does not include a residential component. As a non-residential development, the project cannot achieve a “variety of types and densities of housing.”*

*The proposed project does, however, result in the demolition of an existing single-family residence; therefore, implementation will reduce the regional housing inventory by one dwelling unit. Because the proposed place of worship is a permitted use, broader County policies promote both residential and non-residential uses in the NTSP area. As a result, the introduction of a non-residential use cannot be deemed to be inconsistent with therewith.*

*As indicated in the “Final Environmental Impact Report No. 421 – North Tustin Specific Plan, SCH No. 82070201” (certified on September 29, 1982), with regards to the implementation of the NTSP: “It is anticipated that 50 units will be removed and 209-315 new units will be constructed.” As a result, the demolition of a limited number of dwelling units within the NTSP area was anticipated by the County and the potential environmental impacts associated with those activities previously addressed under CEQA.*

- ◇ **Policy C-1:** Maintain the quality and integrity of housing in the existing residential neighborhoods.

***Consistent.** Along E. 17<sup>th</sup> Street, a variety of non-residential uses are interspersed among existing residential areas. For example, the project site abuts an existing assisted living facility (Neuro Restorative, 18792 E. 17<sup>th</sup> Street, Santa Ana 92705) and a proximal private school (Foothill Montessori School, 18692 E. 17<sup>th</sup> Street, North Tustin 92705). The introduction of another non-residential use along E. 17<sup>th</sup> Street is, therefore, not inconsistent with the existing pattern of development now evident in the general project area.*

*The proposed height, bulk, and scale of development is generally compatible with that of the existing residential development. As a result, because the proposed project will not adversely affect either the quality or the integrity of an existing residential neighborhood, implementation will allow for the continuing maintenance of that quality and integrity.*

- ◇ **Policy C-2:** Enhance the role of medium and high density housing, both owner and tenant occupied, in meeting local housing need.

***Consistent.** The existing residential unit now occupying the project site is not considered to be “medium and high-density housing.” Additionally, the proposed project does not include the provision of either “medium” or “high-density housing.” The absence of a housing component does not constitute inconsistency with this policy objective.*

No apparent OCGP and/or NTSP policy-based “inconsistencies” have been identified. Because there are no substantive land use and planning conflicts with any relevant plans, policies, rules, or regulations adopted for the purpose of avoiding or mitigating an environmental effect, no significant on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

## XII. MINERAL RESOURCES

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

### STANDARD CONDITIONS OF APPROVAL

- **Standard Condition.** No “Standard Conditions of Approval” related to “mineral resources” have been adopted by the County.

### RESPONSE TO TOPIC-SPECIFIC QUESTIONS

- **Response to Question XII(a) – No Impact**  
The California Department of Mines and Geology’s (CDMG) “Open File Report 94-14: Update of Mineral Land Classification of Portland Cement Concrete Aggregate in Ventura, Los Angeles, and Orange Counties, California: Part II – Los Angeles County, Open File Report 94-14” (1994) (OFR 94-14) designates the project site as a “designated area lost to urbanization, regulation, and criteria changes.” This means that the project site does not contain any known mineral resources that are of value to the region or the residents of the State; therefore, no impact to mineral resources of value is expected. No mitigation measures are either required or recommended.
- **Response to Question XII(b) – No Impact**  
An “area of local significance” for mineral resources constitutes “[a]n area that contains mineral deposits and is not of regional or Statewide significance” (Section 2761[b][1], PRC). The project site has not been identified as a “locally-important mineral resource recovery site” in any local general plan, specific plan, or other land-use plan. Because there are no known mineral resources located at or in close proximity to the project site, no impacts to mineral resources would be expected as a result of the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

Because no “regionally significant” or “locally important” mineral resources are known to exist on the project site or in the general project area, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to mineral resources would be expected to occur due to the approval, construction, and operation of the proposed project.

### XIII. Noise

Would the project result in:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### STANDARD CONDITIONS OF APPROVAL

- Standard Condition N02 (Non-Residential Noise).** Except when the interior noise level exceeds the exterior noise level, the applicant shall sound attenuate all nonresidential structures against the combined impact of all present and projected noise from exterior noise sources to meet the interior noise criteria as specified in the Noise Element and Land Use/Noise Compatibility Manual. Prior to the issuance of any building permits, the applicant shall submit to the Manager, Building Permit Services, an acoustical analysis report prepared under the supervision of a County-certified acoustical consultant which describes in detail the exterior noise environment and the acoustical design features required to achieve the interior noise standard and which indicates that the sound attenuation measures specified have been incorporated into the design of the project.
- Standard Condition N08 (Noise Generating Equipment).** Prior to the issuance of any building or grading permits, the applicant shall obtain the approval of the Manager, Building Permits Services of an acoustical analysis report and appropriate plans which demonstrate that the noise levels generated by this project during its operation shall be controlled in compliance with Orange County Codified Ordinance, Division 6 (Noise Control). The report shall be prepared under the supervision of a County-certified acoustical consultant and shall describe the noise generation potential of the project during its operation and the noise mitigation measures, if needed, which shall be included in the plans and

specifications of the project to assure compliance with Orange County Codified Ordinance, Division 6 (Noise Control).

- Standard Condition N10 (Construction Noise).** (A) Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Building Permits Services, that: (1) All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with properly operating and maintained mufflers. (2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control). (3) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings. (B) Notations in the above format, appropriately numbered and included with other notations on the front sheet of the project's permitted grading plans, will be considered as adequate evidence of compliance with this condition.

**RESPONSE TO TOPIC-SPECIFIC QUESTIONS**

- Response to Question XIII(a) – Less-than-Significant Impact**

Since no construction contracts have been awarded, a precise accounting of the type and nature of construction-related equipment cannot be precisely known. For the purpose of calculating construction-term air quality impacts, the South Coast Air Quality Management District's (SCAQMD) California Emissions Estimator Model (CalEEMod Version 2020.4.0) presents "default" values for off-road equipment, worker trips, and hauling trips. Presented in Table 10 (Projected Off-Road Construction Equipment) is a listing of the "default" projections modeled by the SCAQMD for off-road equipment.

**Table 10  
PROJECTED OFF-ROAD CONSTRUCTION EQUIPMENT**

Phase Name	Construction Equipment Type	Amount
Architectural Coating	Air Compressor	1
Paving	Cement and Mortar Mixers	4
	Tractor/Loader/Backhoe	1
Demolition	Concrete/Industrial Saw	1
	Rubber-Tired Dozer	1
	Tractors/Loaders/Backhoes	2
Building Construction	Crane	1
	Forklifts	2
	Tractors/Loaders/Backhoes	2
Grading	Grader	1
	Rubber-Tired Dozer	1
	Tractor/Loader/Backhoe	1
Site Preparation	Grader	1
	Tractor/Loader/Backhoe1	1
Paving	Paver	1
	Roller	1

Source: South Coast Air Quality Management District

Although the CalEEMod model does not explicitly identify the number of construction workers, the model identifies and quantifies the number of worker-generated and haul-related trips associated with each construction phase, including demolition (10 worker trips; 23 hauling trips), site preparation (5 worker trips; 0 hauling trips), grading (8 worker trips;



23 hauling trips), building construction (5 worker trips; 0 hauling trips), paving (18 worker trips; 0 hauling trips), and architectural coatings (1 worker trip; 0 hauling trips).

The existing ambient noise environment was determined through on-site noise monitoring and the application of the Federal Highway Administration’s (FHWA) “Traffic Noise Model (TNM 2.5).” In order to more precisely define the ambient noise environment, a field survey was conducted on May 27, 2021 to document on-site noise levels. Similar levels would be expected at those structures located to the east and west along E. 17<sup>th</sup> Street as well as those located to the south of the subject property. Weather conditions evident at the time of the field survey were clear at about 72°F. A mild breeze came up in the afternoon during the performance of the second measurement.

The field study included three on-site noise readings. During the study, noise monitoring was conducted using a Quest Technologies Model 2900 Type 2 Integrating/Logging Sound Level Meter. The unit meets the American National Standards Institute Standard S1.4-1983 for Type 2, International Electrotechnical Commission Standard 651-1979 for Type 2, and International Electrotechnical Commission Standard 651-1979 for Type 2 sound level meters. The unit was field-calibrated using a Quest Technologies QC-10 calibrator at 11:54 AM on May 27, 2021, immediately prior to the first set of readings. The calibration unit meets the requirements of the American National Standards Institute Standard S1.4-1984 and the International Electrotechnical Commission Standard 942: 1988 for Class 1 equipment. The calibration of the meter was rechecked at 1:08 PM after the final reading and no meter “drift” was noted. The results of the field study are summarized below.

Monitoring locations are included in [Figure 22](#) (Noise Reading Locations [May 27, 2021]). All obtained noise level measurements are presented in [Table 11](#) (Existing Noise Level Measurements [May 27, 2021]) and separately described below.

Table 11  
**EXISTING NOISE READING MEASUREMENTS**  
(May 27, 2011)

Monitoring Location	Leq (dBA)	L <sub>02</sub> (dBA)	L <sub>08</sub> (dBA)	L <sub>25</sub> (dBA)	L <sub>50</sub> (dBA)	L <sub>min</sub> (dBA)	L <sub>max</sub> (dBA)
NR-1	59.6	66.1	63.8	60.7	57.4	39.7	73.8
NR-2	49.5	59.3	51.5	47.8	46.4	42.2	63.4
NR-3	49.4	57.4	53.1	49.1	46.9	39.7	63.1

Notes.

1. The Leq represents the equivalent sound level and is the numeric value of a constant level that over the given period of time transmits the same amount of acoustic energy as the actual time-varying sound level. The L<sub>02</sub>, L<sub>08</sub>, L<sub>25</sub>, and L<sub>50</sub> are the levels that are exceeded 2, 8, 25, and 50 percent of the time, respectively. Alternatively, these values represent the noise level that would be exceeded for 1, 5, 15, and 30 minutes during a 1-hour period if the readings were extrapolated out to an hour’s duration. The L<sub>min</sub> and L<sub>max</sub> represent the minimum and maximum root-mean-square noise levels obtained over a period of one second during the measurement.

Source: Environmental Impact Sciences / Synectecology

- ◇ **Noise Reading 1 (NR-1).** This reading was taken east of center in the unpaved area located along E. 17<sup>th</sup> Street, north of the existing single-family residence. The meter was placed 50 feet south of the centerline of travel for the near (outer eastbound) lane of the roadway.

E. 17<sup>th</sup> Street has a width of approximately 85 feet and is striped for two eastbound through lanes, an eastbound left-turn lane, and two westbound lanes with a northbound turn pocket/egress merge lane for Berrington Court.

## Chabad Jewish Center of Tustin

18802 E. 17<sup>th</sup> Street, Santa Ana 92705



Figure 22  
**NOISE READING LOCATIONS** (May 27, 2021)  
Source: Environmental Impact Sciences / Synectecology

The posted speed limit is 45 miles per hour (mph). The 15-minute noise reading began at 12:01 PM. During that time period, traffic along E. 17<sup>th</sup> Street included: (1) 144 automobiles, one medium truck, and one city (urban) bus traveling eastbound; and (2) 123 automobiles and two medium trucks proceeding westbound. Other sources of noise included aircraft overflights on approach to John Wayne Airport (JWA). Six aircraft were counted during the measurement period.

- ◇ **Noise Reading 2** (NR-2). This noise reading was obtained toward the southeast corner of the project site. Specifically, the noise meter was placed 10 feet west of the eastern wall and 10 feet north of the southern wall. The wall to the east is of cinderblock construction with a height of approximately 8 feet. The wall to the south and that to the west varies from approximately 6 to 7 feet in height with regularly

spaced “windows” from about 5 feet up. The wall is of masonry construction. The residents to the south have an additional cinderblock wall that separates their yards from the adjacent parking lot associated with Neuro Restorative (18792 E. 17<sup>th</sup> Street, Santa Ana 92705). This wall is approximately 6 feet in height, rising to about 8 feet, shielding the most proximate residents. The 15-minute reading began at 12:25 PM.

A light breeze began to blow during the reading. During this time, three aircraft flyovers were recorded. Other noise sources during the second noise reading included the use of a lawn mower and leaf blower at homes to the southwest, back-up alarms in the distance, birds, and background traffic. In this location, noise from traffic along E. 17<sup>th</sup> Street is primarily blocked by the presence of on-site and off-site structures.

- ◇ **Noise Reading 3 (NR-3).** This reading was obtained toward the west side of the project site at a distance of 10 feet from the wall and in-line with the southeast corner of the adjoining Neuro Restorative facility. The 15-minute reading began at 12:46 PM. Six aircraft flyovers were noted over this period. Other noise sources during this third noise reading included the use of a leaf blower at homes to the southwest, the use of a power saw a few yards over, background traffic, and a crowing rooster several yards away.

Noise though the project area is primarily attributable to vehicular traffic and aircraft overflights. Traffic noise is typically determined through modeling with FHWA’s “Traffic Noise Model” (TNM 2.5). In this case modeling was conducted for the logistics and volume of traffic observed along E. 17<sup>th</sup> Street during Noise Reading 1 (NR-1). Using a posted speed of 45 mph, the model projects 64.6 dBA Leq at the measured location. This value is 5.0 dBA greater than that measured for the same traffic volume observed during NR-1. The most likely reason for the model’s discrepancy from the observed results during NR-1 is that the traffic was moving slower than the posted 45 mph speed limit. Hewes Avenue lies approximately 420 feet west of the meter’s location. Additionally, Newport Avenue is about 845 feet east of the meter. Much of the traffic approaching and departing those intersections would not attain the 45 mph speed limit or could be slowing when passing the metered location. If the logistics and volume of traffic are remodeled at a speed of 30 mph, the Leq is 59.6 dBA, exactly as measured in the field.

CEQA examines both temporary (short-term) and permanent (long-term) increases in ambient noise levels related to a proposed project. The temporary and permanent increases in ambient noise levels in the vicinity of the proposed project are separately addressed below.

- ◇ **Temporary Noise Impacts.** Noise levels associated with construction activities for the proposed project would be higher than the existing ambient noise levels in the project area but would cease once construction activities are completed.

Two types of noise impacts could occur during the construction phase. First, the transport of workers and equipment to the project site would incrementally increase noise levels along roadways used to access the project site. Even though there could be a relatively high single event noise exposure potential with passing trucks (a maximum noise level of 86 dBA at 50 feet), the increase in noise would be less than one dBA when averaged over a 24-hour period and would, therefore, have a less-than-significant impact on noise receptors along the truck routes.

The second type of impact is related to noise generated by on-site construction operations. Local residents would be subject to elevated noise levels due to the operation of this equipment during construction work hours. Construction activities are carried out in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. These sequential phases would change the character of the noise levels surrounding the project site as work progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow noise ranges to be categorized by work phase.

Table 12 (Noise Levels Generated by Typical Construction Equipment) lists typical construction equipment noise levels recommended for noise impact assessment.

Table 12  
**NOISE LEVELS GENERATED BY TYPICAL CONSTRUCTION EQUIPMENT**

Type of Equipment	Range of Sound Levels Measured (dBA at 50 feet)	Suggested Sound Levels for Analysis (dBA at 50 feet)
Pile Drivers (12,000 to 18,000 ft-lb/blow)	81 to 96	93
Rock Drills	83 to 99	96
Jack Hammers	75 to 85	82
Pneumatic Tools	78 to 88	85
Pumps	68 to 80	77
Dozers	85 to 90	88
Tractor	77 to 82	80
Front-End Loaders	86 to 90	88
Hydraulic Backhoe	81 to 90	86
Hydraulic Excavators	81 to 90	86
Graders	79 to 89	86
Air Compressors	76 to 86	86
Trucks	81 to 87	86

Source: Bolt, Beranek, and Newman, Noise Control for Buildings and Manufacturing Plants, 1987

Although the actual construction of the structures typically produces less noise than grading, noise ranges have been found to be similar during all phases of construction. The grading and site preparation phase tends to create the highest noise levels because the noisiest construction equipment is in the earthmoving equipment category. This category includes excavating machinery (e.g., backfillers, bulldozers, draglines, and front loaders) and earthmoving and compacting equipment (e.g., compactors, scrapers, and graders). Typical operating cycles may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise levels at 50 feet from earthmoving equipment range from 73 to 96 dBA while Leq noise levels range up to about 88 dBA and 89 dBA for residential and commercial development, respectively. In accordance with the CalEEMod model used in the air quality analysis, grading is estimated to occur over two days while site preparation is estimated to occur over a single day.

Later construction activities experience somewhat lower noise levels than those reached during the grading and site preparation phases. The physical presence of the proposed structure may, in substantial part, break up line-of-sight noise propagation, once the physical structure is constructed.

The project site is bordered on the west by Neuro Restorative (18792 E. 17<sup>th</sup> Street, Santa Ana 92705), on the south by a private parking lot associated with Neuro Restorative, with residential units just beyond (14071 and 14072 Cameron Lane, Santa Ana 92705), and by residential units to the immediate east (18842-18852 Jane Circle and 14031-14041 Dryden Lane, Santa Ana 92705). Residential units are also located across E. 17<sup>th</sup> Street to the north of the site (California Crossing).

The most proximate receptors are the residents located to the east with the structures at a distance of about 15 feet from the property line. The Neuro Restorative structure is located about 20 feet west of the property line. The nearest structure to the south, beyond the Neuro Restorative parking area, is located about 50 feet from the perimeter of the project site. Finally, the most proximate home located to the north of E. 17<sup>th</sup> Street is just over 100 feet from the project site.

In order to determine an estimate of a sound pressure level at a distance the “inverse square law” can be used. In terms of the propagation and attenuation of sound, the inverse square law is a principle in physics whereby a point source emits a sound wave uniformly in all directions (essentially spherically), where the intensity of the sound wave energy at any given point away from the source is diminished as a function of the total surface area of the sphere coincident with that point. According to the inverse square law, it can be shown that for each doubling of distance from a point source, the sound pressure level decreases by approximately 6 decibels (dB).

Based on the inverse square law, temporary noise levels at the nearest of these homes to the east could be on the order of 10 dBA ( $20 \times [\log (15/50)] = 10.46 \text{ dB}$ ) louder than those “suggested sound levels for analysis” in [Table 11](#) (Noise Levels Generated by Typical Construction Equipment). To the west, during construction, exterior noise levels at Neuro Restorative facility are projected to be about 8 dBA ( $20 \times [\log (20/50)] = 7.96 \text{ dB}$ ) louder. Those levels represent an average and are not actual measurements.

At about 50 feet away, sound levels at the nearest home to the south would approximate those “suggested sound levels for analysis” at 50 feet from on-site construction activities with Leq noise levels projected to be as high as 88 dBA. At about 100 feet at the nearest point, the home across E. 17<sup>th</sup> Street would experience construction noise levels about 6 dBA ( $20 \times [\log 100/50] = 6.02 \text{ dB}$ ) quieter (for any point source of noise be it a stationary compressor/generator or a piece of heavy equipment) than those “suggested sound levels for analysis.”

All of these values represent a clear line of sight between the receptor and the construction equipment. Assuming that windows are closed, the interior levels at all off-site receptors would be reduced by >20 dBA from these values due to the barrier created by the windows.

Those adjacent residential units located to the east of the project site are separated from the subject property by an 8-foot-high block wall. On the south and west side of the project site, the perimeter wall varies from about 6 to 7 feet in height. The noise attenuation potential of these walls will vary based on the distance and the height at which construction noise is produced. As the construction equipment approaches the wall, the wall’s noise attenuation is increased. It is estimated by the California Department of Transportation (Caltrans) that any wall that is high enough to visually shield the noise source from the receptors and presenting a solid surface offers a

minimum of 5 dBA of attenuation and the actual values could be considerably greater depending on the barrier's distance from the equipment and the height from the ground at which noise is produced.

During the vast majority of the construction period, both exterior and interior noise levels could be over 20 dBA lower, due to lower power settings on equipment and sound attenuation provided by longer distances and partial blocking both from the structure under construction and those existing off-site structures (e.g., windows, existing walls, etc.) shielding those residential receptors located further from the noise source.

Project construction is subject to the County's Noise Compatibility Manual as well as the requirements of the Codified Ordinances. The County recognizes that control of construction noise is limited and, therefore, places special provisions on this noise. Pursuant to the Codified Ordinances (Codified Ordinances § 4-6-4):

It shall be unlawful for any person at any location within the unincorporated area of the County to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, when the foregoing causes the noise level, when measured on any other residential property, either incorporated or unincorporated, to exceed: (1) The noise standard for a cumulative period of more than thirty (30) minutes in any hour; or (2) The noise standard plus five (5) dB(A) for a cumulative period of more than fifteen (15) minutes in any hour; or (3) The noise standard plus ten (10) dB(A) for a cumulative period of more than five (5) minutes in any hour; or (4) The noise standard plus fifteen (15) dB(A) for a cumulative period of more than one (1) minute in any hour; or (5) The noise standard plus twenty (20) dB(A) for any period of time.

The Codified Ordinances (Codified Ordinances § 4-6-7) exempts noise sources associated with construction, repair, remodeling, or grading any real property, provided said activities do not occur between 8:00 PM and 7:00 AM on weekdays, including Saturday, or at any time on Sunday or a federal holiday.

"Standard Condition N10" (Construction Noise) and measures included in the Noise Compatibility Manual includes the following requirements:

- ◆ Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Building Permits that:
  - All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with properly operating and maintained mufflers;
  - All operation shall comply with Orange County Codified Ordinance Division 6 (Noise Control); and
  - Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings and medical center.
  
- ◆ Notations in the above format (appropriately numbered and included with other notations on the front sheet of grading plans) will be considered as adequate evidence of compliance with this condition.

Adherence to these requirements would ensure that any construction noise constitutes a less-than-significant impact. Compliance with the mandatory provisions of the Codified Ordinances does not constitute mitigation under CEQA.

◇ **Permanent Noise Impacts.** Long-term noise impacts would result from project-generated vehicle trips to and from the project and from the facility's on-site operations. Both of those noise sources are separately addressed below.

- ◆ **Vehicles.** The primary project-related contribution to the ambient noise levels would be due to the addition of vehicles to the local roadways. Because the increase in noise is in proportion to the addition of vehicles to the existing volumes of vehicle traffic, the greatest impacts are expected where the project adds the greatest number of trips to roadways which have the lowest existing volumes. These would be along E. 17<sup>th</sup> Street. In this case, an impact would be considered significant if it were to raise the ambient noise level by 3 dB, a level considered to be barely discernable to the human ear.

As indicated in Figure 14 (North Tustin Area – Traffic Flow Map [2019]), the OCTA's "2019 Annual Traffic Flow Map" shows a traffic count of 18,000 ADT along E. 17<sup>th</sup> Street between Hewes Avenue and Newport Avenue. The project would add 123 ADT to those traffic volumes on a typical weekday. When considering the addition of traffic, the resulting noise increase is calculated using the equation:

$$10 \times \log\left(\frac{\text{Existing} + \text{Projected Volume}}{\text{Existing Volume}}\right)$$

Applying that formula to E. 17<sup>th</sup> Street, the resulting net increase is 0.03 dBA:

$$10 \times \log\left(\frac{18,000 + 123}{18,000}\right) = 0.03 \text{ dBA}$$

The resulting increase is too small to be audible and, therefore, constitutes a less-than-significant impact because it would not raise the ambient noise level by 3 dBA.

- ◆ **On-Site Activities.** Noise would be produced by activities associated with gatherings and the use of the rear open playground area to be located toward the southeast portion of the project site. With respect to on-site operational impacts, the County's Noise Compatibility Manual excludes outdoor areas associated with those places of worship principally used for short-term social gatherings and outdoor areas associated with preschool facilities not typically associated with educational uses (e.g., playground areas). Specifically:
  - **Outdoor Playground.** With respect to the proposed playground, the Codified Ordinances (Codified Ordinances § 6-7) exempts noise-generating activities conducted on the grounds of any public or private nursery, elementary, intermediate or secondary school, or college (Subsection a).
  - **Other Outside Areas.** With respect to noise produced by the use of other outdoor areas (e.g., bar and bat mitzvahs, weddings, memorial services, and other special occasions), including the use of equipment for the amplification of voice and music, the Codified Ordinances (Codified

Ordinances § 4-6-7) exempts noise-generating activities associated with outdoor gatherings, public dances and shows, provided such events are conducted pursuant to a license issued by the County pursuant to Title 5 (Business and Special Licenses, Regulations) of the Codified Ordinances. The necessary licensing would be required for any such event.

As proposed, the private preschool would typically operate only during weekday (Monday through Friday), daytime hours (8:00 AM and 5:30 PM). Although outdoor activities would not be explicitly confined thereto, the proposed outdoor playground area is located near the southwestern corner of the project site, physically separated from the adjoining residential property line to the east by about 100 feet and from the proximal residential property line to the south by about 50 feet.

The CMB wall located along the southern property boundary is about 6-feet tall, raising to about 8 feet where the residence to the south is the closest to the project site. An existing approximately 8-foot-tall CMB wall separates the project site from the existing single-story residences to the east.

It is not likely that the maximum allowable number of children would be utilizing the playground concurrently and during all hours of the private preschool's operation. The playground has direct access from the building and would not be utilized by children not, either directly or indirectly, affiliated with the synagogue. An adult supervisor would be present at all times when the playground is being utilized by the private preschool.

As noted in Figure 7 (Chabad Jewish Center of Tustin – Conceptual Grading Plan and Drainage Cross-Sections [May 2021]), the finish grade of the proposed playground will be raised by approximately two feet. Although the precise nature of playground equipment has not been specified by the Applicant, to the extent that such equipment where to include a vertical component, extending three or more feet above finish grade, the existing 6 to 8-foot-tall wall along the southern property line may not entirely block the line-of-sight between the playground area and those single-story residential units located to the south. The primary noise source attributable to the use of playground equipment would be that associated with children's voices. Although children's voices may, at times, be considered a nuisance, audible noise generated by children playing in outdoor areas are common throughout the community and are typically associated with nearly all residential areas.

So as to minimize potential disruption to proximal sensitive receptors, the Applicant has indicated that use of the outdoor playground would not generally commence prior to 10:00 AM and would generally conclude around 5:00 PM. No pole-mounted lighting is associated with the outdoor playground that would extend its use beyond daylight hours.

Because those noise sources are exempt under local regulations, outdoor activities associated with both the private preschool and other outdoor area do not contribute to potential noise impacts. No mitigation measures are either required or recommended.

▪ **Response to Question XIII(b) –No Impact**



The proposed project would involve the demolition of on-site structures and the construction and occupancy of a new place of worship.

Caltrans notes that ground-borne vibration is typically associated with blasting operations, the use of pile drivers, and large-scale demolition activities, none of which are anticipated for the approval, construction, or operation of the project. As such, no excessive ground-borne vibrations would be anticipated by the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question XIII(c) – Less-than-Significant Impact**

The proposed project is not 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.

The project site is located approximately 6.1 miles northeast of John Wayne Airport (JWA). Based on visual observation, the proposed project lies in the flight path for JWA. The most current noise contour map (2020) for that airport is included in [Figure 23](#) (John Wayne Airport – 2020 Annual Community Noise Equivalent Level [CNEL] Contours). As noted therein, the 60 dBA CNEL contour line lies north of Warner Avenue at the Costa Mesa (SR-55) Freeway, over 3 miles to the southeast of the project site. The project site is well beyond JWA’s 65-dBA contour and the resultant aircraft noise levels are well below any regulatory standards. No significant impacts relating to aircraft operations would result from the implementation of the proposed project. No mitigation measures are either required or recommended.

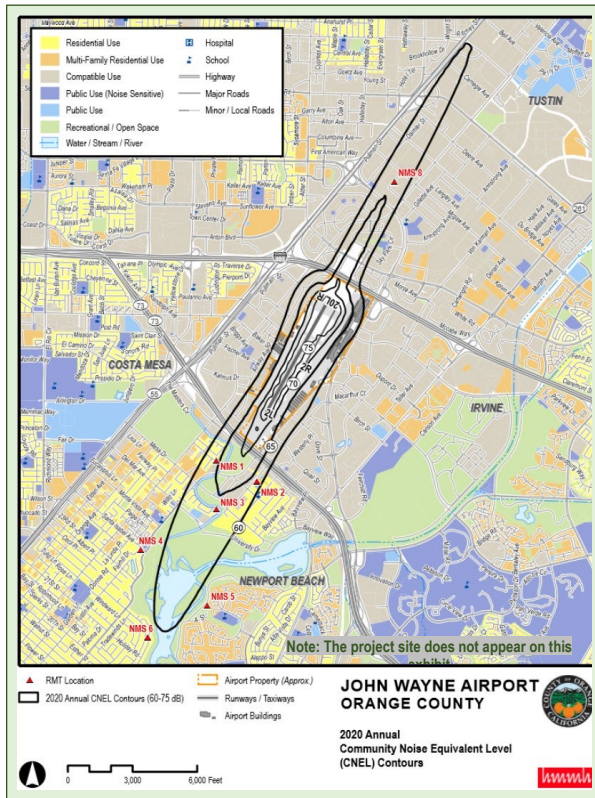


Figure 23  
**JOHN WAYNE AIRPORT  
2020 ANNUAL COMMUNITY NOISE  
EQUIVALENT LEVEL (CNEL) CONTOURS**  
Source: John Wayne Airport Noise Abatement  
Program, Quarterly Report  
October 1, 2020 – December 31, 2020

## XIV. POPULATION AND HOUSING

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

### STANDARD CONDITIONS OF APPROVAL

- **Standard Condition.** No “Standard Conditions of Approval” related to “population and housing” have been adopted by the County.

### RESPONSE TO TOPIC-SPECIFIC QUESTIONS

- **Response to Question XIV(a) – No Impact**

The proposed project does not include the construction of any new housing and only a limited number of new employment opportunities are potentially associated with the proposed preschool. In fact, the proposed project would remove an existing single-family residence, further illustrating the fact that the proposed project would not induce substantial population growth in the area.

Based on the synagogue’s existing congregation, it can be assumed that most of the congregates attending the proposed synagogue and most of the students attending the Sunday school and private preschool currently already reside in relatively close proximity to the project site. No evidence is known to OC Planning that congregates elect to locate or relocate their primary residence primarily for the purpose of residing in closer proximity to their selected place of worship.

Any students attending the Sunday school or private preschool who do not live in proximity to the project site are expected to come from the County’s existing residents. The limited capacity of both the Sunday school and private preschool will limit their capacity to draw out-of-area students. As a result, population levels within the North Tustin area would not

be expected to substantially increase as a direct consequence of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question XIV(b) – No Impact**

Although the project involves the demolition of an existing single-family residence (18002 E. 17<sup>th</sup> Street, Santa Ana 92705), that residence has been vacant since at least August 2019 when the Applicant purchased the property. As a result, no existing residents will be displaced. The demolition of a single house does not constitute a “substantial amount” of lost housing. No mitigation measures are either required or recommended.

**XV. PUBLIC SERVICES**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
(a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
(1) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(5) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**STANDARD CONDITIONS OF APPROVAL**

**Fire Protection**

- **Standard Condition FPR03 / FPC03** (Automatic Fire Sprinkler).

(A) Prior to the recordation of a subdivision map, a note shall be placed on the map stating that all residential structures exceeding 5,500 square feet (per amendment) and all

structures exceeding fire department access requirements shall be protected by an automatic fire sprinkler system in a manner meeting the approval of the Fire Chief. (B) Prior to the issuance of a building permit, the applicant shall submit plans for any required automatic fire sprinkler system in any structure to the Fire Chief for review and approval. Please contact the Orange County Fire Authority at (714) 744-0499 for additional information. (C) Prior to the issuance of a certificate of use and occupancy, this system shall be operational in a manner meeting the approval of the Fire Chief.

- **Standard Condition FPR10 / FPC10 (Combustible Construction Letter).** Prior to the issuance of a building permit for combustible construction, the builder shall submit a letter on company letterhead stating that water for fire-fighting purposes and all-weather fire protection access roads shall be in place and operational before any combustible material is placed on site. Building permits will not be issued without Orange County Fire Authority approval obtained as a result of an on-site inspection. Please contact the Orange County Fire Authority at (714) 744-0499 to obtain a copy of the standard combustible construction letter.
- **Standard Condition FPR16 / FPC16 (Alarm System).** (A) Prior to the issuance of a building permit, plans for the fire alarm system shall be submitted to the Fire Chief for review and approval. Please contact the Orange County Fire Authority at (714) 744-0499 or visit the Orange County Fire Authority website to obtain a copy of the “Guideline for New and Existing Fire Alarm Systems.” (B) This system shall be operational prior to the issuance of a certificate of use and occupancy. Prior to the issuance of a building permit or installation of an aboveground tank, plans shall be submitted to the Fire Chief for review and approval. Please contact the Orange County Fire Authority at (714) 744-0499 for additional information.
- **Standard Condition RC01 (Implementation).** Prior to issuance of a certificate of use and occupancy, the applicant shall provide plans or identity measures to comply with standard County procedures for implementing the Uniform Fire Code in the use of any combustible and flammable liquids, aboveground or underground storage of such materials, welding and potential spark production, and building occupancy rating in a manner meeting the approval of the Fire Chief. Further, a copy of the approved “UFC Implementation” shall be forwarded to the Manager, Building Inspection Services, prior to the issuance of any certificates of use and occupancy.

## **RESPONSE TO TOPIC-SPECIFIC QUESTIONS**

### ▪ **Response to Question XV(a) – Less-than-Significant Impact**

- ◆ **Fire Protection.** The site is served by the Orange County Fire Authority (OCFA). The nearest OCFA fire stations to the project site include Station 21 (1241 Irvine Boulevard, Tustin 92780) and Station 8 (10631 Skyline Drive, Santa Ana 92705), located approximately 0.79 and 1.74 miles from the project site, respectively.

Although the property is currently vacant, because the project site contains an existing single-family residential unit (as constructed in 1950 and remaining in a generally habitable condition), some OCFA service levels can be assumed to exist.

Because the existing residence and structures on the property were constructed in 1950, it can be assumed that they may not fully comply with all existing 2019 CFC and 2019 CBC standards. Although the proposed project will increase the number of

אם תצטוו תבואו לראות את המצב... וזהו דבר טוב... ואם תצטוו תבואו לראות את המצב...

ועתה תראה את המצב... וזהו דבר טוב... ואם תצטוו תבואו לראות את המצב...

וכך תראה את המצב... וזהו דבר טוב... ואם תצטוו תבואו לראות את המצב...

וכך תראה את המצב... וזהו דבר טוב... ואם תצטוו תבואו לראות את המצב...

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וכך תראה את המצב... וזהו דבר טוב... ואם תצטוו תבואו לראות את המצב...

building construction, mitigation of fire hazards, and design of fire extinguishing and fire alarm systems. Those guidelines specify, in pertinent part:

- ◇ **Plan Submittal Requirements.** Plans shall be provided to demonstrate compliance with all codes and other regulations governing water availability for firefighting and emergency access to sites and structures within the jurisdictions served by the OCFA. In addition, changes to existing structures or sites shall be reviewed by the OCFA to ensure that the modifications do not affect water availability or access.
  
- ◇ **Hydrants and Water Availability Requirements.** Applicants must provide documentation that hydrants are provided in the quantity and spacing described in California Fire Code (CFC) Appendix C. They must also show that they are capable of delivering the amount of water required by CFC Appendix B. The quantity and spacing of hydrants is governed by the fire flow required for the structure(s) served. The required fire flow is dependent upon the size of the structure, type of construction, and whether the building is equipped with fire sprinklers. This information must be shown clearly on the plans to assist in the determination of the fire flow requirement.

In comparison to the existing single-family residence, the operation of the synagogue, Sunday school, and private preschool would result in temporary increases in the number of individuals that may be present on the project site when those uses are in operation; however, in contrast to a residential use, there may be extended time period when no property is unoccupied.

Most of the students attending the Sunday school and private preschool currently already reside in relatively close proximity to the project site. No evidence is known to OC Planning that congregates elect to locate or relocate their primary residence primarily for the purpose of residing in closer proximity to their selected place of worship. As a result, population levels within the North Tustin area would not be expected to substantially increase as either a direct or indirect consequence of the proposed project.

Compliance with all applicable building regulations (e.g., 2019 CFC and 2019 CBC), including architectural review and payment of applicable fees, will ensure that impacts on fire protection services remain at a less-than-significant level under CEQA. In the absence of any significant environmental effects relating to fire protection, no mitigation measures are either required or recommended.

- ◆ **Police Protection.** The project site is served by the Orange County Sheriff's Department (OCSD) and is located in the North Operations Division's North Patrol Bureau located 4.25 miles from from the Project site. No formal standards have been formulated and adopted by the OCSD with regards to the quantification of projected emergency demands and service requirements attributable to individual development projects.

Although typically measured in population levels within a designated service area, it can be assumed that the intensification of development activities (e.g., increase valuation and the concentration of individuals) within a designated area (independent of any associated population increase) might have the potential to incrementally

increases demands on law enforcement agencies. Unlike a residential use whose only variable may be the fixed number of occupants, the proposed non-residential project involves a number of unique variable (e.g., geographic and demographic variables, specified religion organization, differing occupancy rates for the religious and educational aspects of the proposed place of worship, uses with limited operational histories) for which no universally acceptable methodologies have been established. No direct or indirect relationship has, therefore, been established that allows for a reasonable approximation of direct and/or impacts upon the OCSD associated therewith.

The proposed action relates exclusive to land-use entitlements and does not include any site disturbance activities (e.g., issuance of building permits). Prior to the issuance of building permits, the OCSD will formally review architectural and engineering plans to ensure that all applicable design and performance standards are adequately addressed. Any comments resulting therefrom will be incorporated into the proposed project.

The proposed project has been designed and will be operated in compliance with the Codified Ordinances, the 2019 CBC, and the 2019 CBC, as modified under Ordinance No. 19-006 (November 5, 2019). As a result, project construction and operation would neither result in the introduction to any impediments to emergency response times nor impede the performance of any police protection standards.

Local impact fees are the typical mechanism used by public agencies to link development with associated impacts on public services. The County does not presently impose OCSD impact fees upon development in unincorporated areas. In the event that future facility, equipment, and/or staffing needs are identified, through annual budget cycles, the County has the exclusive ability to fund the construction of additional facilities, purchase any needed equipment, and augment existing staffing.

Most of the congregates attending the proposed synagogue and most of the students attending the Sunday school and private preschool reside in relatively close proximity to the project site. As a result, population levels within the North Operations Division would not be expected to substantially increase either a direct or indirect consequence of the proposed project.

Although the OCSD has established specific response-time goals, actual OCSD response times to emergency and non-emergency service calls originating from the project site are determined by a number of variables, including the location of the patrol vehicles once service calls are received, the OCSD's internal processing time, the level of priority assigned the service call, concurrent and competing demands for available personnel, and other potential impediments (e.g., weather and traffic conditions). As such, based on the broad variability of competing priority and the non-fixed location of law enforcement vehicles at any particular time, it is not possible to reasonably estimate pre- or post-project emergency and non-emergency response times theretofore the project site.

Although service calls could potentially incrementally increase as a result of the approval, construction, and operation of the proposed project, through its annual budgetary cycle, the County has the ability to increase personnel, purchase equipment, and expand patrol services based on both Countywide and localized

demands. As a result, in the absence of any significant environmental effects relating to police protection, no mitigation measures are either required or recommended.

- ◆ **Public Schools.** “Private preschools,” including for-profit, faith-based, and non-profit but not State-funded child-care centers, are regulated under Title 22 of the California Code of Regulations (CCR). In contrast, “public preschools,” including those State-funded programs offered by the California Department of Education (CDE), Head Start, Early Head Start, and Migrant Seasonal Head Start Programs, are regulated under Title 5 of the CCR.

As defined by the CDE, a “public school” is defined as a kindergarten (K) through grade twelve and/or adult educational institution that: (1) is supported with public funds; (2) is authorized by action of and operated under the oversight of a publicly constituted local or State educational agency; (3) provides educational services to all students who are enrolled; (4) has an appropriately credentialed teacher(s) who provides instruction; (5) has at least one appropriately credentialed administrator (usually a principal) who is responsible for all aspects of school administration, including supervision and evaluation of staff, fiscal responsibility, student discipline and safety, supervision and evaluation of curriculum, and assessment of academic achievement and school accountability; (6) administers California Statewide assessments to its students at the required grade levels; (7) has an administrator (usually a principal) with access to and responsibility for maintaining official student records for all enrolled students; (8) with the exception of charter schools, implements a curriculum that fully meets State requirements as specified in the California Education Code (CEC) relating to required courses of study; (9) is non-sectarian; (10) with the exception of charter schools - contains a budget structure that is consistent with the budget structure of schools operated by the authorizing agency; and (11) unless exempt, is based in one or more buildings that are Field Act (1933) compliant (earthquake-resistant construction).

In contrast, a “private school” is a school that is owned or operated by a private person, firm, association, organization, or corporation, rather than by a public agency. The CDE defines a “private school” as:

[A] private business or nonprofit entity that offers or conducts full-time instruction with a full complement of subjects at the elementary, middle, or high school level. Private schools function outside the jurisdiction of the California Department of Education and most state education regulations. Private schools do not participate in California’s educational accountability system and are directly accountable to students and their parents or guardians, based on the terms of the private school enrollment contract.

The CDE does not have the authority to license, evaluate, recognize, approve, or endorse any “private school” or course. The project site is located within the service area of the Tustin Unified School District (TUSD) but is neither intended to become a part thereof nor subject thereto. Although the TUSD operates a Kindergarten Readiness Academy for children who turn either three or four years old by September 1 of the current school year, to the extent that the proposed private preschool were to draw children that might otherwise attend that academy, any such parental decision with regards to significant environmental impact under CEQA.



The proposed project includes both a Sunday school and a private parochial preschool. With the exception of its continuing authority to collect State-authorized school impact fees, although located within the TUSD's service area boundaries, the TUSD has no jurisdictional authority over any of the educational activities associated with the proposed project. Because the proposed project does not include any residential units, additional school-age children will not be a direct result of the proposed project. Similarly, once operational, since employment opportunities associated with the proposed project are limited, it is not anticipated that any project-related employees will move into the TUSD's service area boundaries so as to indirectly add new students to the TUSD.

While no State licensing provisions apply to the Sunday school, the private preschool is subject to licensing by the California Department of Social Services (DSS). In addition to specific design requirements, the DSS shall dictate the number of children authorized to attend the preschool at any one time.

It can be assumed that none of the children attending the private preschool will be concurrently attending a public preschool. As such, attendance levels at any TUSD or other public school would be expected to increase. Additionally, DSS licensing standards have been formulated for the express purpose of protecting the health, safety, and welfare of children attending DSS-licensed facilities. Issuance of a DSS license for the proposed private preschool, therefore, constitutes evidence that no potentially significant environmental impacts on the TUSD, on other public schools, or on the health and safety of those children who will attend the proposed private preschool will result from that aspect of the proposed project. No mitigation measures are either required or recommended.

- ◆ **Public Parks.** Park and other recreational facilities in the general project area are provided by a number of governmental agencies, including, but not limited to, the Orange County Parks Department and the City.  
The project site is neither presently used nor planned for public recreational use. The nearest park to the project site is Columbus Tustin Park (14712 Prospect Avenue, Tustin 92780), located adjacent to Columbus Tustin Middle School (17952 Beneta Way, Tustin 92780) and approximately 1.1 miles southwest of the project site. As associated with the proposed private preschool, the project includes the provision of an outdoor playground onsite. As a result, it is not anticipated that the proposed project will result in any increase in public park usage. No mitigation measures are either required or recommended.
  
- ◆ **Other Public Facilities.** The proposed project includes an in-house library, focusing primarily on access to religious documents. It is assumed that some level of public access to those documents would be permitted. As a result, it is not anticipated that the proposed project will increase demands upon or the usage of public libraries. No mitigation measures are either required or recommended.

Based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to public services would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

## XIV. RECREATION

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

### STANDARD CONDITIONS OF APPROVAL

- **Standard Condition.** No “Standard Conditions of Approval” relating to “recreation” have been adopted by the County.

### RESPONSE TO TOPIC-SPECIFIC QUESTIONS

- **Response to Question XIV(a) – No Impact**  
The nearest park to the project site is Columbus Tustin Park (14712 Prospect Avenue, Tustin 92780), located adjacent to Columbus Tustin Middle School (17952 Beneta Way, Tustin 92780) and approximately 1.1 miles southwest of the project site. For the proposed private preschool, the project includes an outdoor playground, including associated playground equipment. As a result, it is not anticipated that the proposed use will result in any increase in any off-site public park usage. No mitigation measures are either required or recommended.
- **Response to Question XVI(b) – No Impact**  
A proposed playground area proposed to serve the proposed private preschool. That outdoor recreational area is located on the southwestern portion of the project site, adjacent to non-sensitive land uses and furthest removed from the existing residential units located to the east of the project site. The private preschool would generally operate Monday through Friday between 8:00 AM and 5:30 PM.

The potential impacts associated with the use and operation of the playground included in the proposed project has been thoroughly considered throughout this environmental analysis. Based on that analysis, the proposed on-site playground would neither increase demands on other off-site recreational facilities nor produce any significant effects on the environment. No mitigation measures are either required or recommended.

Based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to recreation would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

## XVII. TRANSPORTATION

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

### STANDARD CONDITIONS OF APPROVAL

- **Standard Condition T07** (Sight Distance). Prior to the issuance of any grading permits, the applicant shall provide adequate sight distance per Standard Plan 1117 at all street intersections, in a manner meeting the approval of the Manager, Subdivision and Grading. The applicant shall make all necessary revisions to the plan to meet the sight distance requirement such as removing slopes or other encroachments from the limited use area in a manner meeting the approval of the Manager, Subdivision and Grading Services.

### RESPONSE TO TOPIC-SPECIFIC QUESTIONS

With regards to the assessment of vehicle miles travelled (VMT), included as [Appendix B](#) (VMT Analysis: Chabad Jewish Center of Tustin, County of County - Relocation and Expansion Project [Sasaki Transportation Services, May 15, 2021]) is a project-specific VMT analysis.

▪ **Response to Question XVII(a) – Less-than-Significant Impact**

Although the proposed project involves the construction of a new synagogue and authorizes specific uses and activities therein, the project is more precisely described as the “relocation and expansion” of an existing synagogue (13112 Newport Avenue, Suite H, Tustin 92780) presently operating approximately one mile south of the proposed project site. The commencement of operations at the new site results in the cessation of operations at the existing site, including any traffic associated therewith, such that the “old” and “new” facilities would not concurrently operate. Relative to average daily traffic volumes, the traffic analysis has neither attempted to quantify existing traffic associated with that the existing synagogue nor calculate any resulting net change in traffic volumes between the two facilities because the existing synagogue is located within an existing commercial shopping center and is one of many uses located there.

Similarly, the proposed project includes the demolition of an existing single-family residence which, since 1950, has generated its own traffic volumes. While presently uninhabited, that existing residence could be sold, leased, or rented (without any County permits or approvals) and associated traffic would then immediately recommence. No “net change adjustments” have been made with regards to traffic volumes associated with the existing residence.

As indicated in the “2020 Updated Transportation Implementation Manual, Final” (amended September 2021) (Transportation Implementation Manual), certain development projects have been deemed to have significant public benefit and/or minimal traffic impact and are exempt from the requirements of the Growth Management (GM) Element (Chapter XI) of the OCGP. Exempt projects include but are not limited to:

- ◆ “Any development on an existing lot resulting in a total daily traffic generation of less than 200 trips” (Chapter 3: Projects Exempt from the GM Requirements, Subsection A); and
- ◆ “Places of worship, colleges, welfare, etc. to the extent such facilities are exempt from property tax levies” (Chapter 3: Projects Exempt from the GM Requirements, Subsection G).

Absent any net change assessment, [Appendix B](#) (Vehicle Miles Traveled Analysis: Chabad Jewish Center of Tustin, County of County - Relocation and Expansion Project [Sasaki Transportation Services, May 15, 2021]) indicates that, the proposed project will generate an estimated maximum of only 123 daily vehicle trips (ADT). As a result, the project is exempt from both LOS and VMT analytical standards in the Growth Element of the OCGP.

On April 7, 2016, the Southern California Association of Governments (SCAG), as the regional Metropolitan Planning Organization (MPO), adopted its “2016-2040 Regional Transportation Plan/Sustainable Communities Strategy: A Plan for Mobility, Accessibility, Sustainability and a High Quality of Life” (2016-2040 RTP/SCS). The 2016-2040 RTP/SCS included a set of regional land-use strategies intended to increase transportation modal choices, guide future land development patterns, and improve air quality. Those land-use strategies were intended to promote increased growth of new households and employment in areas served by transit and adjacent to highways and to reduce growth in high-value habitat areas. By balancing the region’s land-use choices and transportation investment, the 2016-2040 RTP/SCS’ land-use strategies were intended to focus new growth in “high

quality transit areas” (HQTAs), along “livable corridors,” within existing suburban town centers, and into more walkable, mixed-use communities.

As defined in the 2016-2040 RTP/SCS, a HQTA is an area within one-half mile of a fixed guideway transit stop or bus transit corridors where buses pick up passengers every 15 minutes or less during peak commute hours. “Livable corridors” are arterial roadways where jurisdictions may plan for a combination of the following elements, including high-quality bus frequency, higher-density residential and employment at key intersections, and increased active transportation through dedicated bikeways. Because the project site is located within a HQTA, it is consistent with the 2016-2040 RTP/SCS because it is development occurring in an already HQTA.

In compliance with Section 5.106.4.1.1 (Short-Term Bicycle Parking) in Chapter 5 (Nonresidential Mandatory Measures) of the 2019 CalGreen, the Applicant shall provide permanently anchored bicycle racks equal to 5 percent of new visitor motorized vehicle parking spaces, with a minimum of one two-bike capacity rack. Other mandatory measures applicable to non-residential projects identified in 2019 CalGreen include: (1) Section 5.106.5.2 (Designated Parking). In new projects or additions of alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel efficient, and carpool/van pool vehicles as shown on Table 5.106.5.2; and (2) Section 5.106.5.3 (Electric Vehicle Charging). Construction shall comply with Section 5.106.5.3.1 or 5.106.5.3.2 to facilitate future installation of electric vehicle supply equipment.

As shown above, the proposed project will not conflict with any program plans, ordinances, or policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. No mitigation measures are either required or recommended.

▪ **Response to Question XVII(b) – Less-than-Significant Impact**

For land-use projects, Section 15064.3(b) of the CEQA Guidelines notes that:

Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

Three County documents are relevant to this topic: (1) “2020 Updated Transportation Implementation Manual, Final” (amended September 2021) (Transportation Implementation Manual); (2) “2020 Local CEQA Procedure Manual, Final” (adopted November 17, 2020) (County CEQA Manual); and (3) “Guidelines for Evaluating Vehicle Miles Traveled under CEQA” (September 17, 2020) (VMT Guidelines), included as Appendix C to the County CEQA Manual.

Section 3.6.2 (Project Screening) of the County CEQA Manual, and Sections 3.0 and 3.1 of the VMT Guidelines (as well as the Transportation Implementation Manual) provide guidance for initial VMT evaluation of a “land development project.” Relative to VMT, the County CEQA Manual and VMT Guidelines identify those factors that would produce a

## Chabad Jewish Center of Tustin

18802 E. 17<sup>th</sup> Street, Santa Ana 92705

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lead agency determination that the “land development project” would have a less-than-significant impacts on transportation and circulation. In accordance therewith, projects meeting any one of the following factors generally produce a less-than-significant VMT impacts, and no further analysis is required:

- ◆ **Projects in a High-Quality Transit Area (HQTA).** A HQTA or Corridor is a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours (County CEQA Manual/VMT Guidelines, p. 9)
- ◆ **Small Project.** A project that generates 500 or fewer average daily trips (ADT) (County CEQA Manual-VMT Guidelines, p. 13)
- ◆ **Public Facilities.** The development of institutional, governmental and public service uses that support community health, safety or welfare (County CEQA Manual/VMT Guidelines, p. 14)

With regards to transit services, the Orange County Transportation Authority (OCTA) operates two local bus routes that generally serve the project site: (1) Local Route 60 (Long Beach - Tustin) travels along both E. 17<sup>th</sup> Street and Newport Road; and (2) Local Route 167 (Orange – Irvine) travels along Newport Road. Both local bus routes are separately described below:

- ◆ **OCTA Local Route 60.** As shown in [Figure 24](#) (Orange County Transportation Authority - Local Route 60 Bus Schedule), Local Route 60 travels westbound along E. 17<sup>th</sup> Street, existing posted bus stops located in proximity to the project site include but are not limited to: (1) E. 17<sup>th</sup> Street/Hewes Avenue (Stop 5282 - eastbound) (Stop 5284 – westbound); and (2) E. 17<sup>th</sup> Street/Gimbert Lane (Stop 5283 - westbound). Numerous other bus stops are located along both E. 17<sup>th</sup> Street and Newport Avenue. Operating between 4:00 AM and 1:30 AM, except during select peak hours, Local Route 60 generally operates at 30-minute intervals between Monday and Saturday and 60-minute intervals on Sunday. During select peak hours, bus services are provided in proximity to the project site at 15-minute intervals.
- ◆ **OCTA Local Route 167.** Local Route 167 maintains bus stops at Newport Road/El Camino Lane (Stop 5270) (northbound) and Newport Road/E. 17<sup>th</sup> Street (Stop 5276) (southbound). As indicated in [Figure 25](#) (Orange County Transportation Authority – Local Route 167 Bus Schedule), Local Route 167 operates between 5:15 AM and 9:30 PM, Local Route 167 generally operates at 60-minute intervals between Monday and Friday.

Based on existing transit operations, the project site is considered a HQTA.

As indicated in [Appendix B](#) (Vehicle Miles Traveled Analysis: Chabad Jewish Center of Tustin, County of County - Relocation and Expansion Project [Sasaki Transportation Services, May 15, 2021]), based on trip generation rates presented in the Institute of Transportation Engineers (ITE) “Trip Generation Manual,” during weekday periods, only about 123 ADT are associated with the proposed project. In contrast, only 61 ADT are anticipated on Saturday and only 50 ADT are anticipated on Sunday.

# Chabad Jewish Center of Tustin 18002 E. 17th Street, Santa Ana 92705

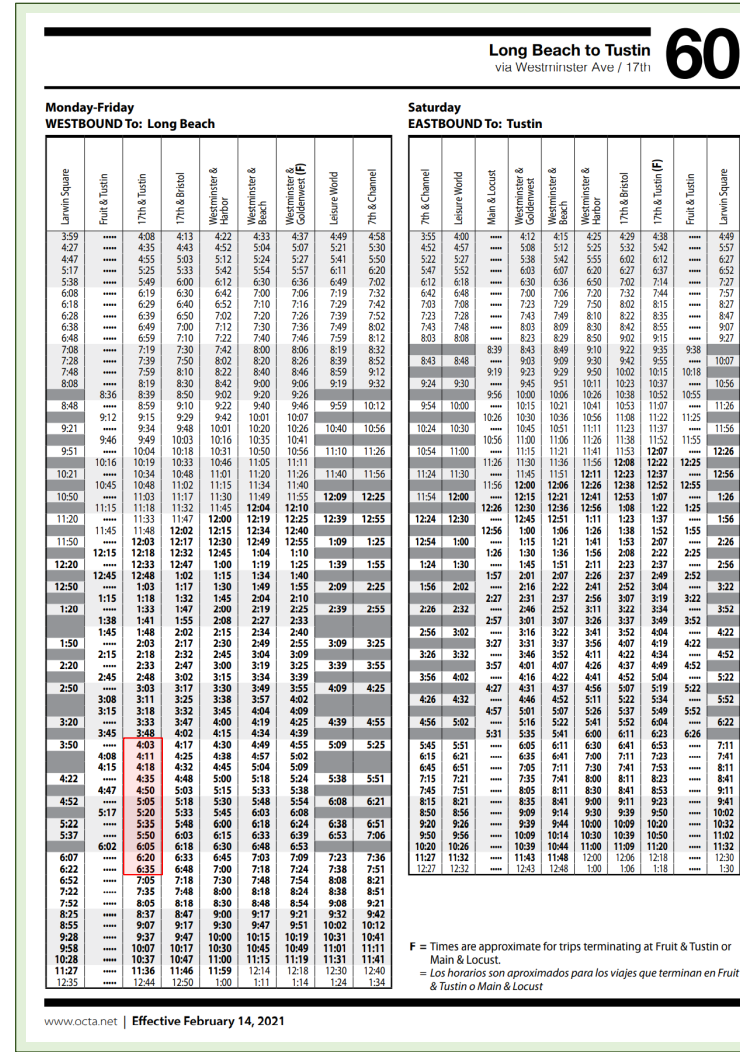
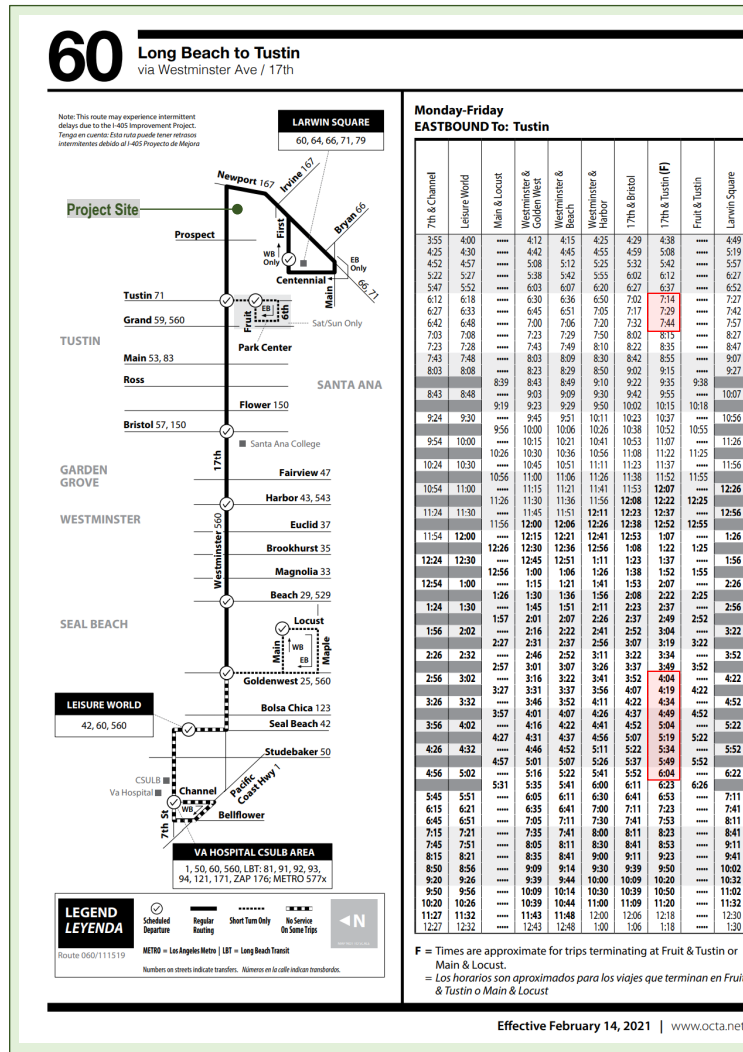


Figure 24 (1 of 2)  
**LOCAL BUS ROUTE 60 SCHEDULE**  
Source: Orange County Transportation Authority

# Chabad Jewish Center of Tustin

18002 E/ 17th Street, Santa Ana 92705

# 60

Long Beach to Tustin  
via Westminster Ave / 17th

**Saturday**

WESTBOUND To: Long Beach

Lincoln Square	Fruit & Tustin	17th & Tustin	17th & Bristol	Westminster & Harbor	Westminster & Beach	Westminster & Goldenwest (F)	Main & Locust	Leisure World	7th & Channel
3:59	4:08	4:13	4:22	4:33	4:37	4:49	4:58		
4:47	4:55	5:03	5:12	5:24	5:27	5:41	5:50		
5:17	5:25	5:33	5:42	5:54	5:57	6:11	6:20		
5:38	5:49	6:00	6:12	6:30	6:36	6:49	7:02		
6:08	6:19	6:30	6:42	7:00	7:06	7:19	7:32		
6:28	6:39	6:50	7:02	7:20	7:26	7:39	7:52		
6:48	6:59	7:10	7:22	7:40	7:46	7:59	8:12		
7:08	7:19	7:30	7:42	8:00	8:06	8:19	8:32		
7:28	7:39	7:50	8:02	8:20	8:26	8:39	8:52		
7:48	7:59	8:10	8:22	8:40	8:46	8:59	9:12		
8:08	8:19	8:30	8:42	9:00	9:06	9:19	9:32		
8:36	8:39	8:50	9:02	9:20	9:26	9:39	9:52		
8:48	8:59	9:10	9:22	9:40	9:46	9:59	10:12		
9:21	9:12	9:15	9:29	9:42	10:01	10:10	10:10		
9:21	9:34	9:48	10:01	10:20	10:26	10:40	10:56		
9:51	9:46	9:49	10:03	10:16	10:35	10:41	10:44		
10:16	10:04	10:18	10:31	10:50	10:56	11:10	11:26		
10:21	10:19	10:33	10:46	11:05	11:11	11:14	11:14		
10:21	10:34	10:48	11:01	11:20	11:26	11:40	11:56		
10:50	10:45	10:48	11:02	11:15	11:34	11:40	11:43		
11:15	11:18	11:22	11:45	12:04	12:10	12:13	12:19		
11:20	11:33	11:47	12:00	12:19	12:25	12:39	12:55		
11:50	11:45	11:48	12:02	12:15	12:34	12:40	12:43		
12:20	12:03	12:17	12:30	12:49	12:55	1:09	1:25		
12:20	12:15	12:18	12:32	12:45	1:04	1:10	1:13		
12:50	1:02	1:17	1:30	1:49	1:55	2:09	2:25		
1:20	1:15	1:18	1:32	1:45	2:04	2:10	2:13		
1:50	1:45	1:48	2:02	2:15	2:34	2:40	2:43		
2:20	2:15	2:18	2:32	2:45	3:04	3:09	3:12		
2:50	2:45	2:48	3:02	3:15	3:34	3:39	3:42		
3:20	3:15	3:18	3:32	3:45	4:04	4:09	4:12		
3:50	3:45	3:48	4:02	4:15	4:34	4:39	4:42		
4:20	4:15	4:18	4:32	4:45	5:04	5:09	5:12		
4:52	4:47	4:50	5:03	5:15	5:33	5:38	5:41		
5:22	5:17	5:20	5:33	5:45	6:03	6:08	6:11		
5:52	5:47	5:50	6:03	6:15	6:34	6:39	6:42		
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6:52	6:47	6:50	7:03	7:15	7:34	7:39	7:42		
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7:52	7:47	7:50	8:03	8:15	8:34	8:39	8:42		
8:25	8:20	8:23	8:36	8:48	9:07	9:12	9:15		
8:55	8:50	8:53	9:06	9:18	9:37	9:42	9:45		
9:28	9:23	9:26	9:39	9:51	10:10	10:15	10:18		
9:58	9:53	9:56	10:09	10:21	10:40	10:45	10:48		
10:28	10:23	10:26	10:39	10:51	11:10	11:15	11:18		
11:00	10:55	10:58	11:11	11:30	11:35	11:40	11:43		
11:30	11:25	11:28	11:41	12:00	12:05	12:10	12:13		
12:00	11:55	11:58	12:11	12:30	12:35	12:40	12:43		
12:35	12:30	12:33	12:46	13:05	13:10	13:15	13:18		

F = Times are approximate for trips terminating at Fruit & Tustin or Main & Locust.  
= Los horarios son aproximados para los viajes que terminan en Fruit & Tustin o Main & Locust

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Long Beach to Tustin  
via Westminster Ave / 17th

# 60

**Sunday & Holiday**

WESTBOUND To: Long Beach

Lincoln Square	Fruit & Tustin	17th & Tustin	17th & Bristol	Westminster & Harbor	Westminster & Beach	Westminster & Goldenwest (F)	Main & Locust	Leisure World	7th & Channel
4:03	4:12	4:20	4:32	4:46	4:51	5:03	5:12		
4:34	4:43	4:51	5:03	5:17	5:22	5:34	5:43		
5:04	5:13	5:21	5:33	5:47	5:52	6:04	6:13		
5:34	5:43	5:51	6:03	6:17	6:22	6:34	6:43		
6:04	6:13	6:21	6:33	6:47	6:52	7:04	7:13		
6:34	6:43	6:51	7:03	7:17	7:22	7:34	7:43		
6:59	7:08	7:16	7:28	7:42	7:47	7:59	8:08		
7:28	7:40	7:51	8:03	8:21	8:26	8:39	8:53		
8:05	8:17	8:28	8:40	8:58	9:03	9:16	9:30		
8:35	8:29	8:32	8:43	8:55	9:13	9:18	9:20		
9:05	8:59	9:02	9:13	9:25	9:43	9:48	9:50		
9:35	9:29	9:32	9:43	9:55	10:13	10:18	10:20		
10:05	9:59	10:02	10:13	10:25	10:43	10:48	10:50		
10:35	10:29	10:32	10:43	10:55	11:13	11:18	11:20		
11:05	10:59	11:02	11:13	11:25	11:43	11:48	11:50		
11:30	11:26	11:29	11:42	11:54	12:12	12:17	12:19		
12:00	11:55	11:58	12:11	12:23	12:41	12:46	12:48		
12:30	12:25	12:28	12:41	12:53	13:11	13:16	13:18		
12:55	12:50	12:53	13:06	13:18	13:36	13:41	13:43		
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6:00	5:55	5:58	6:11	6:23	6:41	6:46	6:48		
6:30	6:25	6:28	6:41	6:53	7:11	7:16	7:18		
7:00	6:55	6:58	7:11	7:23	7:41	7:46	7:48		
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8:00	7:55	7:58	8:11	8:23	8:41	8:46	8:48		
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12:30	12:25	12:28	12:41	12:53	13:11	13:16	13:18		

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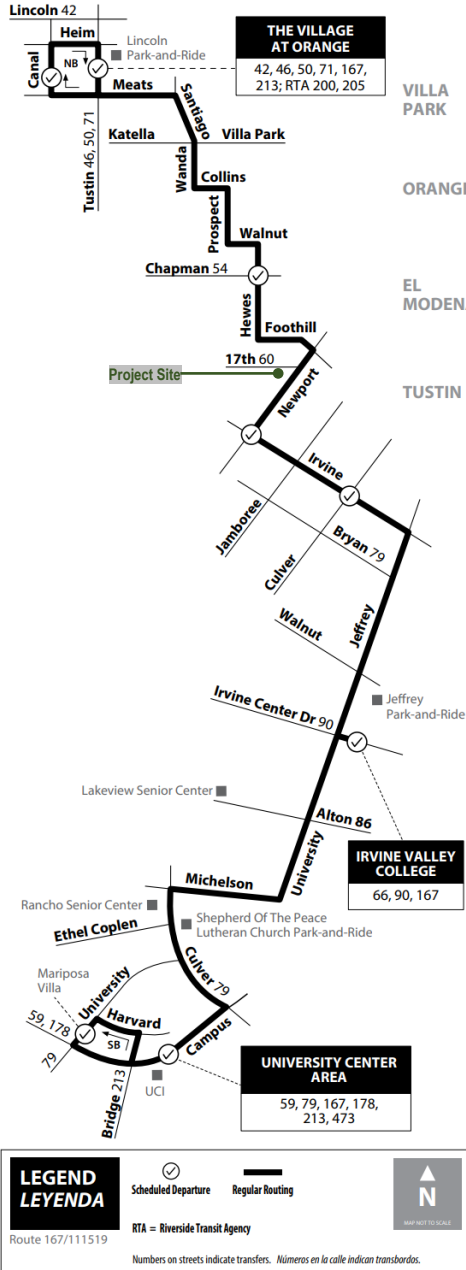
Figure 24 (2 of 2)  
**LOCAL BUS ROUTE 60 SCHEDULE**  
Source: Orange County Transportation Authority



**NOTE:** No weekend service.  
**NOTA:** No hay servicio los fines de semana.

**Orange to Irvine**  
via Hewes St / Irvine Blvd / Jeffrey Rd

# 167



**Monday - Friday**  
**NORTHBOUND To: Orange**

Mariposa Villa	University Center	Irvine Valley College	Irvine & Culver	Newport & Old Irvine	Hewes & Chapman	Canal & Meats
5:17	5:20	5:37	5:50	5:59	6:08	6:28
6:17	6:20	6:37	6:50	6:59	7:08	7:28
7:06	7:11	7:34	7:50	8:00	8:11	8:31
8:06	8:11	8:34	8:50	9:00	9:11	9:31
9:06	9:11	9:34	9:50	10:00	10:11	10:31
10:06	10:11	10:34	10:50	11:00	11:11	11:31
11:06	11:11	11:34	11:50	<b>12:00</b>	<b>12:11</b>	<b>12:31</b>
<b>12:03</b>	<b>12:08</b>	<b>12:32</b>	<b>12:50</b>	<b>1:02</b>	<b>1:13</b>	<b>1:35</b>
<b>1:03</b>	<b>1:08</b>	<b>1:32</b>	<b>1:50</b>	<b>2:02</b>	<b>2:13</b>	<b>2:35</b>
<b>2:03</b>	<b>2:08</b>	<b>2:32</b>	<b>2:50</b>	<b>3:02</b>	<b>3:13</b>	<b>3:35</b>
<b>3:00</b>	<b>3:05</b>	<b>3:31</b>	<b>3:50</b>	<b>4:04</b>	<b>4:16</b>	<b>4:37</b>
<b>4:00</b>	<b>4:05</b>	<b>4:31</b>	<b>4:50</b>	<b>5:04</b>	<b>5:16</b>	<b>5:37</b>
<b>4:56</b>	<b>5:00</b>	<b>5:30</b>	<b>5:50</b>	<b>6:03</b>	<b>6:14</b>	<b>6:35</b>
<b>6:02</b>	<b>6:06</b>	<b>6:33</b>	<b>6:50</b>	<b>7:01</b>	<b>7:11</b>	<b>7:28</b>
<b>7:02</b>	<b>7:06</b>	<b>7:33</b>	<b>7:50</b>	<b>8:01</b>	<b>8:11</b>	<b>8:28</b>

**Monday - Friday**  
**SOUTHBOUND To: Irvine**

Canal & Meats	Village At Orange	Hewes & Chapman	Irvine & Newport	Irvine & Culver	Irvine Valley College	University Center	Mariposa Villa
6:06	6:10	6:25	6:36	6:45	7:00	7:21	7:26
6:55	6:59	7:17	7:33	7:45	8:05	8:35	8:45
7:54	7:58	8:19	8:32	8:45	9:01	9:24	9:31
9:01	9:05	9:21	9:34	9:45	10:00	10:26	10:32
10:01	10:05	10:21	10:34	10:45	11:00	11:26	11:32
10:59	11:03	11:19	11:33	11:45	<b>12:02</b>	<b>12:32</b>	<b>12:37</b>
<b>12:00</b>	<b>12:04</b>	<b>12:21</b>	<b>12:34</b>	<b>12:45</b>	<b>1:00</b>	<b>1:24</b>	<b>1:29</b>
<b>12:55</b>	<b>12:59</b>	<b>1:18</b>	<b>1:33</b>	<b>1:45</b>	<b>2:03</b>	<b>2:30</b>	<b>2:40</b>
<b>1:55</b>	<b>1:59</b>	<b>2:18</b>	<b>2:33</b>	<b>2:45</b>	<b>3:03</b>	<b>3:30</b>	<b>3:40</b>
<b>2:55</b>	<b>2:59</b>	<b>3:18</b>	<b>3:33</b>	<b>3:45</b>	<b>4:03</b>	<b>4:30</b>	<b>4:40</b>
<b>3:55</b>	<b>4:00</b>	<b>4:19</b>	<b>4:33</b>	<b>4:45</b>	<b>5:03</b>	<b>5:31</b>	<b>5:38</b>
<b>4:55</b>	<b>5:00</b>	<b>5:19</b>	<b>5:33</b>	<b>5:45</b>	<b>6:03</b>	<b>6:31</b>	<b>6:38</b>
<b>5:59</b>	<b>6:04</b>	<b>6:20</b>	<b>6:34</b>	<b>6:45</b>	<b>7:01</b>	<b>7:25</b>	<b>7:30</b>
<b>6:59</b>	<b>7:04</b>	<b>7:20</b>	<b>7:34</b>	<b>7:45</b>	<b>8:01</b>	<b>8:25</b>	<b>8:30</b>
<b>8:02</b>	<b>8:07</b>	<b>8:21</b>	<b>8:35</b>	<b>8:45</b>	<b>8:59</b>	<b>9:20</b>	<b>9:25</b>

**LEGEND**  
**LEYENDA**

Scheduled Departure Regular Routing

RTA = Riverside Transit Agency

Route 167/111519

Numbers on streets indicate transfers. Números en la calle indican transbordos.

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Figure 25  
**LOCAL BUS ROUTE 167 SCHEDULE**  
Source: Orange County Transportation Authority

The proposed project, therefore, meets the definition of a “small project” which “generates 500 or fewer ADT. As a result, based on those projected tris, the proposed project will result in a less-than-significant VMT impacts and no further study of VMT is required pursuant to the County CEQA Manual/VMT Guidelines.

The County CEQA Manual/VMT Guidelines provides that, to the extent that the proposed synagogue, Sunday school, and private preschool promote and support community health, safety or welfare, the resulting VMT impacts would be less than significant. No mitigation measures are required or recommended.

▪ **Response to Question XVII(c) – Less-than-Significant Impact**

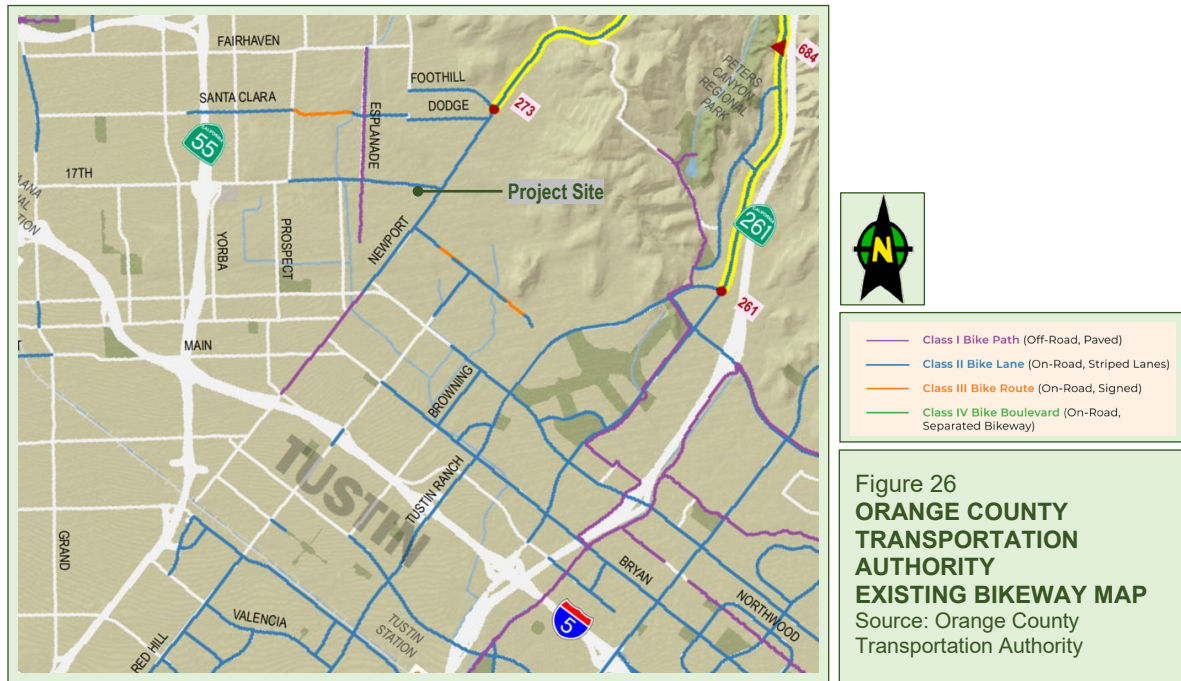
The project site includes a 15-foot-wide easement for street and highway purposes shown in Book 4792, Page 533 of the County’s Official Records. With regards to that 15-foot-wide easement, the Applicant is required provide the County with an irrevocable offer of dedication across the property’s E.17<sup>th</sup> Street frontage. Other than curb cuts and sidewalk reconstruction for the two proposed driveway points of ingress and egress, no improvements to E. 17<sup>th</sup> Street are presently proposed. All setbacks are to be taken from the ultimate right-of-way (ROW). A portion of that easement will be retained within a landscaped area abutting E. 17<sup>th</sup> Street.

A portion of the proposed parking area will encroach within the ROW. That encroachment would not be expected to adversely affect the functionality of the easement, including physical access thereto.

As indicated in the United States Department of Transportation - Pipeline and Hazardous Materials Safety Administration’s National Pipeline Mapping System – Public Viewer (<https://www.npms.phmsa.dot.gov/>), no gas transmission or hazardous liquid pipelines exist within the easement area.

As illustrated in Figure 26 (Orange County Transportation Authority - Existing Bikeway Map), an existing Class II (On-Road) bicycle route extends eastward along E. 17<sup>th</sup> Street from Prospect Avenue (on the west) to Newport Avenue (on the east). The proposed project will not impede or otherwise adversely affect the operation of that Class II bicycle route. Additionally, because the existing street-adjacent sidewalk will be retained and will continue to connect to those abutting segments located to the east and west of the project site, pedestrian activities and access in the general project area will not be adversely affected.

The proposed site plan includes a unidirectional, double-loaded driveway, providing “right in” and “right out” ingress and egress to an existing arterial highway. Aisle widths and parking dimensions conform to County design standards. Twenty off-street parking spaces will be provided on the project site. For “child care centers,” pursuant to the Codified Ordinances (Codified Ordinances § 7-9-70.6), two parking spaces shall be provided for every three employees and teachers plus one loading space for every 8 children. In compliance therewith, a total of only two off-street parking spaces, plus four loading spaces, are required for the private preschool. Since 20 off-street parking spaces are presently proposed on the project site, parking for employees, teachers, and teacher assistants, including the required loading spaces, can be readily accommodated on the project site.



No unusual, non-conforming transportation-related design features associated with the proposed project. Although no such hazards have been identified, prior to the issuance of building permits, the site plan will be reviewed by the County to assure compliance with County design standards to further ensure that no “substantial increased hazards” will result from the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question XVII(d) – Less-than-Significant Impact**

The proposed project will provide circular access through two access driveways along E. 17<sup>th</sup> Street. Driveway approaches, aisle widths, and parking dimensions are in full compliance with County design standards should emergency vehicles need to enter the project site. No mitigation measures are either required or recommended.

Based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to transportation would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

### XIII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC 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:</p>				
<p>(a) Listed or eligible for listing in the California Register of Historic Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k); or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>(b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). In applying the criteria set forth in PRC, Section 5024.1(c), the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### STANDARD CONDITIONS OF APPROVAL

- **Standard Condition SC TCR-1: Unanticipated Discovery of Archaeological Resources Below Six Feet Depth in Previously Undisturbed Soils.**

If unanticipated archaeological resources or deposits are discovered during ground disturbing activities below two feet depth in previously undisturbed soils, OCPW will implement the following measures. All work will halt within a 50-foot radius of the discovery. OCPW will have a qualified professional archaeologist with knowledge of Native American resources to assess the significance of the find. If the resources are Native American in origin, the County shall coordinate with the Tribe regarding evaluation, treatment, curation, and preservation of these resources. The archaeologist will have the authority to modify the no-work radius as appropriate, using professional judgment in consultation with OCPW. Work will not continue within the no-work radius until the archaeologist conducts sufficient research and evidence and data collection to establish that the resource is either: (1) not cultural in origin; or (2) not potentially eligible for listing on the CRHR. If a potentially eligible resource is encountered, then the archaeologist and OCPW, as lead agency, in consultation with the Tribe, will arrange for either: (1) avoidance of the resource, if possible; or (2) test excavations to evaluate eligibility, and if eligible, an attempt to resolve adverse effects to determine appropriate mitigation. The assessment of eligibility will be formally documented in writing as verification that the provisions in CEQA for managing unanticipated discoveries and PRC Section 5024 have been met.

## RESPONSE TO TOPIC-SPECIFIC QUESTIONS

“Tribal cultural resources” (TCRs) were added as a resource requiring evaluation in a CEQA review through Assembly Bill (AB) 52 (Section 21080.3.1[b]-[e] and 21080.3.2, PRC). TCRs are non-renewable and, therefore, cannot be replaced. The proposed project would have a significant cultural resource effect if it were to cause a substantial adverse change in the significance of a TCR, defined 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:

- Listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Section 5020.1(k) of the PRC, or
  - A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Section 5024.1(c) of the PRC.
- In applying the criteria set forth in Section 5024.1(c) of the PRC, the Lead Agency shall consider the significance of the resource to a California Native American tribe.

- **Response to Question XIII(a) – Less-than-Significant Impact**

There are no sites eligible for listing or currently listed on the NRHP, the CRHR, or any other register of historic resources on or in the vicinity of the proposed project. No mitigation measures are either required or recommended.

Refer to Section V(a) for additional detail.

- **Response to Question XIII(b) – Less-than-Significant Impact**

In reference to the requirements outlined in Section 1.13 of this document (California Native American Consultation), the Gabrieleño Band of Mission Indians - Kizh Nation requested consultation on June 17, 2021, and subsequently provided information related to the tribe’s historic occupancy of the region. Government-to-government consultation between OC Planning staff and the Kizh Nation occurred on October 5, 2021.

During the consultation, the tribe discussed their historic occupancy of locations in the region and the proximity of the project site to historic trade routes. However, the tribe stated known Tribal Cultural Resources were not known to exist on the Project site. The County concluded consultation in January 2022.

Although the project area is not in an area of previously identified archaeological sensitivity, the possibility exists that undiscovered TCRs may be encountered during ground-disturbing activities associated with the proposed project. Implementation of “Standard Condition SC-TCR-1” would provide consulting Native American groups the opportunity to examine inadvertently discovered prehistoric cultural resources and consult on the identification, evaluation, and protection of TCRs in the unlikely event they are the unlikely event discovered during construction. No mitigation measures are either required or recommended.

## XIX. UTILITIES AND SERVICE SYSTEMS

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

### STANDARD CONDITIONS OF APPROVAL

#### Solid Waste

- **Standard Condition FD03 (Waste Management).** Applicant/operator shall store, manifest, transport, and dispose of all on-site generated waste that meets hazardous waste criteria in accordance with California Code of Regulations Title 22 and in a manner to the satisfaction of the Manager, HCA/Hazardous Materials Program. Applicant shall keep storage, transportation, and disposal records on site and open for inspection to any government agency upon request.
- **Standard Condition RC02 (Waste Disposal).** Applicant/operator shall store, manifest, transport, and dispose of all on-site generated waste that meets hazardous materials criteria in accordance with the California Code of Regulations Title 22 and in a manner to meet the satisfaction of the Manager, HCA/Hazardous Materials Program. Applicant shall keep storage, transportation, and disposal records on site and open for inspection by any government agency upon request. Applicant shall store used oil filters in a closed rainproof container that is capable of containing all used oil and shall manage the container as

specified in Title 22, Chapter 30, Division 4, Section 66828 of the California Code of Regulations.

- **Standard Condition SW01 (Solid Waste).** Prior to the issuance of any precise grading permit, the applicant shall obtain approval from the Manager, Current Planning Services of a site plan delineating the capacity, number, and location of all proposed solid waste and recyclable collection areas.

## RESPONSE TO TOPIC-SPECIFIC QUESTIONS

- **Response to Question XIX(a) – Less-than-Significant Impact**

Wet and dry utilities are separately addressed below:

- ◆ **Water, Wastewater Treatment, and Stormwater Drainage Facilities**

- ◇ **Water.** Potable water service to the project site is presently provided by and will continue to be provided by the City Public Works Department, Water Services Division. The City receives its water from local well water from the Lower Santa Ana River Groundwater Basin (as managed by the Orange County Water District [OCWD]) and imported water from the Municipal Water District of Orange County (MWDOC) through the East Orange County Water District (EOCWD). The MWDOC is the County's wholesale supplier and is a member agency of the Metropolitan Water District of Southern California (Metropolitan)<sup>1</sup> All project-related improvements and connections to the City's water system, including potable water and fire hydrants, shall comply with the City's "Standard Plans and Design Standards for Public Works Construction, 2012 Edition" (2012). Because architectural plans have not yet been submitted to the City's Water Services Division, a detailed quantification of water consumption projections has not been formulated although the City stated adequate supplies exist. The City's "2020 Urban Water Management Plan" (June 2021) (2020 UWMP) provides evidence of the available of adequate water resources to support the proposed project. The City's 2020 UWMP concluded that the City "can meet full-service demands of their member agencies through 2045 during normal years, single-dry years, and multiple-dry years. Consequently, the City is projected to meet full-service demands through 2045 for the same scenarios, due to diversified supply and conservation measures" [Executive Summary]).

As further noted in the 2020 UWMP:

- Usage by CII [commercial, industrial, and institutional] is projected to increase by 17.3% between 2025 and 2045 (Section 4.3.2.2. [Water Use Projections for 2025-2045]); and The City is 100% reliable for normal year demands from 2025 through 2045 due to diversified supply and conservation measures (Section 7.3.1 Normal Year Reliability));

- o The City has documented that it is 100% reliable for single dry year demand from 2025 through 2045 with a demand increase of 6% from normal demand with significant reserves held by MET [Metropolitan Water District of Southern California], local groundwater supplies, and conservation (Section 7.3.2 [Single Dry Year Reliability]); and
- o Even with a conservative demand increase of 6% each year for five consecutive years, the City is capable of meeting all customer demands from 2020 through 2045, with significant reserves held by MET and conservation (Section 7.3.3 [Multiple Dry Year Reliability]).

Various source documents can be cited in order to assess potential pre-project and post-project water consumption rates. As noted in the MWDOC's "2018 Orange County Water Reliability Study" (February 1, 2019), citing the MWDOC's "2016 Orange County Water Reliability Study" (December 2016), with regards to water consumption in the Tustin area, the average single-family residential unit consumed 505 gallons of water per day (gpd) (Table 1 [Water Use Factors from Survey of Water Agencies in Orange County]). It is not likely that those average rates factor the property's existing 9-foot-deep swimming pool and the additional water consumption associated therewith.

The existing single-family home was owner-occupied when purchased by the Applicant. While presently vacant, the existing single-family residences could be promptly reoccupied and water consumption associated with that use would recommence. Unlike the existing land use, no water elements (e.g., swimming pool), shower facilities, and large turf areas are associated with the proposed project.

Although places of worship and private preschools were not explicitly cited therein, "commercial/institutional" uses consumed 79 gallons of water per "employee." Assuming three "employees" associated with both the synagogue and Sunday school and four teachers and teaching assistance associated with the private preschool, based on those MWDOC rates, the proposed project will consume an estimated 553 gpd ( $79 \times [3 + 4] = 553$ ). Based on those rates and assumptions, post-project water consumption rates are projected only to be approximately 10 percent greater than pre-project conditions.

Although the proposed project is projected to minimally increase water demands attributable to the project site, the proposed project will neither require nor result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects. Potential impacts associated with the delivery of water resources, including the services and facilities associated therewith, as provided by the City, the EOCSD, and the OCWD, remain at a less-than-significant level.

Based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to water utilities would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.



- ◇ **Wastewater Treatment.** The Orange County Sanitation District is a regional sewer provider to local sewer agencies and municipalities, such as the EOCS. Private connections (to other than trunk sewer lines) are permitted and are serviced by those local sewer agencies and municipalities. The project site is within “Service Area 7” of the OCSD. The local sewer system in Service Area 7 has no known capacity issues. The OCSD presently operates the following two wastewater treatment plants: Reclamation Plant No. 1 (10844 Ellis Avenue, Fountain Valley 92708) and Treatment Plant No. 2 (22212 Brookhurst Street, Huntington Beach 92646). OCSD facilities discharge wastewater to the Pacific Ocean. Through the OCSD’s collection system, sewer flows from the project site are presently being conveyed via local sewer connections to the OCSD’s Reclamation Plant No. 1. As reported in the “Joint EPA and State NPDES Permit No. CA0110604: Orange County Sanitation District Reclamation Plant No. 1 and Treatment Plant No. 2” (June 18, 2021), the facility design flow for Reclamation Plant No. 1 is 182 million gallons per day (mgd) for dry-weather conditions and 345 mgd for peak wet-weather conditions. Design flow for Reclamation Plant No. 2 is 150 million mgd for dry-weather conditions and 317 mgd for peak wet-weather conditions. Combined dry-weather capacity for both facilities is 332 mgd. Average wastewater dry-weather flows through Reclamation Plant No. 1 are about 120 mgd. The minimum residual dry-weather capacity is about 60 mgd. The project site is approximately 0.88 acres (38,136 gross/31,656 net square feet) in size. Although neither project specific nor sufficiently detailed to separately quantify places of worship, Sunday schools, and private preschools, as indicated in the OCSD’s “Engineer Design Guidelines” (March 2006), broad-based criteria for “average daily flow calculations” have been formulated by the OCSD and, among others, include: (1) low-density residential (1,488 gallons per day [gpd]); and (2) commercial areas (2,262 gpd) (Section 12.3.3 [Design]) Assuming the existing single-family residences can be categorized as a “low-density residential” land use and the proposed project can be categorized as a “commercial” land use, wastewater generation rates associated with the existing dwelling unit would be approximately 1,310 gpd ( $1,488 \times 0.88 = 1,309.44$ ). Wastewater generation rates associated with the proposed project would be approximately 1,990 gpd ( $2,262 \times 0.88 = 1990.56$ ).

The existing single-family home was owner-occupied when purchased by the Applicant. While presently vacant, the existing single-family residences could be promptly reoccupied and wastewater generation associated with that use would recommence.

The quantity of average daily and peak effluent discharge generated from the project site will increase with the conversion of the site from that of an existing single-family residence (to be demolished) to a place of worship, Sunday school, and private preschool.

Existing and future sewer flows will discharge to existing EOCWD facilities which, according to the EOCWD, do not have any capacity issues. Written authorization to use said facilities is required to obtain a discharge permit. The Applicant is responsible for obtaining a sewer connection permit from the EOCWD, including the payment of the applicable “capital facilities capacity charge” (CFCC). Based on the projected increase in discharge into the sanitary sewer system, prior to the issuance of building permits, the EOCWD (acting through an EOCWD-selected contractor) would prepare an independent sewer capacity analysis as part of their standard procedures to document the change in their overall system.

The EOCWD's Appendix M (Design Construction and Repair Standards for Volume 2 of the “East Orange County Water District Sewer System Management Plan” (revised January 17, 2019). Effective on July 1, 2020, the EOCWD's CFCC for non-residential development were updated. Although subject to change, for “low demand” uses (e.g., churches) and “average demand” (e.g., church offices and schools), the rates are \$335.00 and \$2,082.00 per 1,000 square feet of use, respectively (provided that the minimum CFCC for “new construction” is \$4,973).

By operation of law, all effluent would comply with the wastewater treatment standards of the California Regional Water Quality Control Board, Santa Ana Region (SARWQCB). As a result, the proposed project will neither require nor result in the relocation or construction of new or the expansion of existing wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects. Based on the presence of adequate and available treatment capacity at OCSD's Reclamation Plant No. 1, impacts on OCSD and EOCS facilities will be less than significant.

Based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to wastewater utilities would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

- ◇ **Stormwater Drainage Facilities.** The project site discharges to the 24-inch diameter reinforced concrete pipe (RCP) located within the E. 17<sup>th</sup> Street ROW or directly to the 72 to 87-inch diameter RCP Hewes Storm Drain (OCFCD No. F07P06). Storm waters in OCFCD No. F07P06 drains southward to the La Colina-Redhill Storm Drain (OCFCD No. P07S01). OCFCD No. P07S01 confluences with Facility No. F06 (Peters Canyon Channel), part of San Diego Creek Reach 1, and discharges into Upper Newport Bay. Prior to the commence of any ground-disturbing activities, the Applicant shall submit and, when acceptable, the County shall approve a Project WQMP. Among other components, the Project WQMP will quantify pre-project and post-project stormwater runoff associated with the proposed project. With the anticipated increase in impervious surfaces from 35% to 89%, prior to the incorporation of reasonable BMPs, it can be assumed that stormwater runoff would be projected to increase.

On-site hydromodification controls would be implemented such that the volume and time of concentration for a 2-year runoff for the post-project conditions would be either equal to or lower than the predevelopment conditions for a 2-year peak flow rate. Due to those hydromodifications, the development of the subject property would have a less-than-significant impact upon the Hewes Storm Drain (OCFCD No. F07P06) and La Colina-Redhill Storm Drain (OCFCD No. P07S01).

Because the proposed project would not increase stormwater discharge rates emanating from the project site beyond the current discharge rates, the project's approval, construction, and operation would not alter existing drainage pattern or contribute to either on-site or off-site flooding. Based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to stormwater drainage facilities would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

◆ **Electric Power, Natural Gas, and Telecommunication Facilities.**

- **Electric Power.** Most electrical energy is not produced locally or within the South Coast Air Basin (SCAB). Its consumption within the SCAB, therefore, does not contribute to local pollutants that are generally generated by the production of electrical energy.

The project site is served by Southern California Edison (SCE). Although the project site is currently connected to SCE's electrical system, based on the change and intensification of land uses, a new or improved connection to SCE's subtransmission system will likely be required to accommodate the increased electrical demands associated with the proposed non-residential uses of the proposed project. Electrical service will be provided to the project site in accordance with SCE's policies and extension rules on file with the California Public Utilities Commission (CPUC).

The proposed project includes the demolition of a 1950-era single-family residence. It is not likely that the existing structure conforms to existing energy conservation and efficiency standards. The proposed project's compliance with the 2019 CEC (24 CCR Part 6) and 2019 CalGreen (24 CCR Part 11) will promote building energy efficiency, including efficient use of electrical energy, through compliance with associated energy efficiency standards.

Electricity use is measured in kilowatt hours (kWh) per size metric. With regards to the estimation of pre-project and post-project electrical consumption, for comparative purposes only, a number of published consumption rates can be cited for the SCE's service area. For residential uses, the South Coast Air Quality Management District's (SCAQMD) "CEQA Air Quality Handbook" (April 1993) identifies an average consumption rate of 5,626.5 kWh/dwelling unit/year (Table A9-11-A). The consumption rates presented in the SCAQMD's "CEQA Air Quality Handbook" do not incorporate the increased energy efficiencies associated with the 2019 CEC and 2019 CalGreen.

Not all land-use types are listed therein. Assuming a “miscellaneous” rate of 10.5 kWh/square foot/year for the proposed synagogue, Sunday school, and private preschool, based on a 9,850± square foot facility, the proposed project will consume an estimated 103,425 kwh/year ( $9,850 \times 10.5 = 103,425$ ). In comparison, the CalEEMod modeling for the proposed project estimates that the project will consume 92,358.5 kWh of electricity annually.

The existing single-family home was owner-occupied when purchased by the Applicant. While presently vacant, the existing single-family residences could be promptly reoccupied and electrical consumption associated with that use would recommence.

Any resulting increase in electrical consumption resulting from the proposed change in on-site land uses would, however, be expected to be minimal and be within the growth projections used by SCE to plan electrical infrastructure and capacity. As a result, with regards to the consumption of electricity, the proposed project will have a less-than-significant environmental impact under CEQA. Those improvements will neither require relocation nor construction of new or expanded electrical power facilities (the construction or relocation of which could cause significant environmental effects).

Based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to electricity utilities and services would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

- o **Natural Gas.** Natural gas services are provided to the project site by Southern California Gas Company (SCGC). Although the project site is currently connected to SCGC’s natural gas distribution system, based on the change and intensification of land uses, a new or improved connection will likely be required to accommodate the increased natural gas demands associated with the proposed non-residential uses.

The proposed project includes the demolition of a 1950-era single-family residence. The existing structure likely does not conform to current energy efficiency and conservation standards. Compliance with the 2019 CEC (24 CCR Part 6) and 2019 CalGreen (24 CCR Part 11) will promote building energy efficiency, including efficient use of natural gas, through compliance with modern energy efficiency standards.

Natural gas use is measured in units of a thousand British Thermal Units (kBtu) per size metric. With regards to the estimation of pre-project and post-project electrical consumption, for comparative purposes only, a number of published consumption rates can be cited for the SCGC’s service area. For residential uses, the SCAQMD’s “CEQA Air Quality Handbook” (1993) identifies an average consumption rate of 6,665.0 cubic feet/dwelling unit/year (Table A9-12-A). The consumption rates presented in the SCAQMD’s “CEQA Air Quality Handbook” do not incorporate the increased energy efficiencies associated with the 2019 CEC and 2019 CalGreen.

Not all land-use types are listed therein. Assuming an “office” rate of 2.0 cubic feet/square foot/year for the proposed synagogue, Sunday school, and private preschool, based on a 9,850± square foot facility, the proposed project will consume an estimated 19,700 cubic feet/year ( $9,850 \times 2.0 = 19,700$ ).

The increase in natural gas consumption and the potential impacts resulting from the provision of additional natural gas services to the project site would be minimal and have a less-than-significant environmental impact under CEQA. Those improvements would neither predicate the need to relocate nor construct new or expanded natural gas facilities (the construction or relocation of which could cause significant environmental effects). No on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to natural gas utilities or services would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

- **Telecommunication Facilities.** AT&T currently provides landline and internet telecommunication services to the project site. Among others, Time Warner, Cox Communications, and Frontier Communications also provides internet services to North Tustin customers.

Any localized improvements as may be required to serve the proposed project would be expected to be minimal and would have a less-than-significant environmental impact under CEQA. Those improvements would neither require relocation nor construction of new or expanded telecommunication facilities (the construction or relocation of which could cause significant environmental effects). Based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to telecommunications utilities and services would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

- **Response to Question XIX(b) – Less-than-Significant Impact**

As more thoroughly described in [Response to Question XIX\(a\)](#) above, and as documented in the 2015 Tustin UWMP, through 2040, the City Public Works, Water Services Division has sufficient potable water services and supplies to serve the project site during normal, single dry, and multiple dry years. No mitigation measures are either required or recommended.

- **Response to Question XIX(c) – Less-than-Significant Impact**

As more thoroughly described in [Response to Question XIX\(a\)](#) above, the OCSD and EOCWD have adequate capacity to serve the project’s projected demand in addition to their existing commitments. No mitigation measures are either required or recommended.

- **Response to Question XIX(d) – Less-than-Significant Impact**

The proposed project would generate three types of waste: construction and demolition (C&D) waste, general trash (including green wastes and household hazardous wastes),

and recycled wastes. No regulated medical or hazardous wastes are associated with any phase of the proposed project.

Local solid waste collection services are provided to the North Tustin area by CR&R Waste and Recycling. OC Waste & Recycling (601 N. Ross Street, 5<sup>th</sup> Floor, Santa Ana 92701) is responsible for managing the County's solid-waste disposal system, including Central Region Landfills that consist of the active 725-acre Frank R. Bowerman Landfill (30-AB-0360) (11002 Bee Canyon Access Road, Irvine 92602) (FRB Landfill) and five closed solid-waste disposal sites. The FRB Landfill was opened in 1990 to meet the solid-waste disposal needs of the central portion of the County. The FRB Landfill is the closest Class III municipal solid waste landfill facility to the project site.

On August 15, 2006, the County Board of Supervisors certified "Final Environmental Impact Report No. 604 for the Regional Landfill Options for Orange County (RELOOC) Strategic Plan – Frank R. Bowerman Landfill Implementation, SCH No. 2005071101." In accordance with the project studied in that EIR, the FRB Landfill is currently permitted to receive a maximum of 11,500 tons per day and is required to comply with numerous local, State, and federal landfill regulations. The landfill is subject to regular inspections from the California Integrated Waste Management Board (CIWMD), the SARWQCB, the SCAQMD, and the County of Orange Health Care Agency (Environmental Health Division), as the CIWMD's Local Enforcement Agency (LEA).

The FRB Landfill has a maximum capacity of 266,000,000 cubic yards. OC Waste & Recycling is in compliance with the California Integrated Waste Management Act of 1989 (AB 939), which requires each jurisdiction to maintain 15 years of solid waste disposal capacity. The FRB Landfill is projected to have sufficient capacity to serve current and future needs until its scheduled closure in December 2053.

Under the OC Waste & Recycling's Construction & Demolition (C&D) Program, the project shall comply with the 65 percent diversion requirement. Diversion can be achieved through reuse, recycling, and/or composting of C&D materials at County-approved facilities or use of a County Franchised Waste Hauler.

Although the proposed project will increase the quantity of solid wastes presently associated with the subject property, the resulting increase will not result in an exceedance of State or local standards, excess of the capacity of local infrastructure, or otherwise impair the attainment of statewide solid waste reduction goals. Based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts to solid waste utilities or services would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question XIX(e) – Less-than-Significant Impact**

As more thoroughly described in Response to Question XIX(d) above, the proposed project will fully comply with all applicable federal, State, and local management and reduction statutes and regulations related to solid waste. No mitigation measures are either required or recommended.

## XX. Wildfire

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
If located or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones, would the project:				
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risks or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### STANDARD CONDITIONS OF APPROVAL

- **Standard Condition.** No “Standard Conditions of Approval” related to “wildfire” have been adopted by the County.

### RESPONSE TO TOPIC-SPECIFIC QUESTIONS

- **Response to Question XX(a) – No Impact**

The proposed project is confined to a single parcel (APN 401-018-12) and only minimally contributes to non-peak hour traffic along local roadways. To the extent that the County’s highways, freeways, and arterial street system constitute primary emergency access

routes, because the proposed project would not impede access those routes, approval, construction, and operation of the proposed project would not adversely affect “emergency evacuation plans.” Potential impacts on “emergency response plans” and “emergency evacuation plans” would, therefore, be less than significant. As a result, based on information now known to OC Planning, no on-site, off-site, short-term construction, long-term operational, direct, indirect, and/or cumulative impacts related to emergency evacuation plans would be expected by OC Planning to occur due to the approval, construction, and operation of the proposed project. No mitigation measures are either required or recommended.

▪ **Response to Question XX(b) – No Impact**

The project site is located in a heavily urbanized area and does not possess any unique site-specific characteristics (distinct from those shared by other proximal properties) that would potentially exacerbate potential wildfire risks. The project site is not located within a “Very High Fire Hazard Severity Zone” (VHFHSZ). In addition, the proposed project does not include the installation or maintenance of infrastructure that may exacerbate fire risks or that may result in temporary or ongoing impacts to the environment. No mitigation measures are either required or recommended.

Refer also to Section IX(g).

▪ **Response to Question XX(c) – No Impact**

The proposed project neither includes nor require the installation or maintenance of infrastructure that may exacerbate fire risks or that may result in temporary or ongoing impacts to the environment. The proposed project relies on existing infrastructure that would continue to operate with or without the project; therefore, no impact with respect to the proposed project’s need for installation or maintenance of infrastructure that could exacerbate fire risk is anticipated. No mitigation measures are either required or recommended.

▪ **Response to Question XX(d) – No Impact**

The proposed project will not expose people or structures to significant risks (e.g., downslope or downstream flooding or landslides) as a result of site runoff, post-fire slope instability, and/or changes to existing drainage patterns. No significant impacts attributable to site runoff, post-fire slope instability, and/or changes to existing drainage patterns would be expected to occur. No mitigation measures are either required or recommended.



## XXI. Mandatory Findings of Significance

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

### RESPONSE TO TOPIC-SPECIFIC QUESTIONS

#### Response to Question XXI(a) – Less-than-Significant Impact

There is no evidence suggesting that the proposed project would substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, 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.

Refer also to Section IV (Biological Resources)

As indicated in the National Park Service's (NPS) "National Register of Historic Places Program" (<http://www.nps.gov/nr/research/>) and the California State Parks - Office of Historic Preservation's (OHP) "California Historic Resources, Orange County" (<http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=30>), the project site, as a whole nor any portion of the project site, has not been listed or been determined eligible for listing in a State or federal register of historic resources.

See also Section V (Cultural Resources).

Based on information now known to OC Planning, no additional environmental impacts, beyond those disclosed in this document have been identified which could alter the conclusions regarding environmental impacts in each of the preceding sections. Accordingly, the proposed project is anticipated to have a less-than-significant impact on fish or wildlife species and/or habitat, plant and animal communities, protected species, and historic resources.

**Response to Question XXI(b) – Less-than-Significant Impact**

In combination with those related projects identified in Section 3.10 (Related Projects), based on the absent any significant environmental effects attributable to the proposed project, the project's approval, construction, and operation would not produce any significant environmental impacts that would be individually limited but cumulatively considerable.

▪ **Response to Question XXI(c) – Less-than-Significant Impact**

Based on the information and analysis provided this document the proposed project would not have any significant environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

## 5.0 PROJECT DESIGN FEATURES

Project design features (PDFs) are design elements included in the proposed project. As such, PDFs are not mitigation measures under CEQA but are physical components of the proposed project. The following PDFs have been voluntarily included in the proposed project by the Applicant:

- PDF-1** Proposed is a variable height single-story building integrating a “house of prayer,” a “house of study,” interior and exterior areas for observants to congregate, a social hall and kitchen, administrative offices, and an accessory religious education room (classroom). Upon entering the synagogue, a large lobby area provides a place to congregate before entering and after exiting the main sanctuary. In the United States, so as to orientate parishioners toward Jerusalem, fixed seats in the main sanctuary are traditionally oriented toward the east.
- PDF-2** Where practicable, existing mature trees located on the project site, including the mature *Ficus nitida* located in the southeastern corner of the property and the *Schinus molle* abutting the E. 17<sup>th</sup> Street frontage, will be retained. In addition, shade tree plantings (minimum #10 container size or equal) shall be installed to provide: (1) shade over 50 percent of the parking area within 15 years (Section 5.106.12.1: Surface Parking Areas, 2019 CalGreen); and (2) shade over 20 percent of the hardscape area within 15 years (Section 5.106.12.3: Hardscape Areas, 2019 CalGreen).

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