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2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The California Environmental Quality Act (CEQA) requires that all state and local governmental agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects. This draft environmental impact report (DEIR) has been prepared to satisfy CEQA and the CEQA Guidelines. The environmental impact report (EIR) is the public document designed to provide decision makers and the public with an analysis of the environmental effects of the Proposed Project, to indicate possible ways to reduce or avoid environmental damage and to identify alternatives to the Proposed Project. The EIR must also disclose significant environmental impacts that cannot be avoided; growth inducing impacts; effects not found to be significant; and significant cumulative impacts of all past, present, and reasonably foreseeable future projects.

The lead agency means “the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment” (Guidelines § 21067). The City of Anaheim has the principal responsibility for approval of The Residences at Nohl Ranch Project. For this reason, the City of Anaheim is the CEQA lead agency for this Project.

The intent of the DEIR is to provide sufficient information on the potential environmental impacts of the Proposed Project to allow the City of Anaheim City Council to make an informed decision regarding approval of the Proposed Project. Specific discretionary actions to be reviewed by the City are described in Section 3.4, *Intended Uses of the EIR*.

This DEIR has been prepared in accordance with requirements of the:

- California Environmental Quality Act (CEQA) of 1970, as amended (Public Resources Code, §§ 21000 et seq.)
- State Guidelines for the Implementation of the CEQA of 1970 (CEQA Guidelines), as amended (California Code of Regulations, §§ 15000 et seq.)

The overall purpose of this DEIR is to inform the lead agency, responsible agencies, decision makers, and the general public about the environmental effects of the development and operation of the Proposed Project. This DEIR addresses effects that may be significant and adverse; evaluates alternatives to the Proposed Project; and identifies mitigation measures to reduce or avoid adverse effects.

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2.2 NOTICE OF PREPARATION AND INITIAL STUDY

The City of Anaheim determined that an EIR would be required for this Project and issued a Notice of Preparation (NOP) and Initial Study on December 13, 2018 (see Appendix A). A scoping meeting was held on January 7, 2019, to elicit comments on the scope of the DEIR. In addition to the scoping meeting, the public had a 30-day public review period to comment on the Initial Study and NOP—from December 13, 2018 to January 14, 2019. Appendix B includes comment letters and emails received during the scoping period.

Table 2-1 compiles the comment letters received from government agencies during the NOP/Initial Study public review period. The table identifies the section(s) of the DEIR where the issues are addressed. Table 2-2 summarizes the concerns regarding the Proposed Project’s environmental impacts that were raised by the general public and where they are addressed in the DEIR. Appendix B includes a more detailed summary of comments received at the scoping meeting and the NOP/Initial Study public review period.

Table 2-1 Government Agency NOP Written Comments Summary

Commenting Agency/Person	Letter Dated	Summary of Comments	Response/Issue Addressed In:
Agencies			
Orange County Public Works	1/3/2019	They indicated that they have no comments at this time and would like to continue to receive notifications related to the Proposed Project.	
City of Orange	1/9/2019	Requests that the Project Description include the proximity of the Project Site to the City of Orange.	Chapter 3, Project Description.
		Requests to include potential impacts to scenic resources listed in City of Orange General Plan.	Section 5.1 Aesthetics.
		Requests to include the potential impacts from asbestos-containing material and lead-based paint.	Section 5.8 Hazards and Hazardous Materials.
		Request to review the storm drain plan.	Section 5.9 Hydrology and Water Quality
		Request that the EIR identifies all feasible mitigation measures to reduce and minimize construction noise impacts and vibration to Orange.	Section 5.11 Noise
		Requests that the City of Orange noise thresholds are utilized to analyze potential impacts to the single-family residents located directly west of the Project Site.	Section 5.11 Noise
		Concerned about overstating the existing daily trips given the limited occupancy of the existing retail site. Requests a 24-hour driveway counts as a part of the Traffic Study.	Section 5.13 Transportation and Traffic.
		Concerned about traffic on Serrano Avenue and Cannon Street to access regional facilities (i.e., SR-55, SR-241, SR-57, and SR-22). Requests to review the Proposed Project’s trip distribution with the City of Anaheim prior to its incorporation into the Traffic Report.	Section 5.13 Transportation and Traffic.
		Requests the following intersections to be included in the intersection analysis: Serrano Avenue at Cannon Street Taft Avenue at Cannon Street Santiago Canyon Road at Cannon Street	Section 5.13 Transportation and Traffic.

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Table 2-2 General Public NOP Comments Summary

Summary of Comments and Questions	Response/Issue Addressed In:
Aesthetics	
Concerned about view obstruction due to the height of the proposed buildings.	Section 5.1 Aesthetics.
Questioned the accuracy of rendering and plans, concerned that the view simulations misrepresent the actual visual character of the Proposed Project.	Section 5.1 Aesthetics.
Concerned about changing the look and feel of the neighborhood and compatibility with the surrounding 2-story residences.	Section 5.1 Aesthetics.
Concerned about privacy due to the proposed 3-story buildings looking into the existing 2-story residences.	Section 5.1 Aesthetics.
Building setbacks: 50 ft vs 14 ft front setback in the Scenic Corridor (SC) Overlay Zone	Section 5.1 Aesthetics.
Air Quality and Greenhouse Gas Emissions	
Concerned about increased air pollution resulting from car exhaust.	Section 5.2 Air Quality
Hazards	
Any asbestos, lead base paint, or other issues from demolishing the existing buildings?	Section 5.8 Hazards and Hazardous Materials.
Water Quality and Geology and Soils	
Concerned about water seeping into the ground to affect groundwater to cause soil instability and major landslide.	Section 5.6 Geology and Soils, and Section 5.9 Hydrology and Water Quality.
Land Use and Policy	
Concerned about the impact removing/relocating businesses.	Not addressed in the DEIR. The DEIR focuses on changes in the existing physical conditions in the affected area at the time of the NOP. Policy decisions are to be made by the Planning Commission and City Council.
Questions on inconsistencies with the existing goals and policies of the City's General Plan and zoning ordinance, such as rezoning, increasing density, setback variance, etc.	Section 5.10 Land Use and Planning
Quality of life issue and decreased property value due to increased density.	Not addressed in the DEIR. CEQA Section 15131(a) provides, "Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the <i>physical changes</i> ." [Emphasis added.]
Noise	
Concerned that patios will not be useable due to increased traffic noise	Section 5.11 Noise
Population and Housing	
Wanted to know the reason for scoping out Population and Housing from the EIR.	As described in the IS/NOP (Appendix A), although the Proposed Project would directly induce population growth in the project area, this growth is within the range already anticipated by the City, and is consistent with the City's General Plan growth forecast. Therefore, this impact was determined to be

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Table 2-2 General Public NOP Comments Summary

Summary of Comments and Questions	Response/Issue Addressed In:
	less than significant, and no further analysis was provided in the DEIR.
Questions on affordable housing issue/ moderate income units, and how long they will remain as affordable, and the cost of units.	The DEIR does not provide information regarding affordability of housing units. Pursuant to CEQA, each topical analysis contained in the EIR evaluates whether the Proposed Project may have a "significant effect on the environment."
Concerned with the increased number of new students due to the Proposed Project.	Section 5.12 Public Services for school related impact.
Transportation and Emergency Access	
Raised concerns regarding inadequate emergency access (e.g., the Project Site is at the bottom of the hill with major access issue during fire emergency, and inadequate evacuation route will be provided).	Section 5.8 Hazards and Hazardous Materials, Section 5.13 Transportation and Traffic, and 5.13 Wildfire.
Concerned about existing elementary school traffic congestion and related pedestrian safety, site access, and student drop-off/pick-up issue.	Section 5.13 Transportation.
Expressed concerned about the existing neighborhood traffic and vehicles speeding on Serrano Road, and how the added traffic will worsen the traffic condition in the nearby streets.	Section 5.13 Transportation.
Concerned about construction traffic	Section 5.13 Transportation.
Questions regarding scope of traffic study and significance threshold, how they were determined.	Section 5.13 Transportation.
Concerned about existing and future parking impacts- The neighborhood is already experiencing lack of parking in the area.	As described in 5.13.2 Thresholds of Significance, parking impact is not analyzed in the DEIR.

The NOP/Initial Study process helps determine the scope of the environmental issues to be addressed in the DEIR. Based on this process, certain environmental categories were identified as having the potential to result in significant impacts. Issues considered Potentially Significant are addressed in this DEIR, but issues identified as Less Than Significant or No Impact are not. Refer to the initial study in Appendix A for discussion of how these initial determinations were made. The scope of the DEIR is further described below.

2.3 SCOPE OF THIS DEIR

The scope of the DEIR was determined based on the City's initial study, comments received in response to the NOP, and comments received at the scoping meeting conducted by the City. Pursuant to Sections 15126.2 and 15126.4 of the CEQA Guidelines, the DEIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to levels of insignificance.

The information in Chapter 3, *Project Description*, establishes the basis for analyzing future, project-related environmental impacts. However, further environmental review by the City may be required as more detailed information and plans are submitted on a project-by-project basis.

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2.3.1 Impacts Considered Less Than Significant

During preparation of the Initial Study, the City of Anaheim determined that four environmental impact categories were not significantly affected by or did not affect the Proposed Project. These categories are not discussed in detail in this DEIR.

- Agricultural and Forest Resources
- Mineral Resources
- Population / Housing
- Recreation

2.3.2 Potentially Significant Adverse Impacts

During preparation of the Initial Study, the City of Anaheim determined that 15 environmental factors have potentially significant impacts if the Proposed Project is implemented.

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Paleontological Resources
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

2.3.3 Unavoidable Significant Adverse Impacts

This DEIR did not identify any significant and unavoidable adverse impacts, as defined by CEQA that would result from implementation of the Proposed Project. Unavoidable adverse impacts may be considered significant on a project-specific basis, cumulatively significant, and/or potentially significant.

Therefore, the City does not need to prepare a “statement of overriding considerations” before it can approve the Proposed Project. A statement of overriding consideration is a document attesting that the decision-making body has balanced the benefits of the Proposed Project against its unavoidable significant environmental effects and has determined that the benefits outweigh the adverse effects, and therefore the adverse effects are

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considered acceptable. All impacts were found in the DEIR to be less than significant with and without mitigation measures.

2.4 INCORPORATION BY REFERENCE

Some documents are incorporated by reference into this DEIR, consistent with Section 15150 of the CEQA Guidelines, and they are available for review at the City of Anaheim Planning and Building Department, 200 S. Anaheim Boulevard, Anaheim, CA 92805.

- **Anaheim General Plan:** The Anaheim General Plan serves as the major blueprint for directing growth in Anaheim and regulates the existing land uses in the Project Area. The General Plan analyzes existing conditions in the City, including physical, social, cultural, and environmental resources and opportunities. The General Plan also looks at trends, issues, and concerns that affect the region, includes City goals and objectives, and provides policies to guide development and change.
- **Anaheim Municipal Code:** The Anaheim Municipal Code is a set of laws governing the City of Anaheim and covers all aspects of City regulations, including zoning, permitted uses and standards, and various development requirements. Zoning district standards are also included in the code. Where applicable, code sections are referenced throughout the DEIR.

In each instance where a document is incorporated by reference for purposes of this report, the DEIR shall briefly summarize the incorporated document or briefly summarize the incorporated data if the document cannot be summarized. Chapter 13, *Bibliography*, provides a complete list of references used in preparing this DEIR.

2.5 FINAL EIR CERTIFICATION

This DEIR is being circulated for public review for 45 days. Interested agencies and members of the public are invited to provide written comments on the DEIR to the City address shown on the title page of this document. Upon completion of the 45-day review period, the City of Anaheim will review all written comments received and prepare written responses to these comments. A Final EIR (FEIR) will incorporate the received comments, responses to the comments, and any changes to the DEIR that result from comments. The FEIR will be presented to the Anaheim City Council for potential certification as the environmental document for the Proposed Project. All persons who comment on the DEIR will be notified of the availability of the FEIR and the date of all public hearings related to this Project.

The DEIR is available to the general public for review at various locations:

- City of Anaheim Planning and Building Department – 200 S. Anaheim Boulevard, Anaheim, CA 92805
- Canyon Hills Branch Library – 4763, 400 S Scout Trail, Anaheim, CA 92807
- East Anaheim Branch Library – 8201 E. Santa Ana Canyon Rd., Anaheim, CA 92808

The document is also available for review online at: <https://www.anaheim.net/876/Environmental-Documents>.

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2.6 MITIGATION MONITORING

Public Resources Code, Section 21081.6, requires that agencies adopt a mitigation monitoring or reporting program for any project for which it has made findings pursuant to Public Resources Code 21081 or adopted a Negative Declaration pursuant to 21080(c). Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR or Negative Declaration.

The Mitigation Monitoring Program for the Proposed Project will be completed as part of the Final EIR, prior to consideration of the Project by the Anaheim City Council.

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