

## 2. Introduction

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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 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 Beach Boulevard Specific Plan (Proposed 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 to make an informed decision regarding approval of the 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 project; and identifies mitigation measures to reduce or avoid adverse effects.

## 2. Introduction

### 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 April 13, 2017 (see Appendix A). A scoping meeting was held on April 27, 2017, to elicit comments on the scope of the DEIR. Table 2-1 summarizes the comments received during the scoping meeting and identifies the section(s) of this DEIR where the issues are addressed.

**Table 2-1 Scoping Meeting Comments Summary**

Summary of Comments and Questions	Response/Issue Addressed In:
<p>Commenter asked whether the City is coordinating with Caltrans to relinquish Beach Boulevard to the City of Anaheim.</p>	<p>The City is working with Caltrans now to process the Beach Boulevard relinquishment, and it is expected to be completed in approximately one year.</p>
<p>Commenter stated that the Westgate area has safety issues related to ground instability and is concerned the area is designated for commercial development under the Specific Plan.</p>	<p>The City acknowledged the ground instability hazard due to the area's former use as a landfill. Although it is in the Project Area, the Westgate site is being planned as a separate commercial project. The Specific Plan only designates the site for regional commercial development.</p>
<p>What is the difference between the Specific Plan's Neighborhood Commercial and Regional Commercial land use designations?</p>	<p>Neighborhood Commercial development areas are intended to provide for the daily shopping, dining, and service commercial needs of the surrounding neighborhoods and local residents. Allowed uses include retail and services such as grocery stores, specialty shops, small retail stores, hair salons, dry cleaners, restaurants, and coffee houses.</p> <p>The Regional Commercial designation is in the northern part of the Project Area and is intended to serve a larger market area than Neighborhood Commercial areas. Given the regional nature of the Beach Boulevard corridor and the tourism market to the north in Buena Park, this development area allows for large-scale commercial uses, specialty stores and restaurants, a theater, home goods stores, entertainment, commercial recreation, and hospitality uses that serve a broad area.</p>
<p>There is already a substantial number of apartments in the Project Area. The commenter is concerned that the Specific Plan allows too much additional housing.</p>	<ul style="list-style-type: none"> <li>• Section 5.10, <i>Population and Housing</i></li> </ul> <p>City staff also notified the commenter that the increase in residential development potential proposed under the Specific Plan would attract more retail, office, and mixed-use developers to the project area, which would help revitalize the corridor with economic development. A preliminary market analysis concluded that an increase in residential housing units and density would help attract the economic development that the City and residents are seeking for the Project Area.</p>
<p>Several commenters asked whether existing uses in the Project Area (i.e., motels, residences, and grocery stores) would be impacted by the Proposed Project.</p>	<p>If existing uses are redesignated to another land use designation that does not permit the current use, it would become a legal nonconforming use. The existing use would be able to continue operating as is, but if the property owner wants to redevelop the site, it would be required to conform to the proposed uses and development standards.</p>

## 2. Introduction

**Table 2-1 Scoping Meeting Comments Summary**

Summary of Comments and Questions	Response/Issue Addressed In:
<p>What will the proposed Mixed-Use Medium land use designation allow near Beach Boulevard and Orange Avenue? What would happen to existing businesses?</p>	<p>Mixed-Use Medium development areas are intended to allow flexibility for parcels that could transition from strip commercial uses to residential or a mix of residential, commercial, and office development. They allow residential in either a stand-alone or mixed-use configuration. A mix of commercial uses would continue to allow for a range of community-serving retail, office, and service commercial uses.</p> <p>Existing uses would become legal nonconforming and would remain as is. If the property owner wants to redevelop the existing business, the new development would have to comply with the proposed development standards of the Specific Plan.</p>
<p>Commenters are concerned about the increase in traffic generated by buildout of the Proposed Project, particularly along Beach Boulevard and Lincoln Avenue. There are also existing parking issues along Lincoln Avenue that would be exacerbated by the Proposed Project.</p>	<ul style="list-style-type: none"> <li>• Section 5.13, <i>Transportation and Traffic</i></li> </ul> <p>Parking is not analyzed under the California Environmental Quality Act and is regulated by the City of Anaheim parking requirements.</p>
<p>Commenters would like to see more public parks added to the Project Area and are concerned that existing parkland is already inadequate for the current population.</p>	<ul style="list-style-type: none"> <li>• Section 5.12, <i>Recreation</i></li> </ul>
<p>Commenter asked what the aesthetic impacts to the visual character of the existing environment would be if the Proposed Project were to be built out.</p>	<ul style="list-style-type: none"> <li>• Section 5.1, <i>Aesthetics</i></li> </ul>
<p>Commenter is concerned that the increase in residential and nonresidential development would cause adverse impacts to air quality and noise.</p>	<ul style="list-style-type: none"> <li>• Section 5.2, <i>Air Quality</i></li> <li>• Section 5.9, <i>Noise</i></li> </ul>
<p>What input has the City received from current business owners in the Project Area and from potential developers?</p>	<p>City staff stated that a developer roundtable was conducted to determine whether the Specific Plan, as currently proposed, would attract future residential and nonresidential developers to the Project Area. The Specific Plan has been crafted with the intent to attract and bolster economic development in the area.</p> <p>Additionally, workshops with property owners and motel owners were held along with the preparation of a motel demand to engage these stakeholders. Motel owners have been supportive of the Proposed Project and believe their businesses would benefit from the Proposed Project.</p>

In addition to the scoping meeting, the public had a 30-day public review period to comment on the Initial Study and NOP—from April 13 to May 12, 2017. Table 2-2 compiles the comment letters received from commenting agencies/persons during the NOP process and identifies the section(s) of the DEIR where the issues are addressed. All NOP comments received during the public review period are in Appendix B.

## 2. Introduction

**Table 2-2 NOP Written Comments Summary**

Commenting Agency/Person	Letter Dated	Summary of Comments	Issue Addressed In:
<b>Agencies</b>			
Orange County Public Works	4/21/2017	<ul style="list-style-type: none"> <li>• Requests a figure showing the Carbon Creek Channel Flood Control District facility (Facility No. B01) to identify potential impacts from the segment that runs through the Project Area.</li> <li>• The increase of impervious surfaces could cause runoff that would impact B01.</li> <li>• The segment of B01 that runs through the Project Area does not meet OCFCD's current design standards. Proposed improvement to drainage facilities will require consultation with the Manager, OCPW/Infrastructure Programs.</li> <li>• The City should review and approve all local hydrology and hydraulic analyses so that flood protection measures do not worsen existing conditions or shift problems elsewhere.</li> <li>• Hydrology and hydraulic analyses should be performed based on criteria of the Orange County Hydrology Manual and the Orange County Flood Control Design Manual</li> <li>• The City should ensure that floodplains are properly identified, and structures within flood hazard areas located outside the 100-year floodplain. The City must also require a FEMA Letter of Map Revision when grading.</li> <li>• Any work within OCFCD's right-of-way will require encroachment permits from the County, and all work within OCFCD right-of-way should not adversely affect OCFCD facilities.</li> <li>• Notes that the total acreage of the Flood Control Channel in the initial study changes between Table 1 and Table 2, and requests an explanation for the reduction.</li> <li>• Notes that mitigation measures should not rely solely on potential OCFCD improvement projects, as they may be delayed.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 5.7, <i>Hydrology and Water Quality</i></li> </ul>
California Department of Transportation	5/11/2017	<ul style="list-style-type: none"> <li>• Caltrans has submitted an application to conduct a corridor study for the SR-39.</li> <li>• Caltrans is currently partnering with the City to evaluate the potential relinquishment of SR-39 to the City within its jurisdictional boundaries.</li> <li>• Suggests mitigation measures to reduce impacts to vehicular and nonvehicular traffic such as the formation of a Transportation Management Association, or the funding of the proposed bicycle facilities from the Draft Anaheim Bicycle Master Plan.</li> <li>• Requests consideration of incorporating Complete Streets improvements within the Project Area.</li> <li>• Outlines the definition of a High Quality Transit Area, and notes that they should accommodate 40 percent of the region's household growth and over 50 percent of employment growth, according to SCAG.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 5.8, <i>Land Use and Planning</i></li> <li>• Section 5.14, <i>Transportation and Traffic</i></li> </ul>

## 2. Introduction

**Table 2-2 NOP Written Comments Summary**

Commenting Agency/Person	Letter Dated	Summary of Comments	Issue Addressed In:
		<ul style="list-style-type: none"> <li>• Consider improvements and improve access to transit stops, and encourage use of transit. Consider direct transit links to Metrolink and Amtrak rail services.</li> <li>• Specify specific land-use types and square footage when calculating trip generation rates. Requests that the state right-of-way and other roadway, traffic, transit, and parking features be mapped. All illustrations and projections should include AM and PM peak periods.</li> <li>• Assumptions and methodologies used to calculate Vehicle Miles Traveled should use the latest place-based research and should be included in the traffic study.</li> <li>• Any project work proposed within or adjacent to Caltrans R/W would require coordination with Caltrans and an encroachment permit.</li> <li>• All relinquished routes are still subject to State Outdoor Advertising Control. All currently permitted displays must maintain their permits, and any new proposed displays must apply for a permit.</li> </ul>	
Department of Conservation – Division of Oil, Gas, & Geothermal Resources	5/11/2017	<ul style="list-style-type: none"> <li>• Project Area is not within an administrative oil and gas field boundary. Division records indicate that at least one known oil and gas well is within the project boundaries.</li> <li>• If any wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required and the Division's district office must be contacted.</li> <li>• The Division recommends avoiding building over any plugged and abandoned wells.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 5.15, <i>Utilities and Service Systems</i></li> </ul>
Orange County Transportation Authority	5/11/2017	<ul style="list-style-type: none"> <li>• Requests that the City consider opportunities to improve east-west regional bikeways connectivity in the Project Area as part of the specific plan.</li> <li>• The Proposed Project should consider the planned six-lane expansion of a segment of Lincoln Avenue as it relates to future right-of-way needs.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 5.14, <i>Transportation and Traffic</i></li> </ul>
Southern California Association of Governments	5/12/2017	<ul style="list-style-type: none"> <li>• Analyze consistency with RTP/SCS goals and strategies for regional growth forecasts.</li> <li>• Mitigation measures.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 5.5, <i>Greenhouse Gas Emissions</i></li> </ul>

Note: Comments are in chronological order by the date received.

The NOP process helps determine the scope of the environmental issues to be addressed in the DEIR. Based on this process and the Initial Study, 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.

## 2. Introduction

### 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.

#### 2.3.1 Impacts Considered Less Than Significant

During preparation of the Initial Study, City of Anaheim determined that three 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.

- Agriculture and Forestry Resources
- Biological Resources
- Mineral Resources

#### 2.3.2 Potentially Significant Adverse Impacts

The City of Anaheim determined that 15 environmental factors have potentially significant impacts if the Proposed Project is implemented.

- Aesthetics
- Air Quality
- Cultural and Paleontological Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation

## 2. Introduction

- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems

### 2.3.3 Unavoidable Significant Adverse Impacts

This DEIR identifies three 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. The City must prepare a “statement of overriding considerations” before it can approve the project, 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 considered acceptable. The impacts that were found in the DEIR to be significant and unavoidable are:

- Air Quality
- Greenhouse Gas Emissions
- Transportation and Traffic

## 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. Introduction

### 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 for each. 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 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
- Haskett Public Library – 2650 Broadway Avenue, Anaheim, CA 92804
- Anaheim Public Library, Central Library – 500 W Broadway, Anaheim, CA 92805

The document is also available for review online at: [www.anaheim.net/improvethetheboulevard](http://www.anaheim.net/improvethetheboulevard).

### 2.6 MITIGATION MONITORING

Public Resources Code, Section 21081.6, requires that agencies adopt a 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 in conjunction with the Final EIR, prior to consideration of the project by the Anaheim City Council.