

of the DEIR. The table shows the highest daily emissions that would be generated over the anticipated development period.

Construction activities associated with development of the project could potentially exceed the SCAQMD regional threshold for VOC and NO_x. The primary source of NO_x emissions is vehicle and construction equipment exhaust. NO_x is a precursor to the formation of both O₃ and particulate matter (PM₁₀ and PM_{2.5}). VOC is a precursor to the formation of O₃. Project-related emissions of VOC and NO_x would contribute to the O₃, NO₂, PM₁₀, and PM_{2.5} nonattainment designations of the SoCAB. Therefore, project-related construction activities would result in significant regional air quality impacts.

Mitigation Measures:

- AQ-1 Applicants for new development projects in the Beach Boulevard Area Specific Plan that are subject to the California Environmental Quality Act (i.e., non-exempt projects) shall require the construction contractor to use equipment that meets the US Environmental Protection Agency (EPA) Tier 4 emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower, unless it can be demonstrated to the City of Anaheim that such equipment is not available. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine, as defined by the California Air Resources Board's regulations. Prior to issuance of any construction permits, documentation shall be provided by the applicant to the City of Anaheim that verifies, to the satisfaction of the City, the use of construction equipment as stated in this mitigation measure.
- AQ-2 Prior to issuance of grading, demolition or building permits whichever occurs first, the property owner/developer shall provide a list of all construction equipment proposed to be used on the project site for projects that are subject to the California Environmental Quality Act (i.e., non-exempt projects). This list may be provided on the building plans. The construction equipment list shall state the make, model, and equipment identification number of all the equipment.
- AQ-3 During construction activities, for projects that are subject to the California Environmental Quality Act (i.e., non-exempt projects), the construction contractors shall ensure that the equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations; and, that all nonessential idling of construction equipment is restricted to five minutes or less in compliance with Section 2449 of the California Code of Regulations, Title 13, Article 4.8, Chapter 9.
- AQ-4 Prior to issuance of a building permit for projects that subject to the California Environmental Quality Act (i.e., non-exempt projects), the property owner/developer shall require the construction contractor and provide a note on construction plans indicating that:

- a) All coatings and solvents will have a volatile organic compound (VOC) content lower than required under Rule 1113 (i.e., super-compliant paints).
- b) All architectural coatings shall be applied either by (1) using a high-volume, low-pressure spray method operated at an air pressure between 0.1 and 10 pounds per square inch gauge to achieve a 65 percent application efficiency; or (2) manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent applicant efficiency.
- c) The construction contractor shall also use precoated/natural colored building materials, where feasible.

The City shall verify compliance during normal construction site inspections.

Finding:

Mitigation Measures AQ-1 through AQ-4 are feasible and would reduce criteria air pollutant emissions from construction-related activities to the extent feasible. However, construction time frames and equipment for individual site-specific projects are not available and there is a potential for multiple developments to be constructed at any one time, resulting in significant construction-related emissions. Therefore, despite adherence to Mitigation Measures AQ-1 to AQ-4, Impact 5.2-2 would remain significant and unavoidable and a Statement of Overriding Considerations is required.

Impact 5.2-3: Buildout in accordance with the Proposed Project would generate long-term emissions that would exceed SCAQMD’s regional significance thresholds and cumulatively contribute to the nonattainment designations of the SoCAB. [Thresholds AQ-2 and AQ-3]

Table 5.2-10, *Beach Boulevard Specific Plan Maximum Daily Regional Operational Phase Emissions*, of the DEIR shows that due to the magnitude of the proposed growth, operation of the land uses accommodated under the Proposed Project at buildout would generate air pollutant emissions that exceed SCAQMD’s regional significance thresholds for VOC, NOx, CO, PM10, and PM2.5 at buildout. Emissions of VOC and NOx that exceed the SCAQMD regional threshold would cumulatively contribute to the O3 nonattainment designation of the SoCAB. Emissions of NOx that exceed SCAQMD’s regional significance thresholds would cumulatively contribute to the O3 and particulate matter (PM10 and PM2.5) nonattainment designations of the SoCAB. Emissions of PM10 and PM2.5 would contribute to the PM2.5 nonattainment designations. Therefore, the project would result in a potentially significant impact because it would significantly contribute to the nonattainment designations of the SoCAB.

Mitigation Measures:

Stationary Source

AQ-5 Prior to the issuance of building permits for new development projects in the Project Area, the project applicant shall show on the building plans that all major appliances (dishwashers, refrigerators, clothes washers, and dryers) to be provided/installed are Energy Star-certified appliances or appliances of equivalent

energy efficiency. Installation of Energy Star or equivalent appliances shall be verified by the City of Anaheim prior to the issuance of a Certificate of Occupancy.

Transportation and Motor Vehicles

AQ-6 Prior to issuance of building permits for non-single-family residential and mixed-use residential development projects in the Project Area, the project applicant shall indicate on the building plans that the following features have been incorporated into the design of the building(s). Proper installation of these features shall be verified by the City of Anaheim prior to the issuance of a Certificate of Occupancy.

- Electric vehicle charging shall be provided as specified in Section A4.106.8.2 (Residential Voluntary Measures) of the CALGreen Code.
- Bicycle parking shall be provided as specified in Section A4.106.9 (Residential Voluntary Measures) of the CALGreen Code.

AQ-7 Prior to the issuance of building permits for nonresidential development projects in the Project Area, project applicants shall indicate on the building plans that the following features have been incorporated into the design of the building(s). Proper installation of these features shall be verified by the City of Anaheim Building Division prior to the issuance of a Certificate of Occupancy.

- For buildings with more than ten tenant-occupants, changing/shower facilities shall be provided as specified in Section A5.106.4.3 (Nonresidential Voluntary Measures) of the CALGreen Code.
- Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1 (Nonresidential Voluntary Measures) of the CALGreen Code.
- Facilities shall be installed to support future electric vehicle charging at each non-residential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3 (Nonresidential Voluntary Measures) of the CALGreen Code.

Mitigation Measures T-1 and T-2 from Section 5.13, *Transportation and Traffic*, as listed below, would also reduce operational emissions of the Proposed Project.

T-1 Prior to the first final building and zoning inspection for any non-residential project generating 50 or more employees, the property owners/developer shall complete the following steps below to develop, implement and administer a comprehensive Transportation Demand Management (TDM) program.

- a) The property owner/developer shall provide to the City of Anaheim Public Works Department, for review and approval, a comprehensive TDM program that includes a menu of TDM program strategies and elements for both existing and future employees' commute options.

- b) The property owner/developer shall record a covenant on the property that requires ongoing implementation of the approved TDM program and designation of an on-site contact that will be responsible for coordinating the TDM program.
- c) The form of the covenant shall be approved by the City Attorney's Office prior to recordation.

T-2 Prior to the first final building and zoning inspection for any nonresidential project generating 50 or more employees, the property owner/developer shall participate in the Anaheim Transportation Network (ATN)/Transportation Management Association. The property owner/developer shall record a covenant on the property that requires ongoing participation in the program and designation of an on-site contact who will be responsible for coordinating and representing the project with the ATN. The form of the covenant shall be approved by the City Attorney's Office prior to recordation.

Finding:

Mitigation Measures AQ-5 would contribute in reducing criteria air pollutant emissions from stationary sources while Mitigation Measures AQ-6 and AQ-7 in addition to Mitigation Measures T-1 and T-2 would contribute in reducing mobile-source criteria air pollutant emissions to the extent feasible. However, due to the magnitude of emissions generated by residential, office, and commercial land uses, no mitigation measures are available that would reduce impacts below SCAQMD's thresholds. As a result, Impact 5.2-3 would remain significant and unavoidable and a Statement of Overriding Considerations is required.

Impact 5.2-5: Construction-related emissions with land uses accommodated under the Proposed Project could expose sensitive receptors to substantial concentrations of criteria air pollutants and toxic air contaminants. [Threshold AQ-4]

Construction Phase Localized Significance Thresholds (LSTs)

LSTs are the amount of project-related emissions at which localized concentrations (ppm or $\mu\text{g}/\text{m}^3$) would exceed the ambient air quality standards for criteria air pollutants for which the SoCAB is designated a nonattainment area. Buildout of the Proposed Project would occur over approximately 17 to 18 years or longer and would consist of several smaller projects with their own construction time frames and equipment. Per the LST methodology, information regarding specific development projects and the locations of receptors would be needed in order to quantify the levels of localized operation and construction-related impacts associated with future development projects. Because the Proposed Project is a broad-based policy plan, it is not possible to calculate individual, project-related, operation emissions at this time. The LST analysis can only be conducted at a project level; per SCAQMD methodology, quantification of LSTs is not applicable for this program-level environmental analysis. However, because potential development and redevelopment could occur close to existing sensitive receptors, the Proposed Project has the potential to expose sensitive receptors to substantial pollutant concentrations. Construction equipment exhaust combined

materials and tarp materials with a fabric cover or other cover that achieves the same amount of protection.

- d) During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day.
- e) During all construction activities, the construction contractor shall limit onsite vehicle speeds on unpaved roads to no more than 15 miles per hour.

The City shall verify compliance during normal construction site inspections.

Finding:

Mitigation measures AQ-1 to AQ-4 (applied for Impact 5.2-2) would reduce the Proposed Project's regional construction emissions and therefore, also result in a reduction of localized construction-related criteria air pollutant and TACs emissions to the extent feasible. In addition, Mitigation Measure AQ-8 would also contribute to reducing localized construction-related fugitive emissions. However, because existing sensitive receptors may be close to project-related construction activities, construction emissions generated by individual development projects have the potential to exceed SCAQMD's LSTs and health risk thresholds. Furthermore, because of the scale of development activity associated with buildout of the Proposed Project, it is not possible to determine whether the scale and phasing of individual development projects would result in the exceedance of the localized emissions thresholds and cancer risk and contribute to known health effects. Therefore, Impact 5.2-5, regarding construction-related localized impacts associated with buildout of the Proposed Project, would remain significant and unavoidable and a Statement of Overriding Considerations is required.

2. Greenhouse Gas Emissions

Impact 5.5-1: Although the Proposed Project at buildout would result in lower emissions per service population compared to existing conditions, it would exceed the forecast year-2035 GHG emissions efficiency metric significance threshold and would have a significant impact on the environment. [GHG-1]

Although implementation of the proposed Specific Plan under full buildout conditions would result in lower GHG emissions per service population compared to the existing conditions, the forecast year 2035 threshold of 2.4 MTCO_{2e} per service population per year would be exceeded in the Project Area. The increases in overall emissions would be attributable to the additional nonresidential and residential land uses proposed. In addition, an increase in service population would contribute to an increase in wastewater generation, water demand, and vehicle trips. New buildings would be more energy efficient, but there would be an overall increase in energy usage due to the magnitude of new building space that would be constructed. Overall, the Proposed Project's cumulative contribution to the long-term GHG emissions in the state would be considered potentially significant.

Mitigation Measures:

Mitigation Measures AQ-5 through AQ-7 from Section 5.2, *Air Quality*, apply here and would reduce GHG emissions of the Proposed Project.

Stationary Source

AQ-5 Prior to the issuance of building permits for new development projects in the Project Area, the project applicant shall show on the building plans that all major appliances (dishwashers, refrigerators, clothes washers, and dryers) to be provided/installed are Energy Star certified appliances or appliances of equivalent energy efficiency. Installation of Energy Star or equivalent appliances shall be verified by the City of Anaheim prior to the issuance of a Certificate of Occupancy.

Transportation and Motor Vehicles

AQ-6 Prior to issuance of building permits for non-single-family residential and mixed-use residential development projects in the Project Area, the project applicant shall indicate on the building plans that the following features have been incorporated into the design of the building(s). Proper installation of these features shall be verified by the City of Anaheim prior to the issuance of a Certificate of Occupancy.

- Electric vehicle charging shall be provided as specified in Section A4.106.8.2 (Residential Voluntary Measures) of the CALGreen Code.
- Bicycle parking shall be provided as specified in Section A4.106.9 (Residential Voluntary Measures) of the CALGreen Code.

AQ-7 Prior to the issuance of building permits for nonresidential development projects in the Project Area, project applicants shall indicate on the building plans that the following features have been incorporated into the design of the building(s). Proper installation of these features shall be verified by the City of Anaheim prior to the issuance of a Certificate of Occupancy.

- For buildings with more than 10 tenant-occupants, changing/shower facilities shall be provided as specified in Section A5.106.4.3 (Nonresidential Voluntary Measures) of the CALGreen Code.
- Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1 (Nonresidential Voluntary Measures) of the CALGreen Code.
- Facilities shall be installed to support future electric vehicle charging at each nonresidential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3 (Nonresidential Voluntary Measures) of the CALGreen Code.

Mitigation Measures T-1 and T-2 from Section 5.13, *Transportation and Traffic*, would also reduce operational emissions of the Proposed Project.

- T-1 Prior to the first final building and zoning inspection for any non-residential project generating 50 or more employees, the property owners/developer shall complete the following steps below to develop, implement and administer a comprehensive Transportation Demand Management (TDM) program.
- a) The property owner/developer shall provide to the City of Anaheim Public Works Department, for review and approval, a comprehensive TDM program that includes a menu of TDM program strategies and elements for both existing and future employees' commute options.
 - b) The property owner/developer shall record a covenant on the property that requires ongoing implementation of the approved TDM program and designation of an on-site contact that will be responsible for coordinating the TDM program.
 - c) The form of the covenant shall be approved by the City Attorney's Office prior to recordation.
- T-2 Prior to the first final building and zoning inspection for any nonresidential project generating 50 or more employees, the property owner/developer shall participate in the Anaheim Transportation Network (ATN)/Transportation Management Association. The property owner/developer shall record a covenant on the property that requires ongoing participation in the program and designation of an on-site contact who will be responsible for coordinating and representing the project with the ATN. The form of the covenant shall be approved by the City Attorney's Office prior to recordation.

Finding:

Incorporation of Mitigation Measures AQ-6 through AQ-7 would encourage and accommodate use of alternative-fueled vehicles and nonmotorized transportation and ensure that mobile-source GHG emissions from the buildout of the Proposed Project would be minimized. Mitigation Measures T-1 and T-2 would contribute to reducing VMT. In addition, Mitigation Measure AQ-5 would contribute to minimizing GHG emissions from the energy sector. However, additional federal, state, and local measures would be necessary to reduce GHG emissions under the Proposed Project to meet the long-term GHG reduction goals of Executive Order S-03-05 and SB 32. Although the emissions per service population would improve from implementation of the Proposed Project—from the current 6.80 MTCO₂e/SP to 4.53 MTCO₂e/SP—it would exceed the forecast year 2035 efficiency target of 2.4 MTCO₂e/SP. As stated, CARB's Draft 2017 Scoping Plan identifies additional state strategies to achieve the 2030 target established under SB 32. It also outlines strategies to be on a trajectory to achieve the 2050 target identified under Executive Order S-03-05 although it is estimated that the state cannot meet the 2050 goal without major advances in technology (CCST 2012). Since no additional statewide measures are currently available, Impact 5.5-1 would remain significant and unavoidable and a Statement of Overriding Considerations is required.

3. Transportation/Traffic

Impact 5.13-1: The Proposed Project would result in significant intersection peak hour impacts and roadway segment impacts under the existing 2016 Plus Project scenario. [Threshold T-1]

Intersection Levels of Service – Existing 2016 Plus Project Scenario

Intersection LOS results for Existing (2016) Plus Project Conditions are summarized in Table 5.13-6 of the DEIR. As shown in Table 5.13-6, all of the intersections are forecast to operate at an acceptable LOS except:

- Beach Boulevard & Lincoln Avenue (LOS D in AM and PM peak hours according to Caltrans criteria)
- Beach Boulevard & Orange Avenue (LOS D in AM and PM peak hours according to Caltrans criteria)
- Beach Boulevard & Ball Road (LOS D in AM and PM peak hours according to Caltrans criteria)
- Beach Boulevard & Cerritos Avenue (LOS D in AM and PM peak hours according to Caltrans criteria)
- Beach Boulevard & Katella Avenue (LOS D in AM and PM peak hours according to Caltrans criteria)

Roadway Segment Analysis – Existing 2016 Plus Project Scenario

As shown in Table 5.13-9 of the DEIR, the addition of project traffic would cause the following Caltrans impacts at the four study roadway segments:

- Beach Boulevard between Crescent Avenue and Lincoln Avenue (The addition of project traffic degrades the roadway segment from LOS D to F according to Caltrans criteria)
- Beach Boulevard between Lincoln Avenue and Orange Avenue (The addition of project traffic degrades the roadway segment from LOS D to E according to Caltrans criteria)
- Beach Boulevard between Orange Avenue and Ball Road (The addition of project traffic degrades the roadway segment from LOS D to E according to Caltrans criteria)
- Beach Boulevard between Ball Road and Cerritos Avenue (The addition of project traffic degrades the roadway segment from LOS D to E according to Caltrans criteria)

Mitigation Measures:

T-1 Prior to the first final building and zoning inspection for any non-residential project generating 50 or more employees, the property owners/developer shall complete the following steps below to develop, implement and administer a comprehensive Transportation Demand Management (TDM) program.

- a) The property owner/developer shall provide to the City of Anaheim Public Works Department, for review and approval, a comprehensive TDM program

that includes a menu of TDM program strategies and elements for both existing and future employees' commute options.

- b) The property owner/developer shall record a covenant on the property that requires ongoing implementation of the approved TDM program and designation of an on-site contact that will be responsible for coordinating the TDM program.
- c) The form of the covenant shall be approved by the City Attorney's Office prior to recordation.

T-2 Prior to the first final building and zoning inspection for any nonresidential project generating 50 or more employees, the property owner/developer shall participate in the Anaheim Transportation Network (ATN)/Transportation Management Association. The property owner/developer shall record a covenant on the property that requires ongoing participation in the program and designation of an on-site contact who will be responsible for coordinating and representing the project with the ATN. The form of the covenant shall be approved by the City Attorney's Office prior to recordation.

T-3 Prior to issuance of the first building permit for each building, the property owner/developer shall pay all applicable transportation impact fees to the City of Anaheim in amounts determined by the City Council Resolution in effect at the time of issuance of the building permit, with credit given for City-authorized improvements provided by the property owner/developer; the property owner/developer shall participate in all applicable reimbursement or benefit districts that have been established.

T-4 Prior to issuance of building permits for any project forecast to generate 100 or more peak hour trips, as determined by the City Traffic and Transportation Manager using Anaheim Traffic Analysis Model Trip Generation Rates, the property owner/developer shall submit to the City Traffic and Transportation Manager traffic improvement phasing analyses to identify when the improvements identified in the Beach Boulevard Specific Plan EIR Traffic Impact Analysis by Fehr & Peers, dated August 2018 (Appendix F of this DEIR), shall be designed and constructed.

- a) The traffic improvement phasing analyses will specify the timing funding, construction, and fair-share responsibilities for all traffic improvements necessary to maintain satisfactory levels of service in the City of Anaheim and surrounding jurisdictions, as defined by the City's General Plan, based on thresholds of significance, performance standards, and methodologies in EIR No. 350 and established in the Orange County Congestion Management Program and City of Anaheim Traffic Study Guidelines.
- b) The property owner/developer shall construct, bond for, or enter into a funding agreement for necessary circulation system improvements, as determined by the City. At minimum, fair-share calculations shall include intersection improvements, rights-of-way, and construction

costs, unless alternative funding sources have been identified to help pay for the improvement.

- T-5 Prior to first final building and zoning inspection, in conjunction with the preparation of any traffic improvement phasing analyses required by Mitigation Measure T-4, the property owner/developer shall implement traffic improvements to maintain satisfactory levels of service, as identified in the project traffic improvement phasing analysis.
- T-6 Prior to issuance of building permits, in conjunction with the preparation of any traffic improvement phasing analyses required by Mitigation Measure T-4, the property owner/developer, in coordination with the City of Anaheim shall take the following actions in cooperation with the cities of Buena Park and Stanton:
- a) The traffic improvement phasing analysis shall identify any impacts created by the project on facilities in the cities of Buena Park or Stanton.
 - b) The traffic improvement phasing analysis shall calculate the fair-share percentage responsibility for mitigating these impacts.
 - c) The City of Anaheim shall estimate the cost of the project's fair-share responsibility in cooperation with the cities of Buena Park and Stanton.
 - d) The property owner/developer shall pay the City of Anaheim the fair-share cost prior to issuance of a building permit.
 - e) The City of Anaheim shall hold the amount received in trust, and once a mutually agreed-upon joint program is executed by both cities, the City of Anaheim shall allocate the fair-share contribution to traffic mitigation programs that result in improved traffic flow at the impacted locations, via an agreement mutually acceptable to both cities.

Finding:

Implementation of Mitigation Measures T-1 through T-7 would reduce impacts to all intersections and segments to operate at acceptable levels of service. All impacted intersections that are located in the City of Anaheim and require operational improvements would be reduced to a less than significant level. However, as shown in Table 5.13-6 and 5.13-7, although recommended, not all identified improvements are feasible due to right-of-way constraints, or guaranteed to be implemented due to jurisdictional constraints. Inasmuch as the primary responsibility for approving and/or completing certain improvements outside of Anaheim lies with agencies other than the City of Anaheim (i.e., cities of Buena Park and Stanton, or Caltrans), there is the potential that significant impacts may not be fully mitigated if such improvements are not completed for reasons beyond the City of Anaheim's control (e.g., the City of Anaheim cannot undertake or require improvements outside of Anaheim's jurisdiction). Should that occur, the project's traffic impact would remain

significant. As a result, Impact 5.13-1 would remain significant and unavoidable and a Statement of Overriding Considerations is required.

Impact 5.13-2: The Proposed Project would result in significant intersection peak hour impacts and roadway segment impacts under the Forecast Year 2035 General Plan Buildout Plus Project scenario compared to the Forecast Year 2035 General Plan Buildout scenario. [Thresholds T-1 and T-2]

General Plan Buildout Year (2035) Plus Project Intersection Impacts

As shown in Table 5.13-14 of the DEIR, the addition of project traffic would cause the following Caltrans, City of Buena Park, and City of Anaheim impacts:

- Beach Boulevard & Orange Avenue (The addition of project traffic degrades the intersection operations from LOS D to E in the AM peak hour according to Caltrans criteria)
- Beach Boulevard & Ball Road (The project adds traffic to the intersection already operating at LOS E in the AM and PM peak hours according to Caltrans criteria)
- Beach Boulevard & Katella Avenue (The project adds traffic to the intersection already operating at LOS D in the PM peak hour according to Caltrans criteria)
- Knott Avenue & Lincoln Avenue (The addition of project traffic increases the V/C ratio at intersections operating at LOS E in the AM peak hour and LOS F in the PM peak hour according to City of Anaheim and Buena Park criteria)

Per Caltrans criteria, since the delay was not increased at the intersection, a significant impact was not designated at the intersection of Beach Boulevard and Cerritos Avenue. Per the City of Buena Park impact criteria, since the increase in V/C is less than 0.02 at the intersection operating below the acceptable LOS, a significant impact was not designated at the intersection of Valley View Street and Lincoln Avenue.

General Plan Buildout Year (2035) Plus Project Roadway Segment Impacts

As shown in Table 5.13-15 of the DEIR, the addition of project traffic would cause the following Caltrans impacts at the four study roadway segments:

- Beach Boulevard between Crescent Avenue and Lincoln Avenue (The addition of project traffic degrades the roadway segment from LOS E to F according to Caltrans criteria)
- Beach Boulevard between Lincoln Avenue and Orange Avenue (The project adds traffic to the roadway segment operating at LOS D according to Caltrans criteria)
- Beach Boulevard between Orange Avenue and Ball Road (The project adds traffic to the roadway segment operating at LOS D according to Caltrans criteria)
- Beach Boulevard between Ball Road and Cerritos Avenue (The project adds traffic to the roadway segment operating at LOS D according to Caltrans criteria)

Mitigation Measures:

See Mitigation Measures T-1 through T-7.

Finding:

Implementation of Mitigation Measures T-1 through T-7 would reduce impacts to all intersections and segments to operate at acceptable levels of service. However, as shown in Table 5.13-14 and 5.13-15, although recommended, not all identified improvements are feasible due to right-of-way constraints, or guaranteed to be implemented due to jurisdictional constraints. Inasmuch as the primary responsibility for approving and/or completing certain improvements outside of Anaheim lies with agencies other than the City of Anaheim (i.e., cities of Buena Park and Stanton, or Caltrans), there is the potential that significant impacts may not be fully mitigated if such improvements are not completed for reasons beyond the City of Anaheim's control (e.g., the City of Anaheim cannot undertake or require improvements outside of Anaheim's jurisdiction). Should that occur, the project's traffic impact would remain significant. As a result, Impact 5.13-2 would remain significant and unavoidable and a Statement of Overriding Considerations is required.

IV. ALTERNATIVES TO THE PROPOSED PROJECT**A. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS**

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the EIR.

Alternative Development Areas

The adopted General Plan already allows a significant amount of residential and non-residential development within the Project Area. However, there have been several impediments to infill development and redevelopment of vacant and underutilized parcels in the West Anaheim area. The main objective of the project is to revitalize the Project Area as a safe, attractive, and economically thriving corridor in the heart of West Anaheim. This would not be achieved by adopting a specific plan in another area of the City. Consistent with the supreme court's interpretation of the role of the General Plan in framing CEQA alternatives analysis, and in consideration of the General Plan Update, no alternative sites within the jurisdiction of the City are considered to be feasible alternatives to the Proposed Project, since they would not achieve the main objective of the Project. Therefore, an alternative site could not feasibly accomplish most of the basic objectives of the Proposed Project, and thus there are no available alternative sites which could accommodate the Proposed Project.

B. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

The following alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the project but avoid or substantially lessen any of the significant effects of the project.

No Project/Existing Specific Plans Alternative

This alternative, which is required by CEQA, assumes that the existing General Plan and Zoning designations would remain unchanged. The Project Area currently contains approximately 1.3 million square feet of non-residential land uses and 1,477 dwelling units. Under this alternative the Project

Area would be developed to the maximum buildout potential under the current General Plan and Zoning designations. Under this alternative, an additional 2,158,204 square feet of non-residential land uses and 1,039 additional dwelling units would be developed within the Project Area.

Finding:

The City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers and the need to achieve a good balance of allowable land uses and densities that will create the right market conditions to encourage private investment in the project area, make the No Project/Existing Specific Plans Alternative infeasible. [Pub. Res. Code 21081(a)(3); Guidelines §15091(a)(3)]

Facts in Support of Finding

- This alternative would not meet any of the project objectives.
- As summarized in Table 7-2 of the DEIR, this alternative would lessen impacts to public services. Impacts related to cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, tribal cultural resources, and utilities and service systems would be similar to the Proposed Project. Greater impacts are anticipated for aesthetics, land use and planning, and population and housing. Significant and unavoidable impacts related to air quality, GHG emissions, and transportation and traffic would be increased.

Increased Commercial Use Alternative

Under the Increased Commercial Use Alternative, 4.3 acres from the mixed-use medium uses allowed on the Westgate site (located on the northeast corner of Beach Boulevard and Lincoln Avenue) would be converted to regional commercial uses, allowing only commercial uses. Under this alternative, the total regional commercial uses would increase from 380,000 square feet to 483,298 square feet, whereas the non-residential uses and the number of residential units from the mixed use medium uses would decrease from 210,575 square feet to 190,575 square feet, and 605 unit to 450 units, respectively. This conversion would keep the total number of ADT the same as under the Proposed Project (77,256 ADT for both the Proposed Project and the Increased Commercial Use Alternative). The jobs housing ratio under this alternative would improve from 1.08 (Proposed Project) to 1.15 (Increased Commercial Use Alternative) within the Specific Plan area.

Finding:

The City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers and the need to achieve a good balance of allowable land uses and densities that will create the right market conditions to encourage private investment in the project area, make the Increased Commercial Use Alternative infeasible. [Pub. Res. Code 21081(a)(3); Guidelines §15091(a)(3)]

Facts in Support of Finding

- This alternative would meet all of the objectives of the Proposed Project.

- As summarized in Table 7-3 of the DEIR, this alternative would slightly increase impacts to population and housing, public services. Population and housing impacts would be reduced slightly. Impacts to all other issue areas would be similar to the Proposed Project. Significant and unavoidable impacts related to air quality, GHG emissions, and transportation and traffic would still occur.

Residential Development Cap Alternative

The Residential Development Cap Alternative would not change the proposed specific plan designations. However, a residential development cap would be added to Table 4-1 in the specific plan to limit the number of residential units within the specific plan area to 2,500 dwelling units. Non-residential square footage would remain the same as under the Proposed Project. This alternative would reduce overall ADT from 77,256 to 62,418, a 20 percent decrease in total trips generated within the specific plan area compared to the Proposed Project. The intent of this alternative is to reduce the air quality, GHG emissions, and traffic impacts associated with implementation of the Proposed Project while achieving the basic objectives of the Proposed Project.

Finding:

The City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers and the need to achieve a good balance of allowable land uses and densities that will create the right market conditions to encourage private investment in the project area, make the Residential Development Cap Alternative infeasible. [Pub. Res. Code 21081(a)(3); Guidelines §15091(a)(3)]

Facts in Support of Finding

- This alternative would meet some of the project objectives, but not to the same extent as the Proposed Project.
- As summarized in Table 7-4 of the DEIR, this alternative would decrease impacts to air quality, GHG, noise, public services, transportation and traffic, and utilities and service systems. Impacts to aesthetics and population and housing would be increased. Impacts to all other issue areas would be similar to the Proposed Project. However, significant and unavoidable impacts related to air quality, GHG emissions, and transportation and traffic would still occur.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires decision makers to balance the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered “acceptable” (State CEQA Guidelines Section 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (State CEQA Guidelines Section 15093 [b]). The agency’s statement is referred to as a “Statement of Overriding Considerations.” The following sections provide a description of each of the project’s significant and unavoidable adverse impacts and the justification for adopting a statement of overriding considerations.

A. Significant and Unavoidable Adverse Impacts

Pursuant to Public Resources Code Section 21081(b) and Guidelines Section 15093, the City has balanced the benefits of the Proposed Project against the following unavoidable adverse impacts associated with the Proposed Project and has adopted all feasible mitigation measures with respect to these impacts: (1) Air Quality, (2) Greenhouse Gas Emissions and (3) Transportation/Traffic. The City also has examined alternatives to the Proposed Project, none of which both meets the Project objectives to the same extent as the Proposed Project, and is environmentally preferable to the Proposed Project.

The City declares that it has adopted mitigation measures to reduce all of the Proposed Project's environmental impacts to an insignificant level, other than the following:

Air Quality

Impact 5.2-1

Components of and improvements proposed under the Proposed Project would contribute to minimize criteria air pollutant emissions from transportation and energy use. In addition, mitigation measures applied for Impact 5.2-3 would also further reduce the project’s regional operational phase criteria air pollutant emissions to the extent feasible. However, given the potential increase in growth and associated increase in criteria air pollutant emissions, the project would continue to be potentially inconsistent with the assumptions in the AQMP. Therefore, Impact 5.2-1 would remain significant and unavoidable.

Impact 5.2-2

Mitigation Measures AQ-1 through AQ-4 are feasible and would reduce criteria air pollutant emissions from construction-related activities to the extent feasible. However, construction time frames and equipment for individual site-specific projects are not available and there is a potential for multiple developments to be constructed at any one time, resulting in significant construction-related emissions. Therefore, despite adherence to Mitigation Measures AQ-1 to AQ-4, Impact 5.2-2 would remain significant and unavoidable.

Impact 5.2-3

Mitigation Measures AQ-5 would contribute in reducing criteria air pollutant emissions from stationary sources while Mitigation Measures AQ-6 and AQ-7 in addition to Mitigation Measures T-1 and T-2 would contribute in reducing mobile-source criteria air pollutant emissions to the extent feasible. However, due to the magnitude of emissions generated by residential, office, and commercial land uses, no mitigation measures are available that would reduce impacts below SCAQMD's thresholds. As a result, Impact 5.2-3 would remain significant and unavoidable and a Statement of Overriding Considerations is required.

Impact 5.2-5

Mitigation measures AQ-1 to AQ-4 (applied for Impact 5.2-2) would reduce the Proposed Project's regional construction emissions and therefore result in a reduction of localized construction-related criteria air pollutant and TACs emissions to the extent feasible. In addition, Mitigation Measure AQ-8 would also contribute to reducing localized construction-related fugitive emissions. However, because existing sensitive receptors may be close to project-related construction activities, construction emissions generated by individual development projects have the potential to exceed SCAQMD's LSTs and health risk thresholds. Furthermore, because of the scale of development activity associated with buildout of the Proposed Project, it is not possible to determine whether the scale and phasing of individual development projects would result in the exceedance of the localized emissions thresholds and cancer risk and contribute to known health effects. Therefore, Impact 5.2-5, regarding construction-related localized impacts associated with buildout of the Proposed Project, would remain significant and unavoidable.

Greenhouse Gas Emissions

Impact 5.5-1

Incorporation of Mitigation Measures AQ-6 through AQ-7 would encourage and accommodate use of alternative-fueled vehicles and nonmotorized transportation and ensure that mobile-source GHG emissions from the buildout of the Proposed Project would be minimized. Mitigation Measures T-1 and T-2 would contribute to reducing VMT. In addition, Mitigation Measure AQ-5 would contribute to minimizing GHG emissions from the energy sector. However, additional federal, state, and local measures would be necessary to reduce GHG emissions under the Proposed Project to meet the long-term GHG reduction goals of Executive Order S-03-05 and SB 32. Although the emissions per service population would improve from implementation of the Proposed Project—from the current 6.80 MTCO_{2e}/SP to 4.53 MTCO_{2e}/SP—it would exceed the forecast year 2035 efficiency target of 2.4 MTCO_{2e}/SP. As stated, CARB's Draft 2017 Scoping Plan identifies additional state strategies to achieve the 2030 target established under SB 32. It also outlines strategies to be on a trajectory to achieve the 2050 target identified under Executive Order S-03-05 although it is estimated that the state cannot meet the 2050 goal without major advances in technology (CCST 2012). Since no additional statewide measures are currently available, Impact 5.5-1 would remain significant and unavoidable.

Transportation and Traffic

Impact 5.13-1

Implementation of Mitigation Measures T-1 through T-7 would reduce impacts to all intersections and segments to operate at acceptable levels of service. All impacted intersections that are located in the City of Anaheim and require operational improvements would be reduced to a less than significant level. However, as shown in Table 5.13-6 and 5.13-7, although recommended, not all identified improvements are feasible due to right-of-way constraints, or guaranteed to be implemented due to jurisdictional constraints. Inasmuch as the primary responsibility for approving and/or completing certain improvements outside of Anaheim lies with agencies other than the City of Anaheim (i.e., cities of Buena Park and Stanton, or Caltrans), there is the potential that significant impacts may not be fully mitigated if such improvements are not completed for reasons beyond the City of Anaheim's control (e.g., the City of Anaheim cannot undertake or require improvements outside of Anaheim's jurisdiction). Should that occur, the project's traffic impact would remain significant. As a result, Impact 5.13-1 would remain significant and unavoidable.

Impact 5.13-2

Implementation of Mitigation Measures T-1 through T-7 would reduce impacts to all intersections and segments to operate at acceptable levels of service. However, as shown in Table 5.13-14 and 5.13-15, although recommended, not all identified improvements are feasible due to right-of-way constraints, or guaranteed to be implemented due to jurisdictional constraints. Inasmuch as the primary responsibility for approving and/or completing certain improvements outside of Anaheim lies with agencies other than the City of Anaheim (i.e., cities of Buena Park and Stanton, or Caltrans), there is the potential that significant impacts may not be fully mitigated if such improvements are not completed for reasons beyond the City of Anaheim's control (e.g., the City of Anaheim cannot undertake or require improvements outside of Anaheim's jurisdiction). Should that occur, the project's traffic impact would remain significant. As a result, Impact 5.13-2 would remain significant and unavoidable.

Impact 5.13-3

The analysis indicates that one roadway segment, Beach Blvd between Crescent Avenue & Lincoln Avenue, is forecast to degrade from LOS D to LOS F with the addition of project traffic under the Existing (2016) Plus Project scenario, resulting in a CMP impact. In order to mitigate the impact to acceptable LOS C, two additional travel lanes are required in each direction. However, the corridor is currently built out to General Plan capacity and would require right-of-way acquisition by the City. The roadway is also under Caltrans jurisdiction, and the City of Anaheim cannot guarantee that the improvements would be implemented. Further, the provision of additional travel lanes on Beach Boulevard is inconsistent with the vision, goals and policies of the Specific Plan. Therefore Impact 5.13-3 is considered significant and unavoidable.

B. CONSIDERATIONS IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS

The following section describes the benefits of the project that outweigh the project's unavoidable adverse effects and provides specific reasons for considering the project acceptable even though the Final EIR has indicated that there will be significant project impacts that are infeasible to mitigate.

Economic Growth: Originally serving as the only north-south route with direct access to the coastal cities of Orange County, Beach Boulevard was once known as the "Road to Summer." Significant development occurred along the corridor in the City of Anaheim during the 1960s and 1970s to serve tourists visiting area beaches and amusement parks. Over time, I-5, SR-55, SR-73, and SR-133 provided alternative access to Orange County's beach communities, and Beach Boulevard is no longer the primary tourist-oriented connection to the Orange County coast. However, it remains a state highway and is a Caltrans-owned facility. Existing uses in the Project Area include hospitality, commercial, residential, office, recreational, and institutional. There are approximately 35 acres of vacant land. The Proposed Project would establish a community-driven vision supported by new development standards, permitted and prohibited uses, design guidelines, sustainable practices, economic development incentives, and capital improvements that improve the quality of life for all future users of the corridor. The Proposed Project includes commercial, office and mixed-use designations to encourage high quality companies to relocate, expand or start up in the Project Area, particularly in the City-identified "Areas of Change". This includes, but is not limited to, the existing West Anaheim Medical Center and the surrounding properties, the existing 30-acre property at the northeast corner of Beach Boulevard and Lincoln Avenue (that is designated Mixed-Use Medium and Regional Commercial and is considered a catalyst project to encourage residential uses and high quality restaurants, retail and other services), and the row of motels mainly located along the west side of Beach Blvd, north of Ball Road and south of Orange Avenue that is designated Medium Density Residential. The Proposed Project also includes an implementation section that will provide incentives to further encourage economic growth in the area. Implementation of the Proposed Project would better position existing businesses and future businesses to respond to market trends and competitive pressure from other areas and would allow the City to engage in effective incentives for local business community to help foster economic vitality and establish strategies to attract quality, long-term jobs. Therefore, the Proposed Project would promote economic growth in the Beach Boulevard Area.

Provides Employment Opportunities for Highly Skilled Workers: The implementation of the Proposed Project will provide employment opportunities for a highly skilled workforce, especially opportunities within the trades and construction industries during the construction phase of development projects. Further, the Proposed Project places employment centers along Beach Boulevard and provides a set of economic development strategies for high quality (not quantity) "living wage" companies to relocate, expand, or start up within the Project Area.

Reduce Vehicle Miles Traveled: Beach Boulevard and Lincoln Avenue are identified as high quality transit areas by the Southern California Association of Governments (SCAG), with bus service at 15-minute headways. The Proposed Project would expand opportunities for active transportation (non-motorized transportation, such as bicycling and walking), housing near and/or within employment centers, retail commercial uses in or near residential areas and employment,

additional high-density and/or mixed-use development along major transit corridors and/or transit stops, reducing reliance on automobiles, and therefore, having positive impact on the overall vehicle miles traveled in compliance with Senate Bill (SB) 375.

Sustainability: The Proposed Project would promote citywide sustainability by encouraging growth in a manner that reduces greenhouse gas emissions and encourages green buildings. The Proposed Project also includes implementation items to support sustainability, including incentives to construct or redevelop properties aligned with Green Building Standards. The Proposed Project would further market and expand existing programs that incentivizes a diverse spectrum of energy and water systems and services, ranging from systematic energy audits, lighting retrofits, water conservation strategies, renewable energy utilization, and new construction and customized energy reduction strategies.

Provision of Needed Housing: The number of housing units in the Project Area would increase from 1,477 to 5,128 dwelling units, an increase of 3,651 units. The existing job per housing unit ratio within Project Area is 1.1, and at buildout, the Project Area would have a ratio of 1.08. Therefore, although the Proposed Project would result in direct and indirect growth in the area, the Proposed Project would be generally consistent with SCAG's growth management policies that aim to better coordinate infrastructure development with projected population, housing, and employment growth. The Proposed Project would create roughly the same balance in the Project Area. With or without the Proposed Project, Orange County is expected to become slightly more jobs-rich. The City of Anaheim is also projected to become more jobs-rich, with jobs-housing ratios of 1.87 by 2020, 1.96 by 2030, and 1.92 by 2040. Implementation and buildout of the Proposed Project would result in a slightly more balanced ration of 1.90 by 2040, compared to citywide growth without the Proposed Project. The Proposed Project would also present opportunities for the City to meet its Regional Housing Needs Assessment (RHNA) allocation and better house the substantial amount of people working in the City, particularly low-income people.

Implements the Objectives Established for the Project: The following objectives have been established for the Beach Boulevard Specific Plan. The implementation of these project objectives is a legal prerogative of the City.

1. Revitalize the Project Area as a safe, attractive, and economically thriving corridor in the heart of West Anaheim.
2. Remove significant barriers to infill development and promote the reuse and redevelopment of existing vacant and underutilized properties along the Beach Boulevard corridor.
3. Streamline the project approval process.
4. Improve the physical image and brand the corridor to help attract reinvestment, new investment, and quality retail, dining, and entertainment uses.
5. Incentivize development and relocation of high quality businesses to the corridor.
6. Create quality employment opportunities by strengthening the overall economic base of the area.

7. Encourage a balanced mix of uses including a variety of housing types consistent with the City's adopted Housing Element.
8. Facilitate the Caltrans relinquishment process to assume control of the right-of-way along Beach Boulevard within the City limits to streamline the project approval process and implement landscaping, median, and driveway entrance improvements.
9. Foster development that reduce vehicle miles traveled by promoting alternative to driving, such as walking, biking, and use of mass transit.
10. Create additional gathering and recreation areas and opportunities.
11. Promote sustainable development and infrastructure design.
12. Meet state and regional sustainability mandates.

Conclusion

For the foregoing reasons, the implementation of the Beach Boulevard Specific Plan and the associated project action will contribute toward maintaining the Beach Boulevard area as a major employment center while improving the physical image of the public realm and complying with regional sustainability regulations and mandates, all of which outweigh the unavoidable environmental impacts.