

5. Environmental Analysis

5.13 PUBLIC SERVICES

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential impacts to fire protection and emergency services, police protection, school services, and library services in the City of Laguna Niguel (City) from implementation of the Laguna Niguel City Center Mixed Use Project (proposed project). Park services are addressed in Section 5.14, *Recreation*. Public and private utilities and service systems, including water, wastewater, and solid waste services and systems, are addressed in Section 5.17, *Utilities and Service Systems*.

5.13.1 Fire Protection and Emergency Services

5.13.1.1 ENVIRONMENTAL SETTING

Regulatory Background

International Fire Code

The International Fire Code includes specialized technical fire and life safety regulations that apply to the construction and maintenance of buildings and land uses. Topics addressed in the code include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire safety requirements for new and existing buildings.

State

California Health and Safety Code

State fire regulations include regulations for building standards (also in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training (California Health and Safety Code Sections 13000 et seq.).

California Fire Code

The California Fire Code (CFC) is based on the 2018 International Fire Code and includes amendments from the State of California fully integrated into the code (California Code of Regulations [CCR] Title 24, Part 9). The CFC contains fire-safety-related building standards that are referenced in other parts of CCR Title 24. The CFC is updated once every three years, and the 2019 CFC took effect on January 1, 2020.

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Local

Laguna Niguel Municipal Code

The Laguna Niguel Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the Laguna Niguel General Plan and proposed development projects. Division 3 Sec. 11-3-1 adopts the 2019 California Fire Code and the 2018 International Fire Code.

Laguna Niguel Emergency Management Plan

The emergency management plan provides guidance for Laguna Niguel's response to extraordinary emergency situations during natural disasters, technological incidents, and national security emergencies. This plan determines the actions to be taken by the City to prevent disasters where possible, reduce the vulnerability of residents, protect citizens from the effects of disasters, respond effectively to actual disasters, and provide for recovery in the aftermath of an emergency.

Laguna Niguel General Plan - Public Facilities Element

The following goals and policies of the Public Facilities Element are related to fire protection services and apply to the proposed project.

- **Goal 4:** A community that is protected from the hazards of fire.
- **Policy 4.1.** Cooperate with the County of Orange to ensure that adequate facilities and fire service personnel are maintained to provide acceptable levels of service.
- **Policy 4.2.** Require all buildings located within the City to adhere to fire safety codes.
- **Policy 4.3.** Enforce fire inspection, code compliance, and weed abatement programs.
- **Policy 4.4.** Establish requirements for fire-resistant roofing materials for areas subject to wildland fire hazards.

Existing Conditions

The City partners with the Orange County Fire Authority (OCFA) for fire and emergency medical services. OCFA is a joint powers authority, which enables multiple cities to contract its services under Section 6502 of the California Government Code. This authority protects over 1.5 million residents via 71 fire stations throughout Orange County. OCFA provides comprehensive emergency services to the residents of Laguna Niguel through a regional approach. Laguna Niguel is part of OCFA's Division 3 and Division 5, which encompasses the southern and eastern areas of Orange County.

OCFA is an “all risk” emergency response provider. It primarily responds to medical and fire emergencies, but also to a wide range of other emergencies, such as hazardous materials spills, floods, water rescues, earthquakes, bomb threats, terrorism, etc.

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Stations, Equipment, and Staffing

OCFA has three stations in Laguna Niguel, and each station's community service area encompasses its immediate geographical area. In total, OCFA's Laguna Niguel stations are staffed with 36 full-time employees, including 9 fire captains, 9 engineers, 12 firefighters, and 6 firefighter paramedics (Contreras 2020). Appendix K to this DEIR contains the responses from OCFA regarding stations, staff, and response times. The three stations are listed in Table 5.13-1 and shown on Figure 5.13-1, *Public Services*.

Table 5.13-1 OCFA Stations Serving the Project Site

Station	Location	Distance to Project Site	Equipment	Total Staffing	Daily Staffing
OCFA Station 5	23600 Pacific Island Drive	Adjacent to northern project boundary	Fire Engine E5/E105 (cross-staffed)	3 Fire Captains 3 Engineers 6 Firefighter Paramedics	1 Fire Captain 1 Engineer 2 Firefighter Paramedics
OCFA Station 39	24241 Avila Road	2.8 miles	Fire Engine E39/E339 (cross-staffed)	3 Fire Captains 3 Engineer Paramedics 3 Firefighter Paramedics 3 Firefighters	1 Fire Captain 1 Engineer Paramedic 1 Firefighter Paramedic 1 Firefighter
OCFA Station 49	31461 Golden Lantern	2.2 miles	Fire Truck T49	3 Fire Captains 3 Engineers 6 Firefighter Paramedics	1 Fire Captain 1 Engineer 2 Firefighter Paramedics

Source: Contreras 2020.

OCFA is also currently exploring locations for an additional fire station in Laguna Woods, which could allow for more resources availability in Laguna Niguel once in operation.

Response Times

OCFA's response time objectives for emergency incidents and nonemergency incidents in Laguna Niguel are based on OCFA's adopted performance standards, shown in Table 5.13-2.

Table 5.13-2 OCFA Adopted Performance Standards

Activity / Incident Type	80 Percent Goal (from receipt of call to arrival on-site)
First Response Unit	7 minutes and 20 seconds
First Engine Truck STR	7 minutes and 20 second
First Truck	12 minutes
First Basic Life Support (BLS) Response Unit	7 minutes and 20 seconds
First Advanced Life Support (ALS) Response Unit	10 minutes and 0 seconds
First Paramedic Assessment	7 minutes and 20 seconds

Source: Contreras 2020.

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Currently, the citywide average response time for emergency and nonemergency incidents is 7 minutes and 15 seconds. OCFA concludes that there are no major deficiencies in the level of fire protection services in Laguna Niguel (Contreras 2020; Appendix K of this DEIR).

Funding

Funding for OCFA services in Laguna Niguel comes primarily from the City's general fund. Laguna Niguel is also a Structural Fire Fund member city of OCFA and pays for emergency services by a direct allocation of property tax revenue (OCFA 2021).

All developments in the City are required to enter into a secured fire protection agreement with OCFA to allow OCFA to address potential impacts of projects on fire services around the project area. In this agreement, the developer is assessed \$60 per dwelling/equivalent-dwelling unit. Equivalent dwelling unit is calculated by dividing square footage by 1,000 and multiplying the result by 0.09 (Contreras 2020; Appendix K to this DEIR).

5.13.1.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines and the City's CEQA Manual, a project would normally have a significant effect on the environment if the project would:

FP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services.

5.13.1.3 PLANS, PROGRAMS, AND POLICIES

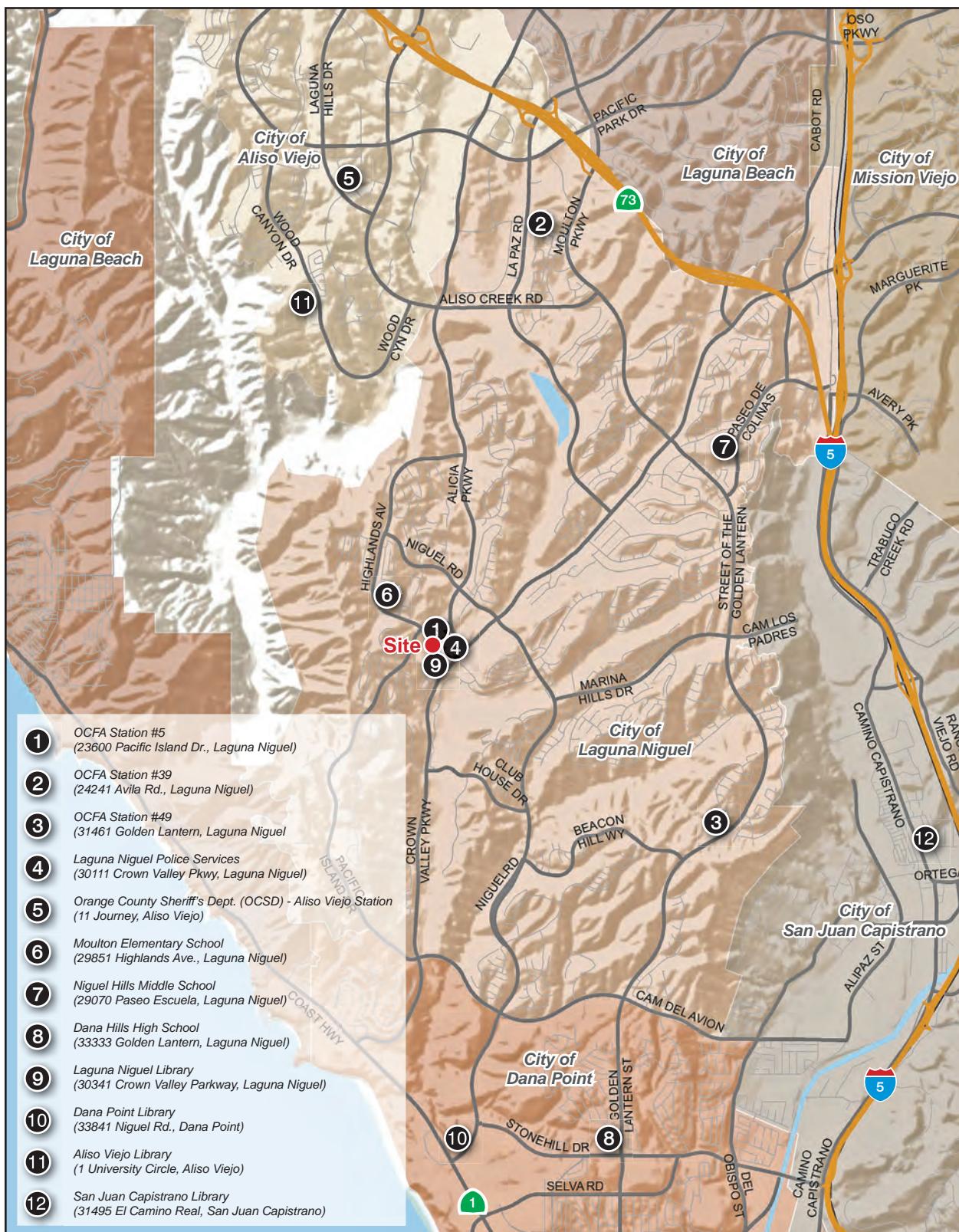
PPP FP-1 The proposed project shall be developed in accordance with the Laguna Niguel Municipal Code, Division 3 Sec. 11-3-1.

5.13.1.4 ENVIRONMENTAL IMPACTS

Methodology

PlaceWorks staff submitted service information requests and a corresponding service questionnaire to the OCFA on December 16, 2019, to document the current fire facilities in the area and assess and identify potential impacts created by the proposed project. A response from OCFA was received on January 16, 2020, and is included in Appendix K to this DEIR.

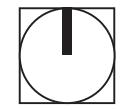
Figure 5.13-1 - Public Services
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Note: Unincorporated county areas shown in white.

0 1
Scale (Miles)

Source: USGS, NOAA, 2016



PlaceWorks

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Impact Analysis

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.13-1: The project would not result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. [Threshold FP-1]

Development of the project would increase residents and employees on the project site, and thus would be expected to increase demand for fire protection services. The project proposes 275 multifamily residential units. As discussed in Section 5.12, *Population and Housing*, the 275 residential units would introduce approximately 704 residents to the project site and the City. It is conservatively assumed that all residents are new residents to the area. For comparative purposes, the City's estimated population in January 2016 was approximately 66,748 (DOF 2020); thus, the project would increase population by approximately 1 percent. The proposed project would also construct approximately 174,851 square feet of nonresidential development, which would generate approximately 412 new jobs/employees on-site.

Construction activities would be conducted in accordance with the California Manual of Uniform Traffic Control Devices (MUTCD) to ensure traffic safety on public streets, highways, pedestrian walkways, and bikeways. Construction contractors would be required to comply with all City of Laguna Niguel standard conditions pertaining to construction including work hours, traffic control plan, haul route, and access. Where possible, construction related trips will be restricted to off-peak hours. Construction activities associated with the proposed project, including staging and stockpiling, would occur within the project boundaries and not on any major arterials or highways that could be used during potential emergency situations.

Additionally, storage of construction materials and construction equipment—such as construction office trailers, cranes, storage containers, and trailers detached from vehicles—is prohibited on City property, including City streets, without a permit. Project construction and operation would comply with City requirements regarding storage on City property, including City streets. Construction material and equipment would be staged or stored on-site and would not interfere with emergency access to or evacuation from surrounding properties.

During project operation, Pacific Island Drive, Crown Valley Parkway, and Alicia Parkway would still be available as major evacuation routes. No policy or procedural changes to an existing risk management plan, emergency response plan, or evacuation plan would be required due to project implementation. Therefore, project construction would not alter response times or performance objectives.

OCFA indicates that there are no existing deficiencies in the level of fire protection services currently provided to the project site. According to OCFA, the current average response time in Laguna Niguel is 7 minutes and 15 seconds (Contreras 2020). This is 5 seconds less than OCFA's response time goal of 7 minutes and

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20 seconds. Additionally, OCFA Station No. 5 is located within the project site with direct access through internal streets to all proposed new construction and would be the first station to respond to an emergency at the project site. OCFA finds that existing OCFA equipment and personnel are adequate to maintain a sufficient level of service for the project area after project completion. Therefore, the potential increase in service demand generated by the proposed project would not have an adverse impact on OCFA's ability to serve the project area (Contreras 2020).

As stated at the end of Section 5.13.1.1, all developments in the City are required to enter into a secured fire protection agreement with OCFA. The funds from the agreement ensure that the necessary resources are available for OCFA to provide infrastructure and capital improvements to continue supporting the regional service area. Additional funding is provided by County and City revenue generated by property taxes, intergovernmental revenues, and other sources. Such funds would allow OCFA to maintain adequate staffing and continue meeting its adopted performance standards for response times.

The proposed project would be required to comply with the CFC fire flow requirements to ensure adequate water supply and pressure are available during a fire. The flow requirements are based on construction type and area involved. Compliance with the CFC fire flow requirements, site access requirements, codes and standards for building construction and mitigation of fire hazards, and design of fire extinguishing and fire alarm systems would be ensured during plan check by OCFA's Planning and Development Services.

Operation of the proposed project would not require OCFA to hire additional personnel, would not affect OCFA's ability to provide adequate service, and would not require new or expanded fire protection facilities that could result in adverse environmental impacts.

Level of Significance Before Mitigation: Less than significant impact.

5.13.1.5 CUMULATIVE IMPACTS

The geographic area for cumulative analysis of fire protection services is the OCFA's service area in Laguna Niguel. New residents and workers associated with the cumulative projects listed in Table 4-1 are expected to increase demand for fire protection services and would contribute to the need to expand facilities and operate such services.

Buildout of the proposed project and cumulative projects in Table 4-1 would introduce new dwelling units, elderly care facilities, commercial/restaurant, places of worship, school/institutional, hotel, horse equestrian center, storage, office, open space and park, parking, and community facilities. Cumulative development would lead to an increase in emergency and public service calls, which would make additional demands on station and equipment maintenance, staffing, training, and fire prevention inspection. However, Cumulative Project #1, The Cove at El Niguel, is the only cumulative project in addition to the proposed project that is anticipated to receive first response from OCFA Station No. 5 due to its proximity to the station. The remaining 30 cumulative projects are closer to other fire stations, including OCTA Stations No. 57, No. 39, and No. 9 to the north of the project site and OCFA Stations No. 49, No. 30, No. 7, and No. 29 to the southeast of the project site. Therefore, the increased demand for fire and emergency services from the proposed project and Cumulative Project #1 would not generate cumulatively considerable impacts on OCFA Station No. 5.

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Increased property and sales tax from new developments would increase the City's general funds in rough proportion, providing funding for capital improvements necessary to maintain adequate fire protection facilities, equipment, and/or personnel. Future projects are also required to enter into a secured fire protection agreement with OCFA, which would provide funding for OCFA's infrastructure and capital improvements. Finally, compliance with the existing regulations related to fire hazards, building codes, and emergency access would further ensure an adequate level of service for fire protection and emergency services to future residents and workers in Laguna Niguel. Therefore, the proposed project's increased demand for fire protection services, in conjunction with cumulative project fire service demands, would not result in significant cumulative impacts.

5.13.1.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Impact 5.13-1 would be less than significant.

5.13.1.7 MITIGATION MEASURES

No mitigation measures are required.

5.13.1.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Less than significant prior to mitigation.

5.13.2 Police Protection

5.13.2.1 ENVIRONMENTAL SETTING

Regulatory Background

There are no federal or state regulations that apply to police protection.

Laguna Niguel General Plan - Public Facilities Element

The following goals and policies of the Public Facilities Element are related to police protection services and apply to the proposed project.

- **Goal 5:** A community that is well protected from criminal activity and achieves reduced crime rates.
 - **Policy 5.1.** Assure that adequate sheriff service is available in the City.
 - **Policy 5.2.** Require incorporation of defensible space techniques in building design.

Existing Conditions

Police services are provided to Laguna Niguel through a contract with the Orange County Sheriff's Department (OCSD). OCSD is responsible for providing citizen protection, law enforcement, and crime prevention. Law enforcement services include patrol, traffic enforcement, accident analysis and investigation, parking enforcement, general and special investigations, the Community Support Unit, and the volunteer Police Auxiliary Citizens Team. The Laguna Niguel Police Services station is adjacent to the site at Laguna Niguel City

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Hall, and the next closest OCSD station is at 11 Journey, Aliso Viejo, approximately three miles north of the project site (see Figure 5.13-1, *Public Services*).

Staffing and Equipment

The OCSD currently employs 47.35 personnel to serve Laguna Niguel—40.35 sworn officers and 7 nonsworn personnel. Currently, OCSD’s existing resources are adequate to serve the City, and there are no existing or near-future plans for the expansion of OCSD facilities, staff, or equipment inventory to serve Laguna Niguel (McDaniel 2020). Appendix K to this DEIR contains the responses from OCSD regarding stations, staff, and response times.

Response Times

OCSD’s goal response times for emergency and nonemergency calls are 5 and 14 minutes, respectively. Current average response times are 4 minutes and 47 seconds for emergency calls and 13 minutes and 45 seconds for nonemergency calls (McDaniel 2020; Appendix K of this DEIR). Therefore, OCSD is responding to emergency and nonemergency calls within its goal response times.

Funding

Funding for OCSD services in Laguna Niguel comes primarily from the City’s general fund and supplemental law enforcement funds, which are provided by California’s Citizens Options for Public Safety program and the Regional Narcotics Suppression Program (Laguna Niguel 2019). These sources of funding provide OCSD with adequate staffing, equipment, and facilities to adequately serve the city’s needs.

5.13.2.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines and the City’s CEQA Manual, a project would normally have a significant effect on the environment if the project would:

PP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services.

5.13.2.3 PLANS, PROGRAMS, AND POLICIES

No existing plans, programs, and policies are applicable to police protection impacts of the proposed project.

5.13.2.4 ENVIRONMENTAL IMPACTS

Methodology

PlaceWorks staff submitted service information requests and a corresponding service questionnaire to the Orange County Sheriff’s Department on December 16, 2019, to document the current police facilities in the

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area and assess and identify potential impacts created by the proposed project. A response from OCSD was received on January 3, 2020, and is in Appendix K to this DEIR.

Impact Analysis

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.13-2: The project would not result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services. [Threshold PP-1]

Development of the project would increase residents and employees in the project area and thus would be expected to increase the demand for police protection services. The project proposes 275 residential units and 174,851 square feet of nonresidential development. As discussed in Section 5.12, *Population and Housing*, the proposed project would result in approximately 704 new residents and 412 new employees to the project site and the City. As described in Impact 5.13-1 above, construction activities would be conducted in accordance with the California MUTCD to ensure traffic safety on public streets, highways, pedestrian walkways, and bikeways. Construction contractors would be required to comply with all City of Laguna Niguel standard conditions pertaining to construction including work hours, traffic control plan, haul route, and access. Where possible, construction related trips will be restricted to off-peak hours. Construction activities associated with the proposed project, including staging and stockpiling, would occur within the project boundaries and not on any major arterials or highways that could be used during potential emergency situations. Therefore, project construction would not alter response times or performance objectives for police protection services.

As mentioned above, OCSD currently achieves its response time goal for both emergency and nonemergency calls in Laguna Niguel. Its existing resources adequately serve the City without any deficiencies (McDaniel 2020). The project site is adjacent to the Laguna Niguel Police Services station; therefore, police officers would be able to quickly respond to calls for service from the project site.

According to OCSD, the proposed project may require policing that relies more heavily on foot and bicycle patrols (McDaniel 2020). Therefore, it is possible that OCSD may need to add personnel and/or equipment (i.e., bikes and motorcycles) to properly patrol the project area in the future. However, OCSD does not anticipate requiring new or physically altered police facilities in order to maintain acceptable levels of service. The project applicant would be required to work with the City Community Development Department and OCSD's Police Services Crime Prevention Specialists to review project plans and identify potential problems and site design solutions that can increase resident and visitor safety. Section 5.15, *Transportation*, further discusses emergency access and finds that the project's potential impact on emergency access would be less than significant.

Development of the project is also expected to proportionally increase the City's general funds through tax revenues. Other funding sources for OCSD include the supplemental law enforcement and regional narcotics

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suppression funds. Therefore, the proposed project is not expected to substantially impact OCSD's existing police services in Laguna Niguel, and adequate staffing and response times would be maintained.

Level of Significance Before Mitigation: Less than significant impact.

5.13.2.5 CUMULATIVE IMPACTS

The geographic area for cumulative analysis of police protection services is OCSD's service area within Laguna Niguel. OCSD would continue to evaluate levels of service and potential funding sources to meet future demand. Through assessments of the City's capital improvement needs and annual budget review process, OCSD needs would be assessed, and budget allocations would be revised to ensure that adequate levels of police services, including police facilities, equipment, and/or personnel, are maintained throughout the City.

Buildout of the proposed project and cumulative projects in Table 4-1 would introduce new dwelling units, elderly care facilities, commercial/restaurant, places of worship, school/institutional, hotel, horse equestrian center, storage, office, open space and park, parking, and community facilities. Cumulative development would lead to an increase in emergency and nonemergency calls, which would make additional demands on police protective services and equipment maintenance, staffing, and training. Five of the cumulative projects are in the City and would be served by the same OCSD personnel as the proposed project. Cumulative development of these five projects and the proposed project would lead to additional demands on OCSD's provided services in Laguna Niguel, including staffing, training, and response to emergency and nonemergency calls.

However, increased property and sales taxes from new developments would increase the City's general fund, providing funding for additional staffing, equipment, and capital improvements necessary to maintain adequate levels of service throughout the City. Therefore, the demand for police services would not be adversely affected by the proposed project in conjunction with the cumulative projects in Table 4-1. No significant cumulative impacts related to police services are anticipated.

5.13.2.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Impact 5.13-2 would be less than significant.

5.13.2.7 MITIGATION MEASURES

No mitigation measures are necessary.

5.13.2.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Less than significant prior to mitigation.

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5.13.3 School Services

5.13.3.1 ENVIRONMENTAL SETTING

Regulatory Background

State

California State Assembly Bill 2926: School Facilities Act of 1986

To assist with providing school facilities to serve students generated by new development, Assembly Bill (AB) 2926 was enacted in 1986 and authorized a levy of impact fees on new residential and commercial/industrial development. The bill was expanded and revised in 1987 through the passage of AB 1600, which added Sections 66000 et seq. to the Government Code. Under this statute, payment of impact fees by developers serves as CEQA mitigation to satisfy the impact of development on school facilities.

California Senate Bill 50

Senate Bill (SB) 50, passed in 1998, is a comprehensive school facilities financing and reform program and enables a statewide bond issue to be placed on the ballot. Under SB 50, school districts are authorized to collect fees to offset the costs of increasing school capacity as a result of development and related population increases. The funding goes to acquiring school sites, constructing new school facilities, and modernizing existing facilities. SB 50 establishes a process for determining the amount developers would be charged. According to Section 65996 of the California Government Code, development fees authorized by SB 50 are deemed “full and complete school facilities mitigation.”

Under this legislation, three levels of fees may be imposed. Level I fees are assessed based on the proposed square footage of residential, commercial/industrial, and/or parking structure uses. Level II fees require the developer to provide one-half of the costs of accommodating students in new schools, and the state provides the remaining half. To qualify for Level II fees, the governing board of the school district must adopt a School Facilities Needs Analysis and meet other prerequisites in accordance with Section 65995.6 of the California Government Code. Level III fees apply if the state runs out of bond funds, allowing the governing school district to impose 100 percent of the cost of school facility or mitigation on the developer, minus any local dedicated school monies.

Local

Laguna Niguel General Plan - Public Facilities Element

The following goals and policies of the Public Facilities Element are related to school services and apply to the proposed project.

- **Goal 7:** A quality school system with adequate facilities and funding to educate the youth of Laguna Niguel.
- **Policy 7.1.** Work with the Capistrano Unified School District to ensure adequate educational facilities are provided and maintained.

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- **Policy 7.2.** Work cooperatively with Capistrano Unified School District and other cities to plan for future school needs.

Existing Conditions

Students in the project area are served by the Capistrano Unified School District (CUSD). The project site is within the attendance boundaries of Moulton Elementary School (K-5), Niguel Hills Middle School (6-8), and Dana Hills High School (9-12) (see Figure 5.13-1, *Public Services*). Table 5.13-3 provides additional details for each school, including current enrollment and student capacity. As shown, these schools are currently able to meet enrollment demands and have sufficient capacity for future students.

Table 5.13-3 CUSD Schools Serving the Project Site

Schools	Grades	Total Capacity	2018–2019 Enrollment	Remaining Capacity
Moulton Elementary School 29851 Highlands Avenue Laguna Niguel, CA 92677	K-5	788	660	128
Niguel Hills Middle School 29070 Paseo Escuela Laguna Niguel, CA 92677	6-8	1,499	1,192	307
Dana Hills High School 33333 Golden Lantern Dana Point, CA 92629	9-12	2,794	2,716	78
Total		5,081	4,568	513

Source: Lawing 2020.

School funding comes predominantly from federal, state, and local contributions, such as sales tax and property tax. CUSD charges impact fees pursuant to SB 50. Development fees are \$3.79 per square foot of assessable new residential development (Lawing 2020).

The number of students generated by new dwelling units in the CUSD area is estimated based on student generation rates set by the district. CUSD has different individual student generation rates for three classifications of dwelling units. Table 5.13-4 lists the student generation rates for single-family detached, single-family attached, and multifamily dwelling units.

Table 5.13-4 CUSD Student Generation Rates

	Single-Family Detached	Single-Family Attached	Multifamily
Elementary School (K-5)	0.33	0.20	0.15
Middle School (6-8)	0.09	0.07	0.06
High School (9-12)	0.13	0.08	0.06
Source: Lawing 2020.			

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5.13.3.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines and the City's CEQA Manual, a project would normally have a significant effect on the environment if the project would:

SS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for school services.

5.13.3.3 PLANS, PROGRAMS, AND POLICIES

PPP SS-1 New development shall pay development fees authorized deemed by Section 65996 of the California Government Code to be "full and complete school facilities mitigation."

5.13.3.4 ENVIRONMENTAL IMPACTS

Methodology

PlaceWorks staff submitted service information requests and a corresponding service questionnaire to the Capistrano Unified School District on December 16, 2019, to document the current school facilities in the area and assess and identify potential impacts created by the proposed project. A response from CUSD was received on January 28, 2020, and is in Appendix K to this DEIR.

Impact Analysis

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.13-3: The proposed project would add 75 students to the Capistrano Unified School District; however, the generated students as part of the project would not result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for school services. [Threshold SS-1]

The project proposes up to a maximum of 275 multifamily residential units. Future student residents of the proposed project would be served by Moulton Elementary School, Niguel Hills Middle School, and Dana Hills High School.

CUSD uses student generation rates to estimate the number of students generated by new development in order to determine whether or not existing school facilities would be adequate for future student enrollment. Using the multifamily student generation rates shown in Table 5.13-4, the proposed 275 residential units would introduce approximately 75 students (see Table 5.13-5).

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Table 5.13-5 Proposed Project Student Generation

Proposed Land Use	Units	Student Generation Rate	Generated Students	Current Enrollment (2018-2019)	Current Enrollment + Generated*	Current Capacity*	Remaining Capacity*
Multifamily Residential (Residential Core)	275	E.S. = 0.15	41	660	701	788	87
		M.S. = 0.06	17	1,192	1,209	1,499	290
		H.S. = 0.06	17	2,716	2,733	2,794	61
Total		75	4,568	4,643	5,081	438	

Source: Lawing 2020.

Notes: E.S. = elementary school (K-5); M.S. = middle school (6-8); H.S. = high school (9-12)

* At the CUSD schools shown in Table 5.13-3 that would serve the project site.

As shown in Table 5.10-5, Moulton Elementary School, Niguel Hills Middle School, and Dana Hills High School would be able to accommodate the estimated 75 additional students generated by the proposed project, with adequate remaining capacity for additional future students.

The project applicant would be required to pay development impact fees to CUSD at a rate of \$3.79 per square foot of residential development per SB 50 (Lawing 2020). The fees would be collected by CUSD at the time building permits are issued. As stated in Government Code Section 65995(h),

The payment or satisfaction of a fee, charge, or other requirement levied or imposed ... are hereby deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization ...on the provision of adequate school facilities.

Payment of these fees would offset impacts from increased demand for school services associated with development of the proposed project by providing an adequate financial base to construct and equip new and existing schools as needed. Therefore, CUSD would be able to provide adequate school facilities for the projected student residents of the proposed project, and payment of development impact fees would ensure that impacts are offset.

Level of Significance Before Mitigation: Less than significant impact.

5.13.3.5 CUMULATIVE IMPACTS

All of the cumulative projects that include a residential component, shown in Table 4-1, could cumulatively impact CUSD school services, with the exception of cumulative projects in Laguna Hills that are served by Saddleback Valley Unified School District (Cumulative Projects #28 through #31), student dormitory (Cumulative Project #27), and senior living facilities (Cumulative Project #3). The remaining cumulative residential projects would generate 1,465 multifamily residential units and 746 single-family residential units, which would generate 466 elementary school students, 155 middle school students, and 185 high school students. These students would be distributed across CUSD schools, including the three schools serving the project site. The student populations that would be served by the same schools as the proposed project would

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be less. It is possible that cumulative projects would exceed the total capacity at Moulton Elementary School and Dana Hills High School;¹ however, each cumulative project, similar to the proposed project, would be required to pay development impact fees to CUSD. The State Legislature provided authority for school districts to assess impact fees for both residential and nonresidential development projects. CUSD requires payment of \$3.79 per square foot of residential development (Lawing 2020). Those fees, authorized under Education Code Section 17620(a) and Government Code Section 65995(b), are collected by municipalities at the time building permits are issued and conveyed to the school district in accordance with a defined fee structure. The legislature has declared that the payment of these fees constitutes full mitigation for the impacts generated by new development (Government Code Section 65995). Since all future development projects must pay appropriate impact fees, each development project would mitigate its own impacts. No cumulative impact on CUSD is anticipated as a result of the implementation of the proposed project in conjunction with other area-wide development.

5.13.3.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements, the Impact 5.13-3 would be less than significant.

5.13.3.7 MITIGATION MEASURES

No mitigation measures are required.

5.13.3.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Less than significant prior to mitigation.

5.13.4 Library Services

5.13.4.1 ENVIRONMENTAL SETTING

Regulatory Background

Local

Laguna Niguel General Plan - Public Facilities Element

The following goals and policies of the Public Facilities Element are related to library services and apply to the proposed project.

- **Goal 6:** A range of community services and cultural facilities that meet the needs of Laguna Niguel residents and enhance their quality of life.
 - **Policy 6.2.** Cooperate with the County of Orange to provide for library facilities and services that are consistent with community needs.

¹ Niguel Hills Middle School was not included because the cumulative projects' total anticipated middle school population would not exceed the remaining capacity for the middle school.

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Existing Conditions

Orange County Public Libraries (OCPL) provides library services to patrons throughout Orange County through 33 branches; an administration building; and an outlet in the Orangewood Children's Home in Santa Ana, where patrons can drop off and pick up books on hold and search the library catalog. Library services at each branch include wireless internet; interlibrary loans; computer training classes; and book clubs for children, teens, and adults. Branch locations closest to the project site are listed in Table 5.13-6.

Table 5.13-6 Orange County Public Libraries

OCPL Library	Address	Distance to Project Site
Laguna Niguel Library	30341 Crown Valley Parkway, Laguna Niguel, CA 92677	Within project boundaries
Dana Point Library	33841 Niguel Road, Dana Point, CA 92629	3.19 miles
Aliso Viejo Library	1 Journey, Aliso Viejo, CA 92656	3.35 miles
San Juan Capistrano Library	31495 El Camino Real, San Juan Capistrano, CA 92675	3.23 miles

The Laguna Niguel Library is within the project boundary at 301341 Crown Valley Parkway. The library is approximately 14,400 square feet, serves a diverse user population, and is open seven days a week. It is the third-highest circulating branch in South County. The main user groups at the Laguna Niguel Library are young children and their parents, retirees and senior citizens, and internet users. The Laguna Niguel Library currently has 11 full time employees (Quillman 2021).

According to the County Librarian (2021), the current configuration of seating, staff space, computer arrangement and book stacks are dated and do not function as efficiently as contemporary libraries should function. The existing library requires an updated library interior to include increased seating areas, group study rooms, early childhood area, and an expanded teen area.

The Laguna Niguel Library is primarily funded as a part of the Orange County Public Library system through maintenance and operations payments by the City to the County (Laguna Niguel 2019). Additional funding is supplied by fundraising activities of the Friends of the Laguna Niguel Library, a volunteer group that operates a used bookstore on the library premises. The Friends of the Laguna Niguel Library sells used books, computer software, and various media and donates all proceeds to the library.

5.13.4.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines and the City's CEQA Manual, a project would normally have a significant effect on the environment if the project would:

LS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for library services.

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5.13.4.3 PLANS, PROGRAMS, AND POLICIES

No existing plans, programs, and policies are applicable to library impacts of the proposed project.

5.13.4.4 ENVIRONMENTAL IMPACTS

Methodology

PlaceWorks staff submitted service information requests and a corresponding service questionnaire to the Orange County Public Libraries on December 16, 2019, to document the current library facilities in the area and assess and identify potential impacts created by the proposed project. A response from OCPL was received on November 18, 2021, and is in Appendix K to this DEIR.

Impact Analysis

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.13-4: The project would not result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for library services. [Threshold LS-1]

The proposed 275 residences, and generation of 704 residents, would be expected to incrementally increase demand on library services, primarily the Laguna Niguel Public Library, which is on the southwest corner of the project site at 30341 Crown Valley Parkway. During construction, the Laguna Niguel Library would be temporarily relocated nearby to accommodate the existing library visitors.

Future residents of the project site would be mainly served by the Laguna Niguel Library; however, residents would have access to all 33 libraries in the OCPL system. As shown in Table 5.13-6, the Dana Point, Aliso Viejo, and San Juan Capistrano libraries are all within four miles of the project site. The ability of new residents to freely visit other libraries in the OCPL system would alleviate demand on the Laguna Niguel Library facility, and patrons could use interlibrary loans and obtain resources from any OCPL branch library. Therefore, library resources would not be limited to what is provided by the Laguna Niguel Library.

As part of the proposed project, the Laguna Niguel Library would be replaced with a new building in the center of the project site, the project's "retail village core." The new library building would modernize the library and provide a larger library (approximately 16,290 square feet) than the existing library (approximately 14,400 square feet). The relocation and construction of a new library building are part of the proposed project and the potential construction and operation-related impacts for the library are, therefore analyzed throughout this DEIR.

Relative to the existing library, the new larger library would also include programmable outdoor space. The new library would also provide a better designed and more functional library space equipped with modern

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technologies and improved space planning to support the needs of the broader library community and allow for more programming during the year. The proposed project would improve existing library service, and therefore, project impacts would be less than significant.

Level of Significance Before Mitigation: Less than Significant

5.13.4.5 CUMULATIVE IMPACTS

Similar to the proposed project, future residents of the cumulative projects in Table 4-1 may visit the Laguna Niguel Public Library. The proposed project and Cumulative Project #1 (23 condominium The Cove at El Niguel project) are the closest projects to the Laguna Niguel Public Library and would likely generate the most demand for the Laguna Niguel Public Library. The other cumulative projects are closer to other libraries, such as the San Juan Capistrano Library or Aliso Viejo Library, and residents of these projects would likely go to the libraries closer to their residences. However, as previously stated, future residents would have access to all 33 OCPL branches. In addition, funding for library services is allocated through the County's general funds. Therefore, as new developments occur, property and sales taxes would increase in rough proportion and contribute to an increase in the County's general funds and, consequently, a larger allocation of funds for library services. Overall, the proposed project's contribution to cumulative impacts on library services would be less than significant.

5.13.4.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Project-related and cumulative impacts would be less than significant.

5.13.4.7 MITIGATION MEASURES

No mitigation measures are necessary.

5.13.4.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Less than significant prior to mitigation.

5.13.5 References

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