

6.0 OTHER CEQA CONSIDERATIONS

6.1 SUMMARY OF SIGNIFICANT UNAVOIDABLE IMPACTS

Section 15126.2(c) of the California Environmental Quality Act (CEQA) Guidelines (*State CEQA Guidelines*) requires that an Environmental Impact Report (EIR) describe any significant impacts that cannot be avoided. Specifically, Section 15126.2(c) states that an EIR shall:

“Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described.”

The Executive Summary of this Draft EIR (Chapter 1.0) contains a detailed summary that identifies the proposed project’s environmental impacts as compared to existing conditions, proposed mitigation measures, and the level of significance of any impacts after mitigation. Implementation of the proposed project would not result in any impacts that are considered significant, adverse, and unavoidable. All environmental issues analyzed in this Draft EIR were determined to result in less than significant impacts, or can be reduced to less than significant levels with the incorporation of mitigation measures.

6.2 ENERGY IMPACTS

According to Section 15126.2(b) of the *State CEQA Guidelines*, “[i]f analysis of the project’s energy use reveals that the project may result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption use of energy, or wasteful use of energy resources, the EIR shall mitigate that energy use.”

As described in Section 4.5, Energy, of this Draft EIR, the proposed project would not result in significant impacts related to energy use. Therefore, no mitigation is required.

6.3 GROWTH-INDUCING IMPACTS

Sections 15126(d) and 15126.2(e) of the *State CEQA Guidelines* require that an EIR analyze growth-inducing impacts and discuss the ways in which a proposed project could foster economic or population growth or construction of additional housing, either directly or indirectly, in the surrounding environment. *State CEQA Guidelines* Section 15126.2(d) also requires a discussion of the characteristics of projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. To address these issues, potential growth-inducing effects were examined through analysis of the following questions:

- Would the project remove obstacles to, or otherwise foster, population growth (e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development)?

- Would the project foster economic growth?
- Would approval of the project involve some characteristic that may encourage and facilitate other activities that could significantly affect the environment?

Growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment (*State CEQA Guidelines*, Section 15126.2(e)). This issue is presented to provide additional information on ways in which the proposed project could contribute to significant changes in the environment beyond the direct consequences of developing the proposed land uses as described in earlier sections of this Draft EIR.

6.3.1 Removal of Obstacles to, or Otherwise Foster, Population Growth

The area surrounding the project site is already urbanized and developed with a mix of office, commercial, religious, residential, and open space uses, so limited population growth is feasible within the vicinity of the project site. In any event, the proposed project would not remove impediments to population growth in the area surrounding the project site. While the proposed project may require water, sewer, electricity, and natural gas lines on site and in the immediate vicinity of the project site, such improvements would be intended primarily to meet project-related demand through connections to existing utility facilities in the area, and would not necessitate substantial utility infrastructure improvements. In addition, the 20-foot wide multi-purposed pedestrian, bicycle, and equestrian trail proposed along the southern boundary of the project site is intended to facilitate active transportation, and would not foster off-site population growth.

Although businesses that provide construction related services may hire a small amount of additional employees to perform construction work for the proposed project, the construction of the proposed project would not generate a substantial number of construction-related jobs because it is expected that local and regional construction workers would be available to meet the proposed project's construction needs. Additionally, short-term construction activities would be temporary in nature and would cease upon completion of project construction. Further, the proposed project would not induce material population growth because most of these employees are not expected to change their place of residence as a direct consequence of working on the proposed project. The work requirements of most construction projects are highly specialized so construction workers remain at a job site only for the limited time in which their specific skills are needed to complete a particular phase of the construction process. Therefore, the proposed project would not induce material population growth from a short-term employment perspective.

Upon completion of the proposed project, the development of 132 residential units is anticipated to generate approximately 410 additional residents on the project site. While this direct growth would increase the demand for neighborhood-servicing commercial uses in the area surrounding the project site, the proposed project would be located in a built-out developed area of the City of San Juan Capistrano (City) that is already served by neighborhood- serving retail and service uses. Although some local businesses that provide goods and services to nearby residents could hire a small number of additional employees to accommodate the minor increase in clientele associated with the proposed project, the additional hiring is not expected to induce material population

growth because most of these new employees hired by local businesses are not expected to change their place of residence.

With regard to project operation, the proposed project is residential and does not include the development of employment-generating uses. As such, the proposed project would not create an indirect demand for additional housing or households in the area. Therefore, given that the employment opportunities generated by the construction of the proposed project would be filled by people who would commute to the project site and operation of the proposed project would not result in employment generation, the potential population growth associated with project employees would be minimal.

6.3.2 Foster Economic Growth

In its existing condition, the project site is undeveloped and vacant and is primarily characterized by dirt and scattered ruderal vegetation. Therefore, the project site currently does not generate revenue for the City. The proposed project would provide a new source of property tax revenues to the City, thereby increasing the local property tax base. Because the proposed project does not include sales tax generating uses, the proposed project would not result in a change in the City's sales tax revenues.

The construction of the proposed project would generate construction-related jobs in San Juan Capistrano during the construction period. However, the proposed project does not contain employment-generating uses, and therefore, would not provide long-term employment opportunities. The 410 additional residents generated by implementation of the proposed project could, however, foster economic growth associated with the sales tax receipts of local businesses who would serve the new residents.

6.3.3 Other Characteristics

The proposed project includes the construction of a 132-unit residential development consisting of 43 two-story detached single-family units and 89 three-story attached townhome units. The project site is zoned as a Planned Community District associated with the adopted Ortega Planned Community Comprehensive Development Plan (CDP 78-01). There are also small portions of the project site designated as General Open Space and Community Park. The proposed land uses are consistent with these designations and no General Plan Amendment or zoning changes would be required to implement the proposed project. Therefore, the approval of the proposed project does not involve any characteristics that would encourage or facilitate other development projects.

It should be noted that the project site is identified in the City's General Plan 2014–2021 Housing Element (Adopted January 21, 2014, Revised September 19, 2017) as accommodating 230 very-low-income units. The proposed project includes 118 market-rate units and 14 moderate-income affordable units on the site. As such, the project would result in 216 fewer affordable housing units for the site than identified in the City's Housing Element. Senate Bill (SB) 166, which went into effect on January 1, 2018, requires a local jurisdiction to ensure that its Housing Element inventory can accommodate at all times its remaining unmet Regional Housing Needs Assessment (RHNA). Therefore, to ensure compliance with SB 166, the City has identified an alternative site which

includes 9.3 acres designated as Very High Density Residential Land Use. This site, identified as Assessor's Parcel Number (APN) 121-070-57, is entitled to be developed at a density of 30 dwelling units per acre, or 279 units. The 219 units, which are no longer able to be accommodated with the proposed development on the project site, can be accommodated on this alternative site. The City will notify the State Department of Housing and Community Development regarding the alternative site identified to accommodate the replacement housing should the proposed project be approved.

Because the future development of the 230 very-low-income units was already required regardless of whether or not the proposed project is approved, the proposed project would not directly increase the City's population beyond the number of residents who would live in the 132 on-site residential units. Therefore, the approval of the proposed project does not involve any characteristics that would encourage or facilitate other growth that was not anticipated in the City's General Plan.

6.4 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(d) of the *State CEQA Guidelines* requires that an EIR consider and discuss significant irreversible changes that would be caused by implementation of a proposed project. The *State CEQA Guidelines* specify that the use of nonrenewable resources during the initial and continued phases of a project should be discussed because a large commitment of such resources makes removal or non-use thereafter unlikely. Primary and secondary impacts (e.g., a highway improvement that provides access to a previously inaccessible area) should also be discussed because such changes generally commit future generations to similar uses. Irreversible damage can also result from environmental accidents associated with a project and should be discussed.

The types and level of development associated with the proposed project would consume limited, slowly renewable, and nonrenewable resources. This consumption would occur during construction of the proposed project and would continue throughout the operational lifetime of the proposed project. The development of the proposed project would require a commitment of resources that would include (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the project site.

Construction of the proposed project would require consumption of resources that are not replenishable or that may renew so slowly as to be considered nonrenewable. These resources would include certain types of lumber and other forest products (e.g., hardwood lumber), aggregate materials used in concrete and asphalt (e.g., sand, gravel, and stone), metals (e.g., steel, copper, and lead), petrochemical construction materials (e.g., plastics), and water. Fossil fuels (e.g., gasoline and oil) would also be consumed in the use of construction vehicles and equipment. Water, which is a limited, slowly renewable resource, would also be consumed during construction of the proposed project. However, given the temporary nature of construction activities, water consumption during construction would result in a less than significant impact on water supplies. Furthermore, the use of construction vehicles and equipment would require the consumption of nonrenewable fossil fuels such as natural gas and oil. As with other resources consumed during construction, the consumption of nonrenewable fossil fuels for energy use would occur on a temporary basis during construction of the proposed project.

Operation of the proposed project would continue to expend similar nonrenewable resources that are currently consumed within San Juan Capistrano. These include energy resources such as electricity, petroleum-based fuels, fossil fuels, and water. Energy resources would be used for heating and cooling buildings, transportation within the project site, and building lighting. Fossil fuels are primary energy sources for project operation. This existing, finite energy source would thus be incrementally reduced. Under Title 24, Part 6 of the California Code of Regulations (CCR), conservation practices limiting the amount of energy consumed by the proposed project would be required during operation. Additionally, the proposed project would include the implementation of conservation and sustainability features as listed in Section 3.3.9, Conservation and Sustainability Features, in Chapter 3.0, Project Description. Nevertheless, the use of such resources would continue to represent a long-term commitment of essentially nonrenewable resources.

The proposed project would result in the limited use of potentially hazardous materials during project operation typical of residential uses (e.g., cleaning solvents, fertilizers, and pesticides). Such materials would be used, handled, stored, and disposed of in accordance with manufacturers' instructions and handled in compliance with applicable government regulations and standards that would serve to protect against a significant and irreversible environmental change resulting from the accidental release of hazardous materials.

In summary, construction and operation of the proposed project would commit the use of slowly renewable and nonrenewable resources and would limit the availability of these resources on the project site for future generations or for other uses during the life of the proposed project. However, the continued use of such resources during operation would be typical of other residential uses and consistent with regional and local urban design and development goals for the area, including the City's General Plan. As a result, the use of nonrenewable resources in this manner would not result in significant irreversible changes to the environment under the proposed project.

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