

Section 6.0 Other CEQA Considerations

This section addresses those topics requiring evaluation under CEQA Guidelines Section 15126, which requires that all aspects of a project be considered when evaluating its impact on the environment, including planning, acquisition, development, and operation. As part of this analysis, the EIR must also identify: (1) significant and unavoidable environmental effects of the proposed project; (2) significant irreversible environmental changes that would result from implementation of the proposed project; and (3) growth-inducing impacts of the proposed project. Each of these topics is discussed in greater detail below.

6.1 SIGNIFICANT AND UNAVOIDABLE IMPACTS

Section 15126.2(a) of the CEQA Guidelines requires that an EIR discuss any significant impacts associated with the project.

Section 3.0, Environmental Analysis, of this EIR describes the potential environmental impacts of the proposed project and recommends mitigation measures to reduce impacts to a less than significant level, where feasible. The executive summary includes Table ES-1, which summarizes the environmental impacts, mitigation measures, and levels of significance before and after mitigation.

CEQA Guidelines Section 15126.2(c) requires that an EIR describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. The environmental effects of the proposed project on various aspects of the environment are discussed in detail in Section 3.0. Based on the analysis in this EIR, all significant environmental impacts can be mitigated to a less than significant level with the exception of impact TR-1 related to vehicle miles traveled (VMT). As described in Section 3.12, Transportation, while the proposed project is located on an infill site, would contain a mix of uses on-site, includes a suite of project design features to enhance sustainability, would provide for a variety of housing types including “very low” income affordable housing, and is consistent with City’s General Plan, Local Coastal Program, Encinitas Ranch Specific Plan, Climate Action Plan, and SANDAG’s The Regional Plan, impacts related to VMT/capita and VMT/employee would not be reduced to 85% of the regional average, even after implementation of mitigation measure **TR-1**. It is noted this unavoidable impact is primarily a result of the geographic location of the proposed project in a suburban neighborhood, as trip characteristics of the surrounding residential land uses are used as a surrogate to estimate proposed project trip characteristics, regardless of the inherent differences between the land uses (described above). Any residential project located therein would likely result in a similar significant, unavoidable impact.

6.2 SIGNIFICANT AND IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(d) of the CEQA Guidelines requires an EIR to discuss the significant irreversible environmental changes that would result from implementation of a proposed project. Examples include a project's primary or secondary impacts that would generally commit future generations to similar uses (e.g., highway improvements at the access point); uses of nonrenewable resources during the initial and continued phases of the project (because a large commitment of such resources make removal or nonuse thereafter unlikely); and/or irreversible damage that could result from any potential environmental accidents associated with the project.

The physical effects of project implementation on the environment are addressed in Sections 3.1 to 3.14 and Chapter 4.0 of this EIR. Long-term irreversible environmental changes would result with improvements for utility connections; enhancement of existing drainage/stormwater quality conditions; an increase in local and regional traffic and associated air pollutants, greenhouse gas emissions, and noise levels; an increase in the volumes of solid waste and wastewater generated in the area; and an increase in water consumption.

Project construction and maintenance of the buildings and infrastructure proposed would require the commitment of energy, natural resources, and building materials. Nonrenewable and limited resources that would be consumed with project development would include oil, natural gas, gasoline, lumber, sand and gravel, asphalt, water, steel, and similar materials. Nonrenewable fuels would be used by construction equipment, haul trucks, and worker vehicles.

Nonrenewable energy also would be expended during the harvesting and mining of natural resources such as wood and aggregate and during the subsequent manufacturing of construction materials such as wood framing and concrete. This commitment of resources and energy would be commensurate with that of other projects of similar size but would nevertheless be irretrievable. Post-construction consumption of nonrenewable resources would include the use of electricity, natural gas, and water by project residents and visitors. This energy use would be a long-term commitment and irretrievable.

However, the proposed project would include 434 kW of solar and 263 Level II EV charging stations that would reduce energy demand of nonrenewable resources. Furthermore, the proposed project would incorporate other energy-saving features such as low-flow water fixtures, drought-tolerant landscaping, ENERGY STAR appliances, high-efficiency HVAC systems, and stormwater reuse systems on-site to collect, filter, and reuse captured stormwater in landscaped areas. The proposed project would also include a TDM Program to reduce VMT and associated air pollution, greenhouse gas emissions, and noise levels. Refer to Section 3.2, Air Quality; Section 3.5, Energy Conservation and Climate Change; Section 3.12, Transportation; and Section 3.14, Utilities and Service Systems, for additional discussion.

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The proposed project would not result in an unusually high demand for nonrenewable resources and would be consistent with applicable state and local goals and policies directed at reducing reliance on fossil fuels and encouraging renewable energy. The proposed project would meet or exceed 2019 Title 24 energy efficiency requirements, resulting in homes that are approximately 20 percent more energy efficient than homes constructed prior to January 1, 2017; refer to [Section 3.5, Energy Conservation and Climate Change](#), for additional discussion.

6.3 GROWTH-INDUCING IMPACTS

CEQA Guidelines Section 15126.2(e) requires that an EIR discuss a project's potential to foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. The CEQA Guidelines also indicate that it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. This section analyzes such potential growth-inducing impacts, based on criteria suggested in the CEQA Guidelines.

In general terms, a project may foster spatial, economic, or population growth in a geographic area if it meets any one of the following criteria:

- Removes an impediment to growth (e.g., establishes an essential public service or provides new access to an area).
- Fosters economic expansion or growth (e.g., changes revenue base, expands employment).
- Fosters population growth (e.g., constructs additional housing), either directly or indirectly.
- Establishes a precedent-setting action (e.g., an innovation, a change in zoning, or a general plan amendment approval).
- Develops or encroaches on an isolated or adjacent area of open space (distinct from an infill type of project).

Should a project meet any one of the above-listed criteria, it may be considered growth inducing. The potential growth-inducing impacts of the proposed project are evaluated against these five criteria in this section.

CEQA Guidelines Section 15126.2(e) requires that an EIR "discuss the ways" a project could be growth inducing and "discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or

cumulatively.” However, the CEQA Guidelines do not require that an EIR predict (or speculate) specifically where such growth would occur, in what form it would occur, or when it would occur. The answers to such questions require speculation, which CEQA discourages (see CEQA Guidelines Section 15145).

Removal of a Barrier to Growth

Several types of projects can induce population growth by removing obstacles that prevent growth. An example would be the expansion of a wastewater treatment plant which would accommodate additional sewer connections within a service area and therefore would allow for future construction and growth that may not have otherwise been feasible.

Development of the project site would result in the improvement and extension of infrastructure facilities located in and/or adjoining the project site. Extensions of utility lines (water, sewer) or other infrastructure or services (e.g., fire protection services) may result in growth inducement, as such improvements allow for not only the development responsible for expanding the infrastructure, but also other projects proposed in the surrounding area due to the availability of new (i.e., previously inaccessible) infrastructure. However, the area surrounding the proposed project is already developed with similar residential and commercial uses which are currently served by existing utility infrastructure and adequate public services (e.g., required fire service response times can be met without new or expanded facilities or personnel). Further, utilities would be sized only to accommodate the proposed project and would not provide for additional capacity that may induce new development. As such, the proposed project would not be expected to induce growth as a result of new infrastructure or services.

Obstacles to surrounding the project site are primarily due to the existing developed condition of the surrounding area, feasibility of development, economic constraints, permitting, or other development restrictions and regulations promulgated by local agencies. The proposed project is consistent with, and would not modify, approved land use and zoning designations and; therefore, would not foster growth, remove direct growth constraints, or add a direct stimulus to growth. Therefore, growth-inducing impacts are precluded because the infrastructure is sized to serve the proposed project and because the project would not affect the feasibility of development in the area, remove an obstacle to growth, or affect local agencies’ development restrictions.

Economic Growth

The timing, magnitude, and location of land development and population growth in a community or region are based on various interrelated land use and economic variables. Key variables include regional economic trends, market demand for residential and nonresidential uses, land

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availability and cost, the availability and quality of transportation facilities and public services, proximity to employment centers, the supply and cost of housing, and/or regulatory policies or conditions.

The proposed project would have the potential to result in economic growth through the construction of the proposed project and operation of the on-site commercial facilities (organic farm, farm stand, farm-to-table restaurant, and event space). Project construction would be performed by independent contractors hired by the developer. In general, construction workers would be drawn from the local labor pool. If contract workers were employed, they would not cause growth in the area due to the short-term and temporary nature of their employment. Operation of the proposed project is anticipated to result in approximately 20 full-time permanent employees that are expected to be filled by the local workforce. Given that minimal number of permanent employees and the temporary nature of construction, the proposed project is not expected to significantly affect economic growth in the City.

Homeowners would pay property taxes to the City that would improve the financial resources of the City. Residents of the proposed project would also support the local economy by shopping at local businesses and paying sales taxes. Therefore, the proposed project would support the local economy in the short and long term.

Population Growth

CEQA requires the consideration of the potential direct and indirect growth-inducing impacts of a proposed project. According to the HEU, the project site is designated with an R-30 overlay, which requires a minimum of 246 residential dwelling units, and which would permit up to 575 units through the application of Density Bonus. The proposed project would construct 250 homes, which represents the low-end of permitted intensity on the project site. As a result, the proposed project would increase the City population by 628 residents which would represent approximately 1% increase in the City's population (refer to [Section 4.3, Population and Housing](#)). It is noted that due to the inclusion of 39 affordable housing units, some portion of the project residents may already live in the City in larger households and qualify as eligible to rent one of the very-low income rental units; therefore, this population estimate is considered conservative. The environmental effects of increasing the City's population due to development of the project site are evaluated in this EIR in [Sections 3.1 to 3.14](#) and [Chapter 4.0](#), in particular [Sections 3.2, Air Quality](#); [Section 3.5, Energy Conservation and Climate Change](#); [Section 3.10, Noise](#); [Section 3.11; Public Services and Recreation](#); [Section 3.12, Transportation](#); and [Section 3.14, Utilities and Service Systems](#). Mitigation measures are identified where appropriate to reduce such effects to a less than significant level. All impacts would be less than significant, with the exception of transportation impacts related to VMT, which would remain significant and unavoidable (refer

to [Section 3.12, Transportation](#)). This significant, unavoidable impact is primarily a result of the location of the proposed project in a suburban neighborhood, as previously discussed.

Establishment of a Precedent-Setting Action

A Density Bonus Tentative Map, Coastal Development Permit, Design Review, and other discretionary approvals are required to allow for the proposed development. These actions are not considered precedent-setting actions (defined as any act, decision, or case that serves as a guide or justification for subsequent situations), as they are commonly undertaken on a regular basis by many jurisdictions. All future discretionary projects in the project area would be processed through the City and evaluated for consistency with the General Plan, as appropriate. Such projects would be evaluated for growth-inducing effects and their potential to enable or encourage growth not intended or anticipated with buildout of the General Plan. Development of the proposed project would be consistent with the City's General Plan, Local Coastal Program, Encinitas Ranch Specific Plan, and HEU as the project site is designated with an R-30 overlay. Therefore, approval of the project would not represent a precedent-setting action that would encourage or allow for unplanned future growth within the area.

Encroachment on Open Space

All construction activities would occur within the project site. The project site currently supports a botanical nursery, private greenhouses, and one single-family home. The existing structures would be demolished to allow for construction of the proposed project within the same general footprint on-site. No designated open space occurs on-site, and therefore, the project would not encroach into or physically disturb any such areas.

The 29.8-acre Magdalena Ecke Open Space Preserve, owned by the County of San Diego, abuts the northern property boundary. The proposed project would implement mitigation measures to reduce potential indirect impacts to species within the preserve during construction, such as noise (refer to mitigation measures **BIO-1** and **BIO-2** in [Section 3.3, Biological Resources](#)). With implementation of these measures, potential indirect impacts to open space would be less than significant.