

Section 4.0

Effects Found Not to Be Significant

California Public Resources Code Section 21003(f) states, “It is the policy of the state that...all persons and public agencies involved in the environmental review process be responsible for carrying out the process in the most efficient, expeditious manner in order to conserve the available financial, governmental, physical, and social resources with the objective that those resources may be better applied toward the mitigation of actual significant effects on the environment.” This policy is reflected in California Environmental Quality Act (CEQA) Guidelines Section 15126.2(a), which states that “an EIR [environmental impact report] shall identify and focus on the significant impacts of the proposed project on the environment,” and Section 15143, which states that “the EIR shall focus on the significant effects on the environment.” As stated in Section 15128 of the CEQA Guidelines, “An EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.”

In the course of evaluation, certain impacts were found not to be significant (no impact) or to be less than significant because the characteristics of the proposed project would not result in such impacts. This section briefly describes such effects. However, other individual impacts found to be less than significant are evaluated in the various EIR sections (Sections 3.1 through 3.15) to more comprehensively discuss why impacts are less than significant in order to better inform decision-makers and the general public.

4.1 AGRICULTURE AND FORESTRY RESOURCES

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

The California Department of Conservation (DOC) operates a Farmland Mapping and Monitoring Program (FMMP) that maps and collects statistical data on the state’s agricultural resources. Agricultural land is rated according to soil quality and irrigation status, with the best quality land called Prime Farmland. Maps are updated every two years, with current land use information gathered from aerial photographs, a computer mapping system, public review, and field reconnaissance. The DOC Prime Farmlands, Farmlands of Statewide Importance, and Unique Farmlands are referenced in CEQA Guidelines Appendix G as resources to consider in an evaluation of agricultural impacts.

According to available data from the FMMP, both the project site and off-site preserve area are identified as Other Land, which is defined as land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian

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areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Further, vacant and nonagricultural lands surrounded on all sides by urban development and greater than 40 acres in size are mapped as Other Land (DOC 2022).

A review of historic aerial photographs and maps of the project area provides information on the past land uses of the property and potential for buried archaeological sites. Based on this information, the majority of the property was partially developed for agriculture in the 1930s, and occasionally used for such purposes until sometime in the 1950s (ECORP 2022; refer to Appendix E). However, the site has not supported such uses since that time and has instead remained in its current, undeveloped state. Therefore, the project would not convert any designated Farmland or actively farmed lands to nonagricultural use.

Further, the project site is zoned for residential use (RR-2 and R-30 overlay zone), which is consistent with the General Plan, Zoning Map, Local Coastal Program, and the provisions of the General Plan Housing Element. No lands affected by the project are zoned or otherwise designated as lands intended for agricultural use.

The City is responsible for the issuance of Coastal Development Permits within the Coastal Zone, excluding submerged lands, tidelands, or public trust lands. Coastal Act Section 30242 provides that "All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands." For these reasons, land use conflicts within the R-30 overlay zone, in which the project site is located, would be minimized in accordance with Section 30242 of the Coastal Act and as such, the City's Housing Element is consistent with the relevant policies of the California Coastal Commission. As such, the project would not conflict with any land use plan, policy, or regulation adopted by the California Coastal Commission.

The project site does not meet the definition of Unique Farmland and would not result in the conversion of agricultural land, which is consistent with the General Plan, Zoning Map, Local Coastal Program, and provisions of the Housing Element. Therefore, the project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use. **No impact** would occur in this regard.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Refer to Response 4.1a), above. The subject property is not intended for agricultural use and is not subject to a Williamson Act contract. Additionally, the project site is zoned for Multi-Family

Residential use which is consistent with the General Plan, Zoning Map, Local Coastal Program, and the provisions of the General Plan Housing Element. Therefore, **no impact** would occur.

c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

The City does not support any lands zoned as forestland or timberland. Therefore, implementation of the proposed project would not conflict with existing zoning for, or cause rezoning of, any forestland or timberland. **No impact** would occur.

d) Result in the loss of forestland or conversion of forestland to non-forest use?

The City does not contain any forestlands. Therefore, implementation of the proposed project would not result in the loss or conversion of forestland to non-forest use and would not otherwise adversely impact forestland in the area. **No impact** would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forestland to non-forest use?

Refer to Responses 4.1a) and 4.1c), above. The project site is currently vacant and undeveloped, and is zoned for residential development. Any subsequent action undertaken by the City to rezone other sites currently zoned for agricultural use would be separate and unrelated to the proposed project, and would be required to comply with applicable CEQA requirements to be analyzed at that time.

Existing land uses on surrounding properties are predominantly residential. Lands surrounding the project site do not support designated Farmland or forestland. Therefore, the proposed project would not involve changes in the existing environment that would result in conversion of Farmland to nonagricultural use or conversion of forestland to non-forest use. **No impact** would occur in this regard.

4.2 MINERAL RESOURCES

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

According to the California Department of Conservation (Division of Mine and Geology), the project site, along with the majority of lands in the City of Encinitas, is designated as Mineral Resource Zone 3 (MRZ-3), which indicates an area containing mineral deposits the significance of

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which cannot be evaluated from available data (CDC 1996). No known mineral resource recovery sites occur or are designated within or adjacent to the project site, including in the City's General Plan. Therefore, the proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. **No impact** would occur in this regard.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

The project site is not in an area designated for locally important mineral resources and is not utilized for mineral resource production. As such, the proposed project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. **No impact** would occur in this regard.

4.3 POPULATION AND HOUSING

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The project site is included in the City of Encinitas General Plan Housing Element, which was adopted by the City of Encinitas on April 7, 2021. According to the Housing Element (Fifth Cycle), the project site (identified in the Housing Element as 6.88 acres gross/net) is designated with an R-30 overlay (maximum 30 dwelling units per net acre, or du/ac) and allocated a minimum of 172 units at a density of 25 du/ac and a maximum of 206 units at a density of 30 du/ac (City of Encinitas 2019).

However, taking into account allowed adjustments for on-site topography (e.g., steep slopes), the R-30 zoning overlay would require a minimum of 134 dwelling units at the minimum allowed density of 25 du/ac. Under the R-30 overlay zoning, the 6.88-acre project site could be developed with up to 206 base residential units (6.88 gross acres x 30 du/acre) prior to application of a density bonus. Therefore, the project as proposed would be consistent with the City's General Plan, Local Coastal Program, Housing Element, and Zoning Ordinance, as it proposes 149 residential townhomes, which is within the anticipated range of units identified under the General Plan Housing Element for the site. For these reasons, the proposed project does not represent unplanned growth.

Further, the project site is bordered by residential development to the east and south; Piraeus Street and I-5 to the west; and undeveloped land to the north. The project is therefore not anticipated to induce substantial indirect growth through the extension of roads and other

infrastructure as analyzed in Section 6.3, Growth Inducing Impacts. The site would be developed consistent with the identified housing unit allowances, and no change to the existing General Plan land use designation or zoning classification is required to allow for the project as proposed.

As shown in Table 4.3-1, the City's population was expected to be 62,829 in 2020 and 66,178 in 2050. Based on the person per household estimate of 2.51 persons as identified by the City, the project is anticipated to support a future population of approximately 374 people (2.51 x 149 residential units). The project would represent a less than one percent increase to the 2020 population and a less than one percent increase to the projected 2050 population (City of Encinitas 2019).

Total housing units in the City were expected to be 26,131 in 2020 and 27,667 in 2050 (City of Encinitas 2019). The project would therefore represent a less than one percent increase to the total number of anticipated housing units in the years 2020 and 2050.

Table 4.3-1: Population and Housing Projections - City of Encinitas

Unit	Estimated	Forecasted	
	2020	2035	2050
Total Population	62,829	64,718	66,178
Person per Household	2.51	2.51	2.51
Total Housing Units	26,131	26,633	27,667

Source: City of Encinitas Housing Element Update (5th Cycle) 2019.

As the proposed project would not induce substantial unplanned population growth, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure), impacts would be **less than significant**.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project site is currently undeveloped and does not support any existing residential housing units or associated occupants. The proposed project would not displace substantial numbers of existing people or housing, thereby necessitating the construction of replacement housing elsewhere. **No impact** would occur.

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