4.0 OTHER CEQA CONSIDERATIONS

This chapter addresses other considerations required pursuant to State California Environmental Quality Act (CEQA) Guidelines Sections 15126.2 and 15128. This chapter addresses significant effects from the Project that cannot be mitigated to less than significant, significant irreversible environmental changes, and growth-inducing impacts.

4.1 Effects Found Not to be Significant During the EIR Scoping Process

The CEQA Guidelines Section 15128 requires that an environment impact report (EIR) "…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." As discussed in Section 1.0, *Project Description, Location, and Environmental Setting*, of this EIR and as identified in the Notice of Preparation (NOP) for this EIR included in *Appendix A*, the County determined that each of the 20 topical issues identified in Appendix G of the CEQA Guidelines should be evaluated in the EIR.

Additionally, CEQA Guidelines Section 15063 requires preparation of an initial study following preliminary review of a project to determine if this project may have a significant effect on the environment; however, Section 15063 states "If the Lead Agency can determine that an EIR will clearly be required for the project, and Initial Study is not required." The County of San Diego, as Lead Agency determined an EIR would be required for the Project; thus, an initial study was not prepared and each of the 20 topical issues identified in Appendix G of the CEQA Guidelines were evaluated in the EIR.

4.2 Significant Environmental Effects of the Project That Cannot Be Mitigated to Less than Significant

The CEQA Guidelines require that an Environmental Impact Report (EIR) disclose the significant environmental effects of a project which cannot be avoided if the proposed project is implemented (CEQA Guidelines Section 15126(b)). As identified through the topical issues analysis provided in EIR Section 2.0, *Environmental Analysis*, the Project is anticipated to result in impacts to the environment that cannot be reduced to below a level of significance after the consideration of compliance with applicable federal, State and local regulations and implementation of the Project-level mitigation measures identified in this EIR. The significant impacts that cannot be mitigated to a level below thresholds of significance consist of the following:

- **Global Climate Change (Project and Cumulative Impact).** The Project would result in GHG emissions of 763 MT CO2e per year, and 3.58 MT CO2e per capita per year, based on a population of 213 (2.8 persons per household multiplied by 76 residences). This would exceed the 2029 GHG efficiency metric threshold calculated for the Project to be 3.07 MT CO2e per service population per year.

  As stated in Section 2.3, the Project would be required to comply with M-GHG-1, which requires use of Tier IV construction equipment, if commercially available; M-GHG-2, which requires installation of conduit for one Level 2 or higher electric vehicle charger in each dwelling unit; M-GHG-3, which requires information and a $500 reimbursement credit be provided to first-time homeowners for on-site battery storage systems; and M-GHG-4, which

requires information be provided to first-time homeowners about San Diego Community Power's 100% renewable energy plan. However, the emission reduction associated with these measures cannot be quantified for the Project. Therefore, impacts to global climate change would remain significant and unavoidable. As such, the Project would have a cumulatively considerable significant impact on global climate change.

- **Land Use Planning (Project and Cumulative Impact).** The Project would be inconsistent with the City of San Marcos General Plan Mobility Element Policy M-1.4. As such, the Project would result in a significant impact related to City of San Marcos General Plan Mobility Element policy consistency. Upon implementation, and as stated in Section 2.5, the improvements identified as part of M-TRANS-1 and M-TRANS-2 would achieve consistency with the City of San Marcos General Plan Mobility Element Policy M-1.4. However, because the mitigation requires the implementation of improvements in the City of San Marcos and the County of San Diego as the Lead Agency for this EIR does not have control over the nature and timing of improvements that would occur in the City of San Marcos, the County cannot assure that the required improvements would be in place at the time of Project occupancy; therefore, the Project would result in a significant and unmitigable land use and planning impact until the required improvements are in place.

- **Transportation (Project and Cumulative Impact).** The Project would, however, contribute vehicles to three intersections and one roadway segment that are calculated to operate below LOS D standards, which would be inconsistent with the City of San Marcos Mobility Element Policy M-1.4. Additionally, the Project's residential land use is calculated to generate a VMT per Resident of 24.1 miles, which exceeds the significance threshold of 16.07 miles. Thus, the Project's impacts would be significant on a direct and cumulatively considerable basis.

  Upon implementation, and as stated in Section 2.5, the improvements identified as part of M-TRANS-1 and M-TRANS-2 would achieve consistency with the City of San Marcos General Plan Mobility Element Policy M-1.4. However, because the mitigation requires the implementation of improvements in the City of San Marcos and the County of San Diego as the Lead Agency for this EIR does not have control over the nature and timing of improvements that would occur in the City of San Marcos, the County cannot assure that the required improvements would be in place at the time of Project occupancy; therefore, the Project would result in a significant and unmitigable transportation impact until the required improvements are in place.

  In regard to reducing VMT, none of the measures provided in the Project's Transportation Impact Study (Appendix L1) are readily quantifiable because it is not possible to accurately predict human behavior responses to VMT reduction strategies. As determined by the Project's LTA, none of the measures applicable for the Project are quantifiable measures. Additionally, none of the measures applicable for the Project are feasible measures with the exception of short-term bicycle racks on site, which would be implemented on the Project site. Because the none of the applicable TDM measures can be demonstrated to reduce the VMT per resident to a less than 16.07 miles, the Project is considered to have a significant and unmitigated VMT impact.

4.3 Significant Irreversible Environmental Changes

Section 15126.2(d) of the CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project and states:

"Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible, since a large commitment of such resources makes removal or non-use thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Generally, a project will result in significant irreversible environmental changes if the following occurs:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project involves uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy)."

Determining whether the Project may result in significant irreversible effects requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. There are no non-renewable resources present at the Project site; therefore, conversion of the land from its current state to residential uses would not degrade or destroy non-renewable resources in such a way that there would be little possibility of restoring them.

Construction and long-term operation of the Project would require the commitment and reduction of non-renewable and/or slowly renewable resources, including petroleum fuels and natural gas (for vehicle emissions, construction, lighting, heating, and cooling of structures) as well as lumber, sand/gravel, steel, copper, lead, and other metals (for use in building and roadway construction and utility infrastructure). Other resources that are slow to renew and/or recover from environmental stressors would also be impacted by Project implementation; these include air quality (through the combustion of fossil fuels and production of greenhouse gases) and water supply (through the increased potable water demands for drinking, cleaning, landscaping, and general maintenance needs). The Project is required by law to comply with federal, State, and local building requirements addressing energy conservation. Compliance with these requirements reduces a building operation's energy volume that is produced by fossil fuels. A more detailed discussion of energy consumption is provided in EIR Section 3.4, *Energy Use*. The consumption of non-renewable resources to construct and operate the Project over the long-term would likely commit subsequent generations to the same use of the land and similar patterns of energy consumption. It is improbable that the Project would revert to permanently undeveloped conditions due to the large capital investment that would already have been

committed. However, the Project is not expected to reduce the availability of any natural resources as a result of long-term operational activities.

The County of San Diego General Plan and zoning ordinance anticipate that development within the Project site would eventually support residential uses in accordance with the underlying zoning classification and land use designations. Implementation of the Project would commit the Project to residential uses. These uses are compatible with the existing and planned uses that surround the Project site. The Project and its environmental effects would not compel or commit surrounding properties to land uses other than those that are existing today or those that are planned by the General Plan and the zoning ordinance. For this reason, the Project would not result in a significant, irreversible change to nearby, off-site properties.

EIR Section 3.6, *Hazards and Hazardous Materials*, provides an analysis of the Project's potential to transport or handle hazardous materials which, if released into the environment, could result in irreversible damage to the environment. As concluded in the analysis, compliance with federal, State, and local regulations related to hazardous materials would be required of all contractors working at the Project site during the Project's construction and of all occupants that occupy the Project's buildings. As such, construction and long-term operation of the Project would not cause significant irreversible damage to the environment that could result if hazardous materials were released from the site, including damage that may result from upset or accident conditions.

Lastly, an increased commitment of public services (e.g., police and fire) would also be required. However, as discussed in EIR Section 3.10, *Public Services*, the Project would not require or result in the unplanned construction of new or alteration of existing fire or police protection facilities to maintain an adequate level of service to the Project site, and no physical environmental impacts would result.

4.4 Growth Inducing Effects

State CEQA Guidelines Section 15126.2 (e) requires an EIR to discuss the ways in which a proposed project could directly or indirectly foster economic or population growth, or the construction of additional housing in the surrounding environment. For example, direct growth inducement would result if a proposed project involved construction of new housing. Indirect growth might occur if a project were to establish substantial new permanent employment opportunities or stimulate the expansion of additional utilities or public services into unserved areas.

Similarly, a proposed project would indirectly induce growth if it would remove an obstacle to additional development, such as removing a constraint on a required public service or utility. A project proposing to extend roadways into an area that was previously inaccessible and/or undeveloped would be considered growth-inducing. Additionally, expansion of existing roadway capacities could potentially be growth-inducing as a result of improved accessibility.

Under CEQA, growth inducement is not necessarily considered detrimental, beneficial, or of little significance to the environment. The growth inducing potential of a project could be considered significant if it fosters growth or results in a concentration of population in excess of what is assumed in adopted master plans, land use plans, or projections made by regional planning agencies, such as the San Diego Association of Governments (SANDAG). Additionally, a project could be considered

growth inducing if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans or policies.

The following discusses the characteristics and consequences of the proposed Project that may encourage and facilitate other activities that could result in significant individual or cumulative effects on the environment. This analysis does not assume that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment (State CEQA Guidelines 15126.2 (d)).

4.4.1 Population Growth

SANDAG provides growth projections for the San Dieguito Community Planning Area for the years 2025, 2035, and 2050. For the years 2025 and 2035, SANDAG projects a total population of 37,584 and 37,733, respectively. By 2050, SANDAG projects a total population of 36,988.

The Project would result in the development of 76 dwelling units and approximately 213 residents. As shown in Table 1-4, *Project Density Calculation*, the Project site is allowed a maximum of 64 dwelling units. Pursuant to State law, the Project includes a Density Bonus Permit to allow for a 20% increase in the maximum allowable number of residential dwelling units in exchange for reserving 5% of the dwelling units on-site for "Low" Income Affordable Housing (defined as 50% to 80% of the Area Median Income [AMI]). Approval of the Project's Density Bonus Permit would allow for an increase in the maximum allowable dwelling units from 64 dwelling units to 76 single-family dwelling units in exchange for reserving seven units restricted for "Low" Income Affordable Housing. Pursuant to California Government Code Sections 65915 through 65918, any increases in density under the State Density Bonus Law are consistent with the General Plan. Thus, although the Project proposes 76 dwelling units, the Project is considered consistent with the land use designations applied to the site by the County of San Diego General Plan. The Project implements growth and development anticipated by the General Plan and would not change existing regulations pertaining to land development.

While the Project would increase the number of residential dwelling units in the County, this change would generally be in response to population growth forecasts and the resulting County-wide demand for housing. For the San Dieguito Community Planning Area, where the Project is located, forecasts by SANDAG show an increase of 1,379 single-family dwelling units from 2020 to 2035 and an additional 504 single-family dwelling units from 2035 to 2050 (SANDAG 2013). The 76 single-family dwelling units proposed by the Project would be consistent with this population forecast. Because the Project is consistent with the existing land use designation and would not generate population growth beyond the levels assumed for the region, the Project would not conflict with any population projections for the region and would, therefore, also be consistent with the Regional Plan. (Helix, 2023c)

Therefore, because the intensity proposed for the Project would be consistent with the County General Plan, and because the Project would not include infrastructure sized only for this Project and would not provide infrastructure improvements which could lead to growth beyond what is currently allowed for by the existing County General Plan, no significant growth would be induced as a result of the Project. Accordingly, the Project is not considered to be growth inducing pursuant to CEQA Guidelines Section 15126.2(d).

4.4.2 Economic Growth

Growth inducement can be measured via economic growth, which considers a range of demands for temporary and permanent employees, to an increase in the overall revenue base for an area, to a new demand for supporting services such as retail, restaurant, and entertainment uses.

During Project construction, a number of design, engineering, and construction-related jobs would be created. This would last until Project construction is completed. This would be an indirect, growth-inducing effect of the Project.

As further described in EIR Section 1.0, *Project Description, Location, and Environmental Setting*, for purposes of analysis in this EIR, it is anticipated the Project would result in the development of 76 dwelling units. It is estimated that this development could generate up to 213 new residents. As discussed above, the Project would not exceed the growth projections for the County or the region. The Project is considered consistent with the land use designations applied to the site by the General Plan. Further, it is expected that the short-term construction jobs and new positions during operation would be filled by workers who already reside in the local area or region.

As development occurs on-site, Project residents would seek shopping, entertainment, employment, home improvement, auto maintenance, and other economic opportunities in the surrounding area. The Project is located near existing employment and retail areas, which would help serve the employment and shopping needs of the future residents. However, the increased demand for such economic goods and services could encourage the creation of new businesses and/or the expansion of existing businesses that address these economic needs. This growth may be experienced in the areas in proximity to the Project site that are either currently undeveloped or underutilized. However, this type of growth is already anticipated in the County of San Diego General Plan, and as identified on Table 1-3, *List of Cumulative Projects*, is already being proposed. Therefore, implementation of residential uses allowed by the Project would support existing uses in the area and could encourage or facilitate the growth envisioned in the County of San Diego General Plan.

4.4.3 Removal of Obstacles to Growth

The elimination of either physical or regulatory obstacles is a growth-inducing impact. The sections below discuss physical obstacles and regulatory obstacles to growth.

A physical obstacle to growth typically involves the lack of public services and infrastructure. A project would trigger growth if it would result in infrastructure with excess capacity or if it would remove an obstacle to growth in an area, such as providing infrastructure, including roadways, that were previously not available.

The Project would result in the completion of roadway improvements to provide access to the site and new roadways built on site would serve the Project but would not provide additional capacity to induce unplanned growth. Additionally, the Project would not involve development that would establish an essential unplanned public service or utility/service system. The Project site and surrounding areas are already served by essential public services and an extensive network of utility/service systems and other infrastructure necessary to accommodate or allow the existing conditions and planned growth.

The existing and planned utility/service systems in the roadways adjacent to or near the Project site can serve the development proposed within the Project area with connections to these existing

facilities. The utility infrastructure installed as part of the Project would be sized and located expressly to serve the on-site uses, and would not, therefore, induce unplanned growth in the Project vicinity.

The Project involves the development of residential uses, consistent with the land use designations for the Project site identified in the County of San Diego General Plan. The proposed residential uses would be developed in accordance with applicable County development standards. The Project implements growth and development anticipated by the County of San Diego General Plan and would not change existing regulations pertaining to land development. Therefore, the Project is not considered to be growth inducing with respect to the removal of obstacles to growth.