

9. Other CEQA Consideration

Section 15126 of the California Environmental Quality Act (CEQA) Guidelines requires that all aspects of a project (including planning, acquisition, development, and operation) be considered when evaluating a project's impact on the environment. Section 15126 also sets forth general content requirements for environmental impact reports (EIRs). This section identifies (1) significant irreversible environmental changes that would result from implementing the proposed project; and (2) growth-inducing impacts of the proposed project.

9.1 SIGNIFICANT IRREVERSIBLE CHANGES DUE TO THE PROPOSED PROJECT

Section 15126.2(c) of the CEQA Guidelines requires that an environmental impact report (EIR) describe any significant irreversible environmental changes that would be caused by the proposed project should it be implemented.

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 nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highways 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.

In the case of the Laguna Niguel City Center Mixed Use project (proposed project), implementation would cause the following irreversible changes:

- Future development that would be accommodated by the proposed project would entail the commitment of nonrenewable and/or slowly renewable energy resources; human resources; and natural resources such as lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metals, water, and fossil fuels. Future development would also require the use of natural gas and electricity, petroleum-based fuels, fossil fuels, and water. The commitment of resources required for the construction and operation of future development projects would limit the availability of such resources for future generations or for other uses during the life of the project. However, the project does not represent an uncommon construction project that uses an extraordinary amount of raw materials in comparison to other urban development projects of a similar scope and magnitude.
- An increased commitment of social services and public maintenance services (e.g., police, fire, schools, libraries, and sewer, water, and solid waste services) would also be required. The energy and social service commitments would be long-term obligations in view of the low likelihood of returning the land to its original condition once it has been developed.

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- Population growth related to project implementation would increase vehicle trips over the long term. Over the long term, emissions associated with such vehicle trips would continue to contribute to the South Coast Air Basin's nonattainment designation for fine inhalable particulate matter (PM_{2.5}) under the California and National ambient air quality standards (AAQS) and nonattainment for coarse inhalable particulate matter (PM₁₀) under the California AAQS.
- Future development in accordance with the proposed project is a long-term and likely irreversible commitment of lower intensity uses to a major commercial and residential town center in the City of Laguna Niguel. Also, the existing South County Court facility and county maintenance yard onsite are not likely to be rebuilt after demolition for the proposed project.

Given the low likelihood that the land would revert to lower intensity uses or to its current form, the proposed project would generally commit future generations to these environmental changes.

9.2 GROWTH-INDUCING IMPACTS OF THE PROPOSED PROJECT

Pursuant to Sections 15126(d) and 15126.2(d) of the CEQA Guidelines, this section is provided to examine ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Also required is an assessment of other projects that would foster other activities which could affect the environment, individually or cumulatively. To address this issue, potential growth-inducing effects will be examined through analysis of the following questions:

- Would this project remove obstacles to 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 this project result in the need to expand one or more public services to maintain desired levels of service?
- Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?
- Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

Please note that growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment. This issue is presented to provide additional information on ways in which this project could contribute to significant changes in the environment, beyond the direct consequences of developing the land use concept examined in the preceding sections of this EIR.

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Would this project remove obstacles to 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?

The proposed General Plan Amendment and Zone Change required for this project would remove an obstacle to residential development on the project site. The proposed infrastructure improvements, including adjacent roadway circulation improvements and traffic signalization, would primarily accommodate the proposed project and not directly induce growth in the project area. Similarly, water and wastewater infrastructure would meet the needs of the proposed project but not increase overall service capacity for the area. The surrounding area is already developed in residential and commercial uses. Overall, the proposed project would not induce growth in the City of Laguna Niguel through either the extension of infrastructure facilities or land use regulations.

Construction/Extension of Major Infrastructure Facilities

The project site is partially developed within an urban and built environment. Buildout of the proposed project would include infrastructure improvements and extensions, including internal roadways, storm drains, dry utilities (e.g., natural gas, electric, telephone, and cable), and water and wastewater connections. These improvements would connect to existing infrastructure facilities adjacent to the project site.

Changes in Existing Regulations

The Laguna Niguel General Plan Land Use Element currently designates the project site “Community Commercial,” “Professional Office,” and “Public/Institutional.” The project site is currently zoned “Community Commercial” (CC) District in the Laguna Niguel Zoning Code. The proposed General Plan Amendment and Zone Change would accommodate mixed use development, including introducing residential uses to the project site. It would redefine the future nature of the project site, but not the surrounding area. The land use designation and zone changes would allow development up to 275 multifamily residential units on the property. The estimated population growth in the City due to project buildout would represent approximately 20 percent of the forecast housing growth of 1,400 units anticipated by 2045 for the City. Thus, the project would also be within SCAG’s projected housing growth. Although the proposed project would accommodate a sizeable percentage of the projected growth within the City, it would not induce growth beyond the project itself (see Section 5.12, *Population and Housing*).

Would this project result in the need to expand one or more public services to maintain desired levels of service?

Public service agencies were consulted during preparation of this DEIR, including the Orange County Fire Authority (OCFA), Orange County Sheriff’s Department (OCSd), Capistrano Unified School District (CUSD), and Orange County Public Library. As concluded in Section 5.13, *Public Services*, none of the service providers indicated that buildout of the proposed project would necessitate the immediate expansion of their service and facilities to maintain adequate and desired levels of service. Therefore, no future expansion of public services would be required to maintain existing levels of service.

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Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

During project construction, several design, engineering, and construction-related jobs would be created. These jobs would be available throughout the project's construction time frame, anticipated to be approximately 36 months. This would be a direct but temporary growth-inducing impact of the proposed project. In addition, the project would generate approximately 412 jobs associated with the 159,581 square feet of nonresidential development. Impacts of the increases in job-generating land uses and employment pursuant to the proposed project are analyzed throughout Chapter 5, *Environmental Analysis*, of this DEIR.

The increased number of employees and residents because of the proposed project could spur new economic investment in other commercial uses serving the project site. For example, the introduction of 704 additional residents would represent an increased demand for economic goods and services and could, therefore, encourage the creation of new businesses and/or the expansion of existing businesses in the project area.

Overall, impacts of job-generating construction activities and commercial land uses pursuant to the proposed project would encourage and facilitate economic effects related to employment opportunities in the project area. However, these indirect growth-inducing effects would not significantly impact the environment.

Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

The proposed project would require the approval of discretionary actions; however, the project would not set a precedent for future projects with similar characteristics. The project would require the following City approvals and adoptions:

- **General Plan Amendment No. 19-01** to expand the existing land use designations to allow multifamily residential development. The subject property is located within Community Profile 14, Sub-profile Area C (Town Center Expansion) of the Laguna Niguel General Plan. The Land Use Element designates the majority of the property as "Community Commercial," "Professional Office," and "Public/Institutional," which allows a wide-range of non-residential uses, such as retail, restaurant, office, personal service, hotel and public/institutional. The portion of the project site that includes the library and OCFA Fire Station No. 5 are designated "Public/Institutional," which allows a wide range of public, quasi-public, and special-purpose private facilities that provide government or social services to the community. The Applicant is proposing a General Plan Amendment to modify the land use designation for the entire property (excluding OCFA Fire Station No. 5) to "Community Commercial," "Professional Office," "Public/Institutional," and "Residential Attached" (see Figure 3-5, *Existing and Proposed Land Use Designations*). To accommodate this development program, the General Plan Amendment also includes amending the statistical summary for Sub-profile Area C to account for the proposed project, including residential dwelling units and other modest narrative updates to reflect existing conditions, which have changed since the original adoption of the General Plan in 1992.
- **Zone Change No. 19-01.** The majority of the project site is zoned "Community Commercial" (CC) District, which allows for a variety of retail, restaurant, office, personal service, hotel, and other

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nonresidential uses. The portion of the project site that includes the library and OCFA Fire Station No. 5 are zoned “Public/Institutional” (PI) District, which allows a wide range of public, semi-public, and special-purpose private facilities to provide a variety of government and social services. The applicant is proposing a change in the property’s zoning designation (excluding the OCFA Fire Station No. 5) to “Mixed-Use Town Center” (MU-TC) District (see Figure 3-6, *Existing and Proposed Zoning Districts*). The MU-TC District allows for developments featuring a mix of land uses.

- **Zoning Code Amendment ZCA 19-01.** Accompanying Zone Change ZC 19-01, a zoning code amendment is proposed to establish the mix of permissible land uses and development standards for the new MU-TC district.
- **Vesting Tentative Tract Map VTTM 19024.** The Applicant is proposing a vesting tentative tract map to subdivide the property into a total of 21 lots, including 17 numbered lots and 4 lettered lots.
- **Site Development Permit SDP 19-03.** A site development permit is required for all projects that involve construction of any structure, except in certain limited circumstances. The project involves construction of multiple structures. The Applicant is therefore proposing a site development permit for the project. A site development permit is also proposed because the project includes over 5,000 cubic yards of earth work and to allow alternative development standards for a reduction in the minimum depth of boundary landscaping at the base of an ascending slope for a property line segment along proposed Lot 15.
- **Certification of the Environmental Impact Report and Adoption of Findings of Fact and a Mitigation Monitoring and Reporting Program.** An EIR is required by CEQA and the City must certify the EIR and adopt Findings of Fact and a Mitigation Monitoring and Reporting Program before approving the above-listed Project entitlements.

The approval of these actions changes the existing restrictions on growth set by the General Plan and Zoning Code. However, future projects would need to complete applicable environmental review, and discretionary approval would need to be given to individual projects following review by the Laguna Niguel City Council. The proposed project would not change the required procedure for project approvals and would not set a precedent that would make it more likely for other projects to gain approval of similar applications.

Moreover, no changes to any of the City’s building safety standards (i.e., building, grading, plumbing, mechanical, electrical, fire codes) are proposed or required to implement the proposed project. Therefore, the proposed project would not involve a precedent-setting action that would encourage and/or facilitate other activities that could significantly affect the environment.

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