

## 6.0 OTHER CEQA CONSIDERATIONS

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### 6.1 INTRODUCTION

Sections 15126 and 15128 of the *State CEQA Guidelines* state that an EIR must include a discussion of the following topics:

- Significant environmental effects which cannot be avoided if the proposed project is implemented
- Significant irreversible environmental changes
- Growth-inducing impacts of the proposed project
- A brief statement of the reasons why certain possible effects of a project have been determined not to be significant and, therefore, are not evaluated in the EIR
- A brief discussion of Mandatory Findings of Significance

The following sections address each of these topics based on the analyses included in **Section 4.0, Environmental Impact Analysis**.

### 6.2 SIGNIFICANT UNAVOIDABLE EFFECTS

This section identifies significant impacts associated with implementation of the proposed project that cannot be mitigated to a less than significant level. As part of the certification process, the City Council for the City of Fairfield will make a final decision as to the significance of impacts and the feasibility of mitigation measures in this Draft EIR. As detailed in **Section 4.0**, implementation of the proposed project would result in the following significant impacts that could not be mitigated to a less than significant level:

TRANS-1      Development of the proposed project would conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Intersection LOS impacts would occur as a result of the project. The project applicant shall pay a fair share contribution towards the construction of signals and other improvements; and alternatively, improvements may be funded through payment into the City's Development Impact Fee (DIF) program. While the improvements would mitigate the impact, the construction of the improvements would require substantial additional funding and coordination with the Union Pacific Railroad. As such, impacts would remain significant and unavoidable.

C-TRANS-1 Development of the proposed project would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the traffic circulation system under Near-Term (2027) plus Project Conditions.

The project would contribute to cumulative intersection impacts at Lopes Road/Bridgeport Avenue. Since the intersection operates unacceptably under Cumulative (without Project) Conditions and meets the Peak Hour signal warrant under Cumulative (without Project) Conditions, the project applicant shall pay a fair share contribution towards the construction of a signal and other improvements at the intersection. Alternatively, improvements may be funded through payment into the City's Development Impact Fee (DIF) program. While the improvements would mitigate the impact, the construction of the improvements would require substantial additional funding and coordination with the Union Pacific Railroad. As such, impacts would remain significant and unavoidable.

### **6.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

Section 15126.2(c) of the *State CEQA Guidelines* states that an EIR must include a discussion of any significant irreversible environmental changes that would be caused by a proposed project. Generally, a project would result in significant irreversible environmental changes if:

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

#### **6.3.1 Commit Future Generations to Similar Uses**

Implementation of the proposed project would result in the construction of a 270-unit apartment complex and a 22,000 square-foot commercial complex on the project site. Specifically, the proposed apartment complex would include four four-story apartment buildings, a clubhouse, recreation areas, parking, and associated site improvements while the commercial complex would consist of four one-story buildings, parking, and associated site improvements. The site is vacant and shows evidence of having been previously disturbed.

The substantial investment required to construct the infrastructure and develop the project site as proposed would represent a long-term commitment of land to residential and commercial uses. The

commitment of currently vacant land to the proposed uses is essentially an irreversible environmental change that would commit future generations to this use, although the uses on the project site could be changed in the future.

### **6.3.2 Consumption of Nonrenewable Resources**

Construction and operation of the project would involve the consumption of renewable and non-renewable resources. Resources such as lumber and other forest products are generally considered renewable resources. Such resources would be replenished over the lifetime of the proposed project. As such, the development of the proposed project would not result in the irreversible commitment of renewable resources. Non-renewable resources, such as natural gas, petroleum based products, asphalt, petrochemical construction materials, steel, copper and other metals, etc., are considered to be resources that are only available in finite supply. Therefore, the replacement of these materials would not likely occur over the lifetime of the proposed project.

The demand for renewable and non-renewable resources is expected to increase regardless of the development of the proposed project. If not consumed by the proposed project, these resources would likely be committed to other projects to meet the anticipated housing and retail needs in the local area or elsewhere in the county or state. Furthermore, the investment of resources in this project would be typical of the level of investment normally required for residential and commercial developments of this size. For specific impacts related to energy resources, see **Section 4.11**.

### **6.3.3 Irreversible Damage from Environmental Accidents**

CEQA requires a discussion of the potential for irreversible environmental damage caused by an accident associated with the project. As a multi-family residential and commercial project, the proposed project does not involve a land use that requires the transport, storage or on-site use of hazardous materials which, if inadvertently released, could result in irreversible damage to the environment. Therefore, the proposed project would not have the potential for irreversible damage from environmental accidents.

## **6.4 GROWTH-INDUCING IMPACTS**

This section evaluates the potential for growth inducement as a result of implementation of the proposed project. Section 15126.2(d) of the *State CEQA Guidelines* requires that an EIR include a discussion of the potential for a proposed project to foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

In general terms, a project may have growth-inducing impacts if it meets any one of the criteria that are identified below.

- The project removes an impediment to growth (e.g., the establishment of an essential public service, the provision of new access to an area, or a change in zoning or general plan designation).
- Economic expansion, population growth, or the construction of additional housing occurs in the surrounding environment in response to the project, either directly or indirectly (e.g., changes in revenue base, employment expansion, etc.).
- Development or encroachment in an isolated or adjacent area of open space (being distinct from an “infill” type of project).

An evaluation of the proposed project with regard to these criteria is provided below.

The *State CEQA Guidelines* require that consideration also be given to potential impacts on community service facilities resulting from increases in population. **Section 4.0** of this Draft EIR addresses potential impacts on community service facilities (e.g., police, fire, water, wastewater, etc.) resulting from increases in population on the project site.

#### **6.4.1 Removal of an Impediment to Growth**

Growth in an area may result from the removal of physical impediments or restrictions to growth, as well as the removal of planning impediments resulting from land use plans and policies. In this context, physical growth impediments may include nonexistent or inadequate access to an area or the lack of essential public services (e.g., water service), and planning impediments may include restrictive zoning and/or general plan designations.

The project site is located in an area planned for future development. As discussed above, while vacant, the site has been previously disturbed. The project site is bordered on two sides by existing development that consists of office uses. Urban services, including water, sewer, and police and fire protection are available at the site. As discussed in **Section 4.10**, while connections to existing infrastructure would be required off-site (in the public right-of-way), no off-site upgrades to the water supply, sewer and storm drain system would be required. Therefore, the proposed project would not remove an impediment to growth related to utility infrastructure.

The project site is proximate to existing major roadways (including Interstate 80). The project site is currently accessible from Business Center Drive. No off-site roadway extensions would be required to implement the proposed project. Consequently, the proposed project would not induce growth due to an extension of transportation infrastructure.

As noted above, development impediments, such as land use plans and policies, may also restrict or deter localized growth and can be considered an impediment to growth. The current General Plan land use designation for the project site is Business and Industrial Park and the site is currently zoned IBP-NC (Industrial Business Park-North Cordelia Overlay). Implementation of the project would involve a General Plan Amendment to re-designate the residential component of the site to Very High Density Residential and to re-designate the commercial component of the site to Community Commercial. In addition, approval of the proposed project would require the rezoning the residential component of the project site to RVH (Very High Density) and the rezoning of the commercial component to CC (Community Commercial).

The proposed General Plan amendment and rezone would be specific to the project site and would not affect other parcels in the area or the City. The proposed change in land use designation and rezoning for the proposed project would only apply to the project site, and would not encompass other properties, and would not facilitate the development of other projects or induce growth.

#### **6.4.2 Population and Economic Growth**

The proposed project would result in a temporary increase in construction-related job opportunities in the local area. However, employment opportunities provided by construction would not likely result in household relocation by construction workers to the vicinity of the project area. Construction workers would likely be drawn from the labor force already residing in Solano County, the broader Bay Area region to the west, and the broader Sacramento region to the east. Employment opportunities provided during the relatively short construction period would not constitute a substantial growth in employment.

Based on 270 apartment units and a household size of 3.04 persons per household, the project would add approximately 821 new residents to the City of Fairfield. The California Department of Finance (DOF) estimates that the population of the City was 116,156 in January 2018 (DOF 2018). Similarly, the Association of Bay Area Governments (ABAG) projections indicate a population of 115,100 in 2020 and 128,200 in 2030 (Fairfield 2014). Although some of the future residents of the project may simply relocate from other existing housing in the area, if all 821 residents anticipated to live in the complex are considered new to the community, the project would result in an approximately 0.7 percent or to 124,287 persons increase in population in Fairfield. It should be noted that population levels are dependent on a wide variety of factors, many of which are totally unrelated to land use planning. Such variables as birth and death rates, income, migration and immigration levels, Federal immigration policies, natural disaster, economic trends and employment levels, etc. all interact to determine whether population grows or declines. Population levels, while partially related to building permit (development) activity, are also not directly tied to the number of housing units available. Population increases (or decreases) can occur

during periods of slow or even no growth in the number of available residential units. Similarly it is possible, at least for short periods, to have stable or declining population levels during periods of rapid housing unit construction. Over shorter time periods, construction cycles and populations trends may not be consistent.

As discussed above, the proposed project would not require new or expanded infrastructure that could, in turn, provide additional capacity or facilities for additional development in the area. The site is located in an area planned for development and would, therefore, not result in increased pressure on land use intensification in the area. While the proposed General Plan amendment and rezone would add residential and commercial uses to the project site, the re-designation of land use would only apply to the project site. As such, the increase in population and economic growth associated with the proposed project would not induce growth.

### **6.4.3 Development of Open Space**

The proposed project would be constructed on a site identified for business park uses. Although the site is vacant and undeveloped, it is designated for development and not designated for open space. Therefore, implementation of the proposed project would not involve the development of open space nor would it induce the development of any lands that are currently open space. The proposed project thus is not considered growth inducing based on this criterion.

## **6.5 MANDATORY FINDINGS OF SIGNIFICANCE**

The lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur (Section 15065 of the *State CEQA Guidelines*):

- Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?

- Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
- Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

As discussed in **Section 4.2, Biological Resources** the project site and vicinity do not contain habitat for rare or endangered plant and wildlife species. However, construction of the proposed project could adversely affect nesting birds protected by the Migratory Bird Treaty Act. However, with implementation of mitigation, which outlines procedures to follow if birds are discovered nearby during a pre-construction survey, this impact would be reduced to a less than significant level. Therefore, the project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or endangered plant or animal.

As analyzed in **Section 4.3, Cultural Resources**, the proposed project has the potential to disturb cultural and tribal cultural resources, including human remains. However, with implementation of mitigation measures, which outline procedures to follow if previously unidentified cultural and tribal resources are discovered, impacts would be reduced to a less than significant level. Therefore, the proposed project would not eliminate important examples of the major periods of California history or prehistory.

Cumulative impacts are evaluated in each resource topic in this Draft EIR. As the analysis demonstrates, the proposed project would not result in significant cumulative impacts related to any of the environmental factors analyzed in the Draft EIR.

As the analysis in this Draft EIR demonstrates, with mitigation, the proposed project would not result in substantial adverse direct or indirect impacts to human beings.

## 6.6 REFERENCES

California Department of Finance (DOF). 2018. E-1: City/County Population Estimates with Annual Percent Change, 1/1/2018, May 1.

City of Fairfield. *City of Fairfield General Plan Housing Element [2014]*. Accessed June 2019. Available online at: <https://www.fairfield.ca.gov/civicax/filebank/blobdload.aspx?BlobID=14421>