

Section 6.0:

Other CEQA Considerations



SECTION 6.0 OTHER CEQA CONSIDERATIONS

6.1 LONG-TERM IMPLICATIONS OF THE PROPOSED PROJECT

Buildout of The Fullerton Plan 2030 would involve a variety of short- and long-term impacts on a local level. During site-specific project grading and construction, portions of surrounding uses may be temporarily impacted by dust and noise. Short-term soil erosion may also occur during grading. There may also be an increase in vehicle pollutant emissions caused by grading and construction activities. However, these disruptions would be temporary and may be avoided or lessened to a large degree through mitigation cited in this EIR and through compliance with the Fullerton *Municipal Code*; refer to Section 5.0, *Environmental Analysis*.

Development under The Fullerton Plan 2030 would potentially create long-term environmental consequences associated with a transition in land use. Development associated with buildout of The Fullerton Plan 2030 and the subsequent long-term effects may impact the physical, aesthetic, and human environments. Long-term physical consequences of development include increased traffic volumes, increased noise from project-related mobile (traffic) and stationary (mechanical and landscaping) sources, incremental increased demands for essential public services and utility/service systems, and increased energy and natural resource consumption. Long-term visual impacts would occur with potential alterations to City and distant views, and the visual character of portions of the City. Incremental degradation of local and regional air quality could also occur as a result of mobile source emissions generated from project-related traffic and stationary sources due to propane and electricity consumption.

6.2 IRREVERSIBLE ENVIRONMENTAL CHANGES THAT WOULD BE INVOLVED WITH THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED

CEQA Guidelines Section 15126.2(c) requires a discussion of any significant irreversible environmental changes that would be caused by the 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 nonuse 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.



The Fullerton Plan 2030's environmental effects are discussed in <u>Section 5.0</u>. As of 2010, a majority (approximately 90 percent) of Fullerton is developed. Residential uses encompass approximately 44 percent of the City (6,278 acres, 45,204 dwelling units (DU)). Of the nonresidential land uses, the largest is Light Industrial uses encompassing approximately eight percent (1,185 acres, 22.4 million SF). The remainder of the City is developed with Commercial, Public, and Open Space/Recreation uses; refer to <u>Table 3-1</u>, <u>Existing Land Uses</u>. Approximately five percent of the City (approximately 709 acres) is currently vacant. Additionally, underutilized land is available for redevelopment.

Future development resulting from implementation of The Fullerton Plan 2030 is anticipated to occur on both vacant and underutilized land throughout the City, however, primarily within the 12 Focus Areas targeted for land use change. Implementation of The Fullerton Plan 2030 would allow for new developments in the City that would entail the irreversible commitment of natural resources, energy, land, and human resources. Manpower would also be committed for the development of residential and non-residential uses. Ongoing maintenance and operation of the new developments would entail a further irreversible commitment of energy resources in the form of petroleum products (diesel fuel and gasoline), natural gas, and electricity. Long-term impacts would also result from an increase in vehicular traffic, and the associated air pollutant and noise emissions. These resource commitments would be a long-term obligation given that, practically speaking, it is impossible to return the land to its original condition once it has been developed. In summary, implementation of The Fullerton Plan 2030 would involve the following irreversible environmental changes:

- Soil erosion associated with grading and construction activities;
- Alteration of the human environment as a consequence of the development process, which commits land to residential, commercial, industrial, public/religious, parks/ recreation, and other (parking facilities, utilities, flood control, rights-of-way) uses, and intensifies land uses within the City;
- Increased usage of essential public services (including fire and police protection, parks and recreational facilities, schools, solid waste) and utility/service systems (including water, wastewater, electricity, and natural gas) during and after construction of new developments, which would result in temporary and permanent uses of these resources;
- Temporary and permanent commitment of energy and water resources as a result of the construction, long-term operation, and maintenance of new developments, which may be considered a permanent investment;
- Utilization of various new raw materials (such as lumber, sand, and gravel) for construction; and
- Incremental increases in vehicular activity within the City, with resultant air pollutant and noise emissions.



6.3 GROWTH INDUCING IMPACTS

CEQA Guidelines Section 15126(d), Growth Inducing Impact of the Proposed Project, requires that an EIR "discuss the 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." 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 potential growth-inducing impacts, based on the criteria outlined below, as 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:

- Removal of an impediment to growth (e.g., establishment of an essential public service and provision of new access to an area);
- Fostering of economic expansion or growth (e.g., changes in revenue base and employment expansion);
- Fostering of population growth (e.g., construction of additional housing), either directly or indirectly;
- Establishment of a precedent-setting action (e.g., an innovation, a change in zoning and general plan amendment approval); or
- Development of or encroachment on an isolated or adjacent area of open space (being distinct from an in-fill project).

Should a project meet any one of the above-listed criteria, it may be considered growth inducing. The project's potential growth-inducing impacts are evaluated below against these criteria.

It is noted that the CEQA Guidelines require an EIR to "discuss the ways" a project could be growth-inducing and to "discuss the characteristics of some projects that may encourage...activities that could significantly affect the environment." 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; refer to CEQA Guidelines Section 15145, Speculation.

IMPEDIMENT TO GROWTH

Future development resulting from implementation of The Fullerton Plan 2030 is anticipated to occur on both vacant and underutilized land throughout the City, however, primarily within the 12 Focus Areas targeted for land use change. As discussed in detail in <u>Section 3.0</u>, <u>Project Description</u>, The Fullerton Plan 2030 has taken a focused development strategy that would be implemented through these Focus Areas, with individualized approaches for each area.

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None of the Focus Areas would involve development that would establish an essential public service or utility/service system. Fullerton's developed and Focus Areas are already served by essential public services, including fire and police protection, parks and recreational facilities, schools, and solid waste, and an extensive network of utility/service systems, including water, wastewater, electricity, and natural gas; and other infrastructure necessary to accommodate or allow the existing conditions and planned growth. The existing public services and utility/service systems can be readily upgraded and/or extended onto the future development sites. The increased demands for public services and utility/service systems would not reduce or impair any existing or future levels of services, either locally or regionally, as costs for increases in public services and utility/service systems would be provided through cooperative agreements between future developments and servicing agencies. Further, future development would be reviewed on a project-by-project basis, at the time of proposed construction, in order to determine the public services and utility/service systems necessary to serve the proposed land uses. Buildout of The Fullerton Plan 2030 would not require substantial development of unplanned or unforeseen public services and utility/service systems. Therefore, implementation of The Fullerton Plan 2030 would not be growth-inducing with respect to removal of an impediment to growth through establishment of an essential public service or expansion to a new area.

Regional access to the City is provided via the Orange Freeway (State Route (SR) 57), which is located near the City's eastern boundary, and the Riverside Freeway (SR-91), which forms the City's southern boundary. Local access is provided by various arterial highways that intersect the City, including Harbor Boulevard and Malvern Avenue/Chapman Avenue, among others. The Fullerton Plan 2030 has taken a focused development strategy that would be implemented through the 12 Focus Areas targeted for land use change. The growth over existing conditions resulting from project implementation would occur both within the Focus Areas and throughout the City. Although, project implementation would facilitate the installation and construction of transportation improvements within the City necessary to carry out The Fullerton Plan 2030, as discussed in detail in Section 5.4, Traffic and Circulation, these improvements would not provide new access to an area, since both regional and local access is already provided by an existing roadway network. Therefore, implementation of The Fullerton Plan 2030 would not remove an existing impediment to growth through the provision of new access to an area.

ECONOMIC GROWTH

As indicated in <u>Table 5.2-9</u>, <u>The Fullerton Plan 2030 Compared to Existing Conditions</u>, The Fullerton Plan 2030 would increase the City's existing population by approximately 22 percent or 29,989 persons. This projected population growth is anticipated to increase sales, with resultant increases in the City's revenue base. Additionally, The Fullerton Plan 2030 would increase the City's non-residential development by approximately 23 percent (10.7 million square feet). The resultant employment growth associated with these land uses is approximately 40 percent (24,032 jobs). The majority of the employment growth would occur in the Office (60 percent) and Commercial Retail (26 percent) development types. Implementation of The Fullerton Plan 2030 would foster economic expansion through changes in the revenue base resulting from population and employment growth. Therefore, the proposed project is considered growth inducing with respect to economic expansion.



POPULATION GROWTH

A project could induce 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). Although existing roads and infrastructure would be improved/modified, The Fullerton Plan 2030 does not involve the extension of roads or other infrastructure into undeveloped areas; refer to Section 5.4, *Traffic and Circulation*, and the *Impediment to Growth* discussion above. The Fullerton Plan 2030 would, however, involve new homes and businesses, which would induce direct growth in the City's population.

The Fullerton Plan 2030 would involve the development of approximately 10,183 DU, which would induce direct growth in the City's population by approximately 22 percent or 29,989 persons; refer to Table 5.2-9. The Fullerton Plan 2030 would also involve the development of new businesses, with a resultant growth in employment of approximately 40 percent or 24,032 jobs. The employment generated by The Fullerton Plan 2030 could result in direct growth in the City's population, because the potential exists for future employees (and their families) to relocate to the City. As concluded in Section 5.2, Population, Housing, and Employment, estimating the number of the new employees who would relocate to the City would be highly speculative, because many factors influence personal housing location decisions. Therefore, the precise number of new employees who may relocate to the City to fill the newly created positions is unknown. However, as discussed above, The Fullerton Plan 2030 would potentially increase the City's existing housing inventory by 10,183 DU, which could be occupied by new employees relocating to the City. The population growth associated with these new dwellings is approximately 29,989 persons. Additionally, the vacancy rates of Fullerton and surrounding cities range from 2.6 to 5.7 percent; refer to Section 5.2. Collectively, the existing vacancies amount to approximately 10,085 DU, which could also be occupied by new employees, with resultant increases in population. Sufficient housing would be available to satisfy the housing demand created by the new employment and the construction of new housing would not be warranted. Overall, The Fullerton Plan 2030 is considered growth inducing with respect to direct population growth, given it would involve the development of both new homes and businesses.

Potential growth inducing impacts are also assessed based on a project's consistency with adopted plans that have addressed growth management from a local and regional standpoint. As discussed in Section 5.2, SCAG is the responsible agency for developing and adopting regional housing, population, and employment growth forecasts for local Orange County governments, among other counties. SCAG provides population, household, and employment projection estimates in five-year increments from 2005 to 2035. Table 5.2-10, The Fullerton Plan 2030 Compared to SCAG, compares The Fullerton Plan 2030's buildout projections with SCAG's 2030 housing, population, and employment forecasts for the City. As indicated in Table 5.2-10, SCAG projects that the City's housing inventory will reach 49,742 DU by 2030, with a resultant population of approximately 152,494 persons. At buildout (2030), The Fullerton Plan 2030 is anticipated to result in a housing inventory of approximately 56,130 DU, with a resultant population of approximately 165,303 persons. The City's population would be approximately eight percent greater than projected by SCAG. However, this is considered a less than significant impact, given The Fullerton Plan 2030 would be consistent with SCAG's adopted RTP objectives/policies and Regional Growth principles; refer Table 5.1-5, Consistency With SCAG Intergovernmental Review Policies. Also, an extensive network of utility/service systems, including water, wastewater, electricity, and natural gas; and other infrastructure necessary to



accommodate or allow this growth is currently available. Moreover, as discussed below, The Fullerton Plan 2030 would beneficially impact the City's job/housing balance, by improving the job/housing ratio when compared to existing conditions.

PRECEDENT-SETTING ACTION

The proposed project would be considered growth-inducing with respect to the establishment of a precedent-setting action. The Fullerton Plan 2030 is a comprehensive update of the 1996 General Plan, and has been tailored to meet the City's needs and issues at the present time and foreseeable future. The project's major components include updates to the development projections to the year 2030 and Community Development and Design Element, including the establishment of building densities for residential development types and intensities for non-residential development types, among other components. At buildout, The Fullerton Plan 2030 is anticipated to total approximately 56,130 DU and approximately 56.3 million square feet of non-residential land uses, or approximately 10,183 DU and 10.7 million square feet over existing conditions. All future land uses within the City would be developed pursuant to the Community Development Plan; refer to Exhibit 3-3. Additionally, The Fullerton Plan 2030 has taken a focused development strategy that would be implemented through 12 Focus Areas, with individualized approaches for each area.

DEVELOPMENT OR ENCROACHMENT OF OPEN SPACE

A majority (approximately 90 percent) of Fullerton is built-out and consists of developed areas. Future development resulting from implementation of The Fullerton Plan 2030 is anticipated to occur on both vacant and underutilized land throughout the City, however, primarily within the 12 Focus Areas targeted for land use change. The Fullerton Plan 2030 has taken a focused development strategy that would be implemented through the Focus Areas. The growth over existing conditions resulting from project implementation would occur throughout the City and within the Focus Areas. The Fullerton Plan 2030 focuses on preserving residential neighborhoods, guiding the remaining development and redevelopment opportunities, and revitalizing selected areas through the Focus Area approach. None of the Focus Areas would involve development that would encroach on an isolated area of open space. Therefore, the proposed project is not considered growth inducing with respect to development of or encroachment on an isolated or adjacent area of open space.

SUMMARY OF IMPACTS

Overall, implementation of The Fullerton Plan 2030 would not be growth-inducing with respect to removing an impediment to growth (i.e., establishing an essential public service or provision of new access to an area), or development of or encroachment on an isolated or adjacent area of open space. The proposed project would be growth-inducing with respect to fostering economic expansion and population growth, and establishing a precedent-setting action. The population, housing, and employment growth projected at buildout of The Fullerton Plan 2030 would be greater than SCAG's projections for the City. However, development within the City would be responding to growth that was previously planned, rather than creating growth that would require substantial development of unplanned and unforeseen support uses and services. Further, The Fullerton Plan 2030 accounts for the increased growth and establishes Policies and Actions to reduce its potential growth-related impacts. All future development within the



City with growth-inducing potential would be subject to compliance with The Fullerton Plan 2030 Policies and Actions outlined in <u>Section 5.2</u>. Additionally, the forecast population increase would occur over a 20-year period, allowing for development of necessary services and infrastructure commensurate with the proposed growth.

At the regional level, the emphasis regarding growth has been placed primarily on achieving a balance of employment and housing opportunities within the subregions. This regional concept, referred to as jobs/housing balance, encourages the designation and zoning of sufficient vacant land for residential uses with appropriate standards to ensure adequate housing is available to serve the needs derived from the local employment base. The jobs/housing ratio can be used as the general measure of balance between a community's employment opportunities and the housing needs of its residents. A ratio of 1.0 or greater generally indicates that a City provides adequate employment opportunities, potentially allowing its residents to work within the City. A desirable jobs/housing balance improves regional mobility (traffic), reduces vehicle miles traveled, and improves air quality. Conversely, imbalance between a City's jobs and housing increases commutes, with resultant increases in traffic volumes and air emissions, and overall reduces the quality of life.

Under existing conditions, the City's jobs/housing ratio is approximately 1.3, indicating the City provides adequate employment opportunities for its residents, allowing them to live and work within the City.¹ The Fullerton Plan 2030 would increase the City's existing housing inventory by approximately 22 percent (10,183 new DU) and employment by approximately 40 percent (24,032 new jobs). With implementation of The Fullerton Plan 2030, the City's jobs/housing ratio would be approximately 1.5,² indicating the City would continue to be able to provide adequate employment opportunities for its residents. As such, The Fullerton Plan 2030 would provide more employment opportunities for its residents, than are currently provided. Therefore, The Fullerton Plan 2030 would beneficially impact the City's job/housing balance, by improving the job/housing ratio when compared to existing conditions. Additionally, The Fullerton Plan 2030 would provide approximately ten percent more employment than SCAG's projection of 76,499 jobs, which represents a difference of approximately 7,384 jobs. While The Fullerton Plan 2030 would induce growth in the City over existing conditions, this is considered a beneficial impact.

6.4 ENERGY CONSERVATION

Public Resources Code Section 21100(b)(3) and CEQA Guidelines Appendix F requires a description (where relevant) of the wasteful, inefficient, and unnecessary consumption of energy caused by a project. In 1975, the California State Legislature adopted Assembly Bill 1575 (AB 1575) in response to the oil crisis of the 1970s.

¹ Based on 59,851 jobs and 45,947 DU existing (2010).

² Based on 83,883 jobs and 56,130 DU at buildout (2030).



PROJECT ENERGY CONSUMPTION

Short-Term Construction

In 1994, the U.S. Environmental Protection Agency (EPA) adopted the first set of emission standards (Tier 1) for all new off-road diesel engines greater than 37 kilowatts (kW). The Tier 1 standards were phased in for different engine sizes between 1996 and 2000, reducing NO_X emissions from these engines by 30 percent. The EPA Tier 2 and Tier 3 standards for off-road diesel engines are projected to further reduce emissions by 60 percent for NO_X and 40 percent for particulate matter from Tier 1 emission levels. In 2004, the EPA issued the Clean Air Nonroad Diesel Rule which will cut emissions from off-road diesel engines by more than 90 percent.

The Fullerton Plan 2030 would not directly result in the construction of any new development projects. However, its implementation could facilitate development of various residential, commercial, industrial, public/religious, parks/recreation, and other (parking facilities, utilities, flood control, rights-of-way) uses. There are no unusual characteristics of The Fullerton Plan 2030 that would necessitate the use of construction equipment that is less energy-efficient than at comparable construction sites. Therefore, compliance with The Fullerton Plan 2030 Policies and Actions would not result in inefficient, wasteful, or unnecessary fuel consumption.

Long-Term Operations

TRANSPORTATION

Pursuant to the Federal Energy Policy and Conservation Act of 1975, the National Highway Traffic and Safety Administration (NHTSA) is responsible for establishing additional vehicle standards and for revising existing standards. Since 1990, the fuel economy standard for new passenger cars has been 26.5 miles per gallon (mpg). The fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7 mpg since 1996. Heavy-duty vehicles (i.e., vehicles and trucks over 8,500 pounds gross vehicle weight) are not currently subject to fuel economy standards. Compliance with Federal fuel economy standards is not determined for each individual vehicle model. Rather, compliance is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States.

The Fullerton Plan 2030 includes Policies and Actions encouraging transit-oriented and mixed-use development to reduce daily vehicle trips and vehicle miles traveled (VMT). The Fullerton Plan 2030 is not anticipated to result in any unusual characteristics that would result in excessive long-term operational fuel consumption. The Orange County Transportation Authority (OCTA) currently provides fixed bus routes in the City of Fullerton along Beach Boulevard, Euclid Street, Harbor Boulevard, Commonwealth Avenue, Orangethorpe Avenue and State College Boulevard, among others; refer to Exhibit 5.4-3, OCTA Bus Routes). Bus routes link various destinations within the City and throughout the county, including Cal State Fullerton, Fullerton College, the Anaheim Transportation Center, Angel Stadium, and Disneyland. The Fullerton Transportation Center (FTC) is located at the southeast edge of the downtown area and is a hub for all modes of public transportation. The FTC also provides access to private taxi services and secure bicycle storage. The FTC is within walking distance of downtown.



Commuter rail service (Metrolink) is provided from the FTC to Los Angeles Union Station on two separate lines on a daily basis. Additionally, The Fullerton Plan 2030 provides strategies to improve transit service and overall mobility within the City that would result in a decrease in auto dependency. Future development under The Fullerton Plan 2030 would increase density and improve the jobs/housing balance, which would increase public transportation patronage. The availability of public transit for City residents, employees, and visitors would ensure that the project would not result in the inefficient, wasteful, or unnecessary consumption of transportation energy.

Overall, fuel consumption associated with vehicle trips generated by future development within Fullerton would not be considered inefficient, wasteful, or unnecessary in comparison to other cities in the region.

ENERGY DEMAND

California Code of Regulations, Title 24, Part 6, is California's Energy Efficiency Standards for Residential and Non-residential Buildings. Title 24 was established by the California Energy Commission (CEC) in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption, and provide energy efficiency standards for residential and non-residential buildings. In 2010, the CEC updated Title 24 standards with more stringent requirements. The 2010 Standards are expected to substantially reduce the growth in electricity and natural gas use. Additional savings result from the application of the Standards on building alterations, such as those within Section V (Site Lighting) including Subpart E (Windows), F (Roofs), and S (Mechanical Equipment). These savings are cumulative, increasing as years go by.

The Fullerton Plan 2030 would not result in any unusual characteristics that would result in excessive long-term operational building energy demand. Additionally, The Fullerton Plan 2030 includes numerous energy efficiency Policies and Actions, as follow:

P1.12 Energy- and Resource-Efficient Design

Support projects, programs, policies and regulations to encourage energy and resource efficient practices in site and building design for private and public projects.

A1.7 Energy Efficient Retrofits

Prepare guidance to homeowners on energy efficient retrofits of existing dwellings.

3.24 Encourage Sustainability and Green Building Practices

The City has acknowledged the community's concerns regarding the use and conservation of energy resources and embraces the concept of sustainability and "green building" in new and existing housing development. To encourage "green building" practices in new and existing residential development, the City shall evaluate industry trends, technologies, and techniques that encourage the sustainable use of resources in new housing development and the retrofit of existing housing. Based upon this evaluation, the City shall develop programs and procedures, as appropriate, that encourage the incorporation of sustainability in new and existing residential development. The City shall determine the appropriateness of offering incentives or other mechanisms to further encourage the incorporation of sustainability in residential development.



3.26 Efficient Use of Energy Resources in Residential Development

The City shall encourage housing developers to maximize energy conservation through proactive site, building and building systems design, materials, and equipment. The City's goal is to provide the development community the opportunity to exceed the provisions of Title 24 of the California Building Code. The City shall continue to support energy conservation through encouraging the use of Energy Star®-rated appliances, other energy-saving technologies and conservation. To enhance the efficient use of energy resources, the City shall review the potential of offering incentives or other strategies that encourage energy conservation.

A4.11 Guidance for Historic Retrofits

Encourage the use of the Secretary of the Interior's Standards for Rehabilitation, and work to develop Fullerton specific standards and guidelines to help owners of historic properties perform energy-efficient upgrades that respect original materials and styles.

P22.2 GHG Emissions from Electrical Generation

Support regional and subregional efforts to reduce greenhouse gas emissions associated with electrical generation through energy conservation strategies and alternative/renewable energy programs.