

## 6.0 OTHER CEQA ISSUES

This section addresses CEQA requirements to discuss whether a project has the potential to be growth inducing and whether a project has the potential to result in significant and irreversible impacts on the environment.

### 6.1 GROWTH INDUCING EFFECTS

Section 15126.2(d) of the *CEQA Guidelines* requires that EIRs discuss the potential for projects to induce population or economic growth, either directly or indirectly. CEQA also requires a discussion of ways in which a project may remove obstacles to growth.

Generally speaking, a project may be considered growth inducing if it results in one of the five conditions identified below:

1. *Induces population growth.*
2. *Induces economic expansion.*
3. *Establishes a precedent setting action (e.g. an innovation, a radical change in zoning or general plan designation).*
4. *Results in development or encroachment in an isolated or adjacent area of open space (i.e. being distinct from “infill” development).*
5. *Removes an impediment to growth (e.g. the establishment of an essential public service or the provision of new access to an area).*

#### 6.1.1 POPULATION GROWTH

As discussed in Section 2.0, *Project Description*, the proposed project would result in construction and operation of a new Orcutt Area Seniors in Service (OASIS) Senior Center on property currently restricted to open space and park uses. The new senior meeting center would be located within Orcutt Community Plan (OCP) KS18 (KS18).

The project would result in a larger and improved facility compared to the current OASIS facility on Soares Avenue. OASIS expects overall attendance at their activities and programs to increase by approximately 30% at the proposed facility. Rentals are also expected to increase, given the greatly improved indoor and outdoor amenities provided in the proposed project. Although attendance is expected to increase, the project is not expected to result in population growth, as OASIS proposes to continue to serve the existing community, primarily local seniors. In addition, volunteers involved with OASIS are expected to continue to be residents of the local community. The project would not result in the addition of new housing or a new job center that would attract or support new residents. For these reasons, the project is not expected to result in an increase in the population of Orcutt.

#### 6.1.2 ECONOMIC GROWTH

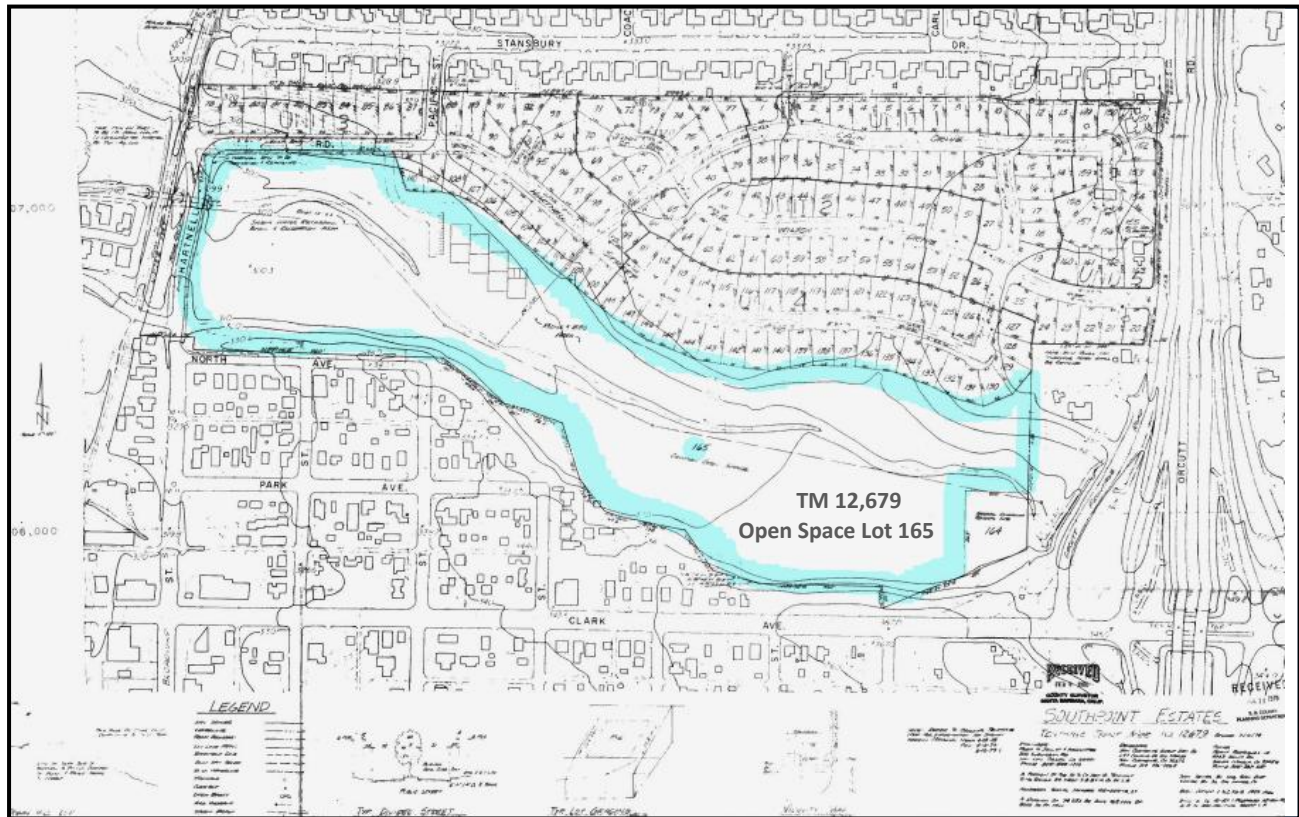
The intent of the project is to relocate the existing OASIS to a permanent facility owned by OASIS that can accommodate existing activities and programs and allow for expansion of existing activities and programs in an improved facility. The project would generate short-term construction jobs. In addition, the project would provide a limited rental venue in Orcutt, which would stimulate economic activity associated with providing services for rental activities (e.g., party supplies, catering, shuttle service, flowers, music, etc.).

### 6.1.3 PRECEDENT SETTING ACTION

#### Conversion of Designated Open Space

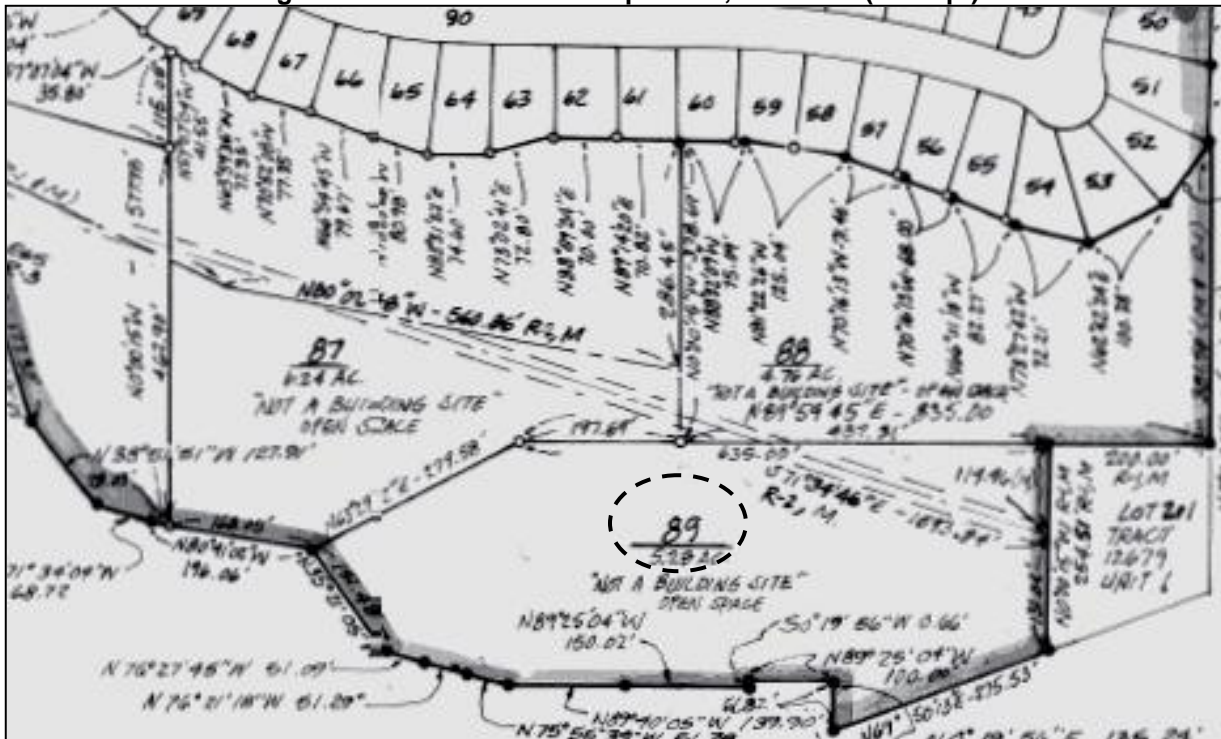
The OASIS property was first designated as open space, as Lot 165 (approximately 35 acres) of the original Southpoint Point Estates subdivision/rezone project (TM 12,679/78-RZ-19). Lot 165 (see Figure 6-1 below) was proposed as open space to reduce project specific and cumulative impacts by avoiding steep slopes and preserving biological resources, scenic views and open space along the Orcutt Creek corridor. TM 12,679 condition #18 and Rezone Ordinance #3106 Section 6.0 (see Appendix B) restrict this area to open space and non-commercial recreational uses, and require the development rights to the property to be deeded to the County.

**Figure 6-1 Southpoint Estates Tentative Tract Map 12,679/78-RZ-19, Open Space Lot 165**



The subsequent Southpoint Estates subdivision, TM 13,345, identifies the same open space area (as Lot 165), but calls out five separate open space lots: Lots 87, 88, 89 (OASIS property), 92, and 93. The TM 13,345 conditions of approval retain the same land use restrictions of open space and non-commercial recreation for the open space area, with an added condition (#8) requiring each of the five open space lots to be labeled, "NOT A BUILDING SITE OPEN SPACE," at final map recordation. An excerpt of the recorded map for TM 13,345 Unit 1 (Book 125, page 8) is included below, showing the required label on three of the five open space lots, including Lot 89 (the OASIS property).

Figure 6-2 Recorded Final Map TM 13,345 Unit 1 (Excerpt)



In 1997, adoption of the Orcutt Community Plan (OCP) included the Southpoint Estates open space parcels within OCP KS18. This OCP designated open space along Orcutt Creek comprises approximately 88 percent (approximately 35.11 acres) of KS18 (approximately 39.73 acres). Approximately 8.5 acres of this designated open space area (including the 5.28-acre OASIS property) is also identified in the OCP as the site of a future public park. The Board of Supervisor’s findings for adoption of the OCP identify the extensive efforts that went into determining which lands should be left as open space. The Board’s findings addressed the following considerations with regard to the OCP Open Space Plan (“Plan”).

The OCP Open Space Plan:

- Encompasses the OCP's parks, recreation, trails, and open space sections of the Plan, and attendant maps and financing programs;
- Is the primary tool for achieving the basic planning goals of avoidance of hazards and physical constraints, and the avoidance or mitigation of adverse environmental impacts.
- Applies to designated sites within significant viewsheds, important vegetated areas, and biologically valuable areas;
- Is designed to:
  - Avoid hazards such as floodways and floodplains, steep slopes, high fire danger;
  - Provide both active and passive recreation opportunities;
  - Help retain the community's semi-rural character;
  - Preserve the community's most significant natural resources and scenic values.The Open Space Plan;

The findings further note that the Board of Supervisors considered the following in determining the open space areas within the OCP Key Sites:

- The need to protect community character and Orcutt's most important habitats;
- The willingness of property owners to offer open spaces;
- The need to provide for reasonable development of private property;
- Development constraints and environmental impacts identified in the OCP EIR;
- All of the written and oral testimony presented during the hearings;
- Requiring areas which are unsuited for urban development because of hazards, constraints, and resource values to be retained in open space;
- Retaining areas in open space in a manner which provides for rational and orderly development of individual properties, considering both the existing and planned patterns of use on surrounding properties; and
- Determining the boundaries of the open space areas after balancing the above factors and subject to extensive review at both Planning Commission and Board of Supervisors hearings...

The OASIS property is part of a contiguous open space along Orcutt Creek, which was set aside in both the Southpoint Estates project and the OCP to offset cumulative loss of open space land and scenic open space views, to protect biological resources and recreational opportunities, and to avoid hazards including steep slopes and flooding. In addition, development rights to a portion of the KS18 open space were deeded to the County, pursuant to the Southpoint Estates conditions of approval.

The General Plan Amendment, Recorded Map Modification, and acquisition of the OASIS property development rights from the County would each remove development restrictions on the OASIS property. Without approval of these requests, development would be limited to a public park. Therefore, approval of these requests would greatly increase the development potential of this open space parcel and would set a precedent for removing development restrictions and relinquishing development rights on similarly restricted open space lands, reversing previous decisions to set aside such lands as part of development approvals.

There are many other properties in the unincorporated area of the County that which have been set aside as open space as part of past land use decisions, for the purpose of preserving resources, meeting open space zoning requirements, and/or offsetting various impacts of development projects. Approval of the OASIS requests may encourage submittal of similar requests to remove development restrictions on other Southpoint Estates/KS18 open space parcels and other development restricted open space parcels throughout the unincorporated area.

### **Elimination of Development Restrictions not Limited to OASIS Project**

This EIR focuses on the environmental effects of the proposed relocation of OASIS, including the proposed development and long-term use of the proposed OASIS facility within OCP KS18. As described above, this proposed relocation of OASIS is dependent upon approval of the proposed amendments to the Orcutt Community Plan, proposed changes to the conditions of approval and final maps for the Southpoint Estates subdivision/rezone project and OASIS' acquisition of the property's development rights from the County. Although not considered likely, each of the project requests could be approved, including removal of existing development restrictions for the property, followed by OASIS not proceeding to construct their development project.

In the event that OASIS does not ultimately develop their project, the development restrictions (development limited to open space/park/non-commercial recreation uses, County holding development rights) would no longer be in effect, and OASIS or a new property owner/applicant could propose a different project for the site. Similar to the discussion above, which addresses the potential for similar requests to remove development restrictions on other designated open space properties, this situation is too speculative for an assessment of environmental impacts that would result if an alternative project were proposed. If an alternative project were proposed in the future, a determination would be made as to whether the project is in substantial conformance with an approved project onsite and whether additional environmental review would be required.

### **6.1.4 DEVELOPMENT OF OPEN SPACE/VACANT LAND**

The OCP Open Space Plan identifies a contiguous open space running along Orcutt Creek through the Orcutt Planning Area, from Highway 101 to Highway 1. This swath of open space runs through the OCP urban area and was set aside as open space to retain some of the semi-rural qualities of the community. Approval of the project requests may encourage similar requests to convert other similarly situated, open space properties to development. This would include, but not be limited to, other KS18 open space parcels as well as properties throughout the unincorporated area that are designated as open space with development restrictions. Also see discussion in Section 6.1.3 (Precedent Setting Action).

### **6.1.5 REMOVAL OF AN IMPEDIMENT TO GROWTH**

Existing services are available to serve the project, including water (Golden State Water Company), sewer (Laguna County Sanitation District), solid waste services and utilities. In addition, the project site is located in proximity to connection points for these services (e.g., water line/gas line in Clark Avenue, sewer line south of Orcutt Creek, etc.). The project is also located within adequate response times to police and fire services, as discussed in Section 4.10, Public Services.

Other impediments to growth are tied to land use restrictions. These impediments to growth are discussed in Sections 6.1.3 (*Precedent Setting Action*) and 6.1.4 (*Development of Open Space/Vacant Land*) above.

## 6.2 SIGNIFICANT UNAVOIDABLE EFFECTS

CEQA Guidelines §15126(b) requires that an EIR identify those significant impacts that cannot be reduced to a less than significant level with the application of mitigation measures. The implications and reasons why the project is being proposed, notwithstanding, must be described.

As discussed in Sections 4.1 (Aesthetics), 4.3 (Biological Resources), 4.11 (*Recreation and Open Space*), and 4.12 (*Transportation/Circulation*), implementation of the proposed project would result in significant, unavoidable impacts to the following environmental issue areas:

- *Aesthetics and Visual Resources;*
- *Biological Resources;*
- *Land Use*
- *Recreation and Open Space; and*
- *Transportation/Circulation*

## 6.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS

CEQA Guidelines §15126.2(c) requires a discussion of any significant irreversible environmental changes which would be caused by the proposed project should it be implemented. Such significant irreversible environmental changes may include the following:

- *Use of non-renewable resources during the initial and continued phases of the project which would be irreversible because a large commitment of such resources makes removal or non-use unlikely.*
- *Primary impacts and, particularly secondary impacts (such as highway improvement which provides access to a previously inaccessible area) which generally commit future generations to similar uses.*
- *Irreversible damage which may result from environmental accidents associated with the project.*

Development of the proposed project would result in the permanent conversion of undeveloped open space to development.

The project would require building materials and energy, some of which are non-renewable resources. Consumption of these resources would occur with any development in the region and are not unique to the proposed project. The addition of the new OASIS facility would irreversibly increase local demand for non-renewable energy resources such as petroleum and natural gas. Increasingly efficient building fixtures and automobile engines, as well as implementation of OCP policies would partially offset increased demand. In addition, the project incorporates the use of solar panels to offset part of the project's increased energy demand. The project is not expected to significantly increase or affect local or regional energy supplies.

The project would result in an irreversible commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services.

As described in Sections 4.1 through 4.13, the project would also result in irreversible impacts from development and operation of the proposed OASIS facility, including impacts to visual resources including scenic views, biological resources (direct removal of vegetation, indirect impacts from potential erosion/sedimentation, increased human activities/noise/night-lighting which may impact Orcutt Creek riparian habitat and wildlife in this corridor, geologic processes (hazards from grading on steep slopes), increased noise levels from OASIS activities and rentals, loss of open space/conversion to development, loss of recreational opportunities (loss of future public park site to development), increased vehicle trips (increased emissions/air quality, increased turning movements and congestion at local intersections), and water quality impacts from increased development/impervious surfaces.

