

(R-93-332)

RESOLUTION NUMBER R- ~~280783~~ _____

ADOPTED ON SEP 21 1992

WHEREAS, the North City Future Urbanizing Area Framework Plan was set for a public hearing to be conducted by the Council of The City of San Diego to consider the proposed Framework Plan and associated items including a proposed Interim Development Impact Fee, amendments to the *Progress Guide and General Plan*, amendments to the A-1 zone and the Planned Residential Development Ordinance, amendments to Council Policies 600-29 and 600-30, and Environmental Impact Report (EIR) No. 91-0809; and

WHEREAS, the North City Future Urbanizing Area Framework Plan and associated items were heard by the Council on September 21, 1992; and

WHEREAS, the Council considered the issues discussed in Environmental Impact Report No. 91-0809; NOW THEREFORE,

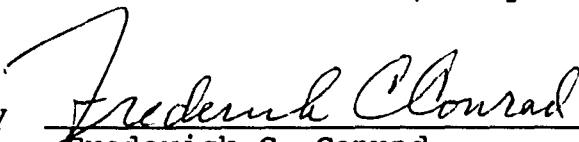
BE IT RESOLVED, by the Council of The City of San Diego that it be, and it is hereby certified, that Environmental Impact Report No. 91-0809, on file in the office of the City Clerk, in connection with the North City Future Urbanizing Area Framework Plan, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the report reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in

the report, together with any comments received during the public review process, has been reviewed and considered by this Council.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code Section 21081 and California Code of Regulations section 15091, the City Council hereby adopts the findings made with respect to the project, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, that pursuant to California Code of Regulations section 15093, the City Council hereby adopts the Statement of Overriding Considerations, a copy of which is attached hereto and incorporated herein by reference, with respect to the project.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

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08/25/92
Or.Dept:Plan.
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FINDINGS
(DEP NO. 91-0809)

The California Environmental Quality Act (CEQA) requires that no public agency approve or carry out a project for which an environmental impact report has been completed which identifies one or more significant impacts unless such public agency makes one or more of the following findings:

1) Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant environmental impacts identified in the completed environmental impact report.

2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency or can and should be adopted by such other agency.

3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

(Sec. 21081 of the California Environmental Quality Act)

CEQA further requires that, where the decision of the public agency allows the occurrence of significant effects which are identified in the final EIR, but are not at least substantially mitigated, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or information in the record (SEC. 15093 of the CEQA Guidelines).

The following Findings and Statement of Overriding Considerations have been submitted by the project applicant as candidate findings to be made by the decision-making body. The Environmental Analysis Section of the City of San Diego Planning Department does not recommend that the decision-making body either adopt or reject these findings.

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**FINDINGS
FOR THE NORTH CITY
FUTURE URBANIZING AREA FRAMEWORK PLAN**

**DEP No. 91-0809
August, 1992**

The findings set forth below pertain to the proposed North City Future Urbanizing Area Framework Plan (dated September 1992) and Implementation Program. The proposed Framework Plan has been prepared by the City of San Diego Planning Department in cooperation with private consultants, a citizens advisory committee, public agencies and other interests. The Framework Plan is intended to guide future development of the area.

Environmental Impact Report (EIR) 91-0809 indicates that significant unmitigated environmental impacts would result if the draft North City Future Urbanizing Area Framework Plan were adopted and implemented. Therefore, these candidate Findings and a Statement of Overriding Considerations, have been prepared for adoption if the City Council decides to adopt the proposed Framework Plan and take the associated proposed actions.

Having reviewed and considered the information contained in the North City Future Urbanizing Area Framework Plan Final Environmental Impact Report (EIR 91-0809), related documents and the public record, the Council of the City of San Diego makes the following findings pursuant to Section 15093 of the California Administrative Code:

- A. No changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental impacts as identified in Environmental Impact Report 91-0809.
- B. There are no changes or alterations within the responsibility of another public agency which are necessary to avoid or substantially lessen significant environmental effects.
- C. Specific economic, social or other considerations make infeasible the project alternatives identified in Environmental Impact Report 91-0809 to reduce the following significant impacts:

1. LAND USE:

Impact: Inconsistency with the General Plan (development of the Future Urbanizing Area while adequate development capacity exists in the City); lack of a phasing plan; lack of comprehensive planning by not providing adequate implementation for subarea planning requirements; potential conflict with implementation of the Resource Protection Ordinance.

2. TRANSPORTATION/ TRAFFIC:

Impact: Decreased levels of service on roads and freeways in the area surrounding the Future Urbanizing Area.

3. BIOLOGICAL RESOURCES:

Impact: Direct loss of habitat and wildlife corridor disturbance.

4. HYDROLOGY/WATER QUALITY:

Impact: Potential flood control and urban runoff impacts.

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5. LANDFORM ALTERATION/VISUAL QUALITY:

Impact: Conversion of native vegetation and landform to development; potentially significant grading for future development.

6. CULTURAL RESOURCES:

Impact: Potential loss of historic and prehistoric resources.

7. AIR QUALITY:

Impact: Substantial number of additional automobile trips which would contribute to regional air quality degradation.

8. AGRICULTURAL LANDS/MINERAL RESOURCES:

Impact: Conversion of agricultural and mineral resources to development.

9. PUBLIC FACILITIES:

Impact: Water and sewer infrastructure, schools, libraries, police, and fire facilities in adjacent communities could be temporarily impacted by development in the Future Urbanizing Area.

10. WATER SUPPLY, DISTRIBUTION, CONSERVATION:

Impact: Substantial amounts of water are anticipated to be used with the addition of 38,000 people in the planning area.

Finding: Environmental Impact Report 91-0809 addresses five project alternatives which reduce significant unmitigated impacts associated with the proposed North City Future Urbanizing Area Framework Plan. The environmental benefits of each of these alternatives and the reasons for their rejection are described below:

a. NO PROJECT A: NO PHYSICAL CHANGE IN THE ENVIRONMENT:

This alternative to the Draft North City Future Urbanizing Area Framework Plan would maintain existing conditions in the planning area indefinitely. In order to maintain the area in its current condition, a building moratorium, or downzoning of sufficient severity to render development economically infeasible, would have to be enacted.

This alternative is infeasible for the following reasons:

1. The alternative would create economic hardship on landowners interested in developing their property. A building permit moratorium would prohibit development entirely, while a severe downzoning would preclude development due to economic infeasibility.
2. The City would experience reduced tax revenue, (e.g. sales and property taxes), while a limited level of public services would still have to be provided, such as fire and police services.
3. Without development in the North City Future Urbanizing Area, there would be no ability to fund the regional transportation improvements needed to serve adjacent communities. The inability to complete regional transportation links, such as Camino Ruiz and Del Mar Heights Road, would conflict with the Transportation Element of the *Progress Guide and General Plan* and the *Regional Transportation Plan*.

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4. A moratorium cannot be used to permanently maintain existing conditions. Once the moratorium is lifted, barring a severe downzoning, existing conditions will change, rendering this alternative infeasible.

b. NO PROJECT B: 1992 REGULATIONS:

This alternative to the Draft North City Future Urbanizing Area Framework Plan involves development of the plan area based on currently-permitted activities as established by the *Progress Guide and General Plan*, the Zoning Ordinance and City Council Policy 600-29, with no phase shift or General Plan amendment required. This alternative would result in the development of up to 3,000 dwelling units as compared to about 15,000 units allowed by the proposed Framework Plan. The lower intensity of development according to this alternative would reduce some of the impacts (especially traffic and air quality) associated with the Framework Plan.

This alternative is infeasible for the following reasons:

1. This alternative does not include the preparation of a financing plan for public facilities, likely resulting in public facility shortages within the planning area, and therefore, facilities impacts to adjacent communities. This would conflict with established City policy that public facilities be provided with development in accordance with the need for facilities generated by development.
2. Even if a facilities financing plan were prepared, and fees established, the projected population would be insufficient to support many public facilities within the plan area. For example, approximately 10,000 dwelling units are needed to generate enough high school students to fill a high school facility. Operation of a school substantially under capacity results in high operating costs for the school district. Therefore, students would be forced to attend school in adjacent communities, where facility shortages already exist. Similarly, the *Progress Guide and General Plan* requires a community park for 18,000 to 25,000 residents (6,000 to 9,000 dwelling units) within 1 1/2 miles of the residences. This standard could not be achieved if development is restricted to 3,000 units in the plan area, as the population would be insufficient to support a community park, and if one was constructed, it would not be within 1 1/2 miles of all residences. There would therefore be impacts to surrounding communities, as residents utilize facilities in those communities.
3. This alternative does not provide for commercial services within the planning area, except for accessory commercial, office, and recreational facilities to serve occupants of individual development projects only. Because of the limited population permitted under current regulations, the area would not support a wide variety of commercial services or employment opportunities. This would conflict with policies established in the *Progress Guide and General Plan*; regarding balancing of jobs, housing, and other land uses.
4. This alternative conflicts with the intent of the *Progress Guide and General Plan* to maintain the Future Urbanizing Area as an urban reserve, because development of land pursuant to current regulations has proven to be financially attractive to property owners. Retention of current regulations would not preclude development; rather, it would result in a lower-density build-out. The land would then never function as an "urban reserve" as called for in the

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General Plan.

5. This alternative conflicts with Council Policy 600-30 which allows property owners to request phase shifts and to plan for urban levels of development, even without a Framework Plan. If phase shifts are to continue to be permitted on a project-by-project basis, this alternative would not be achieved.
6. This alternative conflicts with the affordable housing goals of the *Progress Guide and General Plan*, which recommends that housing be provided for all income groups. Housing costs in the Future Urbanizing Area would be too high for employees in nearby job sites.
7. This alternative provides little or no support for public transit, conflicting with the General Plan transit goals and the Land Guidance study being prepared by the City.

c. CONCENTRATED DEVELOPMENT:

This alternative to the proposed Framework Plan involves concentrating development at the edges of the Future Urbanizing Area (FUA), adjacent to existing or planned development, leaving large portions of the interior of the FUA as a natural and cultural resource preserve, although some infrastructure and low-density development would occur within the FUA. The overall population and dwelling units to be constructed would be consistent with the proposed Framework Plan. Fewer road extensions would be made, so that crossings of the open space would be minimized.

This alternative is infeasible for the following reasons:

1. Traffic and visual impacts to the areas surrounding the Future Urbanizing Area would increase, because the same densities permitted by the Framework Plan would be further compacted adjacent to existing communities.
2. Since development of some of the open space parcels is expected, a long-range plan should provide direction to property owners about where to cluster development on their sites. Designation of entire parcels as open space does not provide this direction.

d. DELAYED PROJECT:

This alternative to the Framework Plan envisions no development in the area until development capacity estimates for the rest of the City indicate that additional housing is needed in the Future Urbanizing Area. Implementation of this alternative would require a continued moratorium on development in the Future Urbanizing Area for an unspecified period of time.

This alternative is infeasible for the reasons identified for the No Project: No Physical Change in the Environment alternative.

e. NCFUA OPEN SPACE FOR ENVIRONMENTAL TIER

This alternative to the Draft North City Future Urbanizing Area Framework Plan involves a *Progress Guide and General Plan* amendment for adoption of an expanded open space to be included in the "Environmental Tier." The alternative does not specify how development in the non-Environmental Tier area would be regulated. If the General Plan amendment involves designation of the Environmental Tier only, then

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development would continue to be regulated by current regulations, as described in the No Project B alternative.

This alternative is infeasible for the following reasons:

1. All of the land designated as open space in the NCFUA could be developed according to the underlying agricultural zone regulations unless it were acquired or dedicated for open space. Development according to the underlying zone would likely result in residential dwellings beyond the affordable range (as defined by the Department of Housing and Urban Development). This is not consistent with the City goals and policies for providing a balanced range of housing opportunities.

Expansion of the open space system would increase the amount of land which could be developed as higher-cost housing and further reduce the ability of the City to meet its affordable housing goals.

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STATEMENT OF OVERRIDING CONSIDERATIONS
FOR THE NORTH CITY FUTURE URBANIZING AREA
FRAMEWORK PLAN

DEP No. 91-0809
August, 1992

The City Council, pursuant to the CEQA Guidelines, after balancing the benefits of the proposed North City Future Urbanizing Area Framework Plan against unavoidable significant direct and/or cumulative impacts of the project on land use, transportation/traffic, biological resources, hydrology/water quality, landform alteration/visual quality, cultural resources, air quality, agricultural/mineral resources, public facilities, water supply, water distribution, and water conservation impacts hereby determines that the impacts are acceptable for the following reasons:

1. The provision of needed jobs, public facilities, commercial services, and housing for various income levels in the North City area.
2. The addition of tax revenue to the City, such as sales and property taxes.
3. The promotion of compact, mixed use transit-oriented development, in accordance with the recently-adopted Transit Oriented Development Guidelines.
4. Implementation of the open space/environmental tier system recommended in the *Progress Guide and General Plan*.
5. The accommodation of anticipated future growth pursuant to a comprehensive plan.
6. Completion of regional transportation links.
7. The ability to review proposed projects against a set of design guidelines.
8. The ability for development to "pay its own way" for public services.

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Passed and adopted by the Council of The City of San Diego on OCT 11 1992
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By Brenda R. Barnes Deputy.

Office of the City Clerk, San Diego, California

Resolution R-280783 Adopted OCT 11 1992
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