

(R-93-354)

RESOLUTION NUMBER R- 280829

ADOPTED ON OCT 06 1992

WHEREAS, on July 9 and July 30, 1992, the Planning Commission of The City of San Diego held public hearings for the purpose of considering rescission of the 1981 Mira Mesa Community Plan and approval of the 1992 Mira Mesa Community Plan update, associated rezones and Environmental Impact Report No. 89-1221; and

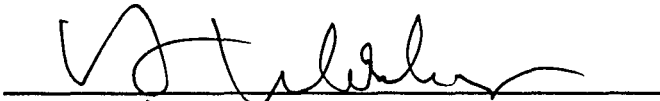
WHEREAS, the Council of The City of San Diego considered the issues discussed in Environmental Impact Report No. 89-1221 prepared for the 1992 Mira Mesa Community Plan and associated rezones; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Environmental Impact Report No. 89-1221, in connection with the Mira Mesa Community Plan update, on file in the office of the City Clerk, 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 said 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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09/25/92
Or.Dept:Plan.
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FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

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

- (1) Changes or alterations have been required in, or incorporated into, such project which mitigate or avoid the significant environmental effects thereof as 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.
- (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 other 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 decisionmaking body. The Development and Environmental Planning Division does not recommend that the discretionary body either adopt or reject these findings. They are attached to allow readers of this report an opportunity to review the applicant's position on this matter.

R- 280829

FINDINGS
MIRA MESA COMMUNITY PLAN UPDATE

EIR, DEP No. 89-1221

DATE: May 6, 1992

The following findings address significant environmental impacts identified in the environmental impact report prepared for the Mira Mesa Community Plan Update, the proposed project. The Mira Mesa community planning area encompasses approximately 10,500 acres generally bounded by Los Penasquitos Canyon Preserve and the Future Urbanizing Area on the north, I-15 on the east, NAS Miramar on the south, and I-805 and the University community on the west.

Having considered the Final Environmental Impact Report (EIR) for the Mira Mesa Community Plan Update and the record before it, the decisionmaker has made the following findings pursuant to Sections 15091 and 15093 of Title 14 of the California Administrative Code.

A. The decisionmaker finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental impacts as identified in the Final Environmental Impact Report.

Biological Resources

Impact: Approximately 1,350 acres of developable land remain vacant within the Mira Mesa Community. A significant portion of this land contains sensitive biological resources. Implementation of the development proposals within the Mira Mesa Community Plan Update could result in direct and cumulative impacts to sensitive biological resources including Diegan Coastal sage scrub, wetlands, vernal pools, and wildlife corridors.

Finding: The Sensitive Resources and Open Space element of the plan update includes detailed recommendations for sensitive resource management and preservation. The plan includes a recommendation for a community wide open space system that would preserve sensitive slopes, wildlife corridors and canyon systems, vernal pool habitat and riparian corridors. In addition, this section of the community plan includes development standards intended to assure the protection of the habitat quality within the open space system. Adherence to the recommendations outlined in the Sensitive Resources and Open Space Element would avoid or reduce the potentially significant direct and cumulative biological impacts addressed in the EIR. However, because implementation of these recommendations cannot be assured, the potential for impacts remain significant.

Hydrology/Water Quality

Impact: Development in accordance with the Mira Mesa Community

Plan Update would result in the conversion of approximately 500 acres of undisturbed land to urban uses. In addition, as much as 850 acres of previously disturbed land could also be regraded to accommodate urban uses. These future development activities would contribute individually and incrementally to the increase in sediment and suspended urban pollutants entering the Los Penasquitos Lagoon watershed. The impact to the surface water quality from storm and drainage runoff would be significant.

Finding: Appropriate mitigation can be achieved during the discretionary permit process through review of development projects for consistency with a Better Management Practices Program to comply with California Regional Water Quality Control Board NPDES Permit governing the discharge of stormwater and urban runoff. The program will detail water quality control measures to be implemented on a citywide basis. Long-term implementation of the program would mitigate water quality and hydrology impacts made by future development projects.

Visual Quality/Landform Alteration

Impact: Future development in accordance with the land use proposals of the Community Plan Update could result in extensive alteration of the existing topography, and consequently could adversely impact the visual quality of the remaining vacant land.

Finding: Appropriate mitigation can be achieved through implementation of the policies, proposals and specific development criteria intended to minimize visual impacts contained in the Community Plan Update. Specifically, the project includes proposals to incorporate portions of the community's steep slopes in open space; requirements to preserve sensitive vegetation types; development criteria for the Carroll Canyon Master Plan area, and for areas within the Coastal Zone or the Hillside Review Overlay Zone, and for properties adjacent to open space areas. In order to implement these requirements, the Community Plan Update requires a Planned Development Permit for all new development.

Cultural Resources

Impact: Cultural resources have been previously recorded in the vicinity of several of the undeveloped parcels in Mira Mesa. Therefore, it can be assumed that there is a high potential for archaeological resources to exist within those areas designated for future development.

Finding: Future development of the vacant parcels in the community would be subject to mitigation of any significant impact to cultural resources. Surveys to identify cultural resources, in accordance with the California Environmental Quality Act and the City's Resource Protection Ordinance, are required prior to the issuance of any discretionary permits such as a tentative map or a

rezone. These surveys are to be conducted by a qualified archaeologist in accordance with the City of San Diego's Archaeological Report Guidelines and measures must be incorporated into the project in an effort to avoid the loss of cultural resources.

Paleontological Resources

Impact: The Mira Mesa planning area is underlain with several geologic formations associated with the Eocene deposits of the San Diego embayment which have a medium to high potential for containing paleontologic resources. Grading required to implement Community Plan land use proposals is likely to expose significant fossils and could potentially result in their loss.

Finding: Specific conditions can be applied to future subdivision maps and/or other discretionary permits that would reduce impacts to paleontological resources to below a level of significance. These mitigation measures involve the retention of a qualified paleontologist to carry out the following tasks: monitoring of grading activities in an effort to identify fossil deposits; salvaging significant fossil deposits through a recovery program; preparing the collected materials for deposit at a scientific institution; and completing a brief report for the City of San Diego Planning Department outlining the results of the monitoring program.

Geology and Soils

Impact: The soils within Mira Mesa typically present moderate to severe building limitations because of high erosion, shrink/swell potential, and very slow infiltration rates. Further, the Seismic Safety Study for the City of San Diego has identified the western portion of Carroll Canyon as an area of potential soil liquefaction during an earthquake. Therefore, the potential for geological hazards does exist within the planning area and could represent a constraint to future development.

Finding: Site-specific geotechnical investigations will be required prior to the approval of any development proposals within the remaining developable areas in Mira Mesa. Based on the results of these investigations, appropriate mitigating measures, if required, would be made conditions of future subdivision maps and/or land development permits.

B. The decisionmaker finds that 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. The decisionmaker finds that specific economic, social or other considerations make infeasible the project alternatives

identified in the Final EIR to reduce the direct and cumulative significant impact on traffic circulation, air quality and biological resources to a level less than significant.

Impact: Implementation of the land use proposals and the circulation system proposed by the Community Plan Update will have both direct and cumulative impacts to traffic circulation. The increase in traffic congestion further causes direct and cumulative impacts to the region's air quality. Implementation of the plan would also result in cumulatively significant impacts to sensitive biological resources and potentially significant direct impacts to vernal pools.

In order to quantify and assess the traffic impacts of community plan buildout, as well as the impacts of the amendment to the General Plan to delete the unbuilt portion of Camino Ruiz from the City's circulation system, the Engineering Department prepared a computerized traffic study. The results of the traffic study indicate that five major roadways and several local collectors will experience excessive traffic volumes at future buildout. Further, the traffic study examined the level of service at 42 major intersections in the community. Of the 42 intersections examined, five of these are expected to operate at level of service "D" or below, if the updated community plan is implemented. The community plan update proposes intersection improvements recommended by the Engineering Department which will fully mitigate one impacted intersection to a below a level of significance and partially reduce the congestion at the remaining impacted intersections.

When the two alternatives analyzed in the traffic study (Camino Ruiz in/Camino Ruiz out) are compared at future buildout, one additional intersection will operate at level of service "D" or below and two other intersections will have additional level of service impacts as a result of the deletion of Camino Ruiz. According to Mid-County Transportation Study prepared by SANDAG, the rerouting of traffic resulting from the deletion of the Camino Ruiz crossing could also increase future peak hour trips on the surrounding freeway system at community plan buildout. The proposal could therefore result in added congestion on an already congested traffic system, causing cumulative traffic and air quality impacts.

Finding: The EIR addresses three alternatives which would reduce the significant unmitigated environmental impacts associated with the proposed project. The environmental benefits of each of these alternatives and the reason for their rejection are described below.

No Project

The No Project alternative would result in the development of the remaining undeveloped parcels within the community at essentially

the same intensities as those included within the draft Mira Mesa Community Plan Update. Under this alternative, the proposal to extend Camino Ruiz across Los Penasquitos Canyon Preserve would not be deleted from the adopted circulation system. As a result, the direct and cumulative traffic and air quality impacts associated with the deletion of this road segment would not occur. However, traffic congestion and air quality deterioration would still occur as a result of existing land use policies and development intensity levels specified in the adopted community plan. This alternative was rejected because of the severe environmental impacts that would occur if Camino Ruiz were extended across Los Penasquitos Canyon.

Los Penasquitos Canyon Preserve is a publicly owned recreational and open space park that was established to preserve one of the last remaining undeveloped canyons in the San Diego regions. The Preserve provides significant open space and recreational opportunities not only for the adjoining community but for the region as a whole. Construction of the roadway across the Preserve would destroy the aesthetic quality of the canyon as well as significantly impact a number of sensitive habitats including oak woodland, freshwater marsh, and Diegan Coastal Sage Scrub. The roadway would also disrupt wildlife movement creating a potential adverse impact to wildlife preservation, a primary function of the Preserve. Other impacts include substantial increases in noise and the deterioration of visual quality within the Preserve.

Additionally, the No Project alternative was rejected because it would not achieve the main objective of the plan update which is to revise the existing community plan to more adequately address the public facility needs of the community. Other benefits achieved through adoption of the community plan update, such as more effective management of sensitive resources and the provisions for future light rail transit, would also not be realized under the existing community plan. The No Project alternative is considered infeasible because of the various social and environmental benefits, as outlined above, that would be realized with the adoption of the community plan update.

Retention of the Camino Ruiz Crossing

This alternative would be identical to the current project with the exception of the recommendation regarding the extension of Camino Ruiz across Los Penasquitos Canyon. Under this alternative, the plan would recommend the extension of Camino Ruiz across Los Penasquitos Canyon as a four-lane bridge structure.

Although this alternative would reduce the cumulative traffic and air quality impacts identified in the EIR, the implementation of this alternative would result in other impacts that are considered unacceptable to the region. As previously stated, construction of the roadway would result in significant unmitigatable impacts to

the sensitive biological resources within Los Penasquitos Canyon, as well as to the canyon's overall aesthetic and visual quality.

This alternative was rejected due to the importance of Los Penasquitos Canyon Preserve as a recreational and open space amenity and functional biological preserve. The substantial impacts associated with the construction of the Camino Ruiz crossing override the future direct and cumulative traffic and air quality impacts that would occur as a result of its deletion.

Delay the Deletion of the Camino Ruiz Crossing

This alternative would be identical to the current project with the exception of the handling of the Camino Ruiz crossing. Rather than deleting the future extension of the roadway from the General Plan and precluding its construction in the future, the plan would recommend that the right-of-way required to build the crossing as a four-lane bridge structure be protected, but the plan would not advocate the construction of the roadway. Under this alternative the future extension of the roadway would not be precluded should there be substantial need for an additional north/south transportation link in the region.

This alternative was rejected because it too could ultimately result in substantial impacts to the canyon. The importance of this regional open space system will only increase in the future as more of the remaining vacant lands in the region are lost to development. The environmental and social benefits that can be achieved through the deletion of the Camino Ruiz crossing and hence the aesthetic of Los Penasquitos Canyon will not be realized if the road is built in the future.

STATEMENT OF
OVERRIDING CONSIDERATIONS
for the
MIRA MESA COMMUNITY PLAN UPDATE

EIR, DEP No. 89-1221

May 6, 1992

The decisionmaker, pursuant to the CEQA Guidelines, after balancing the benefits of the proposed Mira Mesa Community Plan Update against the unavoidable significant direct and/or cumulative impacts of the project on traffic circulation, air quality and biological resources that remain, notwithstanding the mitigation measures incorporated within the project, determines that the impacts are acceptable due to the following:

1. The plan update improves the provisions for essential public services and improves development standards within the community. When compared with the adopted Mira Mesa Community Plan, the Community Plan Update proposes minor increases in development intensities; therefore, with the exception of the deletion of the Camino Ruiz crossing, the plan update does not result in any new impacts.

The plan update does, however, address the current need for additional public facilities in the community, provide more effective management of sensitive resources and incorporate provisions for future light rail transit. For example, the plan update addresses the need for additional parkland and an expanded library. It also includes proposals to preserve portions of the remaining steep slopes as open space, requirements to preserve sensitive vegetation guidelines for the preservation or restoration of floodways and riparian areas and, development criteria which will address the type of future development which can best support future light rail service in Carroll Canyon.

The plan update provides substantial public benefits over the currently adopted community plan, as illustrated above. These benefits result from the policies and proposals contained in the Community Plan Update and can therefore only be realized through its approval and adoption.

2. The Community Plan Update incorporates, to the extent feasible, improvements to the circulation system intended to reduce traffic congestion in the community. Additional improvements could be proposed that would require additional street widening to the detriment of the community because of cost, aesthetic and safety concerns, and might also impose a hardship on adjacent property owners.

3. The land use proposals within the plan update are essential to insure the development of a balanced community, not only in terms

of an appropriate mix of uses, but also in terms of an appropriate housing mix that will provide a variety of housing opportunities for future residents.

4. The deletion of the Camino Ruiz crossing will preserve the aesthetic and environmental integrity of a significant, publicly-owned, regional open space park, and will avoid the substantial impacts to biological resources, visual and aesthetic quality, and community character that would result from the construction of the roadway.

Los Penasquitos Canyon Preserve provides an important recreational and open space amenity to the region in addition to providing significant undisturbed habitat for wildlife, therefore, the potential impacts of constructing the Camino Ruiz crossing override the future traffic and air quality impacts which will occur as a result of its deletion.

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OCT 06 1992

Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:

(Seal)

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

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

By *Mary Cepeda* Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-280829* OCT 06 1992
Number..... Adopted.....