

RESOLUTION NUMBER R-285227

ADOPTED ON JANUARY 17, 1995

A RESOLUTION CERTIFYING ENVIRONMENTAL IMPACT
REPORT DEP NO. 92-0199 AND ADDENDUM DEP NO.
94-0625 FOR THE LA JOLLA COMMUNITY PLAN
UPDATE AND ADOPTING FINDINGS AND A STATEMENT
OF OVERRIDING CONSIDERATIONS

WHEREAS, the Council of The City of San Diego reviewed and considered Environmental Impact Report No. 92-0199 and considered the issues in the associated Addendum No. 94-0625; 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. 92-0199, and Addendum No. 94-0625 to Environmental Impact Report No. 92-0199, in connection with the La Jolla Community Plan Update and Local Coastal Program Land Use Plan Update have been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the reports reflects the independent judgement of The City of San Diego as Lead Agency and that the information contained in said reports, together with any comments received during the public review process, have 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: 
Harold O. Valderhaug
Chief Deputy City Attorney

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01/03/95
01/27/95 REV.1
Or.Dept:Plan
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FINDINGS
(DEP NO. 92-0199)

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:

- A. 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.
- B. 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.
- C. Specific economic, ^{legal, technical,} 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 decisionmaking body. The Environmental Analysis Section of the City of San Diego Planning Department does not recommend that the decisionmaking 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.

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FINDINGS
FOR THE LA JOLLA COMMUNITY PLAN AND LOCAL COASTAL PROGRAM
LAND USE PLAN UPDATE
AND THE
PACIFIC BEACH COMMUNITY PLAN AND LOCAL COASTAL PROGRAM LAND
USE PLAN UPDATE

DEP NO. 92-0199
July, 1993

The findings set forth below pertain to the proposed *La Jolla Community Plan and Local Coastal Program Land Use Plan Update* (dated July, 1993) and the *Pacific Beach Community Plan and Local Coastal Program Land Use Plan Update* (dated June 1993). The proposed Updates have been prepared by the City of San Diego Planning Department in cooperation with citizen advisory committees, public agencies and other interests.

The July 1993 La Jolla draft Community Plan Update supersedes the currently adopted *La Jolla Community Plan* (adopted in 1976), and the *La Jolla-La Jolla Shores Local Coastal Program Addendum* (adopted in 1982 and amended in 1983). The June 1993 Pacific Beach draft Community Plan Update supersedes the currently adopted *Pacific Beach Community Plan and Local Coastal Program Land Use Plan* (adopted in 1983 and amended five times). The proposed Plans are consolidated statements of policy for community growth and development over the next twenty years, as well as the protection and enhancement of the area's coastal resources.

As indicated in EIR 92-0199, significant unmitigated environmental impacts could result if the proposed La Jolla and Pacific Beach Community Plan Updates were adopted and implemented. In response to the environmental impacts addressed in the EIR, the La Jolla and Pacific Beach Community Plan Updates have been prepared with Findings and a Statement of Overriding Considerations.

Having reviewed and considered the information contained in the Final Environmental Impact Report (EIR 92-0199) and the related documents and record for the proposed *La Jolla Community Plan and Local Coastal Program Land Use Plan Update* and the *Pacific Beach Community Plan and Local Coastal Program Land Use Plan Update*, the Council of the City of San Diego has made the following findings pursuant to Section 15093 of the California Administrative Code:

- A. The City Council 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 Final EIR 92-0199.

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1. MITIGATION MEASURES INCORPORATED INTO THE PROJECT

a) TRAFFIC AND CIRCULATION:

Impact: Development according to the La Jolla and Pacific Beach Community Plan Updates would result in significant direct and cumulative impacts to traffic and circulation within these communities, with regard to the capacity of their roadway systems.

Upon community buildout, 14 roadway segments within La Jolla would operate in excess of their design capacities, as well as 17 roadway segments in Pacific Beach. It is also projected that the Level of Service would be worse than C at four La Jolla intersections and ten Pacific Beach intersections, with existing configurations (of the intersections studied).

Finding: The proposed La Jolla Community Plan Update specifies policies and recommendations focusing on the improvement of public transit and related facilities without the construction of large-scale roadway widenings or extensions. The recommendations include widening of sidewalks, implementing streetscape design guidelines, constructing student parking and school bus loading areas, and encouraging shuttle service to recreational areas and beaches. It encourages the Metropolitan Transit Development Board (MTDB) to evaluate the feasibility of a local shuttle bus service from the proposed Light Rail Transit system along I-5. The Update also recommends the evaluation of potentially realigning portions of the Ardath Road and Torrey Pines Road intersection including La Jolla Shores Drive, Hidden Valley Road and the frontage adjacent to Ardath Road.

The proposed Pacific Beach Community Plan Update also focuses on the improvement of public transit and related facilities, without large roadway improvements. The Update recommends implementing a year-round shuttle bus, creating a park-and-ride facility for alternative transit nodes to Pacific Beach destinations, and constructing a light rail station at Balboa Avenue and Morena Boulevard/I-5. Also recommended by the Update is the redevelopment of Pacific Plaza Shopping Center as a transit node, the realignment of Balboa Avenue to intersect Grand Avenue at Noyes Street, and the provision of transit stops, passenger waiting areas, bus terminals and bicycle facilities. The widening of Garnet Avenue to six lanes between Soledad Mountain Road and I-5 and the extension of Pacific Beach Drive to North Mission Bay Drive (for pedestrian, bicycle and emergency use only) is recommended as well.

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b) AIR QUALITY:

Impact: Adoption of the Community Plan Updates would create significant direct and cumulative impacts on air quality within the San Diego Air Basin.

Finding: The Plan Updates set forth transportation goals and recommendations as they relate to the 1992 Regional Air Quality Standards to minimize impacts to air quality within the San Diego Air Basin. These measures include the maximizing of mass transit use, providing bikeways and pedestrian facilities, and providing transit nodes through future redevelopment. The Plan Updates also recommend operational improvements on various roadways to reduce vehicle delay time which would in turn reduce the potential of creating CO "hotspots."

c) GEOLOGY AND SOILS:

Impact: Development according to the Community Plan Updates could result in significant direct and indirect impacts to the geological make-up of future development project sites. Future development could expose people and property to geologic hazards, thus jeopardizing human safety and well-being.

Finding: Mitigation measures set forth by the Plan Updates to reduce or avoid significant geological and soils impacts, include the minimizing of cut and fill grading for structures built on hillsides within the Hillside Review Overlay Zone, requiring large setbacks from the brows of hillsides, and prohibiting coastal bluff development on or beyond the bluff face. Update recommendations also include the requiring of geotechnical reports for all bluff-top development within 40 feet of the bluff's edge, requiring native and drought tolerant plant landscaping in all new development, and permitting the placement of shoreline protective works only when there are no other feasible means of protection for principal structures. Geotechnical studies will also be required for any new development within five hundred feet of either side of Rose Canyon fault.

d) BIOLOGY

Impact: Adoption of the La Jolla and Pacific Beach Community Plan Updates could result in significant direct and indirect biological impacts to community open space systems, wetlands, and shoreline/bluff areas. Development of future public utilities and roadway improvements could potentially disturb and/or destroy valuable habitat areas as well.

Finding: The proposed Community Plan Updates recommend the designating of some undeveloped City-owned parcels as Open Space. Also to accurately reflect the on-going use of the dedicated Kate Sessions Park, the Pacific Beach

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Community Plan Update recommends its rezoning from R1-10,000 to Open Space-Park (OS-P). The La Jolla Update recommends the rezoning of Mount Soledad Natural Park from R1-40,000 to Open Space-Open Space Park (OS-OSP).

Other overall Update recommendations include the providing of a habitat linkage systems between open space areas and canyons/hillsides, and the designating of the bluffs adjacent to Coast Walk as an ecological reserve. The placement of new utility infrastructure is also recommended to avoid open space areas serving as habitat preserves or conservation.

e) CULTURAL RESOURCES

Impact: Development to occur within both La Jolla and Pacific Beach, as proposed by the Plan Updates, could directly impact known and unknown prehistoric and historic archeological resources. Disturbance and damage to cultural resources often occurs during the excavation operations for a project, where unknown subsurface resources are uncovered. Redevelopment could also be taking place on properties which have not been previously surveyed for cultural remains.

Finding: In compliance with cultural resource requirements of the City of San Diego, future development projects may require additional archeological archival research, intensive surveys, excavations, resource evaluations of discovered remains, or archeological monitoring. All future projects which may alter a designated, or eligible, historic site would undergo environmental review and review by the City's Historical Site Board.

The proposed Plan Updates specify the identification of potentially significant historic sites with the communities by conducting surveys and encouraging adaptive reuse or relocation of historic structures. The Updates also recommend the preservation of historic resources under private ownership, by providing incentives to include tax credits and permit fee waivers.

f) HYDROLOGY/WATER QUALITY

Impact: Implementation of the Community Plan Updates could result in direct and indirect impacts to the natural hydrology and water quality of community groundwater, traversing creeks and canyon drainage areas, Mission Bay and the Pacific Ocean shoreline. Incremental development and redevelopment occurring over a period of time, could contribute to cumulative impacts as well.

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Finding: Mitigation measures outlined in the Plan Updates to minimize hydrology/water quality impacts, include the maintenance of natural surface drainage systems such as intermittent streams, creeks, gullies and rivulets, and especially where such drainageways adjoin or traverse other properties. The measures recommend set back of new development from coastal bluffs and the limiting of surface coverage by designing structural foundations, driveways, patios, sidewalks and roads in such a way as to not alter natural drainage. Any new development abutting the Northern Wildlife Preserve would also maintain a buffer area, together with a controlled pedestrian trail and viewing areas around the marsh.

f) NOISE:

Impact: Implementation of the Community Plan Updates could create both direct and cumulative impacts on the ambient noise quality of both communities. The most prevalent and consistent source of noise will continue to be generated by vehicular traffic.

Finding: Mitigation for noise impacts will be determined on a project-by-project basis and can vary depending upon the project type and site. Noise attenuation can be accomplished by noise avoidance, implementing structural alterations or constructing noise walls and/or noise berms. Berms can be constructed during the grading phase of a project, whereas noise walls are part of the building process. Noise avoidance can also be achieved by altering site plans so that sensitive receptors are located outside the area of impact. Structural mitigation can involve building techniques, including insulation and special window treatments, as well as mechanical ventilation or air conditioning so that windows can remain closed.

- B. The City Council 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 City Council finds that specific economic, social or other considerations make infeasible the project alternatives identified in Final EIR 92-0199 to reduce the significant impacts to traffic and circulation, air quality, geology and soils, biology, cultural resources, hydrology/water quality, and noise.

1. TRAFFIC AND CIRCULATION:

Impact: Development according to the Community Plan Updates would result in significant direct and cumulative impacts to traffic and circulation within these communities, in relation to the capacity of their roadway systems.

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2. AIR QUALITY

Impact: Adoption of the Community Plan Updates would create significant direct and cumulative impacts on air quality within the San Diego Air Basin, primarily through the increase of vehicle trips on community roadways.

3. GEOLOGY AND SOILS

Impact: Future development could result in significant direct and indirect impacts to the geological make-up of project sites. Development could expose people and property to various geologic hazards, thus jeopardizing human safety and well-being.

4. BIOLOGY

Impact: Adoption of the proposed Community Plan Updates could result in direct and indirect biological impacts to community open space systems, wetlands, and shoreline/bluff areas. Development of future public utilities and roadway improvements could disturb or destroy valuable habitat areas as well.

5. CULTURAL RESOURCES

Impact: Future development within La Jolla and Pacific Beach could directly impact known and unknown prehistoric and historic archeological resources. Disturbance and damage to cultural resources often occurs during excavation operations for a project, where unknown subsurface resources are uncovered.

6. HYDROLOGY/WATER QUALITY

Impact: Implementation of the Community Plan Updates could result in direct and cumulative impacts to the natural hydrology and water quality of community groundwater, traversing creeks and canyon drainage areas, Mission Bay and the Pacific Ocean shoreline.

7. NOISE

Impact: Plan implementation could create both direct and cumulative impacts on the ambient noise quality of both communities. The most prevalent and consistent source of noise will continue to be generated by vehicular traffic.

Finding: Environmental Impact Report 92-0199 addresses four project alternatives which reduce significant unmitigated impacts associated with the proposed La Jolla and Pacific Beach Community Plan Updates. The environmental benefits of each of these alternatives and the reasons for their rejection are described below:

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a) NO PROJECT

Adoption of the "No Project" alternative would allow the continued implementation of the goals and recommendations of the existing La Jolla and Pacific Beach Community Plans and Local Coastal Program Land Use Plans.

This alternative is infeasible for the following reasons:

Under this alternative, the identified impacts to traffic and circulation, air quality, geology and soils, biology, cultural resources, hydrology/water quality, and noise could worsen, as a result of non-implementation of the goals and recommendations included within the proposed Plan Updates. No Project would not implement the transportation improvements, as recommended, to alleviate congested roadways and intersections, or require the projects along transit corridors to employ pedestrian, bicycle and transit-oriented development standards.

No Project would result in no rezoning actions. Relative to La Jolla, this alternative would not rezone the slopes of Mount Soledad Natural Park from R1-40,000 to an OS-OSP designation, or dedicate the 30 acres of Mount Soledad, north of Ardath Road, as part of the Mount Soledad Natural Park and as a protective measure to ensure its open space use. Within this alternative, an 8-acre portion of the west Muirlands Terrace residential area would not be rezoned from R1-8000 to R1-10000 to reflect this area's current density. Nor would this alternative provide for the increased density of mixed use (residential/commercial) projects from 29 to 43 dwelling units per acre, to encourage affordable housing and mass transit use along transit corridors within the neighborhood commercial districts.

In Pacific Beach, adoption of the No Project alternative would result in no designations of natural resource areas as Open Space. No provision would be made to apply the Sensitive Coastal Resource zone to property abutting the Northern Wildlife Preserve, or to rezone Kate Sessions Park from R1-10000 to OS-P. It would also not allow for the increased density to 43 du/acre and shared parking for those mixed-use (residential/commercial) projects which employ the City's transit-oriented development (TOD) standards.

b) Reduced Development Intensity

This alternative would focus on the reduction of development intensities for residential and mixed-use residential/commercial development throughout La Jolla and Pacific Beach. To lessen the intensity of uses within these communities, certain rezoning recommendations within the Plan Updates would not be implemented.

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This alternative is infeasible for the following reasons:

Under this alternative, the residential density of mixed use (residential/commercial) projects would not be increased from 29 du/acre to 43 du/acre, within neighborhood commercial districts along transit corridors. This includes 20 acres of La Jolla Boulevard within the Planned District Ordinance area (PDO). These rezonings are recommended within the Plan Updates as development incentives to encourage shared parking and the use of public transit along transit corridors (transit-oriented development (TOD)) and to promote smaller, more affordable housing units. As a result, approximately 75 units of multifamily development would not be constructed along transit corridors in La Jolla, as well as approximately 400 units of multifamily development in Pacific Beach. Also, the goals of promoting a balanced community and improved transit usage would not be achieved with this alternative.

c) PUBLIC TRANSIT AND OPERATIONAL ROADWAY IMPROVEMENTS

This alternative would delete all roadway widening and extension improvements recommended in the Plan Updates. Rather, it would focus on the implementation of enhanced public transit and operational street improvements recommended by the Plans (such as using lights, directional signage, and rearranged on-street parking), as well as the additions of turn lanes within existing rights-of-way. This alternative would promote and encourage all facets of the Community Plans that relate to maximizing public transit with year-round use of a community shuttle and development of public transit nodes within commercial and residential/commercial areas.

This alternative is infeasible for the following reasons:

Roadway improvements recommended within the Plan Updates, to be deleted from this alternative, include the obtaining of required right-of-way on both sides of Garnet Avenue (to widen it to six lanes between Soledad Mountain Road and I-5) and the extension of Pacific Beach Drive to North Mission Bay Drive for pedestrian, bicycle and emergency vehicle use only. This alternative would delete the widening of Grand Avenue to six lanes between east of Noyes and Lamont Street within the existing right-of-way. These roadway improvements have been recommended by the City's Transportation Planning Division, in an effort to improve traffic circulation and alleviate traffic congestion, based on the traffic forecast projections conducted by the City for these communities.

d) RIDGEGATE ROW/I-5 INTERCHANGE

A connection between Ridgeway Row and I-5 has been proposed by members of the Pacific Beach Community Planning Committee, as a possible access route to

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La Jolla from I-5. It is believed that approximately 30 percent of the traffic traversing Pacific Beach is La Jolla bound traffic.

This alternative is infeasible for the following reasons:

This interchange alternative was included in the City's Transportation Planning Division Pacific Beach/La Jolla traffic study, as a 4-lane major street connection with I-5, in a full interchange configuration. The exact amount of right-of-way that must be acquired for this project and for utility removal has not been determined. Right-of-way would also have to be acquired along I-5.

Ridgegate Row is an existing 2-lane street within the Ridgegate subdivision development. Since the existing roadway does not meet City standards if used as a 4-lane major street, numerous alignment designs were studied. It was concluded that a new alignment would require massive soil cut and fill that may necessitate environmental mitigation. It was also determined that none of the alternative designs would meet minimum City standards for a 4-lane major street. It is primarily for these reasons, that the roadway extension and interchange is not recommended.

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STATEMENT OF OVERRIDING CONSIDERATIONS
FOR THE
LA JOLLA COMMUNITY PLAN AND
LOCAL COASTAL PROGRAM LAND USE PLAN UPDATE
AND THE
PACIFIC BEACH COMMUNITY PLAN AND
LOCAL COASTAL PROGRAM LAND USE PLAN UPDATE

DEP No. 92-0199
July, 1993

The decisionmaker, pursuant to the CEQA Guidelines, after balancing the benefits of the proposed *La Jolla Community Plan and Local Coastal Program Land Use Plan Update* and the *Pacific Beach Community Plan and Local Coastal Program Land Use Plan Update* against the unavoidable adverse impacts of the project on traffic and circulation, air quality, geology and soils, biology, cultural resources, hydrology/water quality and noise, which would occur from implementation of the plan, notwithstanding the mitigation measures incorporated within the project, determines that the impacts are acceptable due to the following:

La Jolla

1. The Community Plan Update proposes relatively minor increases in development intensities within the neighborhood commercial districts that are located along La Jolla Boulevard. The proposed increase in residential density along this transit corridor is necessary in promoting the concept of a balanced community within La Jolla. The concept of a balanced community will not only provide an appropriate mix of uses within this commercial district, but also provide a variety of affordable housing opportunities for future residents.
2. The Plan Update incorporates specific hillside and coastal bluff development guidelines that are intended to protect sensitive slopes from disturbance or excessive development. These development guidelines are consistent with the Sensitive Coastal Resource and Hillside Review Overlay Zones of the San Diego Municipal Code which require new development to preserve portions of the remaining slopes as open space. When compared to the adopted La Jolla Community Plan, the development guidelines that are contained in the Plan Update recommend that all new development on slopes exceeding 25 percent grade shall be subject to the Coastal Zone Regulations of the Hillside Review Overlay Zone, even in those areas that are outside of the Coastal Zone.
3. The Plan Update also addresses the current need for preserving existing community facilities, such as its public parks and beach areas, and for providing effective management of the community's sensitive resources. For example, the Plan Update recommends the rezoning of Mt. Soledad Natural Park from R-1-40000 to OS-OSP to

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ensure that this park will remain its present undisturbed state, thereby continuing to provide an important open space amenity to the community as well as a habitat for wildlife that live on its slopes. The Plan Update also recommends an extensive signage program to identify existing locations along the coastline where public access to the shore exists.

4. The proposed Community Plan also incorporates making only those circulation improvements within the community which would facilitate traffic circulation within the community. An example of such an improvement would be the plan recommendation to evaluate the potential of realigning portions of Ardath Road and Torrey Pines Road intersection which would include La Jolla Shores Drive, Hidden Valley Road and the frontage road adjacent to Ardath Road. Additional improvements that were proposed to widen existing streets would be a detriment to the visual and aesthetic character of the community. The level of vehicular traffic that is projected for La Jolla however, may ultimately serve as an incentive to use public transit as an alternative to the private automobile.

Pacific Beach

1. The development that would occur as a result of implementing the Pacific Beach Community Plan, would constitute only a minor increase in development intensity, while promoting the concept of a balanced community which provides more affordable housing through a variety of housing types and styles.
2. The Plan designates more area for open space and provides policies and recommendations to more effectively preserve the community's sensitive resources. These recommendations include the designation of the Rose Creek Flood Control Channel as Open Space, and the rezoning of Kate Sessions Park from R-10000 to OS-P.
3. The proposed Community Plan contains a number of recommendations designed to improve traffic circulation and to facilitate the use of public transit by promoting development that is pedestrian and transit oriented. These recommendations can only be implemented by approving and adopting the Plan and the Public Facilities Financing Plan.
4. The proposed Community Plan incorporates recommendations for rezoning commercial areas of the community and to provide a unified streetscape plan to address community issues of visual character and landscaping.

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