

RESOLUTION NUMBER R- 309178

DATE OF FINAL PASSAGE AUG 11 2014

Item 333
Subitem A
Tues. 7/29/14

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO CERTIFYING ENVIRONMENTAL IMPACT
REPORT PROJECT NO. 308424/SCH. NO. 2011071082 AND
ADOPTING THE MITIGATION MONITORING AND
REPORTING PROGRAM, FINDINGS, AND STATEMENT OF
OVERRIDING CONSIDERATIONS FOR THE
COMPREHENSIVE UPDATE TO THE OCEAN BEACH
COMMUNITY PLAN AND LOCAL COASTAL PROGRAM.

WHEREAS, the City of San Diego undertook a comprehensive update to the 1975 Ocean Beach Community Plan and Local Coastal Program, which project includes amendments to the Ocean Beach Community Plan and Local Coastal Program and General Plan and Implementation Plan, an update of the Ocean Beach Public Facilities Financing Plan, and associated actions (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by the City Council of the City of San Diego; and

WHEREAS, the matter was heard by the City Council on July 29, 2014; and

WHEREAS, the City Council considered the issues discussed in the Environmental Impact Report Project No. 308424/Sch. No. 2011071082 (Report) prepared for this Project;

NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that it is hereby certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (California Public Resources Code Section 21000 et seq.), as amended, and the State Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, 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 the City Council in connection with the approval of the Project; and


BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the City Council hereby adopts the Mitigation and Monitoring Reporting Program, or alterations to implement the changes to the Project as required by the City Council in order to mitigate or avoid significant effects on the environment, a copy of which is attached as Exhibit A hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and CEQA Guidelines Sections 15091 and 15093, the City Council hereby adopts Findings and a Statement of Overriding Considerations with respect to the Project, copies of which are attached hereto as Exhibit B and Exhibit C and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk at 202 C Street, San Diego, CA 92101; and

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project after final passage of the ordinances associated with the Project.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

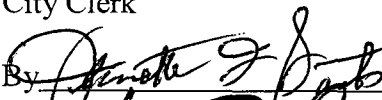
Corrine Neuffer
Deputy City Attorney

CLN:dkr
5/16/2014
7/25/2014 Cor. Copy
Or.Dept: DSD
Doc. No. 790100_3
Comp. R-2014-746

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program
Exhibit B, Findings
Exhibit C, Statement of Overriding Considerations

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 29 2014

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk

Approved: 8/11/14
(date)



KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Mitigation Monitoring and Reporting Program

CEQA, Section 21081.6, requires that a mitigation monitoring and reporting program be adopted upon certification of an EIR to ensure that the mitigation measures are implemented. The mitigation monitoring and reporting program specifies what the mitigation is, the entity responsible for monitoring the program, and when in the process it should be accomplished.

The proposed OBCPU is described in the PEIR. The PEIR, incorporated herein as referenced, focused on issues determined to be potentially significant by the City of San Diego. The issues addressed in the PEIR include Land Use, Transportation/Circulation and Parking, Biological Resources, Historical Resources, Air Quality, Noise, Paleontological Resources, Geologic Conditions, Visual Effects and Order, Neighborhood Character, Public Utilities, Public Services and Facilities, Greenhouse Gasses, and Human Health/Public Safety/Hazardous Materials. Public Resources Code section 21081.6 requires monitoring of only those impacts identified as significant or potentially significant. After analysis, potentially significant impacts requiring mitigation were identified for Land Use, Transportation/Circulation and Parking, Biological Resources, Historical Resources and Paleontological Resources. The environmental analysis concluded that all of the significant and potentially significant impacts, with the exception of Traffic/Circulation and Parking, could be avoided or reduced through implementation of recommended mitigation measures.

The mitigation monitoring and reporting program for the proposed OBCPU is under the jurisdiction of the City of San Diego and other agencies. The mitigation monitoring and reporting program for the proposed project addresses only the issue areas identified above as significant. The following is an overview of the mitigation monitoring and reporting program to be completed for the project.

Summary of Project Impacts and Mitigation Measures

The following discussion summarizes the potentially significant project impacts and lists the associated mitigation measures and the monitoring efforts necessary to ensure that the measures are properly implemented. All the mitigation measures identified in the EIR are stated herein.

10.1 Land Use

The following mitigation measures would reduce potential direct and indirect program impacts to Land Use to below a level of significance.

LU-1

For all projects adjacent to the MHPA, the development shall conform to all applicable MHPA Land Use Adjacency Guidelines of the MSCP Subarea Plan. In particular, lighting, drainage, landscaping, grading, access, and noise must not adversely affect the MHPA.

- ~~Lighting should be directed away from the MHPA and shielded, if necessary; and a note shall be included on the plans to the satisfaction of the Environmental Review Manager (ERM).~~
- ~~Drainage should be directed away from the MHPA; or, if that is not possible, it must not drain directly into the MHPA. Instead, runoff should flow into sedimentation basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA. Drainage shall be shown on the site plan and reviewed to the satisfaction of the City Engineer.~~
- ~~The landscape plan shall be reviewed and approved by the ERM to ensure that no invasive non-native plant species shall be planted in or adjacent to the MHPA.~~
- ~~All manufactured slopes must be included within the development footprint for projects within or adjacent to the MHPA.~~
- ~~All brush management areas shall be shown on the site plan, reviewed, and approved by the ERM. Zone 1 brush management areas must be included within the development footprint and outside the MHPA. Brush management Zone 2 may be permitted within the MHPA (considered impact neutral) but cannot be used as mitigation. Any vegetation clearing will be done to minimize impacts to covered species and will follow the City standards.~~
- ~~Access to the MHPA, if any, should be directed to minimize impacts; and, if necessary, barriers will be used to direct access to appropriate locations and shall be shown on the site plan and reviewed and approved by the ERM.~~
- ~~Construction noise as it effects sensitive avian species: the construction of projects will be scheduled to avoid impacts to wildlife (e.g., avoid the breeding season for sensitive species) to the extent practicable. If avoidance of construction during the breeding season is not feasible, project specific review shall define specific mitigation measures, such as berms and sound walls, which would reduce construction and operational noise impacts”.~~

- A. Grading/Land Development/MHPA Boundaries - MHPA boundaries on-site and adjacent properties shall be delineated on the CDs. DSD Planning and/or MSCP staff shall ensure that all grading is included within the development footprint, specifically manufactured slopes, disturbance, and development within or adjacent to the MHPA. For projects within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
- B. Drainage - All new and proposed parking lots and developed areas in and adjacent to the MHPA shall be designed so they do not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
- C. Toxics/Project Staging Areas/Equipment Storage - Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactful to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No

trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Where applicable, this requirement shall be incorporated into leases on publicly-owned property when applications for renewal occur. Provide a note in/on the CD's that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."

- D. **Lighting** - Lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA and be subject to City Outdoor Lighting Regulations per LDC Section 142.0740.
- E. **Barriers** - New development within or adjacent to the MHPA shall be required to provide barriers (e.g., non-invasive vegetation; rocks/boulders; -foot high, vinyl-coated chain link or equivalent fences/walls; and/or signage) along the MHPA boundaries to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
- F. **Invasives**- No invasive non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- G. **Brush Management** -New development adjacent to the MHPA shall be set back from the MHPA to provide required Brush Management Zone 1 area on the building pad outside of the MHPA. Zone 2 may be located within the MHPA provided the Zone 2 management will be the responsibility of an HOA or other private entity except where narrow wildlife corridors require it to be located outside of the MHPA. Brush management zones will not be greater in size than currently required by the City's regulations, the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done and vegetation clearing shall be prohibited within native coastal sage scrub and chaparral habitats from March 1-August 15 except where the City ADD/MMC has documented the thinning would be consistent with the City's MSCP Subarea Plan. Existing and approved projects are subject to current requirements of Municipal Code Section 142.0412.
- H. **Noise** - Due to the site's location adjacent to or within the MHPA where the Qualified Biologist has identified potential nesting habitat for listed avian species, construction noise that exceeds the maximum levels allowed shall be avoided during the breeding seasons. If construction is proposed during the breeding season for the sensitive species, U.S. Fish and Wildlife Service protocol surveys shall be required in order to determine species presence/absence. If protocol surveys are not conducted in suitable habitat during the breeding season for the aforementioned listed species, presence shall be assumed with implementation of noise attenuation and biological monitoring.

10.2 Transportation/Circulation and Parking

Trans-1: Add a 2nd South Bound Right Turn lane by widening and removing approximately 5 parking spaces along the north side of West Point Loma Boulevard

Trans-2: Install a 2nd East Bound and West Bound left turn lane by widening the south side of West Point Loma Boulevard

Trans-3: Signalize the intersection of Bacon Street and West Point Loma Boulevard.

Trans-4: Reclassify and widen Nimitz Boulevard from Sunset Cliffs Boulevard to Point Loma Boulevard to a 6-lane primary arterial. This improvement partially mitigates the Proposed Plan's impact.

10.3 Biological Resources

BIO-1: To reduce potentially significant impacts that would cause a reduction in the number of unique, rare, endangered, sensitive, or fully protected species of plants or animals, if present all future projects with the OBCPU area shall be analyzed in accordance with the CEQA Significance Thresholds, which require that site-specific biological resources surveys be conducted in accordance with City of San Diego Biology Guidelines. The locations of any sensitive plant species, including listed, rare, and narrow endemic species, as well as the potential for occurrence of any listed or rare wildlife species shall be recorded and presented in a biological resources report. Based upon the habitat focused presence/absence surveys shall be conducted in accordance with the biology guidelines and applicable resource agency survey protocols to determine the potential for impacts resulting from the project on these species. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize or eliminate direct impacts on sensitive plant and wildlife species consistent with the ESA, MBTA, Bald and Golden Eagle Protection Act, CESA, MSCP Subarea Plan, and ESL Regulations.

BIO-2: Prior to the issuance of any authorization to proceed, the City of San Diego (or appointed designee) shall verify that the MHPA boundaries and the following project requirements regarding the coastal California gnatcatcher, least Bell's vireo, and southwestern willow flycatcher are shown on the grading and building permit plans:

No clearing, grubbing, grading or other construction activities shall occur between March 1 and August 15, the breeding season of the coastal California gnatcatcher; between March 15 and September 15, the breeding season of the least Bell's vireo; and between May 1 and September 1, the breeding season of the southwestern willow flycatcher, until the following requirements have been met to the satisfaction of the City of San Diego.

A qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall survey habitat areas (only within the MHPA for gnatcatchers) that would be subject to the construction noise levels exceeding 60 decibels [dB(A)] hourly average for the presence of the coastal California gnatcatcher, least Bell's vireo, and the southwestern willow flycatcher. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the USFWS within the breeding season prior to the commencement of construction. If the coastal California gnatcatchers, least Bell's vireo, and/or the southwestern willow flycatcher are present, then the following conditions must be met:

a. Between March 1 and August 15 for occupied gnatcatcher habitat, between March 15 and August 15 for occupied least Bell's vireo habitat, and between May 1 and September 1 for occupied southwestern willow flycatcher habitat, no clearing, grubbing, or grading of occupied habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; AND

b. Between March 1 and August 15 for occupied gnatcatcher habitat, between March 15 and August 15 for occupied least Bell's vireo habitat, and between May 1 and September 1 for occupied southwestern willow flycatcher habitat, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of the occupied habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing a current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City of San Diego at least two weeks prior to the commencement of construction activities; OR

c. At least two weeks prior to the commencement of clearing, grubbing, grading and/or any construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the aforementioned avian species. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the appropriate breeding season.

Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City of San Diego, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

If the aforementioned avian species are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the ERM and applicable resource agencies which demonstrate whether or not mitigation measures such as noise walls are necessary during the applicable breeding seasons of March 1 and August 15, March 15 and September 15, and May 1 and September 1, as follows:

1. If this evidence indicates the potential is high for the aforementioned avian species to be present based on historical records or site conditions, then Condition 1-b or 1-c shall be adhered to as specified above.
2. If this evidence concludes that no impacts to the species are anticipated, no new mitigation measures are necessary.

If the City begins construction prior to the completion of the protocol avian surveys, then the Development Services Department shall assume that the appropriate avian species are present and all necessary protection and mitigation measures shall be required as described in Conditions 1 a, b, and c, above.

BIO-3: In areas where development that could potentially impact sensitive avian species through grading and clearing activities the following mitigation measure shall be implemented:

- ~~• If the project grading is proposed during the raptor breeding seasons (Feb. 1 — Sept. 15) the project biologist shall conduct a pre-grading survey for active raptor nests within 300 feet of the development area and submit a letter report to MMC prior to the preconstruction meeting. If active raptor nests are detected, the report shall include mitigation in conformance with the City's Biology Guidelines (i.e. appropriate buffers, monitoring schedules, etc.) to the satisfaction of the City's ERM. Mitigation requirements determined by the project biologist and the ERM shall be incorporated into the project's Biological Construction Monitoring Exhibit (BCME) and monitoring results incorporated in to the final biological construction monitoring report. If no nesting raptors are detected during the pre-grading survey, no mitigation is required.~~
- To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction (precon) survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the precon survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City DSD for review and approval and implemented to the satisfaction of the City. The City's MMC Section or RE, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the precon survey, no further mitigation is required.

BIO-4: The following mitigation measure shall be implemented for development within or adjacent to the Famosa Slough Wildlife Refuge or any potential habitat for the federally endangered Light Footed Clapper Rail, California Least Tern, and Western snowy plover.

- Prior to the issuance of any authorization to proceed, the City's ERM (or appointed designee), A qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall survey habitat areas that would be subject to the construction noise levels exceeding 60 decibels [dB(A)] hourly average for the presence of Light Footed Clapper Rail (a State Fully Protected Species under Fish and Game Code Section 3511), California Least Tern, and Western snowy plover. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the USFWS within the breeding season prior to the commencement of construction.
 1. If the aforementioned avian species are detected during the protocol survey, the applicant shall obtain take authorization through the USFWS and provide evidence that permitting has been issued to the ERM prior to commencement of construction related activities.
 2. If the aforementioned avian species are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the ERM and USFWS that species are not present in a proposed project area.

BIO-5: The following measure is currently applied to projects that affect biological resources. As future projects are reviewed under CEQA, additional specificity may be required with respect to mitigation measures identified below. These measures may be updated periodically in response to changes in federal and state laws and new/improved scientific methods.

- Development projects shall be designed to minimize or eliminate impacts to natural habitats and known sensitive resources consistent with the City's Biology Guidelines, MSCP Subarea Plan, and the ESL ordinance.
- Biological mitigation for upland impacts shall be in accordance with the City's Biology Guidelines, Table 3.3.4 as illustrated in Table 4.3-7 of the PEIR. Prior to the commencement of any construction-related activity onsite (including earthwork and fencing) and/or the preconstruction meeting, mitigation for direct impacts to Tier I, Tier II, Tier IIIA, and Tier IIIB shall be assured to the satisfaction of the Development Services Department Environmental Review Manager (ERM) through preservation of upland habitats in conformance with the City's Biology Guidelines, MSCP, and ESL Regulations. Mitigation for upland habitats may include onsite preservation, onsite enhancement/restoration; payment into the Habitat Acquisition Fund; acquisition/dedication of habitat inside or outside the MHPA; or other mitigation as approved by the ERM, MSCP staff, and the City's Parks and Recreation Department.
- Development projects shall provide for continued wildlife movement through wildlife corridors as identified in the MSCP Subarea Plan or as identified through project-level analysis. Mitigation may include, but is not limited to, provision of appropriately-sized bridges, culverts, or other openings to allow wildlife movement."

For all Tier I impacts, the mitigation could (1) occur within the MHPA portion of Tier I (in Tier) or (2) occur outside the MHPA within the affected habitat type (in-kind).

For impacts to Tier II, IIIA, and IIIB habitats, the mitigation could (1) occur within the MHPA portion of Tiers I through III (out-of-kind) or (2) occur outside the MHPA within the affected habitat type (in-kind).

BIO-6: As part of the project-specific environmental review pursuant, all unavoidable wetlands impacts (both temporary and permanent) would need to be analyzed; and mitigation would be required in accordance with Table 2a of the Biology Guidelines (June 2012), see Table 4.3-8 of PEIR. Proposed mitigation shall be based on the impacted type of wetland habitat and must prevent any net loss of wetland functions and values of the impacted wetland.

The following provides operational definitions of the four types of activities that constitute wetland mitigation under the ESL regulations: Wetland Creation, Wetland Restoration, Wetland Enhancement, and Wetland Acquisition.

Wetland creation is an activity that results in the formation of new wetlands in an upland area. An example is excavation of uplands adjacent to existing wetlands and the establishment of native wetland vegetation.

Wetland restoration is an activity that re-establishes the habitat functions of a former wetland. An example is the excavation of agricultural fill from historic wetlands and the re-establishment of native wetland vegetation.

Wetland enhancement is an activity that improves the self-sustaining habitat functions of an existing wetland. An example is removal of exotic species from existing riparian habitat.

Wetland acquisition is an activity resulting in wetland habitat being bought or obtained through the purchase of offsite credits and may be considered in combination with any of the three mitigation activities above.

Wetland enhancement and wetland acquisition focus on the preservation or the improvement of existing wetland habitat and function and do not result in an increase in wetland area; therefore, a net loss of wetland may result. As such, acquisition and/or enhancement of existing wetlands may be considered as partial mitigation only for any balance of the remaining mitigation requirement after restoration or creation if wetland acreage is provided at a minimum of a 1:1 ratio. For permanent wetland, impacts that are unavoidable and minimized to the maximum extent feasible, mitigation must consist of creation of new, in-kind habitat to the fullest extent possible and at the appropriate ratios. In addition, unavoidable impacts to wetlands located within the Coastal Overlay Zone must be mitigated onsite, if feasible. If onsite mitigation is not feasible, then at least a portion of the mitigation must occur within the same watershed. All mitigation for unavoidable wetland impacts within the Coastal Overlay Zone must occur within the Coastal Overlay Zone.

The City's Biology Guidelines and MSCP Subarea Plan require that impacts to wetlands, including vernal pools, shall be avoided and that a sufficient wetland buffer shall be maintained, as appropriate, to protect resource functions/values. For vernal pools, this includes avoidance of the watershed necessary for the continued viability of the ponding area. Where wetland impacts are unavoidable, (determined case-by-case), they shall be minimized to the maximum extent practicable and fully mitigated for per the Biology Guidelines. The biology report shall include an analysis of onsite wetlands (including City, state, and federal jurisdiction analysis) and, if present, include project alternatives that fully/substantially avoid wetland impacts. Detailed evidence supporting why there is no feasible, less environmentally damaging location or alternative to avoid any impacts must be provided for City staff review, as well as a mitigation plan that specifically identifies how the project is to compensate for any unavoidable impacts. A conceptual mitigation program (which includes identification of the mitigation site) must be approved by the City staff prior to the release of the draft environmental document. Avoidance is the first requirement; mitigation can only be used for impacts clearly demonstrated to be unavoidable. Disturbance to native vegetation shall be limited to the extent practicable, revegetation with native plants shall occur where appropriate, and construction staging areas shall be located in previously disturbed areas.

BIO-7: Prior to the commencement of any construction-related activities on site for projects impacting wetland habitat (including earthwork and fencing) the applicant shall provide evidence of the following to the City of San Diego prior to any construction activity:

- Compliance with USACE Section 404 nationwide permit;
- Compliance with the RWQCB Section 401 Water Quality Certification; and
- Compliance with the CDFG Section 1601/1603 Streambed Alteration Agreement.

10.4 Historical Resources

Hist-1: Prior to issuance of any permit that could directly affect an archaeological resource or resources associated with prehistoric Native American activities, the City shall require the following steps be taken to determine: (1) the presence of archaeological resources and (2) the appropriate mitigation for any significant resources that may be impacted by a development activity.

Initial Determination: The environmental analyst shall determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information (e.g., Archaeological Sensitivity Maps, the Archaeological Map Book, and the California Historical Resources Inventory System) and conducting a site visit. If there is any evidence that the site contains archaeological resources, then an evaluation consistent with the City of San Diego's Historical Resources Guidelines shall be required. All individuals conducting any phase of the archaeological evaluation program must meet professional qualifications in accordance with the City's Historical Resources Guidelines.

Step 1: Based on the results of the Initial Determination, if there is evidence that the site contains archeological resources, preparation of an evaluation report is required. The evaluation report could generally include background research, field survey, archeological testing, and analysis. Before actual field reconnaissance would occur, background research is required that includes a record search at the South Coastal Information Center (SCIC) at San Diego State University and the San Diego Museum of

Man. A review of the Sacred Lands File maintained by the NAHC must also be conducted at this time. Information about existing archaeological collections shall also be obtained from the San Diego Archaeological Center and any tribal repositories or museums.

Once the background research is complete a field reconnaissance must be conducted by individuals whose qualifications meet City standards. Consultants are encouraged to employ innovative survey techniques when conducting enhanced reconnaissance including, but not limited to, remote sensing, ground penetrating radar, and other soil resistivity techniques as determined on a case-by-case basis. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or traditional cultural properties. If through background research and field surveys historical resources are identified, then an evaluation of significance must be performed by a qualified archaeologist.

Step 2: Once a resource has been identified, a significance determination must be made. It should be noted that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American representative, which could result in a combination of project redesign to avoid and/or preserve significant resources, as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). An archaeological testing program will be required that includes evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A thorough discussion of testing methodologies including surface and subsurface investigations can be found in the City of San Diego's Historical Resources Guidelines.

The results from the testing program will be evaluated against the Significance Thresholds found in the Historical Resources Guidelines and in accordance with the provisions outlined in Section 15064.5 of the State CEQA Guidelines. If significant historical resources are identified within a project's Area of Potential Effect (APE), the site may be eligible for local designation. At this time, the final testing report must be submitted to Historical Resources Board staff for eligibility determination and possible designation. An agreement on the appropriate form of mitigation is required prior to distribution of a draft environmental document. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate DPR site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found but results of the initial evaluation and testing phase indicate there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required.

Step 3: Preferred mitigation for archeological resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design and Data Recovery Program (RDDRDP) is required or is required to follow alternate treatment recommendations by

the Most Likely Descendant (MLD), which includes a Collections Management Plan for review and approval. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA Section 21083.2. If the archaeological site is an historical resource, then the limits on mitigation provided under Section 21083.2 shall not apply, and treatment in accordance with Guidelines Section 15162.4 and 21084.1 is required. The data recovery program must be reviewed and approved by the City's Environmental Analyst prior to draft CEQA document distribution. Archaeological monitoring shall be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as, but not limited to, existing development or dense vegetation.

A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground disturbing activities whenever a Native American Traditional Cultural Property (TCP) or any archaeological site located on City property, or within the APE of a City project, would be impacted. In the event that human remains are encountered during data recovery and/or a monitoring program, the provisions of PRC Section 5097 must be followed. These provisions would be outlined in the Mitigation Monitoring and Reporting Program included in the environmental document. The Native American monitor shall be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored.

Step 4: Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation (OHP) "Archaeological Resource Management Reports (ARMR): Recommended Contents and Format" (see Appendix C of the Historical Resources Guidelines), which will be used by Environmental Analysis Section staff in the review of archaeological resource reports. Consultants must ensure that archaeological resource reports are prepared consistent with this checklist. This requirement will standardize the content and format of all archaeological technical reports submitted to the City. A confidential appendix must be submitted (under separate cover), along with historical resource reports for archaeological sites and TCPs, containing the confidential resource maps and records search information gathered during the background study. In addition, a Collections Management Plan shall be prepared for projects that result in a substantial collection of artifacts, which must address the management and research goals of the project, the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City of San Diego. Appendix D (Historical Resources Report Form) shall be used when no archaeological resources were identified within the project boundaries.

Step 5: For Archaeological Resources: All cultural materials, including original maps, field notes, non-burial related artifacts, catalog information and final reports recovered during public and/or private development projects must be permanently curated with an appropriate institution, one which has the proper facilities and staffing for insuring research access to the collections consistent with state and federal standards. In the event that a prehistoric and/or historical deposit is encountered during construction monitoring, a Collections Management Plan would be required in accordance with the project MMRP. The disposition of human remains and burial-related artifacts that cannot be avoided or are inadvertently discovered is governed by state (i.e., AB 2641 and California Native American Graves

Protection and Repatriation Act [NAGPRA]) and federal (i.e., federal NAGPRA) law, and must be treated in a dignified and culturally appropriate manner with respect for the deceased individual(s) and their descendants. Any human bones and associated grave goods of Native American origin shall be turned over to the appropriate Native American group for repatriation.

Arrangements for long-term curation must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance, and must be included in the archaeological survey, testing, and/or data recovery report submitted to the City for review and approval. Curation must be accomplished in accordance with the California State Historic Resources Commission's Guidelines for the Curation of Archaeological Collections (dated May 7, 1993) and, if federal funding is involved, Part 36, Section 79 of the Code of Federal Regulations. Additional information regarding curation is provided in Section II of the Historical Resources Guidelines.

Prior to issuance of any permit for a future development project implemented in accordance with the OBCPU that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure is historically significant. The evaluation of historic architectural resources shall be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in the Guidelines.

Preferred mitigation for historic buildings or structures shall be to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures shall include, but are not limited to:

- a. Preparing a historic resource management plan;
- b. Designing new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);
- c. Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;
- d. Screening incompatible new construction from view through the use of berms, walls, and landscaping in keeping with the historic period and character of the resource;
- e. Shielding historic properties from noise generators through the use of sound walls, double glazing, and air conditioning; and
- f. Removing industrial pollution at the source of production.

Specific types of historical resource reports, outlined in Section III of the HRG, are required to document the methods to be used to determine the presence or absence of historical resources, to identify potential impacts from a proposed project, and to evaluate the significance of any historical resources identified. If potentially significant impacts to an identified historical resource are identified these reports will also recommend appropriate mitigation to reduce the impacts to below a level of significance. If required, mitigation programs can also be included in the report.

10.5 Paleontological Resources

Paleo-1:

Prior to approval of development projects the City shall determine, based on review of the project application, that future projects are sited and designed to minimize impacts on paleontological resources in accordance with the City Paleontological Resources 2011 Significance Thresholds and 2002 Paleontological Resources Guidelines. Monitoring for paleontological resources required during construction activities would be implemented at the project level and would provide mitigation for the loss of important fossil remains with future discretionary projects that are subject to environmental review. Future design of projects as noted below in accordance with the City's Paleontological Resources 2011 Significance Thresholds and City 2002 Paleontology Guidelines shall be based on the recommendations of a project-level analysis of potential impacts on paleontological resources completed in accordance with the steps presented below.

I. Prior to Project Approval

- A. The environmental analyst shall complete a project level analysis of potential impacts on paleontological resources. The analysis shall include a review of the applicable USGS Quad maps to identify the underlying geologic formations, and shall determine if construction of a project would:
- Require over 1,000 cubic yards of excavation and/or a 10-foot, or greater, depth in a high resource potential geologic deposit/formation/rock unit.
 - Require over 2,000 cubic yards of excavation and/or a 10-foot, or greater, depth in a moderate resource potential geologic deposit/formation/rock unit.
 - Require construction within a known fossil location or fossil recovery site.
- Resource potential within a formation is based on the Paleontological Monitoring Determination Matrix.
- B. If construction of a project would occur within a formation with a moderate to high resource potential, monitoring during construction would be required.
- Monitoring is always required when grading on a fossil recovery site or a known fossil location.
 - Monitoring may also be needed at shallower depths if fossil resources are present or likely to be present after review of source materials or consultation with an expert in fossil resources (e.g., the San Diego Natural History Museum).
 - Monitoring may be required for shallow grading (<10 feet) when a site has previously been graded and/or unweathered geologic deposits/formations/rock units are present at the surface.
 - Monitoring is not required when grading documented artificial fill.

When it has been determined that a future project has the potential to impact a geologic formation with a high or moderate fossil sensitivity rating a Paleontological MMRP shall be implemented during construction grading activities.

EXHIBIT B
CANDIDATE FINDINGS
REGARDING FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
OCEAN BEACH COMMUNITY PLAN UPDATE
PROJECT NUMBER 308424
SCH No. 2011071082

June 2014

I INTRODUCTION

The following Candidate Findings are made for the Ocean Beach Community Plan Update (hereinafter referred to as the "Project"). The environmental effects of the Project are addressed in the Final Environmental Impact Report ("FEIR") dated May 8, 2014_(State Clearinghouse No. 2011071082), which is incorporated by reference herein.

The California Environmental Quality Act (CEQA) (Pub. Res. Code §§ 21000, *et seq.*) and the State CEQA Guidelines (Guidelines) (14 Cal. Code Regs §§ 15000, *et seq.*) promulgated thereunder, require that the environmental impacts of a proposed project be examined before a project is approved. In addition, once significant impacts have been identified, CEQA and the CEQA Guidelines require that certain findings be made before project approval. It is the exclusive discretion of the decision maker certifying the EIR to determine the adequacy of the proposed candidate findings. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project

or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

These requirements also exist in Section 21081 of the CEQA statute. The “changes or alterations” referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Should significant and unavoidable impacts remain after changes or alterations are applied to the project, a Statement of Overriding Considerations must be prepared. The statement provides the lead agency’s views on whether the benefits of a project outweigh its unavoidable adverse environmental effects. Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region- wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, 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. The statement of overriding considerations shall be supported by substantial evidence in the record.

- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed and considered the Final Program Environmental Impact Report for the Ocean Beach Community Plan Update Project, State Clearinghouse No. 2011071082 (FEIR), as well as all other information in the record of proceedings on this matter, the following Findings of Fact (Findings) are made by the City of San Diego (City) in its capacity as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the project.

II. PROJECT SUMMARY

A. Project Location

The Ocean Beach Community Plan Update (OBCPU) area encompasses approximately one square mile. The boundaries of the community are the San Diego River on the north, the Pacific Ocean on the west, Adair Street on the south, and Froude and West Point Loma Boulevard on the east. Ocean Beach is adjacent to the Peninsula Community Planning Area to the south and east and Mission Bay Regional Park to the north.

B. Project Background

The proposed project is an update to the Ocean Beach Community Plan. The proposed OBCPU is a revision of the Ocean Beach Precise Plan and Local Coastal Program Addendum adopted by the City Council in July, 1975. The 1975 Ocean Beach Precise Plan (Precise Plan or existing community plan) was intended to establish as public policy a program for preserving and enhancing the community. The Precise Plan was amended on November 25, 1980 to include the Ocean Beach Precise Plan Local Coastal Program, and again on February 15, 1981, to recognize construction of an excess reclaimed water outfall offshore from the mouth of the San Diego River.

The Ocean Beach Precise Plan was intended to establish as public policy a program for preserving and enhancing the community. The existing community plan designates 319.7 acres for residential development. The residential goals of the Ocean Beach Precise Plan include maintaining the existing residential character of Ocean Beach as exemplified by a mixture of small scale residential building types and styles; promoting the continuation of an economically balanced housing market, providing for all age groups and family types; and enhancing the opportunity for racial and ethnic minorities to live in the community.

The existing community plan recognizes that new residential construction in Ocean Beach should be at a scale that is compatible with the present small lot development pattern, but the zoning regulations available at the time fell short of providing necessary guidelines for future development. Also, two initiatives had been approved by voters that impacted both residential and non-residential development within Ocean Beach. The first, the Coastal Zone Conservation Act of 1972, was intended to insure the conservation of resources and determine the suitability and extent of all development proposals within 1,000 yards of the coastline. The second was a 30' height limit. Both of these measures tended to restrict residential development. There are approximately 7,914 dwelling units in Ocean Beach with an estimated population of 13,651.

The existing community plan designates 47.3 acres for commercial development, and identifies three major focal points for commercial activity. The community's major commercial center is the Newport Avenue district. Two smaller commercial centers, the Voltaire Street and the Point Loma Avenue districts, function as neighborhood-serving commercial areas.

The Ocean Beach Precise Plan designates 62.7 acres for Open Space, Private/Commercial Recreation, and Parks and Recreation. The Open Space areas of Ocean Beach include Famosa Slough and Sunset Cliffs Natural Park. Private/Commercial Recreation uses include the Barnes Tennis Center, a private recreation facility leased on City owned land. Parks and Recreation lands include Ocean Beach Park and Ocean Beach Recreation Center. The Precise Plan acknowledges that Ocean Beach Park is a leisure and recreational area serving the needs of local residents, the population of the San Diego region, and visitors.

C. Project Description and Purpose

The OBCPU respects and builds upon the rich heritage of the community while anticipating the needs of future residents, businesses and services. The project is designed to revise the Community Plan text with respect to organization and content for consistency with the General Plan and to adopt the Ocean Beach Public Facilities Financing Plan. The Draft Community Plan proposes to change the land use designations of the Voltaire Street and Point Loma Avenue commercial districts from Neighborhood Commercial to Community Commercial. One of the actions associated with the update would correct inconsistencies between existing land use designations and underlying zoning by rezoning those areas. In addition, the project would amend the Local Coastal Program (LCP).

The goals for the OBCPU include the following:

- Encourage development that builds on Ocean Beach' established character as a mixed-use, small-scale neighborhood.
- Provide land use, public facilities, and development policies for Ocean Beach, as a component of the City of San Diego's General Plan.
- Include strategies and specific implementing actions to help ensure that the community plan's

vision is accomplished.

- Incorporate detailed policies that provide a basis for evaluating whether specific development proposals and public projects are consistent with the Plan.
- Provide guidance that facilitates the City of San Diego, other public agencies and private developers to design projects that enhance the character of the community, taking advantage of its setting and amenities.
- Include detailed implementing programs including zoning regulations and a public facilities financing plan
- Develop and maintain Ocean Beach as a live/work/play community.
- Encourage smart growth development that is transit-, pedestrian-, and bike-friendly.

The OBCPU includes eight of the nine elements contained in the City's 2008 General Plan, with goals and policies for each element. The eight elements are: Land Use; Mobility; Urban Design; Public Facilities, Services, and Safety; Recreation; Conservation; Noise; and Historic Preservation. As Ocean Beach does not contain employment centers, it looks to the General Plan's Economic Prosperity Element for policies that guide economic prosperity and development.

1. Community Plan Update

- a. **Land Use Element.** The Land Use Element provides land use designations specific to Ocean Beach. Ocean Beach is a developed urbanized coastal community with few vacant lots. The community is mainly residential in nature, containing approximately 7,833 residential dwelling units (Year 2010). Of these, approximately 55 percent were contained in multifamily structures primarily located west of Sunset Cliffs Boulevard with the remaining 45 percent comprised of single-family residential dwellings to the east. Only sixteen percent of residents own and occupy their homes.

Ocean Beach includes a wide diversity of small-scale locally-owned business establishments. Commercial uses occupy approximately seven percent of the community and consist of small-scale retail establishments located in three specific districts. The Voltaire Street District is located in the northern portion of the community and contains commercial establishments interspersed with single-family and multifamily housing. The Newport District is the major commercial district in Ocean Beach, located in the central portion of the community, contains a wide range of commercial businesses and has become a center for antique dealers, drawing a regional clientele. The Point Loma Avenue District, located at the southern limit of the community, is a small commercial district containing a number of commercial establishments interspersed with single-family and multifamily housing. One of the focuses of the OBCPU is to minimize and address potential conflicts and compatibility issues associated with the

collocation of residential and industrial uses, balancing economic viability of employers, and building upon successful developments.

The community of Ocean Beach also contains areas of open space and public parks. Areas of open space include the Famosa Slough, and coastal bluffs. Public parks include Ocean Beach Park, Saratoga Beach Park, Veterans' Park and Brighton Park. The Barnes Tennis Center, a privately operated tennis club on City-owned land, is located in the northern portion of the community. The community is also served by the Ocean Beach Recreation Center. Dusty Rhodes and Robb Field parks, located immediately adjacent to the planning area on the north, also provide recreational opportunities for residents of Ocean Beach.

Ocean Beach also contains institutional uses, including a public library, a fire station, a temporary police mobile trailer, lifeguard station, post office, and an elementary school with joint use activity fields. The goals of the Land Use Element are listed below:

- Maintain the low-medium density residential nature of the neighborhoods in Ocean Beach;
- Encourage mixed-use residential/commercial nature of neighborhoods in Ocean Beach;
- Support transitional housing in Ocean Beach;
- Provide housing for all economic levels;
- Protect and enhance commercial areas;
- Maintain, protect, enhance, and expand park facilities, open spaces, and institutional uses for the benefit of residents and future generations.

b. **Mobility Element.** Ocean Beach is an urbanized coastal community and will accommodate a small percentage of new population and associated traffic. Consequently, the focus has shifted from developing new transportation systems, to sustainable policies supporting current densities and alternative transportation modes. The policies are intended to mitigate impacts associated with automobiles while enhancing desirable outcomes associated with the City of Villages growth strategy in terms of walkability and pedestrian orientation. The shift toward additional and improved alternative transportation modes, such as transit, bikeways, and pedestrian paths linking the community with open spaces, supports an enhanced infrastructure, thereby reducing dependence on non-renewable resources, and forming a more sustainable and integrated approach to mobility and land use. The goals of the Mobility Element are listed below:

- Enhance the street system for bicycles and pedestrians to improve local mobility;

- Reduce vehicular traffic demand placed on the street network by encouraging the use of alternative modes of transportation, including public transit, bicycles, and walking;
 - Improve inbound and outbound traffic flow and reduce traffic congestion along major thoroughfares;
 - Provide a high level of public transportation, linking Ocean Beach with the region, including employment areas and regional transit system;
 - Efficiently manage on-street parking to better serve the beach and commercial areas;
 - Implement measures to increase off-street parking available for the community and its visitors;
 - Maintain and enhance the pedestrian and bicycle interface with beach and commercial areas and the neighborhoods by insuring that vehicular access to such areas does not compromise pedestrian and bicycle safety;
 - Enhance transportation corridors to improve community image and identification;
 - Enhance transit patron experience by improving transit stops and increasing transit service frequency;
 - Implement a network of bicycle facilities to connect the neighborhoods and major activity centers and attractions within and outside the community;
 - Install secure bike parking and bike sharing facilities at major activity centers, including commercial areas, employment nodes, parks, library, and schools.
- c. **Urban Design Element.** Recommendations in the Urban Design Element are intended to protect public views and encourage new development which minimizes intrusions and maximizes public views. Such recommendations include utilizing upper story setbacks, gable alignment with view corridors, and avoiding “walling off” public views. Recommendations also place restrictions on landscape, street tree and fence heights. The policies of the Urban Design Element are intended to protect, preserve, and enhance the traditional development pattern in order to ensure future generations of residents and visitors will be able to enjoy the community’s unique ambience. The goals of the Urban Design Element of the OBCPU are listed below:
- A coastal community that values the coastline and topography as an amenity and provides an attractive built environment.

- New development with a high degree of design excellence.
 - Distinctive residential neighborhoods
 - Vibrant mixed-use village commercial districts.
 - Public art to augment the pedestrian experience.
 - New development that is environmentally friendly and attains LEED and/or Cal Green standards or equivalent.
 - Connectivity of neighborhoods and commercial districts to activity centers and adjacent communities.
 - Coastal views protected and enhanced
- d. **Public Facilities, Services and Safety Element.** The emphasis of the Public Facilities, Services and Safety Element is to identify community priorities for public facility improvements, and to create specific criteria for defining and describing the desired character and location of needed facilities. The goals of the Public Facilities, Services and Safety Element are listed below:
- Public facilities and services provided commensurate with need and accessible to the community.
 - Development that fully mitigates its impacts to public facilities and services.
 - Police, fire and lifeguard safety services that meet the current and future needs of the Ocean Beach community.
 - Safe and convenient park and recreation facilities.
 - A reliable system of water, wastewater, storm water, and sewer facilities that serve the existing and future needs of the community.
 - High levels of emergency preparedness, including an adequate plan to prepare and respond to issues resulting from seismic conditions.
 - Park equivalencies utilized when park acreage cannot be added to the existing inventory.
- e. **Recreation Element.** The Recreation Element provides specific policies and recommendations addressing Parks and Recreation Facilities, Preservation, Accessibility, and Open Space Lands, and Resource-based Parks. The community's park and open space systems supports the City's ability to attract and retain visitor serving businesses, as well as providing for the recreational needs of local residents. Ocean Beach's recreational

opportunities are enhanced by its proximity to neighboring regional facilities. The goals of the Recreation Element are listed below:

- Recreation facilities in Ocean Beach augmented through the promotion of alternative methods, such as park equivalencies, where development of typical facilities and infrastructure may be limited by land constraints.
 - Public parks that meet the needs of a variety of users in the Ocean Beach Community, such as children, the elderly population, persons with disabilities, and the underserved teenage population.
 - Parkland space commensurate with the Ocean Beach population growth through timely acquisition of available land and new facilities.
 - Parks, open space, and recreation programs in the Ocean Beach Community are preserved, protected and enhanced.
 - A sustainable park and recreation system that meets the needs of Ocean Beach residents and visitors by using 'Green' technology and sustainable practices in all new and retrofitted projects.
 - To preserve, protect and enrich the natural, cultural, and historic resources that serve as recreation facilities in the Ocean Beach Community Plan Area.
 - Recreation facilities in Ocean Beach accessible by foot, bicycle, public transit, automobile, and alternative modes of travel.
 - Recreation facilities designed for an inter-connected park and open space system that is integrated into and accessible to Ocean Beach Community residents.
 - Park and recreational facilities retrofitted to meet the highest level of ADA to accommodate persons with all disabilities.
 - Recreational facilities in the Ocean Beach Community that are available for programmed and non-programmed uses.
 - An open space and resource-based park system in the Ocean Beach Community that provides for the preservation and management of significant natural and man-made resources and enhancement of outdoor recreation opportunities.
 - Natural terrain and drainage systems of Ocean Beach's open space lands and resource-based parks protected to preserve the natural habitat and cultural resources
- f. **Conservation Element.** The Conservation Element addresses habitat and sensitive lands protection; along with climate change and sea level rise. The community of Ocean Beach recognizes the importance of natural resources and the need for conservation. Preservation of natural resources will depend on the enhancement, maintenance and promotion of Ocean Beach's resources, as well as the integration of sustainable development practices. The policy

recommendations embodied in the OBCPU will serve to guide future development in the community. The goals of the Conservation Element are listed below:

- Ocean Beach's natural amenities, such as its open space, coastal bluffs, beaches, tide pools, and coastal waters, preserved for future generations.
- Physical public access to the coastline maintained and enhanced in order to facilitate greater public use and enjoyment of the natural amenities.
- Coastal and waterway resources protected by promoting sensitive development and restoring and preserving natural habitat.
- Sustainable development and green building practices utilized to reduce dependence on non-renewable energy sources, lower energy costs, and reduce emissions, and water consumption.

g. **Noise Element.** The Noise Element of the OBCPU complements the General Plan goals and policies by addressing Ocean Beach specific noise sources and issues. Ocean Beach is an active urban beach community and has a higher ambient noise level than more suburban communities. Ambient noise level is the composite of noise from all normal background noise sources at a given location. Single event noises, such as aircraft flyover, also affect the background noise level in the community. The goal of the Noise Element is to reduce excessive noise affecting sensitive land uses.

h. **Historic Preservation Element.** The OBCPU Historic Preservation Element builds upon the General Plan's Historic Preservation Element by including specific policies addressing the community's unique historical and cultural resources. The Ocean Beach Cottage Emerging Historical District was established in 2000, and is a significant resource as an example of a turn of the 19th to 20th century seashore resort and beach cottage area developed between 1887 and 1931. The goal of the Historic Preservation Element are listed below:

- Ocean Beach's rich history identified and preserved.
- Greater use of educational opportunities and incentives related to historical resources in Ocean Beach.
- Heritage tourism opportunities increased.

i. **Implementation Section.** The proposed OBCPU would be implemented through a number of different mechanisms that are outlined in the Implementation Plan Matrix for the OBCPU. It describes the necessary actions and key parties responsible for realizing the plan's vision. Implementing these proposals would require the active participation of City departments and agencies; regional agencies such as the San Diego Association of Governments (SANDAG), and the San Diego Metropolitan Transit System (MTS); and the community. This OBCPU

also recommends a number of funding mechanisms for the City to pursue as ways to finance the implementation of this OBCPU in a viable manner..

2. Zoning

One of the associated actions with the OBCPU is to correct an inconsistency between the established Low Medium Density Residential land use designation (10-14 du/ac) and the existing zoning of RS-1-7. The OBCPU includes adoption of a zoning ordinance which would rezone 99 parcels (approximately 21 acres) from RS-1-7 to RM-1-1. The existing zone allows for single dwelling unit (du) density of 9/du per acre for a maximum build out of approximately 189 units (Figure 3-1). The OBCPU would change the zoning to allow up to 15/du per acre and would result in the maximum build out of approximately 315 units, or a net increase of 126 dwelling units. However, the land use assumptions analysis looked at the maximum allowed development in accordance with the underlying zone as the worst case scenario in a very basic fashion by multiplying acreage by zoning intensity which generated a maximum number of units. After determining the maximum number of units, the assumptions created to calculate the development which could be reasonably anticipated included the limitation of undersized parcels which do not meet minimum zoning requirements, non-conversion of schools/churches to residential use, and community plan restrictions on lot consolidations. Based upon land use assumptions used to calculate the development which could be reasonably anticipated, it was determined that the rezone could result in an increase of 62 units. The rezone would allow Ocean Beach to maintain its predominantly residential character while correcting an inconsistency between existing zoning and the land use designation, and is consistent with General Plan policy LU-F.1 which recommends that new policy or regulations are applied to better implement the goals of the General Plan. The OBCPU is not proposing to construct dwelling units as a result of the rezone and redevelopment within these areas is not anticipated at this time because the existing areas are currently developed within the range of the existing Low Medium Density Residential land use designation established with the 1975 plan.

In summary, this project would update the Ocean Beach Community Plan adopted by the City Council in 1975. The proposed OBCPU would be compatible with the adopted City of San Diego General Plan and would provide guidance for future growth and redevelopment within Ocean Beach as to the distribution and arrangement of land uses (public and private), local street and transit network, prioritization and provision of public facilities, community and site-specific urban design guidelines, and recommendations to preserve and enhance natural and cultural resources within the Ocean Beach community. The proposed OBCPU addresses infrastructure and planning needs of the community while meeting the City of Villages strategy and citywide policy direction contained within the City of San Diego's General Plan (2008).

Following adoption of the OBCPU, changes may be required as a result of subsequent project submittals in order to address changed circumstances and opportunities. The City's Planning Commission and City Council are responsible for reviewing and evaluating recommendations, and/or approving any amendments. Any proposed amendment would be subject to environmental review.

D. Statement of Objectives

The project's guiding principles and primary goals and objectives as described in Section 3.5 of the EIR are to:

- Protect and enhance residential and commercial areas in the community;
- Encourage alternative modes of transportation while reducing traffic and parking impacts;
- Maintain the small-scale nature of the community while improving its visual quality;
- Support and foster locally-owned businesses;
- Preserve and enhance public facilities and services within the community;
- Maintain and enhance parks and other community facilities;
- Foster preservation and enjoyment of the Pacific Ocean coastline and other natural resources;
- Preserve the community's important historic resources;
- Minimize the community's exposure to excessive noise;
- Encourage development that builds on Ocean Beach's established character as a mixed-use, small-scale neighborhood;
- Provide land use, public facilities, and development policies for Ocean Beach, as a component of the City of San Diego's General Plan;
- Include strategies and specific implementing actions to help ensure that the community plan's vision is accomplished;
- Incorporate detailed policies that provide a basis for evaluating whether specific development proposals and public projects are consistent with the OBCPU; and
- Include detailed implementing programs including zoning regulations and a public facilities financing plan.

III. SUMMARY OF IMPACTS

As described in Section 3.0 of the FEIR, the proposed OBCPU is a comprehensive update to the current adopted 1981 Ocean Beach Community Plan. The proposed OBCPU is also a component of the City's General Plan as it expresses the General Plan policies in the proposed OBCPU area through the provision of more site-specific recommendations that implement goals and policies contained within the 10 elements of the General Plan. As such, the proposed OBCPU sets forth procedures for implementation and provides goals and policies for future development within the portion of the proposed OBCPU area.

Controls on development and use of public and private property including zoning, design controls, and implementation of transportation improvements are included as part of the plan implementation program.

The FEIR concludes that the proposed CPU will have **no significant impacts** and require no mitigation measures with respect to the following issues:

- Land Use
 - Land Use Plan Conflict
 - Land Use Compatibility
 - Regulation Consistency
- Biological Resources
 - Wildlife corridors
 - Local policies/ordinances protecting biological resources
- Visual/Aesthetics
 - Public Views
 - Compatibility
 - Neighborhood Character
 - Unique Physical Features
- Air Quality
 - Plan Consistency
 - Odors
- Human Health/Public Safety/Hazardous Materials
- Energy
- Public Services
 - Fire, police services, schools, parkland, and libraries
- Public Utilities
 - Water, Wastewater, Reclaimed Water, Storm Water Infrastructure Communication Systems, Solid Waste
- Hydrology/Water Quality
 - Runoff
 - Natural Drainage System
 - Flow Alteration
 - Water Quality

- Water Supply
- Population/Housing
 - Population Growth
 - Affordable Housing
- Agricultural and Mineral Resources
 - Conversion of Agricultural Land
 - City and Regional Consequences of Agricultural Land Conversion
 - Mineral Resources
- Geology and Soils
 - Geologic Hazards
 - Erosion
- Noise
 - Traffic Generated Noise
 - Stationary Source Noise (Collocation)
 - Construction Noise
- Greenhouse Gas Emissions
 - Consistency with Adopted Plans, Policies, and Regulations
 - Cumulative GHG Emissions

Potentially **significant impacts of the proposed CPU will be mitigated** to below a level of significance with respect to the following issues:

- Land Use
 - Environmentally Sensitive Lands Regulations
 - MHPA / Land Use Adjacency Guidelines
- Biological Resources
 - Sensitive Plants and Animals
 - Sensitive Habitat
 - MHPA Land Use Adjacency Guidelines
 - Invasive Plants
 - Wetland Impacts
 - Noise Generation
- Historical Resources
 - Prehistoric/Historical Sites
 - Religious or Sacred Uses

- Human Remains
- Paleontological Resources

No feasible mitigation measures are available to reduce impacts to below a level of significance for the following issues:

- Transportation/Circulation
 - Capacity
 - Circulation and Access

IV. FINDINGS REGARDING SIGNIFICANT IMPACTS

A. Findings Regarding Impacts That Will be Mitigated to Below a Level of Significance (CEQA §21081(a)(1) and CEQA Guidelines §15091(a)(1))

The City, having independently reviewed and considered the information contained in the FEIR and the public record for the project, finds, pursuant to Public Resource Code §21081(a)(1) and State CEQA Guidelines §15091(a)(1), that changes or alterations have been required in, or incorporated into, the Project which would mitigate or avoid the significant effects on the environment related to:

- *Land Use (Issues 1 and 2)*
- *Biological Resources (Issues 1-3,5,7,8)*
- *Cultural/Historical Resources (Issues 1 and 2)*
- *Paleontological Resource (Issue 1)*

Land Use (Issue 1 and 2)

Land Use (MHPA / Land Use Adjacency Guidelines)

Significant Effect

A potentially significant impact could result to sensitive species in the Multiple Species Conservation Program (MSCP), with future projects adjacent to the Multi-Habitat Planning Area (MHPA). The MSCP is a comprehensive, long-term habitat planning program that covers 900 square-miles in Southwestern San Diego County, with the City implementing its portions of the regional umbrella MSCP Plan through Subarea plans, which describe specific implementing mechanisms. The MHPA delineates core biological resource areas and a corridor targeted for conservation and represents a “hard line” preserve in which boundaries have been specifically determined. Within the MHPA, limited development may occur.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the mitigation framework LU-1 identified in Section 4.1.3 of the FEIR. Implementation of the mitigation framework would require that future public and private development proposals adjacent to the MHPA conform to all applicable MHPA Land Use Adjacency Guidelines of the MSCP Subarea Plan. In particular, grading, drainage, toxics/project staging areas/equipment storage, lighting, barriers, landscaping, brush management, and noise must not adversely affect the MHPA. Mitigation measures include, but are not limited to: sufficient buffers and design features, barriers (rocks, boulders, signage, fencing, and appropriate vegetation) where necessary, lighting directed away from the MHPA, and berms or walls adjacent to commercial or industrial areas and any other use that may introduce construction noise or noise from future development that could impact or interfere with wildlife utilization of the MHPA.

The biologist for each proposed future project would identify specific mitigation measures needed to reduce impacts to below a level of significance. Subsequent environmental review would be required to determine the significance of impacts related to compliance with the Land Use Adjacency Guidelines of the MSCP Subarea Plan (SAP). Prior to approval of any subsequent development project in an area adjacent to the MHPA, the City of San Diego shall identify specific conditions of approval in order to avoid or to reduce potential impacts to adjacent the MHPA.

Rationale and Conclusion

Mitigation framework LU-1 assures that future development implemented in accordance with the OBCPU would be able to mitigate impacts to sensitive plant and animal species. This mitigation framework would reduce potentially significant impacts to biological resources to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the OBCPU's MMRP.

Biological Resources (Issues 1-3,5, 7, 8)

Biological Resources (Sensitive Plants and Animals)

Significant Effect

Implementation of the Recreation Element 6.3.5, 6.4.2 and 6.4.4 recommendations and the Public Facilities, Services, and Safety Element 5.1 through 5.4.4 recommendations from the OBCPU and approval of the PFFP could potentially result in impacts to sensitive species and conflicts with the MSCP. Adherence to the LDC (ESL), General Plan, MSCP and MHPA Land Use Adjacency Guidelines as discussed in Section 4.3.4 of the FEIR and implementation of the below mitigation would reduce the impacts to below a level of significance.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the mitigation framework BIO-1 through BIO-5. All impacts to sensitive biological resources shall be avoided to the maximum extent practicable and minimized when avoidance is not possible.

Future development shall be subject to review and shall implement the biological resources mitigation framework detailed in Section 4.3.4 of the FEIR and discussed further below. Where impacts are not avoidable or cannot be minimized through project design, site-specific mitigation shall be required to reduce significant impacts to below a level of significance. Mitigation measures typically employed include resource avoidance, restoration, or creation of habitat, dedication, or acquisition of habitat, or payment into the City of San Diego's Habitat Acquisition Fund or other City-approved mitigation bank.

Engineering design specifications based on future project-level grading and site plans shall be incorporated into the project design to minimize or eliminate direct impacts on sensitive plant and wildlife species consistent with the Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, California Endangered Species Act, Multiple Species Conservation Program Subarea Plan, and Environmentally Sensitive Land Regulations.

Mitigation framework BIO-1 for impacts to sensitive plants and animals would require that site-specific biological resources surveys be conducted in accordance with City of San Diego Biology Guidelines (2012), and mitigation for impacts shall occur in accordance with the MSCP mitigation ratios as specified within the City's Biology Guidelines (City of San Diego 2012a).

Specific measures necessary for reducing potential construction-related noise impacts to the coastal California gnatcatcher, least Bell's vireo, and the southwestern willow flycatcher are further detailed in mitigation framework BIO-2, detailed in Section 4.3 of the FEIR.

Potentially significant impacts to wetlands would be mitigated through implementation of the Mitigation Framework found in BIO-6 and BIO-7, detailed in Section 4.3.4 of the FEIR.

Potentially significant impacts to sensitive plants and animals would be mitigated to below a level of significance with implementation of the mitigation frameworks in BIO-1 through BIO-5 and LU-1 identified in Sections 4.1 and 4.3 of the FEIR. Mitigation measures for sensitive biological resources would be determined and implemented at the project-level. Adherence to the recommendations in mitigation framework BIO-1 through BIO-5 and LU-1 would reduce impacts to sensitive biological resources.

Rationale and Conclusion

Mitigation frameworks BIO-1 through BIO-5 and LU-1 together would assure that future development implemented in accordance with the OBCPU would be able to mitigate impacts to sensitive plant and

animal species. This mitigation framework would reduce potentially significant impacts to biological resources to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the OBCPU's MMRP.

Biological Resources (Sensitive Habitat)

Significant Effect

Impacts to Tier I, II, IIIA, and IIIB habitats through implementation of the OBCPU would be significant. These sensitive habitats include: maritime succulent scrub, native grassland, Diegan coastal sage scrub, southern mixed chaparral, non-native grassland, and riparian scrub.

Facts in Support of Finding

All impacts to sensitive biological habitats shall be avoided to the maximum extent practicable and minimized when avoidance is not possible. Future development shall be subject to review and shall implement the biological resources mitigation framework detailed in Section 4.3 of the FEIR. Where impacts are not avoidable or cannot be minimized through project design, site-specific mitigation shall be required to reduce significant impacts to below a level of significance. Mitigation measures include resource avoidance, restoration, or creation of habitat, dedication, or acquisition of habitat, or payment into the City of San Diego's Habitat Acquisition Fund or other City-approved mitigation bank.

The potentially significant impact to sensitive habitat would be mitigated to below a level of significance with implementation of the measures detailed in Mitigation Framework BIO-1, BIO-4, BIO-5, BIO-6 and BIO-7 under Section 4.3 of the FEIR. Implementation of mitigation framework BIO-1 would require that site-specific biological resources surveys be conducted in accordance with City of San Diego Biology Guidelines (2012), and mitigation implemented for impacts to sensitive upland habitats in accordance with the MSCP mitigation ratios specified within the City's Biology Guidelines (City of San Diego 2012a) for all subsequent projects implemented in accordance with the CPU.

Rationale and Conclusion

Mitigation Framework BIO-1, BIO-4, BIO-5, BIO-6 and BIO-7 would assure that future development implemented in accordance with the CPU would mitigate impacts to sensitive habitat. This mitigation framework would reduce potentially significant impacts to biological resources (sensitive habitat) to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the CPU's MMRP.

Biological Resources (MSCP)

Significant Effect

Implementation of the OBCPU would introduce land uses adjacent to MHPA; this is a potentially significant impact at the program-level.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of mitigation framework LU-1, detailed in Section 4.1 of the FEIR. Implementation of mitigation framework LU-1 would require that MHPA adjacency impacts be addressed at the project-level, as discussed above under Land Use (MHPA / Land Use Adjacency Guidelines).

Rationale and Conclusion

Mitigation framework LU-1 assures that future projects located adjacent to the MHPA would comply with the Land Use Adjacency Guidelines of the MSCP in terms of land use, drainage, access, toxic substances in runoff, lighting, noise, invasive plant species, grading, and brush management requirements. This mitigation framework would reduce potentially significant land use (regulatory compliance) impacts to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the CPU's MMRP.

Biological Resources (Invasive Plants)

Significant Effect

Future grading and development within the OBCPU area has the potential to introduce invasive species into the MHPA. If uncontrolled, invasive species could significantly impact the integrity of the MHPA in the OBCPU area.

Facts in Support of Finding

All future projects would be required to implement the MHPA Land Use Adjacency Guidelines and mitigation framework LU-1, detailed in Section 4.1 of the FEIR, which require that the project's landscape plan would not contain any exotic plant/invasive species and would include an appropriate mix of native species which would be used adjacent to the MHPA. Please also refer to mitigation framework LU-1, discussed above.

Rationale and Conclusion

Mitigation framework LU-1 assures that future projects located adjacent to the MHPA would comply with the Land Use Adjacency Guidelines of the MSCP in terms of invasive plant species. This mitigation

framework would reduce potentially significant Biological Resources (Invasive Plants) impacts to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the OBCPU's MMRP.

Biological Resources (Wetlands)

Significant Effect

Impacts to wetlands, waterways, and other jurisdictional water resources resulting from subsequent development projects implemented in accordance with the OBCPU would be significant.

Facts in Support of Finding

All impacts to wetlands, waterways and other jurisdictional water resources shall be avoided to the maximum extent feasible and minimized when avoidance is not possible. Future development shall be subject to review and shall implement the biological resources mitigation framework detailed in Section 4.3 of the FEIR. Where impacts are not avoidable or cannot be minimized through project design, site-specific mitigation shall be required to reduce significant impacts to below a level of significance. Mitigation measures include resource avoidance, restoration, or creation of habitat, dedication, or acquisition of habitat, or payment into the City of San Diego's Habitat Acquisition Fund or other City-approved mitigation bank.

The potentially significant impact to sensitive habitat would be mitigated to below a level of significance with implementation of the mitigation framework BIO-6 and BIO-7 under Section 4.3 of the FEIR. Implementation of mitigation framework BIO-1 would require site-specific biological resources surveys be conducted in accordance with City of San Diego Biology Guidelines (2012), and mitigation implemented for impacts to wetlands, waterways, and other jurisdictional water resources in accordance with the MSCP mitigation ratios specified within the City's Biology Guidelines (City of San Diego 2012a) for all subsequent projects implemented in accordance with the CPU.

Rationale and Conclusion

Mitigation framework LU-1, BIO-6 and BIO-7 would assure that future development implemented in accordance with the OBCPU would mitigate impacts to wetlands, waterways, and other jurisdictional water resources. This mitigation framework would reduce potentially significant impacts to biological resources (wetlands, vernal pools and other jurisdictional water resources) to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the CPU's MMRP.

Biological Resources (Noise Generation)

There is a potential for temporary noise impacts to wildlife from construction and permanent noise impacts from the introduction of noise generating land uses adjacent to MHPA. Temporary and/or permanent noise impacts to wildlife within the MHPA would be significant.

Facts in Support of Finding

Mitigation for impacts to sensitive wildlife species from temporary and permanent noise impacts) resulting from future projects implemented in accordance with the OBCPU are included in Sections 4.1 (Land Use) and 4.3 (Biological Resources). Please refer to Mitigation Framework BIO-1 through BIO-5 and LU-1 (MHPA Land Use Adjacency Guidelines).

Rationale and Conclusion

Mitigation frameworks BIO-1 through BIO-5 and LU-1 together would assure that future development implemented in accordance with the OBCPU would be able to mitigate impacts to sensitive wildlife species. The mitigation framework would reduce potentially significant impacts to biological resources (noise generation) to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the OBCPU's MMRP.

Cultural/Historical Resources (Issues 1 and 2)

Historical Resources (Prehistoric/Historical Sites)

Significant Effect

Impacts to known resources and those not yet found and formally recorded could occur anywhere within the OBCPU area. Future grading of original in situ soils could also expose buried historical (archaeological) resources and features. Future development projects could directly or indirectly affect a building/structure in excess of 45 years of age. Potential impacts to historical resources associated with construction of future projects implemented in accordance with the OBCPU would be significant.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of mitigation framework HIST-1 and HIST-2. HIST-1 would require that prior to issuance of any permit for a future development project implemented in accordance with the OBCPU that could directly affect an archaeological resource, (1) the preparation of a site-specific study to determine the presence of archaeological resources and (2), the appropriate mitigation for any significant resources which may be impacted by a development activity.

Mitigation Framework HIST-2 would require that the City determine whether the affected building/structure is historically significant as outlined in the Historical Resources Guidelines prior to issuance of any permit for a future development project implemented in accordance with the OBCPU that would directly or indirectly affect a building/structure in excess of 45 years of age.

Preferred mitigation for historic buildings or structures shall be to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. These measures would be detailed in a site-specific report prepared at the project-level.

Rationale and Conclusion

HIST-1 and HIST-2 would require that future development projects implemented in accordance with the OBCPU area conduct site-specific surveys to identify any significant on-site cultural resources, and if such resources are found, that appropriate measures are taken in accordance with CEQA and the City's Historical Resources Regulations. This mitigation framework would reduce potentially significant impacts to historical resources (prehistoric/historic sites) to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the OBCPU's MMRP.

Historical Resources (Religious or Sacred Uses)

Significant Effect

Impacts to religious or sacred uses in association with construction of future projects implemented in accordance with the OBCPU would be significant.

Facts in Support of Finding

The potentially significant impact to religious or sacred uses would be mitigated to below a level of significance with implementation of mitigation framework HIST-1. HIST-1 would require that prior to issuance of any permit for a future development project implemented in accordance with the OBCPU that could directly affect an archaeological resource, including religious or sacred resources, (1) the preparation of a site-specific study to determine the presence of archaeological resources and (2), the appropriate mitigation for any significant resources which may be impacted by a development activity.

Rationale and Conclusion

HIST-1 would require that future development projects implemented in accordance with the OBCPU area conduct site-specific surveys to identify any significant on-site cultural resources, and if such resources, including religious resources and sacred sites, are found, that appropriate measures are taken in accordance with CEQA and the City's HRR. This mitigation framework would reduce potentially significant impacts to historical resources (religious or sacred sites) to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the OBCPU's MMRP.

Historical Resources (Human Remains)

Significant Effect

Future grading of original in-situ soils could also expose buried human remains. Potential impacts to human remains associated with construction of projects implemented in accordance with the OBCPU would be significant.

Facts in Support of Finding

The potentially significant impact to human remains would be mitigated to below a level of significance with implementation of mitigation framework HIST-1. HIST-1 would require that prior to issuance of any permit for a future development project implemented in accordance with the OBCPU that could directly affect an archaeological resource, including human remains, (1) the preparation of a site-specific study to determine the presence of archaeological resources and (2), the appropriate mitigation for any significant resources which may be impacted by a development activity.

Rationale and Conclusion

HIST-1 requires that future development projects implemented in accordance with the OBCPU conduct site-specific surveys to identify any significant or potentially significant cultural resources, including human remains, and identify appropriate measures to be undertaken to address potential impacts in accordance with CEQA and the City's Historical Resources Regulation and Guidelines. This mitigation framework would reduce potentially significant impacts to historical resources (human remains) to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the OBCPU's MMRP.

Paleontological Resource (Issue 1)

Paleontological Resources

Significant Effect

The OBCPU area contains geology with high and low sensitivity potential for paleontological resources. Therefore, implementation of the OBCPU, including future project grading, could potentially destroy fossil remains, resulting in a significant impact to paleontological resources.

Facts in Support of Finding

The OBCPU's potentially significant impacts to paleontological resources would be mitigated to below a level of significance with implementation of the mitigation framework PALEO-1 identified in Section 4.7 of the FEIR.

Implementation of this mitigation framework would require that future projects be sited and designed to minimize impacts on paleontological resources in accordance with the City's Paleontological Resources Guidelines and CEQA Significance Thresholds. Monitoring for paleontological resources shall be required during construction activities, shall be implemented at the project-level, and shall provide mitigation for the loss of important fossil remains with future discretionary projects that are subject to environmental review.

Rationale and Conclusion

Future development implemented in accordance with the OBCPU and mitigation framework PALEO-1, adopted in conjunction with the certification of this FEIR, would be required. This mitigation framework would reduce potentially significant impacts to paleontological resources to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the OBCPU's MMRP.

B. Findings Regarding Mitigation Measures Which are the Responsibility of Another Agency (CEQA §21081(a)(2)) and CEQA Guidelines §15091(a)(2))

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, finds pursuant to CEQA §21081(a)(2) and CEQA Guidelines §15091(a)(2) that there are changes or alterations which could reduce significant impacts that are within the responsibility and jurisdiction of another public agency.

Caltrans/SANDAG

For the intersections of Sunset Cliffs Blvd @ I-8 westbound off-ramp, Sunset Cliffs Blvd @ I-8 eastbound on-ramp, and Sunset Cliffs Blvd @ Nimitz Blvd, impacts are expected to be significant mainly due to the increase in traffic associated with local and regional growth in the San Diego Region. San Diego Association of Governments (SANDAG) in coordination with Caltrans, is currently administering the proposed I-8 Corridor project. This project will assess a set of identified operational improvements between Sunset Cliffs/Nimitz area to the west and College Avenue/SDSU area to the east including, but not limited to, interchange and ramp modifications that are key components of the future improvement strategy of I-8 Corridor. As part of this analysis, access alternatives at I-8 and Sunset Cliffs/Nimitz corridor should be evaluated for potential improvement that will enhance overall travel efficiencies at that location. It should be noted that potential improvements at these intersections may be further defined once SANDAG completes its I-8 corridor study. As a result, the Proposed OBCPU's significant traffic impacts to these intersections would remain significant and unmitigated.

C. Findings Regarding Infeasible Mitigation Measures and Alternatives (CEQA §21081(a)(3) and CEQA Guidelines §15091(a)(3))

Potentially Significant Impacts that cannot be Mitigated Below a level of Significance (Public Resource Code §21081(a)(1) and (3):

The Project would have significant unmitigable impacts in the following issue areas:

- Transportation/Circulation

Although mitigation measures are identified in the FEIR that could reduce significant impacts resulting from implementation of the proposed OBCPU, implementation of mitigation measures cannot be assured since the degree of future impacts and applicability, feasibility, and success of future mitigation measures cannot be adequately known for each specific future project at the program level. In addition, funding cannot be assured to implement the mitigation measures which would partially reduce the significant program-level impacts arising from the proposed OBCPU, implementing programs including zoning regulations, and the public facilities financing plan associated with the stated issue areas. This finding is appropriate because there are no feasible mitigation measures available that would reduce the identified impacts to below a level of significance. “Feasible” is defined in Section 15364 of the CEQA Guidelines to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” The CEQA statute (Section 21081) and Guidelines (Section 15019(a)(3)) also provide that “other” considerations may form the basis for a finding of infeasibility. Case law makes clear that a mitigation measure or alternative can be deemed infeasible on the basis of its failure to meet project objectives or on related public policy grounds.

Transportation/Circulation

Significant Effect

For this programmatic analysis, the OBCPU would result in a significant impact if a roadway segment, intersection, freeway segment, or freeway ramp meter would operate unacceptably in the buildout year. Roadway segments, intersections, and freeway segments are considered to operate acceptably from LOS A to LOS D, and unacceptably at LOS E or F. Metered freeway ramps are considered to operate unacceptably if the delay exceeds 15 minutes and the downstream freeway segment operates at an unacceptable LOS E or F. The OBCPU would increase the number of intersections, road, or freeway segments at LOS E or F on the planned transportation network and would result in the addition of a substantial amount of traffic to congested roadway segments, intersections, and ramps, but not freeways. These impacts are significant.

a. Roadway Segments

Table 4.2-10 of the FEIR displays the LOS analysis results for the roadway segments under the buildout condition. As shown in the table, there are eighteen roadway segments that would function at LOS E or F and have significant impacts. Table 4.2-14 lists the locations of the significantly impacted segments of the roadways that would be expected to operate at unacceptable levels at the buildout year of the OBCPU. The impacted segments are on the following roadways:

- Abbott Street
 - Newport Street to Santa Monica Avenue
- Cable Street
 - Narragansett Avenue to Newport Avenue
 - Newport Avenue to West Point Loma Boulevard
- Sunset Cliffs Boulevard
 - Adair Street to Narragansett Avenue
 - Narragansett Avenue to Voltaire Street
 - Voltaire Street to West Point Loma Boulevard
 - West Point Loma Boulevard to Nimitz Boulevard
 - Nimitz Boulevard to I-8 off-ramp
 - I-8 WB off-ramp to Sea World Drive
- Ebers Street
 - Narragansett Avenue to Newport Avenue
 - Newport Avenue to Voltaire Street
 - Voltaire Street to West Point Loma Boulevard
- Nimitz Boulevard
 - Sunset Cliffs Boulevard to West Point Loma Boulevard
- West Point Loma Boulevard
 - Abbott Street to Sunset Cliffs Boulevard

- Sunset Cliffs Boulevard to Nimitz Boulevard
- Voltaire Street
 - Bacon Street to Cable Street
 - Cable Street to Sunset Cliffs Boulevard
 - Sunset Cliffs Boulevard to Froude Street

The OBCPU would have a significant impact at all of these roadway segment locations.

b. Intersections

As shown in Table 4.2-13 of the FEIR, a total of eight of the fifteen intersections would be expected to operate at unacceptable levels at the buildout year for at least one of the peak hours, if not both. The OBCPU would have a significant impact at all eight of these intersections:

As shown in the table, the proposed Community Plan Update would have a significant traffic impact at the following study intersections:

- 1 Sunset Cliffs Boulevard/I-8 WB off-ramp (AM and PM peak)
- 2 Sunset Cliffs Boulevard/I-8 EB on-ramp (AM peak)
- 3 Sunset Cliffs Boulevard/Nimitz Boulevard (AM and PM Peak)
- 4 Sunset Cliffs Boulevard/West Point Loma Boulevard (AM and PM Peak)
- 5 Nimitz Boulevard/West Point Loma Boulevard (AM and PM Peak)
- 6 Bacon Street/West Point Loma Boulevard (PM Peak)
- 7 Sunset Cliffs Boulevard/Brighton Avenue (AM and PM Peak)
- 8 Sunset Cliffs Boulevard/Orchard Avenue (AM and PM Peak)

Facts in Support of Finding

a. Roadway Segments

At the program-level, impacts to roadway segments could be reduced through the proposed classifications of roadways and identification of necessary roadway improvements. Roadway improvements necessary to implement the OBCPU Mobility Element roadway network would be included in the PFFP for Ocean

Beach and implemented in accordance with future development projects, as conditions of approval or through collection of Development Impact Fee (DIF) fees. Improvements have been identified in the TIA to fully or partially mitigate the Proposed Plan's significant traffic impact to these locations and are shown in the table below.

Roadway Segment	Existing Conditions		Buildout w/Mitigation		□ in v/c	Proposed Improvement
	v/c Ratio	LOS	v/c Ratio	LOS		
Nimitz Blvd						
Sunset Cliffs Blvd to W Point Loma Blvd	0.93	E	1.16	F	0.23	Reclassify and widen to a 6-lane primary arterial. This improvement partially mitigates the Proposed Plan's impact.
W Point Loma Blvd						
Abbott St to Bacon St	0.86	E	0.63	C	- 0.23	Add a TWLTL (2 way left turn lane)
Bacon St to Cable St	1.61	F	1.10	F	- 0.51	Add a TWLTL
Cable St to Sunset Cliffs Blvd	2.31	F	2.10	F	- 0.21	Add a TWLTL
Sunset Cliffs Blvd to Nimitz Blvd	1.68	F	1.27	F	- 0.41	Add a TWLTL
Voltaire St						
Sunset Cliffs Blvd to Froude St	1.05	F	0.73	D	- 0.32	Add a TWLTL

Source: Wilson & Company, Inc., July 2012

Notes:

Bold values indicate roadway segments operating at LOS E or F.

It is recommended that Nimitz Boulevard from Sunset Cliffs Boulevard to West Point Loma Boulevard be reclassified and improved as a six lane primary arterial to partially mitigate the Proposed Plan's significant traffic impact. Additionally it is recommended both West Point Loma Boulevard, from Abbott Street to Nimitz Boulevard, and Voltaire Street, from Sunset Cliffs Boulevard to Froude Street, be restriped with a two-way left turn lane to mitigate the Proposed Plan's significant traffic impacts to these roadway segments. Further mitigation for impacted segments include road widening and the loss of on-street parking spaces. All other significant traffic impacts to roadway segments would remain

unmitigated since appropriate mitigations would require either removal of on-street parking or roadway widening. The Traffic Impact Analysis (TIA) identified a variety of roadway improvements or mitigation measures, that are not included as part of the OBCPU Mobility Element roadway network. These generally consist of the addition of traffic signals, turn lanes, and restriping. Proposed mitigation for impacted roadway segments are shown in Table 4.2-16 of the PEIR and listed below.

Trans-1: Add a 2nd South Bound Right Turn lane by widening and removing approximately 5 parking spaces along the north side of West Point Loma Boulevard.

Trans-2: Install a 2nd East Bound and West Bound left turn lane by widening the south side of West Point Loma Boulevard.

Trans-3: Signalize the intersection of Bacon Street and West Point Loma Boulevard.

Trans-4: Reclassify and widen Nimitz Boulevard from Sunset Cliffs Boulevard to Point Loma Boulevard to a 6-lane primary arterial. This improvement partially mitigates the proposed OBCPU's impact.

b. Intersections

A total of eight intersections would be significantly impacted by the OBCPU. With mitigation framework Trans-1 through Trans-4 provided in Section 4.2 of the FEIR, the impacts to three intersections would be fully or partially mitigated, and a total of five intersections would continue to be significantly impacted. The TIA identified potential improvement measures, such as additional intersection turning movement lanes and traffic signals. Proposed mitigation for intersections are identified in Table 4.2-15 of the PEIR an listed below.

Trans-1: Add a 2nd South Bound Right Turn lane by widening and removing approximately 5 parking spaces along the north side of West Point Loma Boulevard.

Trans-2: Install a 2nd East Bound and West Bound left turn lane by widening the south side of West Point Loma Boulevard.

Trans-3: Signalize the intersection of Bacon Street and West Point Loma Boulevard.

The rational and conclusions for why additional improvements are not feasible and therefore not included in the OBCPU Mobility Element are detailed below.

Rationale and Conclusion

a. Roadway Segments

The purpose of the General Plan Mobility element is to improve mobility through a development of a balanced, multi-modal transportation network. To this end, the element contains goals and policies relating to walkable communities, transit first, street and freeway systems, Intelligent Transportation Systems (ITS), Transportation Demand Management (TDM), bicycling, parking management, airports, passenger rail, goods movement/freight, and regional coordination and financing. The Mobility Element

contains goals that discuss preserving community and streetscape character, promoting opportunities for pedestrian and bicycle access, and increasing transit opportunities in balance with street improvements.

The OBCPU Mobility Element contains recommendations for walkability, public transit, streets and freeways, bicycling, and parking, to support the goals of the General Plan. The focus for the OBCPU is shifted from developing new transportation systems to sustainable policies supporting current densities and alternative transportation modes. The OBCPU Mobility Element goals include the preservation of the community and streetscape character, promoting opportunities for pedestrian and bicycle access, and increasing transit opportunities in balance with street improvements. The recommendations are intended to mitigate impacts associated with automobiles while enhancing desirable outcomes associated with the City of Villages growth strategy in terms of walkability and pedestrian orientation. The shift toward additional and improved alternative transportation modes, such as transit, bikeways and pedestrian paths linking the community with open spaces, supports an enhanced infrastructure, thereby reducing dependence on non-renewable resources, and forming a more sustainable and integrated approach to mobility and land use.

Improvements have been identified in Table 4.2-16 for Nimitz Boulevard from Sunset Boulevard to West Point Loma Boulevard to fully or partially mitigate the OBCPU's significant traffic impact to this roadway segment. In Section 4.2 of the FEIR, the following mitigation measure is identified:

Trans-4: Reclassify and widen Nimitz Boulevard from Sunset Cliffs Boulevard to Point Loma Boulevard to a 6-lane primary arterial. This improvement partially mitigates the proposed OBCPU's impact.

For this segment of Nimitz, the City's Bicycle Master Plan includes a cycle track, a hybrid type bicycle facility that combines the experience of a separated path with the on-street infrastructure of a conventional Bike Lane. This segment is also bounded to the west by Dusty Rhodes Park, a resource-based park that includes a dog park. Any widening would include obtaining right of way for one to two 12-foot wide vehicle lanes and ten feet for the cycle track, and would further encroach into the resource-based parklands. These numbers would be refined at the project level. Recommendation 3.3.7 in the Mobility Element of the OBCPU supports improving the multi-modal function of Nimitz, which is consistent with the Bicycle Master Plan. This measure provides only partial mitigation, and would require obtaining additional right of way that would impact resource-based parklands and impact the Bicycle Master Plan recommendations for Nimitz. Therefore, as this widening improvement would only provide partial mitigation, would be inconsistent with the Bicycle Master Plan, would impact resource-based parklands in a community that is currently park deficient, and there is no assurance that funding will be available within a reasonable amount of time, this improvement is infeasible, and impacts will remain significant and unmitigated.

All other significant traffic impacts to roadway segments are recommended to remain unmitigated since mitigations would likely require removal of on-street parking, roadway widening, and demolition or movement of buildings. The improvements discussed below are not consistent with public policy. The Mobility Element of the OBCPU does not include these improvements due to goals and recommendations

focused on alternative transportation modes. Recommendation 3.3.1 focuses on pedestrian improvements, including bulbouts, ramps, and raised crosswalks. Recommendation 3.3.2 recommends the implementation of traffic calming measures that accommodate bicyclists and pedestrians, and which may include measures other than a traffic signals. Recommendation 3.4.1 focuses on developing a rich bicycle network that connects destination areas within and outside the community.

The TIA analysis shows that reclassification of Sunset Cliffs as a 4 Lane Major, a portion of it as a 6 Lane Primary Arterial, or making it a one-way couplet could partially or wholly mitigate the OBCPU impacts,

The reclassification and construction of Sunset Cliffs Boulevard between Adair Street and West Point Loma Boulevard as a four lane major street would mitigate the Plan Update's significant impact to Sunset Cliffs Boulevard. This would require the construction of a raised center median and roadway widening. The widening would also require demolition and/or removal of 140 structures, some of which may be historical and seen as essential elements to the community's character, such as the Ocean Beach Public Library and the Ocean Beach Elementary School. Therefore, given that street widening would decrease walkability and bikability, is inconsistent with community character, and would impact approximately 140 buildings, widening of Sunset Cliffs Boulevard between Adair Street and West Point Loma Boulevard is infeasible, and impacts will remain significant and unmitigated.

The reclassification and construction of Sunset Cliffs Boulevard between Nimitz Boulevard and Sea World Drive as a six lane primary arterial would fully mitigate the Proposed Plan's significant impact to this portion of Sunset Cliffs Boulevard. Widening Sunset Cliffs Boulevard to six lanes in this area would require the widening of the bridge over the San Diego River, which has an estimated cost in the order of \$100 Million based on nearby bridge project, and could have significant environmental impacts to sensitive biological resources at the project level. The Mission Bay Park Natural Resource Management Plan (NRMP) and the Mission Bay Park Master Plan identify the San Diego River Channel under Sunset Cliffs Boulevard Bridge as part of the Southern Wildlife Preserve, with coastal salt marsh wetland habitat. At the program level, it is anticipated that impacts to habitat would include pile driving, dredging in open water, increased shading due to larger profile of widened bridge, and encroachment by bridge approaches. Impacts would be further refined and identified at the project level and would require further analysis in accordance with CEQA and the Land Development Code Environmentally Sensitive Land Regulations. Review and permitting from other state and federal agencies would also be required. In addition, with limited Development Impact Fee availability due to limited development capacity, it is likely that other projects will be considered higher priority for funding over this widening, because of the high cost of bridge reconstruction, impacts to sensitive biological resources referenced in the Mission Bay Park Master Plan and Natural Resource Management Plan, and overall focus on multi-modal mobility rather than vehicle capacity. More focused and less costly multi-modal mobility projects would better meet community goals, use limited DIF funds in a timely manner, and would avoid impacts to sensitive biological resources. Therefore, given that street widening would require costly bridge expansion with no assured funding and would impact sensitive biological resources, the mitigation is infeasible, and impacts will remain significant and unmitigated.

Although the one-way couplet concept would improve operations along Sunset Cliffs Boulevard, the operations along Cable Street or Ebers Street would degrade since these streets would now carry more traffic from Sunset Cliffs Boulevard. Because a one-way couplet would be anticipated to introduce out of direction travel, promote higher motorized vehicular speeds, create a less pedestrian friendly environment, and reduce emergency vehicle response times, a one-way couplet is not recommended as mitigation.

For Sunset Cliffs Boulevard between West Point Loma Boulevard and Nimitz Boulevard, the reclassification and construction as a six lane primary arterial would fully mitigate the Proposed Plan's significant impact to this portion of Sunset Cliffs Boulevard, and the reclassification and construction of Sunset Cliffs Boulevard between West Point Loma Blvd and Nimitz Blvd as a six lane major street would partially mitigate the Plan Update's significant impact to this portion of Sunset Cliffs Boulevard. In order to widen the road to a six lane primary arterial, additional right of way acquisition and improvements would impact resource-based parkland on both sides of the road, Robb Field to the west and Dusty Rhodes Park to east. This portion of the Sunset Cliffs Boulevard is considered the entryway to Ocean Beach, and the road widening would impact the recently completed median enhancement project and the recently completed Ocean Beach Gateway park project (northwest corner of Sunset Cliffs Boulevard and West Point Loma Boulevard) as portions of these projects would either be removed or reconfigured. These projects contribute to the Ocean Beach community character and road widening would impact the community character. Road widening would also impact the Class I and Class II existing bicycle facilities, which are consistent with the Bicycle Master Plan recommendations for Sunset Cliffs Boulevard. Therefore, given that street widening would impact recently completed public improvement projects, would impact community character, and would impact bicycle facilities, the mitigation is infeasible, and impacts will remain significant and unmitigated.

For Ebers Street between Narragansett Avenue and Voltaire Street, the installation of a two way left turn lane would mitigate the Plan Update's significant impact to Ebers Street. This could be achieved by either re-striping or roadway widening. However, due to the narrow width of the road, restriping would require the removal of approximately 141 on-street parking spaces. Given that parking is heavily utilized in this area and the Ocean Beach Community lies within the Parking Impact Overlay Zone, removal of on-street parking is not recommended. Alternatively, this portion of Ebers Street could be widened to accommodate a two way left turn lane. However, street widening would decrease walkability due to longer crossing distances, is inconsistent with community character due to a wide street cross section as compared to the community's dominant grid pattern of fine grain streets, and would impact approximately 80 structures; therefore, widening is infeasible and not recommended. For Ebers Street between Voltaire Street and West Point Loma Blvd, widening the street to a 4 lane collector would be required to mitigate the Plan Update's significant impact. street widening would decrease walkability, is inconsistent with community character, and would impact approximately 20 building structures; therefore, widening is infeasible, and impacts will remain significant and unmitigated.

For Cable Street, the installation of a two way left turn lane would mitigate the Plan Update's significant impact to Cable Street. This could be achieved by either re-striping or roadway widening. Due to the narrow width of the road, restriping would require the removal of approximately 124 on-street parking

spaces. Given that parking is heavily utilized in this area and the Ocean Beach Community lies within the Parking Impact Overlay Zone, removal of on-street parking is not recommended. Alternatively, this portion of Cable Street could be widened to accommodate a two way left turn lane. However, street widening would decrease walkability, is inconsistent with community character, and would impact approximately 60 building structures; therefore, widening is infeasible, and impacts will remain significant and unmitigated.

For Abbot Street, the installation of a two way left turn lane would mitigate the Plan Update's significant impact to Abbot Street. This could be achieved by either re-striping or roadway widening. Due to the narrow width of the street, restriping would require the removal of approximately 16 on-street parking spaces. Given that parking is heavily utilized in this area and the Ocean Beach Community lies within the Parking Impact Overlay Zone, removal of on-street parking is not recommended. Alternatively, this portion of Abbott Street could be widened to accommodate a two way left turn lane. However, street widening would decrease walkability and is inconsistent with community character; therefore, widening is infeasible, and impacts will remain significant and unmitigated.

For West Point Loma at Nimitz, the installation of a 2nd East Bound and West Bound left turn lane by widening the south side of West Point Loma Boulevard would mitigate the Plan Update's significant traffic impact to West Point Loma Boulevard between Abbott Street and Nimitz Boulevard. This could be achieved by re-striping without the removal of on-street parking since this portion of West Point Loma Boulevard is currently 52 feet wide curb-to-curb. With the installation of the two way left turn lane (Trans-2), the OBCPU's significant impact to West Point Loma Boulevard between Abbott Street and Nimitz Boulevard would be fully mitigated. However, the provision of additional turn lanes would accommodate auto traffic only, and would not consider pedestrian or bicycle activity along the roadway. Due to longer crossing distances for pedestrians and cyclists, this auto-centric improvement would impact pedestrian and bicycle movement and safety. The City's Bicycle Master Plan includes a cycle track along Nimitz, dual turn lanes would impact future bicycle facilities. The additional turn lanes would utilize existing right of way, but would require extending the paved area which would encroach into the resource-based parklands to the west to accommodate the ten-foot cycle track. These numbers would be refined at the project level. Therefore, given that the improvement would decrease walkability and is inconsistent with Bicycle Master Plan, the improvement is infeasible, and impacts will remain significant and unmitigated.

For Voltaire, the installation of a two way left turn lane would mitigate the Plan Update's significant traffic impacts to Voltaire Street along the segments between Bacon Street and Sunset Cliffs Boulevard. Due to the Street's width, the installation of a two way left turn lane could be achieved by re-striping, but the existing diagonal on-street parking would have to be removed and replaced with parallel parking. This would result in the loss of approximately 40 on-street parking spaces. Given that parking is heavily utilized in this area and the Ocean Beach Community lies within the Parking Impact Overlay Zone, loss of on-street parking is not recommended. Alternatively, this portion of Voltaire Street could be widened to accommodate a two way left turn lane. However, street widening would decrease walkability, is inconsistent with community character, and would impact approximately 35 buildings; therefore, roadway widening is infeasible, and impacts will remain significant and unmitigated.

In conclusion, the improvements discussed above include impacts that are not consistent with public policy. The improvements would decrease walkability, are inconsistent with community character, would necessitate demolition or removal of buildings, would impact sensitive biological resources, would impact bike facilities, would impact resource-based parklands and are inconsistent with goals focused on alternative transportation modes, sustainability, and a more integrated approach to mobility and land use. Therefore, the mitigation measures are infeasible, and impacts will remain significant and unmitigated.

b. Intersections

The TIA identifies a variety of intersection improvements for the OBCPU. These generally consist of the addition of turn lanes, widening, and restriping. Proposed mitigation for impacted roadway segments are shown in Table 4.2-15 of the PEIR and listed below.

	Intersection	Proposed Mitigation
1	Sunset Cliffs Blvd @ I-8 WB off-ramp	No mitigation measures identified
2	Sunset Cliffs Blvd @ I-8 EB on-ramp	No mitigation measures identified
3	Sunset Cliffs Blvd @ Nimitz Blvd	No mitigation measures identified
4	Sunset Cliffs Blvd @ W Point Loma Blvd	Add a 2nd SB RT lane by widening and removing approximately 5 parking spaces along the north side of W Point Loma Blvd
5	Nimitz Blvd @ W Point Loma Blvd	Install a 2 nd EB and WB left turn lane by widening the south side of W Point Loma Blvd
6	Bacon St @ W Point Loma Blvd	Signalize intersection
7	Sunset Cliffs Blvd @ Brighton Ave	No improvement recommended, but place intersection on the signal watch list for regular re-evaluation
8	Sunset Cliffs Blvd @ Orchard Ave	No improvement recommended, but place intersection on the signal watch list for regular re-evaluation

In Section 4.2 of the FEIR, the following mitigation measures are identified:

- **Trans-1:** Add a 2nd South Bound Right Turn lane by widening and removing approximately 5 parking spaces along the north side of West Point Loma Boulevard.

- **Trans-2:** Install a 2nd East Bound and West Bound left turn lane by widening the south side of West Point Loma Boulevard.
- **Trans-3:** Signalize the intersection of Bacon Street and West Point Loma Boulevard.

Impacts at intersections No. 1, 2 and 3 are expected to be significant mainly due to the increase in traffic associated with regional growth in the San Diego area. Sunset Cliffs Boulevard (including the bridge) would have to be widened to a six-lane major in order to adequately accommodate expected future traffic demand in the area. San Diego Association of Governments (SANDAG) in coordination with Caltrans is currently administering the proposed I-8 Corridor project which will assess a set of identified operational improvements between Sunset Cliffs/Nimitz area to the west and College Avenue/SDSU area to the east including, but not limited to, interchange and ramp modifications that are key components of the future improvement strategy of I-8 Corridor. As part of this analysis, access alternatives at I-8 and Sunset Cliffs/Nimitz corridor should be evaluated for potential improvement that will enhance overall travel efficiencies at that location. It should be noted that potential improvements at these intersections may be further defined once SANDAG completes its I-8 corridor study. As a result of the impacts being regional impacts under the jurisdiction of other agencies, there are no feasible mitigation options identified and the traffic impacts to these intersections would remain significant and unmitigated.

At the Sunset Cliffs Blvd. intersection (No. 4), an additional turn lane is proposed. However, this would require the loss of 5 on-street parking spaces. Given that parking is heavily utilized in this area and the Ocean Beach Community lies within the Parking Impact Overlay Zone, loss of on-street parking is not recommended. At the Nimitz intersection (No. 5), an additional turn lane is proposed which would require widening West Point Loma Blvd. This turn lane would be addressed through the road widening project identified within the Ocean Beach Public Facilities Financing Plan. However, the road widening only partially mitigates the proposed OBCPU's significant traffic impact, and this auto-centric improvement would impact pedestrian and bicycle movement and safety due to longer crossing distances for pedestrians and cyclists. Funding has not been identified. The installation of a traffic signal would mitigate the proposed OBCPU's impacts at the Bacon intersection (No. 6). However, the OBCPU recommendation 3.3.2 recommends the implementation of traffic calming measures that accommodate bicyclists and pedestrians, and which may include measures other than a traffic signal. With limited Development Impact Fee availability due to limited development capacity, it is likely that other projects will be considered higher priority for funding over this signal. Therefore, there is no assurance that funding will be available within a reasonable amount of time, and impacts will remain significant and unmitigated. Traffic signals are also recommended for Sunset Cliffs Blvd. intersections Nos. 7 and 8, however, the installation of traffic signals at these locations are not recommended since neither location would have the turning volumes at Buildout forecast that would meet the standard warrants for a traffic signal as outlined in Council Policy 200-06. However, it is recommended that these two intersections be periodically re-evaluated in the future and that alternative traffic calming measures be investigated in accordance with OBCPU recommendation 3.3.2.

The Ocean Beach Public Facility Financing Plan (PFFP) lists transportation improvements that would modify traffic signals at various locations and install traffic signals at the intersections of Bacon Street and West Point Loma Avenue, Brighton Avenue and Sunset Cliffs Boulevard, and at Orchard Avenue and

Sunset Cliffs Boulevard. The PFFP lists ADA improvements at the North Ocean Beach Entryway and at the intersection of Narragansett and Avenue and Sunset Boulevard. Additionally, the PFFP would install pedestrian countdown timers at all signalized intersections within the OBCPU area. As Ocean Beach is a built out urbanized community and collects DIF Fees that are proportionally to a project's impact, and the PFFP cannot collect fees for existing deficiencies, none of the transportation improvements identified in the PFFP are fully funded.

In conclusion, because the proposed mitigation measures for both the roadway segments and intersections for the OBCPU include street widening, would decrease walkability, are inconsistent with community character, would remove on-street parking, would include the demolition or removal of many buildings, and are inconsistent with public policy, the measures are infeasible, and traffic impacts remain significant and unmitigated. While the Mobility Element of the OBCPU does include evaluating some of the mitigation measures over time, however, implementation of the mitigation measures must be analyzed against competing goals focused on alternative transportation modes, sustainability, and a more integrated approach to mobility and land use.

D. Findings Regarding Alternatives (CEQA § 21081(a)(3) and CEQA Guidelines §15091(a)(3))

Because the proposed project will cause one or more unavoidable significant environmental effects, the City must make findings with respect to the alternatives to the proposed project considered in the FEIR, evaluating whether these alternatives could feasibly avoid or substantially lessen the proposed project's unavoidable significant environmental effects while achieving most of its objectives (listed in Section II.E above and Section 3.3 of the FEIR).

The City, having reviewed and considered the information contained in the FEIR and the Record of Proceedings, and pursuant to Public Resource Code §21081(a)(3) and State CEQA Guidelines §15091(a)(3), makes the following findings with respect to the alternatives identified in the FEIR (Project No. 30330/304032/SCH No. 2004651076):

Specific economic, legal, social, technological, or other considerations, including considerations of the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the FEIR as described below.

"Feasible" is defined in Section 15364 of the CEQA Guidelines to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The CEQA statute (Section 21081) and Guidelines (Section 15019(a)(3)) also provide that "other" considerations may form the basis for a finding of infeasibility. Case law makes clear that a mitigation measure or alternative can be deemed infeasible on the basis of its failure to meet project objectives or on related public policy grounds.

Background

The FEIR for the proposed OBCPU conducted a review of two alternatives. The two alternatives reviewed include the following:

- No Project (existing Community Plan); and
- Reduced Project (No Rezone)

These two project alternatives are summarized below, along with the findings relevant to each alternative.

No Project (existing Community Plan) Alternative

The No Project Alternative is the continued implementation of the adopted 1975 Ocean Beach Community Plan, consistent with CEQA Guidelines Section 15126.6(e)(3)(A). The land use plan for the No Project Alternative would retain the Neighborhood Commercial designations for the West Point Loma and Voltaire commercial districts.

Potentially Significant Effects

The No Project Alternative consists of continued implementation of the adopted 1975 Ocean Beach Community Plan, consistent with CEQA Guidelines Section 15126.6(e)(3)(A). The Ocean Beach Precise Plan was originally established as a program for preserving and enhancing the community of Ocean Beach. However, the No Project (existing Community Plan) Alternative would not implement the City of Villages concept of the General Plan and Strategic Framework Element to the same extent as the OBCPU and would only reduce impacts to Biological Resources and Historical Resources. Impacts to Land Use under the No Project (existing Community Plan) Alternative would be greater than those identified for the proposed OBCPU because this alternative would not correct the inconsistency between existing zoning and the land use designation. In addition, under this alternative, the additional potential 62 units would not be permitted and consequently it would result in less intensity of uses. As such, Land Use impacts under the No Project (existing Community Plan) Alternative would be greater than the proposed OBCPU. Impacts would be greater in the following categories: Land Use; Air Quality and Odor; Noise; Geologic Conditions; Hydrology and Water Quality; Visual Effects and Neighborhood Character; Public Services and Facilities; Greenhouse Gases and Human Health and Public Safety. Impacts to Transportation/Circulation would remain significant and unmitigated.

Although the No Project (Existing Community Plan) Alternative would not conflict with adopted land use plans, policies, or ordinances, it would not provide the same level of land use benefits as the proposed OBCPU. Implementation of this alternative would not achieve the goals of the City of Villages strategy to the same extent as the OBCPU.

Finding and Supporting Facts

While adoption of the No Project (existing Community Plan) Alternative would allow future development to proceed in accordance with the adopted community plan, adoption of this alternative

would not achieve important project objectives to incorporate detailed policies that provide a basis for evaluating whether specific development proposals are consistent with the Plan, and including specific implementing actions to help ensure that the community plan's vision is accomplished. Incompatible land uses would continue to be allowed under current zoning, as new potential future development would be inconsistent with the land use designation. Incompatibilities would result over time, as this alternative would not correct the inconsistency between existing zoning and the land use designation. In addition, under this alternative, the additional potential 62 units would not be permitted and consequently it would result in less intensity of uses.

The lack of adequate on-street and structured parking is a primary issue in the project area and would continue under the existing Community Plan. If the update is not approved and the existing plan remains in effect, parking issues would continue to exist but not to the extent under the OBCPU with the rezone. Mobility recommendations identified as part of the proposed OBCPU (see Section 4.2 of this FEIR) would seek to implement measures to increase off-street parking available for the community and its visitors through shared parking agreements, evaluating curb utilization, implementing parking strategies, and encouraging alternative transportation choices.

The existing land use plan and zoning do not provide parking measures as stated above to the extent that would be provided by the proposed OBCPU and may not provide the same level of benefit to the community.

The existing Ocean Beach Community Plan contains a framework to preserve and enhance the character of Ocean Beach and the subsequent Action Plan built upon the framework to further the goal to preserve the character of Ocean Beach. However, the existing community plan does not contain specific policies to address visual quality or neighborhood character.

The No Project (existing Community Plan) Alternative does not include policies specific to the expansion, preservation, and enhancement of parks. Without the use of park equivalencies, the area would carry a greater deficit of required park standards.

Implementation of the No Project (existing Community Plan) Alternative would not benefit from the proposed Mobility, Urban Design, and Conservation elements of the OBCPU, which include specific policies that require dense, compact, and diverse development; encourage highly efficient energy and water conservation design; increase walkability and bicycle and transit accessibility; increase urban forestry practices and community gardens; decrease urban heat islands; and increase climate sensitive community design. These policies would serve to reduce consumption of fossil-fueled vehicles and energy resulting in a reduction in community-wide GHG emissions relative to business as usual.

In addition, the existing community plan does not contain the policy direction in terms of flooding hazards, sea level rise, or green house gas emissions.

Compared to the proposed OBCPU, the No Project (existing Community Plan) Alternative would not provide the same level of beneficial effect related to land use, air quality, neighborhood character, human health/public safety/hazardous materials, hydrology/water quality, energy use, noise, geology, public

services and facilities, public utilities, population and housing, and GHG emissions as compared to the proposed OBCPU. Therefore, because this alternative fails to meet multiple project objectives, and failure to meet even a single objective would be sufficient for rejection of the alternative, this alternative is considered infeasible.

Further, the No Project Alternative is infeasible because it would not meet the General Plan policy regarding preparation of community plan updates. Specifically, Policy LU-C.1 requires that the update process “establish each community plan as an essential and integral component of the City’s General Plan with clear implementation recommendations and links to General Plan goals and policies.” It further states that community plan updates are important to “maintain consistency between community plans and General Plan, as together they represent the City’s comprehensive plan. The No Project Alternative would not allow for the update to proceed and achieve these General Plan policies.

Reduced Project (No Rezone) Alternative

As with the proposed OBCPU, the Reduced Project Alternative would also replace the existing adopted community plan and would implement the goals and recommendations for the eight proposed OBCPU elements addressing Land Use; Mobility; Urban Design; Public Facilities, Services, and Safety; Recreation; Conservation; Noise; and Historic Preservation. However, this alternative would not implement the rezone to 99 parcels (approximately 21 acres) as discussed in Section 3 of the FEIR.

As mentioned above, the Reduced Project Alternative would implement all of the recommendations from the OBCPU. Implementation of this alternative would reduce the total number of proposed residential units by approximately 62 units. However, this alternative would not achieve the same level of compliance with the General Plan as the proposed OBCPU with the rezone because it would not correct the inconsistency between existing zoning and the land use designation. Fewer residential units could also reduce the number and size of much needed dwelling units available in the community.

With a reduction in residential units, under current zoning, trip generation and parking demand would be reduced slightly but traffic conditions would remain significant. Impacts to road segments and intersections would be incrementally reduced since fewer residents and service vehicles would be traveling local and regional roadways in the area. With implementation of some or all of the roadway and freeway improvements discussed in Section 4.2 of the FEIR impacts could be reduced, but not to a level of less than significant.

Additionally, continued adherence to the General Plan and the SANDAG Regional Transportation Plan would be required under this alternative. As such, traffic/circulation and parking impacts under the Reduced Project Alternative would be slightly decreased when compared to those anticipated under the proposed OBCPU with the rezone.

The Reduced Project Alternative would implement the Public Facilities Services and Safety Element and Recreation Element recommendations from the OBCPU that could potentially lead to impacts to biological resources. The Reduced Project Alternative would be required to comply with the MSCP, which provides comprehensive long-term habitat conservation to address the needs of multiple species

and the preservation of natural vegetation communities for lands within the city and sphere of influence boundaries.

While the Reduced Project Alternative does not specifically propose demolition or substantial alteration of a resource or ground-disturbing activities such as grading or excavation, it can be assumed that future development has the potential to result in significant direct and/or indirect impacts to historical resources. Any potential impacts to significant cultural resources would be considered significant. Implementation of this alternative would be required to adhere to all applicable City, federal, state, and local regulations regarding the protection of historical resources.

The Reduced Project Alternative would be consistent with the growth assumptions used in development of the local air quality plans and the General Plan, and therefore would see a reduction of air quality impacts over the existing community plan. This alternative would accommodate fewer residents and businesses and less dense residential development anticipated by the proposed OBCPU with the rezone.

Noise impacts under the Reduced Project Alternative would be incrementally reduced due to construction of fewer residential units and less commercial and associated reductions in residential traffic.

Implementation of the Reduced Project Alternative has the potential to result in significant impacts to paleontological resources (see Section 4.7 of the FEIR). Because of its high sensitivity for paleontological resources, grading into this formation could potentially destroy fossil remains. Application of discretionary review would ensure that impacts to paleontological resources would be less than significant and similar to the proposed OBCPU with the rezone.

The project area contains geologic conditions, which could pose significant risks if the future project area is not properly designed and constructed. Adherence to standard building code measures and City grading requirements would ensure that proposed grading and construction operations would avoid significant soil erosion impacts. Adherence to the requirements of the City's Stormwater Standards Manual during construction would also be expected to improve post-construction conditions related to erosion, as new development would be required to adhere to a higher standard of BMPs compared to existing design standards. Impacts would be less than significant.

Current drainage patterns on the project site would remain with the Reduced Project Alternative. Future development under the Reduced Project Alternative would occur in areas that are fully developed and largely impervious due to existing structures, paving, and other improvements; therefore, the volume or rate of runoff to drainage basins, municipal storm water systems, or ultimately to receiving waters would not be expected to change significantly. Implementation would not result in significant changes to the existing hydrology or drainage as compared to the existing condition.

New development projects would be required to comply with existing water quality regulations and design requirements, resulting in incremental improvement to water quality over time.

The Reduced Project Alternative would include the goals and recommendations of the proposed OBCPU with the rezone which specifies design recommendations and guidelines intended to conserve and

enhance Ocean Beach's' community character. The implementation of the Reduced Project Alternative would not have a negative impact on visual effects and neighborhood character.

Fewer residential units would slightly reduce the total needs for parks, libraries, schools, and fire/police protection. However the decreased demand based upon zoning, under the Reduced Project Alternative would be negligible because the need for these services would be similar to existing conditions. Under the alternative there is sufficient capacity to accommodate the existing need for these services. The Reduced Project Alternative would implement the Park and Recreation element which outlines several policies relating to the expansion, preservation, and enhancement of parks.

GHG impacts would be slightly reduced under the Reduced Project Alternative due to the reduction in residential units. Transportation-related emissions consistently contribute the most GHG emissions, followed by electricity generation and industrial emissions. As such, it can be assumed that vehicle emissions would decrease correspondingly. Additional vehicle emissions reductions would also be expected over time due to regulations on auto and fuel manufacturers that would reduce vehicle emissions by 2020.

Implementation of the Reduced Project Alternative would also benefit from the additional GHG-reducing features identified for the proposed OBCPU with the rezone. Other policies within the elements that encourage highly efficient energy and water conservation design; increase walkability and bicycle and transit accessibility; increase urban forestry practices and community gardens; decrease urban heat islands; and increase climate sensitive community design may still apply. These policies would serve to reduce consumption of fossil-fueled vehicles and energy resulting in a reduction in communitywide GHG emissions relative to business as usual.

While the Reduced Project Alternative would propose fewer residential dwelling units, the OBCPU area contains limited properties with human health, public safety, hazardous materials, and environmental concerns. However, future development proposals would be screened and applicants would be required to obtain a clearance from the County's Department of Environmental Health. These compliance measures would reduce the potential for hazardous materials to affect the public or environment regardless of the alternative selected.

As discussed above, the Reduced Project (No Rezone) Alternative would not result in additional significant impacts beyond those previously disclosed for the OBCPU with the rezone. Impacts to Transportation/Circulation/Parking, Air Quality, GHG emissions, Noise, Historical Resources, Public Utilities, would be incrementally less with the reduction in overall density of development.

However, the Reduced Project (No Rezone) Alternative would not meet all of the proposed OBCPU's objectives found in the Project Summary above. Specifically, specific implementing actions to help ensure that the community plan's vision is accomplished would not occur as the Reduced Project (No Rezone) Alternative would perpetuate the inconsistency between the land use designation and zoning of the 99 parcels. Also, the goal to have policies that provide a basis for evaluating whether specific development proposals are consistent with the plan would not be accomplished, as the inconsistency between zoning and land use designation would not be resolved with the Reduced Project (No Rezone)

Alternative. This alternative would not achieve the same level of compliance with the General Plan as the proposed OBCPU with the rezone because it would not correct the inconsistency between existing zoning and the land use designation. Fewer residential units could also reduce the number and size of much needed dwelling units available in the community. Therefore, because this alternative would not avoid the significant impacts of the proposed OBCPU and fails to meet multiple project objectives, and failure to meet even a single objective would be sufficient for rejection of the alternative, this alternative is considered infeasible.

EXHIBIT C

STATEMENT OF OVERRIDING CONSIDERATIONS

(PUBLIC RESOURCES CODE §21081(b))

Pursuant to Section 21081(b) of CEQA and CEQA Guidelines §15093 and 15043, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project.

If the specific economic, legal, social, technological, or other benefits, outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable pursuant to Public Resources Code §21081. CEQA further requires that when the lead agency approves a project which will result in the occurrence of significant effects which are identified in the FEIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the FEIR and/or other information in the record.

Pursuant to the Public Resources Code §21081(b) and Guidelines § 15093, the City Council, having considered all of the foregoing, finds that the following specific overriding economic, legal, social, technological, or other benefits associated with the proposed Project outweigh unavoidable adverse direct and cumulative impacts related to traffic/circulation. Each of the separate benefits of the proposed Project, as stated herein, is determined to be, unto itself and independent of the other project benefits, a basis for overriding all unavoidable adverse environmental impacts identified in the Findings.

The City Council also has examined alternatives to the Project, and finds that the proposed OBCPU alternatives discussed in the FEIR should not be adopted because none of them succeed in reducing environmental impacts while meeting the proposed OBCPU's objectives; specifically, that economic, legal, social, technological, or other considerations make the alternatives infeasible. The City also finds that the economic, legal, social, and technological benefits of the proposed OBCPU that the City has found to override the alternatives' environmental benefits would be negated by the proposed OBCPU's alternatives.

The City finds that the Project most fully implements the City's desire to incorporate the General Plan's goals and policies into its neighborhoods as part of the long-term community plan update process.

The City Council declares that it has adopted all feasible mitigation measures to reduce the proposed Project's environmental impacts to an insignificant level; considered the entire administrative record, including the FEIR; and weighed the proposed Project's benefits against its environmental impacts. After doing so, the City Council has determined that the proposed Project benefits outweigh its environmental impacts, and deem them acceptable.

The City Council identified the following public benefits in making this determination. Each of these public benefits serves as an independent basis for overriding all unavoidable adverse environmental impacts identified in these Findings and the FEIR. The City Council considers these impacts to be acceptable, consistent with CEQA Guidelines section 15093.

The California Supreme Court has stated that, "[t]he wisdom of approving any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." *Citizens of Goleta Valley v. Bd. of Supers.* (1990) 52 Cal.3d 553, 576.

Courts have upheld overriding considerations that were based on policy considerations including, but not limited to, new jobs, stronger tax base, implementation of an agency's economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to community plans and general plans, and provision of construction jobs. See *Towards Responsibility in Planning v. City Council* (1988) 200 Cal. App.3d 671; *Dusek v. Redevelopment Agency* (1985) 173 Cal. App.3d 1029; *City of Poway v. City of San Diego* (1984) 155 Cal.App.3d 1037; *Markley v. City Council* (1982) 131 Cal.App.3d 656.

Therefore, the decision-making body expressly finds that in accordance with Public Resources Code § 21081(b) and 21081.5, and CEQA Guidelines §§15093 and 15043, based on the following specific considerations, the benefits of the Project would outweigh the Project's significant effects on the environment:

1. The OBCPU will provide a comprehensive guide for growth and development in the Ocean Beach Community and implement the General Plan City of Villages strategy.

The OBCPU provides a blueprint for future growth and development that builds on Ocean Beach's key attributes, including maintaining and enhancing Ocean Beach's distinctive coastal village character, protecting coastal resources, and fostering multi-modal mobility. The OBCPU creates land use, public facilities, and development policies for Ocean Beach as a component of the City of San Diego's General Plan. A foundation of the General Plan is the City of Villages strategy which encourages the development or enhancement of mixed-use activity centers, of different scales, that serve as vibrant cores of communities and are linked to the regional transit system. The Ocean Beach community, with its commercial districts, diversity of housing types, parks and public spaces, and interconnected street system, already functions as a village in the context of the General Plan. The OBCPU supports maintaining and enhancing these coastal village attributes. As cited in the FEIR's 4.1 Land Use section, the OBCPU provides strategies and specific implementing actions to help ensure that the Community Plan's vision is accomplished and that it is in conformance with the General Plan. The OBCPU also provides site-specific recommendations that implement the City of Villages strategy and key issues of concern, with a focus on: park equivalencies, urban design, public views, coastal resource protection, and historic preservation.

Accompanying the approval of the OBCPU are related implementing programs, including zoning regulations and a public facilities financing plan (PFFP), that will implement the community plan's goals and policies. The OBCPU provides guidance that facilitates the ability of the City of San Diego, other public agencies, and private developers to design projects that enhance the character of the community, taking advantage of its setting and amenities. The OBCPU encompasses a range of land use designations defined in the General Plan, supplemented with a more detailed description and distribution of land uses for Ocean Beach. The OBCPU is applying citywide land use designations, with no changes in density or intensity.

The OBCPU provides goals and policies that will facilitate the development of a variety of uses, facilities, and services needed to serve Ocean Beach; protect and enhance the residential and commercial areas in the community; encourage alternative modes of transportation while reducing traffic impacts; maintain the small-scale nature of the community while improving its visual quality; preserve and enhance public facilities and services within the community; maintain and enhance parks and other community facilities; preserve the community's important historic resources; foster preservation and enjoyment of the Pacific Ocean coastline and other natural resources; diversify commercial uses that serve local and community needs; and provide adequate public facilities and institutional resources that serve the needs of the community. Therefore, the goals and policies contained in the OBCPU utilize the General Plan as a foundation to ensure that this community provides a balance of land uses that respects sensitive resources

and includes detailed implementing programs including zoning regulations and a public facilities financing plan.

As such, the OBCPU provides a consistent, comprehensive approach to providing for a variety of land uses, respecting sensitive coastal resources, providing community services, and respecting the historicity of the Ocean Beach community area. These specific factors support the decision to approve the Project despite the significant unavoidable impacts related to Transportation/Circulation identified in the FEIR.

2. The OBCPU provides a balanced land use plan that meets the needs of the Ocean Beach community.

Ocean Beach is a developed urbanized coastal community with only a few vacant lots. There are opportunities for infill development, redevelopment, and enhancement of the existing built environment. The community is mainly residential in nature, containing approximately 7,833 residential dwelling units (Year 2010). Of these approximately 55 percent were contained in multifamily structures primarily located west of Sunset Cliffs Boulevard with the remaining 45 percent comprised of single-family residential dwellings to the east. Only sixteen percent of residents own and occupy their homes.

Ocean Beach includes a wide diversity of small-scale locally-owned business establishments. Commercial uses occupy approximately seven percent of the community and consist of small-scale retail establishments located in three specific districts. The Voltaire Street District is located in the northern portion of the community and contains commercial establishments interspersed with single-family and multifamily housing. The Newport District is the major commercial district in Ocean Beach, located in the central portion of the community, contains a wide range of commercial businesses and has become a center for antique dealers drawing a regional clientele. The Point Loma Avenue District, located at the southern limit of the community, is a small commercial district containing a number of commercial establishments interspersed with single-family and multi-family housing.

The community of Ocean Beach also contains areas of open space and public parks. Areas of open space include the Famosa Slough and coastal bluffs. Public parks include Ocean Beach Park, Saratoga Beach Park, Veterans' and Brighton parks. The Barnes Tennis Center, a privately operated tennis club on City-owned land, is located in the northern portion of the community. The community is also served by the Ocean Beach Recreation Center. Dusty Rhodes and Robb Field parks, located immediately adjacent to the planning area on the north, also provide recreational opportunities for residents of Ocean Beach. Institutional uses in Ocean Beach include a public library, a fire station, a temporary police mobile trailer, lifeguard station, post office, and an elementary school with joint use activity fields.

Patterned after General Plan land use categories, the OBCPU is consistent with the General Plan in that it provides for a balanced mix of residential and commercial land uses, that does not change from the existing adopted plan. However, the plan will re-designate the Voltaire Street and Pt. Loma Avenue districts from Neighborhood Commercial to Community Commercial to better reflect the role of that commercial area in the community. In addition, Recommendations 4.3.1 – 4.3.12 from the Urban Design Element and Recommendation 2.21 from the Land Use Element of the OBCPU encourage this balanced mix of residential and commercial land uses.

The community's commercial districts have elements of Community and Neighborhood Centers as outlined in the General Plan. The Voltaire Street, Newport Avenue and the Point Loma Avenue Districts comprise vibrant commercial areas with residential units scattered above or near commercial uses. These areas, which are generally well-served by transit, have evolved over time into pedestrian-oriented public gathering spaces.

Mixed-use residential/commercial development is permitted in the commercial districts of Ocean Beach. The Newport District is designated Community Commercial which can accommodate mixed-use

residential/commercial development at densities of 0 to 29 dwelling units per net residential acre. Likewise, the Voltaire Street and Point Loma Avenue Districts are designated Community Commercial which can accommodate mixed-use development at 0 to 29 dwelling units per net residential acre. New mixed-use development within the three commercial districts may offer the best and most realistic alternative for providing future housing and meeting citywide goals for economically balanced communities. There are a small number of existing sites within the commercial districts that could potentially provide opportunities for mixed-use and re-use development.

Both the Voltaire District and the Point Loma Avenue District are designated for Neighborhood Commercial use. This designation is intended to serve the community at large within three to six miles. The districts offer resident-serving community needs, including retail goods, personal, professional, financial and repair services, recreational facilities, as well as convenience retail, civic uses and regional retail/services. This area is a developing neighborhood with some businesses serving a regional clientele.

The major commercial district in Ocean Beach, the Newport Avenue District, is designated Community Commercial by the OBCPU. The Community Commercial designation offers similar resident-serving community needs as the Voltaire and Point Loma Avenue Districts, but with a more regional appeal and market. The Voltaire District has benefited from being a part of the Sidewalk Café Pilot Project which has allowed shops and restaurants to utilize the sidewalk area for outdoor signage, displays and dining.

The Newport District is also within a Business Improvement District (BID), which extends to Saratoga Avenue on the north and to Narragansett Avenue on the south District. The Ocean Beach Mainstreet Association (OBMA) is the management organization for the BID and the Newport Avenue Landscape Maintenance District. The OBMA also administers the community's National Main Street designation by the National Trust for Historic Preservation. Improvement projects include street tree plantings, commemorative tile placement, planters, and special color schemes.

The proposed OBCPU would be consistent with the General Plan goal for providing diverse and balanced neighborhoods and communities in that it addresses low and moderate income families as discussed in the City's Housing Element of the General Plan. One of the ways to encourage economically balanced communities is through the City's density bonus program. This program was designed, in part, to assist the housing construction industry in order to provide affordable housing for all economic segments of the community. In addition, the Coastal Housing Replacement Program requires the replacement of existing affordable housing units with emphasis on the retention of existing affordable housing units on-site or within the community. Since most of Ocean Beach is within the Coastal Zone, this program will play an important role in the future development of the community.

Affordable housing is also a priority of the San Diego Housing Commission, as well as the Ocean Beach community. The San Diego Housing Commission works with private and non-profit entities, such as the Ocean Beach Community Development Corporation, to provide affordable housing through the use of local housing assistance programs administered by the Commission. Ocean Beach has 200 affordable units at the Mariner's Cove Apartments set aside for low to moderate income families. The contract for affordability of these units will expire in 2015. Also, there are some units reserved for very low income residents at a transitional housing project. Specifically, Recommendations 2.1.1 and 2.1.2 from the Land Use Element of the OBCPU would encourage the continuing emphasis on providing affordable housing.

The Public Facilities Financing Plan will help implement the OBCPU as it pertains to public facilities and infrastructure to support the proposed land uses. OBCPU Public Facilities, Safety, and Services Element Policies 5.1.1 through 5.2.3 provide for adequate fire and solid waste services as well as water, wastewater, and stormwater infrastructure to serve the future growth of the community. OBCPU Public Facilities, Safety, and Services Element Policies 5.3.1 through 5.3.4 encourage coordination of planning efforts for new schools and provide a framework for the provision of future library services. Policies 5.4.1 through 5.4.4 support the undergrounding of utility lines, the creation of a future lighting and landscape

maintenance district, and provides guidance for the design, placement, and screening of wireless communications facilities. Policies 5.5.1 and 5.5.2 address the investigation of a single solid waste hauler for the community, as well as efficient waste collection and reduction services.

By providing a balanced land use plan, the OBCPU preserves the existing mixed-use, coastal village community character and continues to meet the needs of the Ocean Beach community.

3. The OBCPU provides a more effective means to protect and enhance character and quality of life than existing land use controls.

The OBCPU provides a comprehensive update to the 1975 Precise Plan and 1980 Ocean Beach Local Coastal Program Addendum. While the Precise Plan's goals for respecting the community's coastal environment and addressing the scale and character of infill development are still relevant, the OBCPU addresses a broader range of issues faced by the community and City, and provides an up-to-date array of policies and recommendations that will more effectively protect and enhance character and quality of life than existing land use controls.

The OBCPU Urban Design Element builds from the framework established in the Urban Design Element of the General Plan, and works in conjunction with the other elements of the OBCPU. The element offers recommendations for building and site development elements which have greatest impact on overall appearance and connectivity. The recommendations are intended to provide guidance to ensure that new construction relates in a compatible way to complement and coordinate with surrounding structures. The goals and policies contained in the Urban Design Element of the General Plan are applicable when reviewing development proposals as well as the following recommendations specific to Ocean Beach. These policies apply to all new development in Ocean Beach with a discretionary permit, including residential and commercial development proposals.

OBCPU Urban Design Element Recommendations 4.1.1-4.1.9 address general urban design recommendations related to architecture, bulk and scale, fenestration, roofs, and materials. Recommendations 4.2.1 – 4.2.9 address distinctive neighborhoods and residential design. Recommendations 4.2.3 and 4.2.4 provide key overall guidance to: “encourage gradual transitions in bulk and scale (4.2.3)” and “that new residential development should take design cues from the historic small-scale character (4.2.4). Section 4.3 of the draft community plan addresses mixed-use village and commercial districts. Recommendation 4.3.1 provides key overall guidance to “ensure that new commercial development is compatible with the historic small-scale character of the commercial districts in Ocean Beach” and Recommendations 4.3.2-4.3.12 provide more detailed guidance to help ensure that the overall policy guidance is implemented.

The interconnected street network and the mixed-use, multi-modal design of Ocean Beach is also a part of the character that the community seeks to maintain and enhance. OBCPU Policies 4.4.1 – 4.4.6 address street and alleyway recommendations with a focus on improving the pedestrian environment. The protection of public coastal views is another key issue that is addressed in Section 4.6 of the Urban Design Element (see Recommendations 4.6.1-4.6.3).

The purpose of the City of San Diego General Plan Historic Preservation Element is to preserve, protect, restore and rehabilitate historical and cultural resources throughout the City of San Diego. It is also the intent of the element to improve the quality of the built environment, encourage appreciation for the City's history and culture, maintain the character and identity of communities, and contribute to the City's economic vitality through historic preservation. The Ocean Beach Historic Preservation Element contains specific goals and recommendations to address the history and cultural resources unique to Ocean Beach in order to encourage appreciation of the community's history and culture.

The City of San Diego Historical Resources Board has designated 73 properties within the Ocean Beach

Community Planning Area. Ocean Beach's designated resources include one archaeological resource, called the Ocean Beach Gateway Site. The site is a prehistoric campsite occupied as part of a series of major encampments along the course of the San Diego River. The seventy-two other designated resources are contributing resources to the Ocean Beach Cottage Emerging Historical District, which is comprised of beach cottages and bungalows built between 1887 and 1931 within the boundary of the original Ocean Beach subdivision. Two of the 72 contributing resources are designated as individually significant structures – the Strand Theater and the Ocean Beach Library.

In addition to General Plan Historic Preservation Element Policies, OBCPU Recommendations 9.1.1 – 9.1.11 provide historic "Identification and Preservation" guidance specific to Ocean Beach. In addition, OBCPU Recommendations 9.2.1-9.2.6 address education and incentives, 9.3.1-9.3.5 cover historically and culturally significant buildings, and 9.41-9.42 address cultural heritage and tourism. These recommendations along with the General Plan policies provide a comprehensive historic preservation strategy for Ocean Beach and will assist in meeting community plan goals for maintaining and enhancing Ocean Beach's distinctive coastal village character.

The General Plan Noise Element provides goals and policies to guide compatible land uses and the incorporation of noise attenuation measures for new uses to protect people living and working in the City from an excessive noise environment. Noise can affect the environment and well-being of people living, working, and visiting a community. Where possible, new noise-sensitive uses should avoid or attenuate excessive or harmful noise levels. Sensitive land uses include residential, schools for children, libraries, and places of religious assembly. Operators of existing noise-generating uses and activities should cooperatively work with residents of abutting homes to take steps to address excessive noise whenever possible. These actions together can help maintain a pleasant and livable noise environment.

Ocean Beach is an urbanized coastal community with a mix of residential and commercial uses and has a higher ambient noise level than most suburban communities. Ambient noise level is the composite of noise from all normal background noise sources at a given location. Single event noises, such as an aircraft flyover, also affect the background noise level in the community. The OBCPU complements the General Plan goals and policies by addressing Ocean Beach specific noise sources and issues.

Ocean Beach is within the Airport Influence Area, which is the boundary for the Airport Land Use Compatibility Plan (ALUCP) for San Diego International Airport (SDIA). The OBCPU allows residential uses in areas with 65 dbA CNEL aircraft noise contour as depicted in the ALUCP. The General Plan requires that future residential use located in an area with or greater than the 60 dbA CNEL must include noise attenuation measures to ensure an interior noise level of 45 dbA CNEL. Typical noise attenuation measures are addressed in the General Plan.

The General Plan and OBCPU policies will be implemented through programs, regulations, zoning, incentives, and the discretionary review process. The City of San Diego Land Development Code (LDC) contains regulations and controls pertaining to land use, density and intensity, building massing, architectural design, landscaping, storm water management, streetscape, lighting, and other development characteristics. The OBCPU area is located within the following overlay zones: Coastal Overlay Zone, the Residential Tandem Parking Overlay Zone, the Parking Impact Overlay Zone, and the Airport Overlay Zones. All development in Ocean Beach must comply with the regulations set forth in the LDC. Therefore, the OBCPU addresses a broader range of issues faced by the community and City, and provides an up-to-date set of recommendations that will more effectively protect and enhance character and quality of life than existing land use controls.

4. The OBCPU promotes the multi-modal mobility and implements state law with respect to complete streets.

The traffic impact study prepared for the OBCPU found that the planning elements from the OBCPU in and of itself would not result in additional failing intersections, roads or freeways, nor would the OBCPU result in substantial increase of traffic on freeways, interchanges or on-ramps. However, the overall build-out of the OBCPU area would result in significant impacts to eight intersections. Despite the impacts to specific identified intersections, the OBCPU, together with the General Plan Mobility Element, sets forth a body of policies and recommendations designed to promote multi-modal mobility and implement state law with respect to complete streets.

The purpose of the General Plan Mobility Element is to improve mobility through a development of a balanced, multi-modal transportation network. To this end, the element contains goals and policies relating to walkable communities, transit first, street and freeway systems, Intelligent Transportation Systems (ITS), Transportation Demand Management (TDM), bicycling, parking management, airports, passenger rail, goods movement/freight, and regional coordination and financing. The Mobility Element contains goals that discuss preserving community and streetscape character, promoting opportunities for pedestrian and bicycle access, and increasing transit opportunities in balance with street improvements.

The OBCPU contains recommendations for Walkability, Public Transit, Streets and Freeways, Bicycling, and Parking, to support the goals of the General Plan Mobility Element. Ocean Beach is an urbanized coastal community with very few vacant parcels and will only accommodate a small percentage of new population and associated traffic. Consequently, the focus has shifted from developing new transportation systems, to sustainable policies supporting current densities and alternative transportation modes. The recommendations are intended to mitigate impacts associated with automobiles while enhancing desirable outcomes associated with the City of Villages growth strategy in terms of walkability and pedestrian orientation. The shift toward additional and improved alternative transportation modes, such as transit, bikeways and pedestrian paths, supports reducing dependence on non-renewable resources, and forming a more sustainable and integrated approach to mobility and land use.

Ocean Beach's grid network of two-lane streets with sidewalks and alleyways allows its residents to walk to local commercial districts, community facilities, and recreational attractions such as beaches and parks. As a community, Ocean Beach's pedestrian facilities are generally accessible to persons with disabilities due to its network of mostly barrier-free sidewalks and presence of curb ramps at most intersections and alleys. Pedestrian connectivity within Ocean Beach is excellent due to its complete grid network of streets.

The goals of the OBCPU Mobility Element as they relate to streets, freeways, and intersections are to reduce vehicular traffic demand placed on the street network by encouraging the use of alternative modes of transportation, including public transit, bicycles, and walking; to improve inbound and outbound traffic flow; and to reduce traffic congestion along major thoroughfares. The proposed OBCPU Mobility Element would encourage the implementation of strategic and spot improvements to accommodate traffic demand. Such improvements would include, but would not be limited to: synchronizing and adjusting traffic signal timing to accommodate seasonal changes in traffic volumes and patterns to facilitate traffic flow, adding capacity to heavily congested approaches at major intersections serving as entry/exit gateways to/from the community, and restriping street segments with adequate street width to increase their carrying capacity.

Effective January 1, 2011, state law requires that cities address complete streets upon revisions to their general plan circulation elements. The specific requirement is to "plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan." The City's General Plan Mobility Element meets this requirement. In fact, the Mobility Element is cited

as an example of a general plan that has multi-modal goals and policies, and the City's Street Design Manual is listed as an example of a multi-modal transportation implementation document in the "Update to the General Plan Guidelines: Complete Streets and the Circulation Element," published by the State Office of Planning & Research (December 2010).

The OBCPU will encourage alternative transportation and aim to reduce vehicle miles traveled (and greenhouse gas emissions) throughout Ocean Beach through a variety of transportation, pedestrian safety, and open space improvements that are included in the Urban Design, Mobility, Recreation, and Conservation elements. The multi-modal approach is also consistent with the direction provided by SB 375 to reduce GHG emissions associated with vehicle miles traveled from cars and light trucks.

In addition, the proposed OBCPU Mobility Element contains goals that specifically address multi-modal mobility as follows:

- Enhance the street system for bicycles and pedestrians to improve local mobility.
- Reduce vehicular traffic demand placed on the street network by encouraging the use of alternative modes of transportation, including public transit, bicycles, and walking.
- Improve inbound and outbound traffic flow and reduce traffic congestion along major thoroughfares.
- Provide a high level of public transportation, linking Ocean Beach with the region, including employment areas and regional transit system.
- Efficiently manage on-street parking to better serve the beach and commercial areas.
- Implement measures to increase off-street parking available for the community and its visitors.
- Maintain and enhance the pedestrian and bicycle interface with beach and commercial areas and the neighborhoods by insuring that vehicular access to such areas does not compromise pedestrian and bicycle safety.
- Enhance transportation corridors to improve community image and identification.
- Enhance transit patron experience by improving transit stops and increasing transit service frequency.
- Implement a network of bicycle facilities to connect the neighborhoods and major activity centers and attractions within and outside the community.
- Install secure bike parking and bike sharing facilities at major activity centers, including commercial areas, employment nodes, parks, library, and schools.

In addition to the goals listed above, the Mobility Element contains recommendations that promote walkability:

- 3.1.1 Implement pedestrian improvements including, but not limited to, sidewalks and curb ramps where missing, bulb-outs, and enhanced marked crosswalks aimed at improving safety, accessibility, connectivity and walkability as identified and recommended in the City's Pedestrian Master Plan effort.
- 3.1.4 Provide pedestrian countdown timers at all signalized intersections.
- 3.1.5 Provide street furniture where needed in the commercial core and the beach areas.
- 3.1.6 Improve pedestrian connections within the parks and along the beaches, to/from transit stops and with other communities.

The increased use of public transportation would reduce reliance on roadways within the OBCPU area and would potentially reduce impacts. The OBCPU area has historically been served by two bus routes operated by the Metropolitan Transit System (MTS). Ocean Beach is included in the Central Coastal area of MTS, with transit mode share of 5% for the community. The San Diego Association of Governments' (SANDAG) Regional Transportation Plan (RTP) projects total transit mode share for the Central Coastal area to be between 10% to 15% in 2050. To this effect, the RTP is proposing a new Rapid Bus Route to be extended to Ocean Beach with stops located at key intersections.

- b. Remove the non-native plant species from the Famosa Slough and plant native vegetation to provide a buffer between developed public right-of-ways and the marsh, should funding become available.
 - c. Place signage to alert users of Famosa Slough that pets need to be leashed at all times, and place pet waste plastic bag dispensers strategically along the trail, should funding become available.
- 7.1.6 Encourage pollution control measures to promote the elimination of pollutant sources, and the proper collection and disposal of pollutants at the source, rather than allowing them to enter the storm drain system and receiving waters.
- 7.1.7 Implement the City's Environmentally Sensitive Lands regulations and Biology Guidelines for preservation, acquisition, restoration, management and monitoring of biological resources."

The Marine Article of the Coastal Act specifies that the biological productivity and the quality of coastal marine and wetland habitat needed to sustain optimum populations of marine organisms, and to protect human health, shall be maintained and, where feasible, restored. Attention given to stopping pollution at the source before it reaches the marine environment is critical to protection the biological health of marine resources and therefore Recommendations 7.4.2-7.4.7 from the OBCPU Conservation Element are being proposed to address eliminating pollution at the sources and incorporate criteria from the City's Storm Water Standards Manual and the Low Impact Development (LID) practices into public and private project design. In addition, Recommendations 5.2.1-5.2.3 from the OBCPU Public Facilities, Services, and Safety Element also support treating pollution at the source.

The Development Article of the Coastal Act mandates that development should occur in such a manner that scenic and coastal access is not impacted, as well as to ensure that development is situated in areas where infrastructure exists to serve any new development which has been addressed above. The goals of the Public Facilities, Services, and Safety Element of the OBCPU are to provide both public facilities and services commensurate with the needs of the community and to also provide a reliable system of water, wastewater, storm water, and sewer facilities that serve the existing and future needs of the community. In addition, Section 4.11 Public Utilities of the FEIR provides analysis of how the OBCPU would potential impact Public Utilities and no impacts were identified in this category. Therefore, the OBCPU is consistent with the Development Article of the Coastal Act.

After the California Coastal Commission has certified the LCP, the City has the authority to issue Coastal Development Permits for projects within its jurisdiction that are consistent with the LCP.

6. The OBCPU addresses climate change and promotes sustainable development.

The purpose of the City of San Diego General Plan Conservation Element is to provide for the long-term conservation and sustainable management of the City's natural resources. The OBCPU Conservation Element addresses the conservation goals and recommendations that can be effective in managing, preserving and thoughtfully using the natural resources of the community. Topic areas included in this element include Coastal Resources, Physical Coastal Access, Erosion, Storm water and Urban Runoff Management, Sustainability and Resource Management, and Urban Forestry and Sustainable Landscape. This element additionally addresses climate change, which is seen as a major issue that could affect the health and longevity of the community and the ecological environment in Ocean Beach. This element is intended to work in conjunction with the General Plan when reviewing development proposals.

General Plan Conservation Element policies address: development and use of sustainable energy types, including solar; reuse or recycling of building material; adaptively retrofitting and reusing existing buildings; constructing energy efficient buildings with healthy and energy-efficient interior environments; creating quality outdoor living spaces; improving materials recycling programs; water resources management, sustainable local food practices, and other issues. The OBCPU supports The

implementation of General Plan policies related to infill development and sustainability. The OBCPU notes that future development within the community generally occurs on previously-utilized lots, and that the community's coastal location provides opportunities for new development to take advantage of significant natural cooling opportunities.

OBCPU Recommendations 7.5.1 – 7.5.8 address “Sustainable Development and Natural Resource Management.” OBCPU Section 7.6 - “Climate Change and Sea Level Rise,” reports on the best available science related to potential climate effects in Ocean Beach. Sea level rise (SLR) caused by climate change is an issue of growing concern in California and in coastal communities around the world. The State of California projects a rise of 10 to 17 inches (.26 to .43 m) by the year 2050 and a rise of 31 to 69 inches (.78 to 1.76 m) by the year 2100 (State of California, Sea Level Rise Task Force of the coastal and Ocean Working Group of the California Climate Action Team, *Sea Level Rise Interim Guidance Document*, October 2010).

Based on best available science, if SLR reaches 1.4-1.5 meters (which is considered to be in the intermediate/high range of projections), San Diego could experience some loss of beaches and coastal habitat (Gersberg, R., San Diego Waters. (Retrieved on July 2, 2013 from <http://www.sdcoastkeeper.org/learn/san-diegos-waters/>) The National Oceanic and Atmospheric Administration's Sea level Rise and Coastal Flooding Impacts Viewer shows that street flooding is another possible impact if the sea level rises to this level.

The California Global Warming Solutions Act of 2006 (Assembly Bill 32) requires that the state's global warming emissions to be reduced to 1990 levels by the year 2020. In accordance with AB 32, the City of San Diego General Plan discusses climate change and provides a broad range of policies designed to reduce greenhouse gas emissions (GHG) citywide. As of 2014, the City is in the process of updating its Climate Action Plan to more specifically address green house gas reduction in accordance with AB 32. The Climate Action Plan also discusses potential adaptation measures that may be needed to proactively prepare for a range of anticipated climate change impacts, and acknowledges that the City should undertake more detailed adaptation planning. The OBCPU also contributes to reducing GHG through the plan's multi-modal mobility strategy (see #4 above).

Climate change recommendations in the OBCPU (Conservation Element Recommendations 7.6.1-7.6.4) build upon the General Plan and the draft updated Climate Action Plan policies and recommendations. Recommendation 7.6.4 to “monitor sea level rise impacts and adjust adaptation strategies as needed over time” is important as SLR impacts are expected to become more of an issue from 2050 - 2100 and beyond, which exceeds the time horizon of the OBCPU. In addition, SLR responses will likely need to be coordinated as a part of a citywide and regional strategy.

The OBCPU Conservation Element also discusses Coastal Resources, Erosion, and Storm Water and Urban Runoff Management, and Urban Forestry and Sustainable Landscape Design. Issues related to these topics would likely be exacerbated by climate change impacts; the recommendations in these issue areas will help achieve OBCPU goals for sustainable development and climate change preparedness. For example, street trees and private tree planting programs are low cost, low-technology methods for improving the visual landscape and air quality in Ocean Beach. Trees can provide shading and cooling for adjacent buildings as well as for pedestrians. Trees can reduce energy consumption resulting from reduction in size of the urban heat island, reduce storm water runoff through absorption of water by the trees, enhance or create visual corridors, and improve air quality by converting CO₂ into oxygen. In addition, the OBCPU “Storm water and Urban Runoff Recommendations” which call for application of best management practices and Low Impact Development practices, will have co-benefits for improving climate change resiliency.

In summary the OBCPU further supports and enhances citywide goals related to climate change and sustainability.

7. The OBCPU enhances park and recreational opportunities.

The OBCPU enhances park and recreation opportunities as compared to the existing adopted Ocean Beach Precise Plan. Ocean Beach is an urbanized coastal community with limited opportunities for providing new recreation facilities due to the lack of large vacant parcels. Opportunities for additional park land and recreation facilities within the Ocean Beach community are anticipated to come through redevelopment of private and public properties and through the application of park equivalencies. While the City’s primary goal is to obtain land for population-based parks, in some communities where vacant land is not available or is cost-prohibitive, the City’s General Plan allows for the application of park equivalencies to be determined by the community and City staff through a set of guidelines. The guidelines suggest what type of facilities can be considered and how to evaluate these facilities. Facilities that may be considered as population-based parks include: joint use facilities, trails, portions of resource-based parks, privately-owned publicly-used parks, and non-traditional parks, such as roof top recreation facilities or indoor basketball or tennis courts.

Through the OBCPU process, staff and the community worked together to develop recommendations on how to maintain existing parks and to expand opportunities for new facilities through park equivalencies. The park system in Ocean Beach is made up of population-based parks, resource-based parks and open space lands.

The projected population at full community development is 15,071 residents. Therefore, according to General Plan Guidelines for population-based parks, Ocean Beach should be served by a minimum of 42 useable acres of park land. Of the 42 useable acres, there should be 8 useable acres of Community Parks and 34 useable acres of Neighborhood, Mini and Pocket Parks.

Due to land constraints, the community and City staff evaluated the use of park equivalencies to help meet the park guidelines. Consideration of potential equivalency sites included an analysis of public accessibility, consistency with General Plan policies, and assessment of whether typical population-based park components and facilities could be provided. It was found that a variety of sites and facilities within and adjacent to the Ocean Beach community already do, or could, serve as park equivalencies.

Through the process of using park equivalencies within the urbanized Ocean Beach community planning area, the population-based park lands deficit for the Ocean Beach community would be reduced from 40.57 acres, to 18.66 acres as shown in the table below.

Revised Population-based Park Inventory Summary at Full Community Development	
Existing Population-based Parks	1.42 acres
Park Equivalency Credits	21.92 acres
Population-based parks requirements for year 2030	42.00 acres
Population-based parks deficit for year 2030	18.66 acres

CONCLUSION

For the foregoing reasons, the City finds that the Project’s adverse, unavoidable environmental impacts are outweighed by the above-referenced benefits, any one of which individually would be sufficient to outweigh the adverse environmental effects of the project. Therefore, the City has adopted this Statement of Overriding Considerations.

Passed by the Council of The City of San Diego on JUL 29 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 11 2014

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 309178