

RESOLUTION NUMBER R- 310077

DATE OF FINAL PASSAGE DEC 02 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING ENVIRONMENTAL IMPACT REPORT SCH. NO 2014051075 AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, FINDINGS, AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE COMPREHENSIVE UPDATE TO THE SOUTHEASTERN SAN DIEGO COMMUNITY PLAN AND ADOPTION OF A NEW COMMUNITY PLAN FOR THE ENCANTO NEIGHBORHOODS.

WHEREAS, the City of San Diego undertook a comprehensive update to the Southeastern San Diego Community Plan, which project includes the adoption of a new and separate Encanto Neighborhoods Community Plan, amendments to the General Plan, amendments to the Land Development Code, adoption of Impact Fee Studies for Southeastern San Diego and the Encanto Neighborhoods, 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 November 16, 2015; and

WHEREAS, the City Council considered the issues discussed in the Final Program Environmental Impact Report Sch. No. 2014051075 (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.

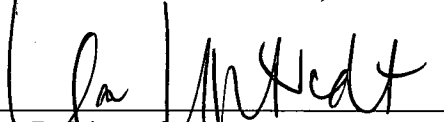
BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the City Council hereby adopts the Mitigation and Monitoring Reporting Program, or alterations to implement the changes to the Project as required by the City Council, in order to mitigate or avoid significant effects on the environment, a copy of which is attached as Exhibit A hereto and incorporated herein by reference and is on file in the Office of the City Clerk as Document number RR- 310077-1.

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, which are on file in the Office of the City Clerk as Document numbers RR- 310077-2 and RR- 310077-3.

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.

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 GOLDSMITH, CITY ATTORNEY

By: 
Inga B. Lintvedt
Deputy City Attorney

IBL:mm:jdf
10/27/15
Or. Dept: Planning
Doc. No.: 1150028

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 16 2015

ELIZABETH S. MALAND
City Clerk

By *AK Brea*
Deputy City Clerk

Kevin Faulconer
KEVIN FAULCONER, Mayor

Approved: 11/30/15
(date)

Vetoed: _____
(date)

KEVIN FAULCONER, Mayor

Passed by the Council of The City of San Diego on NOV 16 2015, 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"/>
Lorie Zapf	<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"/>
Chris Cate	<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 DEC 02 2015.

(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- 310077

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

SOUTHEASTERN SAN DIEGO AND ENCANTO NEIGHBORHOODS COMMUNITY PLAN UPDATES ENVIRONMENTAL IMPACT REPORT No. 386029 SCH No. 2014051075

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Planning Department, 1010 Second Avenue, Suite 1400, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report No. 386029, SCH No. 2014051075 are further described below.

LAND USE

Mitigation Framework

Environmentally Sensitive Land Regulations

MM-LU-1a: Future development project types that are consistent with the CPU and base zone regulations, can be processed ministerially and would not be subject to further environmental review under CEQA. Future development proposals subject to discretionary review shall be reviewed in accordance with Mitigation Framework MM-LU-2 and MM-BIO 1-3 in Section 5.5, Biological Resources.

Historical Resources Regulations

MM-LU-1b: Future development project types that are consistent with the CPU, base zone regulations, and the supplemental regulations for CPIOZ Type A for the Sherman Heights and Grant Hill Park Historic Districts and can demonstrate that there are no historical resources (Built Environment) present on the project site can be processed ministerially and would not be subject to further environmental review under CEQA. Development proposals that do not comply with the CPIOZ Type A supplemental regulations shall be subject to discretionary review in accordance with the Mitigation Framework MM-HIST-1 in Section 5.7 Historical Resources.

MHPA Land Use Adjacency Guidelines

MHPA adjacency impacts would be addressed at the project-level. Projects adjacent to the MHPA would incorporate features into the project and/or permit conditions that demonstrate compliance with the MHPA Land Use Adjacency Guidelines. To ensure avoidance or reduction of potential MHPA impacts resulting from new development adjacent to the MHPA, the

following Mitigation Framework measures shall be required for all future projects as part of the subsequent environmental review and development permit processing:

MM-LU-2: All subsequent development projects implemented in accordance with the CPU that are within or adjacent to designated MHPA areas shall 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. 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 project biologist for each proposed 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 from land use adjacency and compliance with the Land Use Adjacency Guidelines of the MSCP. Prior to approval of any subsequent development project in an area adjacent to a designated 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. Specific requirements shall include:

- **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.
- **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 impactive 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. 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."*
- **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.D. Overhead lighting shall be shielded and either have a fixed downward-aiming position or have a locking feature to fix the light in the downward position. Additionally, overhead lighting adjacent to the MHPA shall be placed on a timer to turn off from 11 pm to sunrise unless determined by the City of San Diego that overhead lighting is necessary for public safety.
- **Barriers** – New development within or adjacent to the MHPA shall be required to provide barriers (e.g., non-invasive vegetation; rocks/boulders; 6-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.

- **Invasives** – No invasive non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- **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.
- **Noise** - New development adjacent to the MHPA must follow the protocol established under MM-BIO-1 and MM-BIO-3 with regard to Mitigation for Short-term Impacts on Sensitive Species from Project Construction.

TRANSPORTATION

Mitigation Framework for Roadways

MM-TRF-1: At the program-level, impacts shall be reduced through the classifications of roadways and identification of necessary roadway, intersection and freeway improvements. Mitigation or construction of these improvements shall be carried out at the project-level via the Infrastructure Fee Study (IFS), capital improvement projects, and future development projects. Funding shall be through construction by individual development projects, collection of development impact fees (DIFs), fair share contributions to be determined at the project-level, and potentially other sources.

There was no feasible mitigation identified for this impact. However, the CPU includes the following physical roadway improvements that would reduce the impact, though not to below a level of significance:

Roadway Widening/Restriping

- Market Street, between I-805 and Pitta Street;
- Euclid Avenue, between SR-94 and Market Street; and
- Division Street, between Harbison Avenue and 58th Street, and between Valencia Parkway and 61st Street.

Road/Lane Diet:

- Market Street, between 19th Street and I-805;
- Imperial Avenue, between I-5 and I-15; and
- National Avenue/Logan Avenue, between I-5 and the I-805 overpass.
- Imperial Avenue, between I-805 to Community Boundary;
- Logan Avenue, between the 47th Street and Euclid Avenue;
- 47th Street, between SR-94 and Logan Avenue;
- Euclid Avenue, between Imperial Avenue and Community Boundary;
- Skyline Drive, between 61st Street and Henson Street;
- Woodman Street, between Skyline Drive and Community Boundary.

Mitigation Framework for Intersections

MM-TRF-2: There was no feasible mitigation identified for this impact. At the project-level, partial mitigation may be possible in the form of transportation demand management measures that encourage carpooling and other alternate modes of transportation. At the time future subsequent development projects are proposed, project-specific traffic analyses would contain detailed recommendations. All project-specific mitigation for direct impacts shall be implemented prior to the issuance of Certificate of Occupancy in order to provide mitigation at the time of impact.

Mitigation Framework for Freeway Traffic

MM-TRF-3:

I-5, between 17th Street and SR-94; I-5, between SR-94 and Imperial Avenue; I-5, between Imperial Avenue and SR-75; I-5, between SR-75 and 28th Street; I-5, between 28th Street and I-15; and I-5, between I-15 and Main Street – The SANDAG 2050 Revenue Constrained RTP includes operational improvements along I-5 between 17th Street and Main Street. These improvements are expected to be built by Year 2050. There is some uncertainty related to the actual developments and associated traffic impacts that will materialize over time. Future development projects' transportation studies would be able to more accurately identify individual project-level impacts and provide the mechanism to mitigate them through fair share contributions in addition to the funding planned by SANDAG and other funding sources consistent with SANDAG Revenue Constrained RTP. The SESD and Encanto Neighborhoods CPUs' significant traffic impact to this freeway segment would remain significant unmitigated at the programmatic level.

MM-TRF-4:

I-15, between I-805 and SR-94; I-15, between Market Street and Ocean View Boulevard - The SANDAG 2050 Revenue Constrained RTP includes construction of managed lanes along I-15 between I-805 and Ocean View Boulevard. These improvements are expected to be built by Year 2035. There is some uncertainty related to the actual developments and associated traffic impacts that will materialize over time. Future development projects' transportation studies

would be able to more accurately identify individual project-level impacts and provide the mechanism to mitigate them through fair share contributions in addition to the funding planned by SANDAG and other funding sources consistent with SANDAG Revenue Constrained RTP. The SESD and Encanto Neighborhoods CPUs significant traffic impact to this freeway segment would remain significant unmitigated at the programmatic level.

MM-TRF-5:

I-805, between Market Street and Imperial Avenue; and I-805, between Imperial Avenue and 43rd Street – The SANDAG 2050 Revenue Constrained RTP includes construction of managed lanes along I-805 between Market Street and 43rd Street. These improvements are expected to be built by Year 2030. There is some uncertainty related to the actual developments and associated traffic impacts that will materialize over time. Future development projects' transportation studies would be able to more accurately identify individual project-level impacts and provide the mechanism to mitigate them through fair share contributions in addition to the funding planned by SANDAG and other funding sources consistent with SANDAG Revenue Constrained RTP. The SESD and Encanto Neighborhoods CPUs significant traffic impact to this freeway segment would remain significant unmitigated at the programmatic level.

MM-TRF-6:

SR-94, between 17th Street and 25th Street; SR-94, between 25th Street and 28th Street; SR-94, between 28th Street and 30th Street; SR-94, between 30th Street and I-15; SR-94, between I-15 and Home Avenue; and SR-94, between Home Avenue and I-805 – The SANDAG 2050 Revenue Constrained RTP includes construction of managed lanes along SR-94 between 17th Street and I-805. These improvements are expected to be built by Year 2020. There is some uncertainty related to the actual developments and associated traffic impacts that will materialize over time. Future development projects' transportation studies would be able to more accurately identify individual project-level impacts and provide the mechanism to mitigate them through fair share contributions in addition to the funding planned by SANDAG and other funding sources consistent with SANDAG Revenue Constrained RTP. The SESD and Encanto Neighborhoods CPUs significant traffic impact to this freeway segment would remain significant unmitigated at the programmatic level.

MM-TRF-7:

SR-94, between I-805 and 47th Street; SR-94, between 47th Street and Euclid Avenue; SR-94, between Euclid Avenue and Kelton Road; SR-94, between Kelton Road and Federal Boulevard; SR-94, between Federal Boulevard and College Grove Way; and SR-94, between College Grove Way and College Avenue – The SANDAG 2050 Revenue Constrained RTP includes construction of managed lanes along SR-94 between I-805 and College Avenue. These improvements are expected to be built by Year 2040. There is some uncertainty related to the actual developments and associated traffic impacts that will materialize over time. Future development projects' transportation studies would be able to more accurately identify individual project-level impacts and provide the mechanism to mitigate them through fair share contributions in addition to the funding planned by SANDAG and other funding sources consistent with SANDAG Revenue Constrained RTP. The SESD and Encanto Neighborhoods CPUs significant traffic impact to this freeway segment would remain significant unmitigated at the programmatic level.

AIR QUALITY

Mitigation Framework

The goals, policies, and recommendations of the City combined with the federal, state, and local regulations provide a framework for developing project-level air quality protection measures for future discretionary projects. The City's process for the evaluation of discretionary projects includes environmental review and documentation pursuant to CEQA as well as an analysis of those projects for consistency with the goals, policies, and recommendations of the General Plan and CPUs. In general, implementation of the policies in the CPUs and General Plan would preclude or reduce air quality impacts. Compliance with the standards is required of all projects and is not considered to be mitigation. However, it is possible that for certain projects, adherence to the regulations would not adequately protect air quality, and such projects would require additional measures to avoid or reduce significant air quality impacts. These additional measures would be considered mitigation.

Where mitigation is determined to be necessary and feasible, these measures shall be included in a Mitigation Monitoring and Reporting Program for the project.

Mitigation Framework measures MM-AQ-1 and MM-AQ-2 shall be implemented to reduce project-level impacts. These measures shall be updated, expanded and refined when applied to specific future projects based on project-specific design and changes in existing conditions, and local, state, and federal laws.

MM-AQ-1: Future projects that would exceed daily construction emissions thresholds established by the City of San Diego shall incorporate best available control measures/technology to reduce construction emissions to below daily emission standards established by the City of San Diego. Best available control measures/technology shall include:

- A. Minimizing simultaneous operation of multiple pieces of construction equipment;
- B. Use of more efficient, or low pollutant emitting, equipment, e.g., Tier III or IV rated equipment;
- C. Use of alternative fueled construction equipment;
- D. Minimizing idling time by construction vehicles;
- E. Haul trucks shall be covered when loaded with soil;
- F. Paved streets shall be swept at least once per day where there is evidence of dirt that has been carried on to the roadway;
- G. Active disturbed areas shall have water applied to them two times daily;
- H. Inactive disturbed areas shall be revegetated to prevent soil erosion;
- I. For disturbed surfaces to be left inactive for 4 or more days and that will not be revegetated, a chemical stabilizer shall be applied per manufacturer's instruction;
- J. Vehicle speed on unpaved roads shall be limited to 15 miles per hour (mph);
- K. For open storage piles that will remain on-site for 2 or more days, water shall be applied once per hour, or coverings shall be used;

- L. For paved road track-out, all haul vehicles shall be covered, or shall comply with vehicle freeboard requirements of Section 23114 of the California Vehicle Code for all public and private roads;
- M. During high wind conditions (sustained wind speeds in excess of 25 mph), all earthmoving activities shall cease or water shall be applied to soil not more than 15 minutes prior to disturbing such soil.

MM-AQ-2: Development that would significantly impact air quality, either individually or cumulatively, shall receive entitlement only if it is conditioned with all reasonable mitigation to avoid, minimize, or offset the impact. As a part of this process, future projects shall be required to buffer sensitive receptors from air pollution sources through the use of landscaping, open space, and other separation techniques.

MM-AQ-3: Prior to the issuance of building permits for any new facility that would have the potential to emit toxic air contaminants, in accordance with AB 2588, an emissions inventory and health risk assessment shall be prepared. If adverse health impacts exceeding public notification levels (cancer risk equal to or greater than 10 in 1,000,000) are identified, the facility shall provide public notice to residents located within the public notification area and submit a risk reduction audit and plan to the APCD that demonstrates how the facility would reduce health risks to less than significant levels within five years of the date the plan.

MM-AQ-4: Prior to the issuance of building permits for any project containing a facility identified in Table 5.3-3, or locating air quality sensitive receptors closer than the recommended buffer distances, future projects implemented in accordance with the CPUs shall be required to prepare a health risk assessment (HRA) with a Tier I analysis in accordance with APCD HRA Guidelines and the Office of Environmental Health Hazard Assessment (OEHHA) Air Toxics "Hot Spots" Program Risk Assessment Guidelines (APCD 2006; OEHHA 2003).

All HRAs shall include:

1. The estimated maximum 70-year lifetime cancer risk,
2. The estimated maximum non-cancer chronic health hazard index (HHI), and
3. The estimated maximum non-cancer acute health hazard index (HHI).

Risk estimates shall each be made for the off-site point of maximum health impact (PMI), the maximally exposed individual resident (MEIR), and the maximally exposed individual worker (MEIW). The location of each of these receptors shall be specified. The lifetime cancer risk, non-cancer chronic and acute health hazard indexes for nearby sensitive receptors shall also be reported. Cancer and non-cancer chronic risk estimates shall be based on inhalation risks. HRAs shall include estimates of population exposure, including cancer burden, as well as cancer and non-cancer chronic and acute risk isopleths (contours). The HRA shall identify best available control technology (BACT) required to reduce risk to less than 10 in 1,000,000.

NOISE

Mitigation Framework

MM-NOS-1: Site-specific exterior noise analyses demonstrating that the project would not place residential receptors in locations where the exterior existing or future noise levels would exceed the noise compatibility standards of the City's General Plan shall be required as part of the environmental and discretionary review of future development proposals. Effective noise reduction measures may include, but are not limited to, building noise barriers, increased building setbacks, speed reductions on surrounding roadways, alternative pavement surfaces, or other relevant noise attenuation measures. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific exterior noise analyses.

MM-NOS-2: When building plans are available and prior to the issuance of building permits, site-specific interior noise analyses demonstrating compliance with the interior noise compatibility standards of the City's General Plan and other applicable regulations shall be prepared for noise sensitive receptors located in areas where exterior noise levels exceed the noise compatibility standards of the City's General Plan. Noise control measures including but not limited to, increasing roof, wall, window, and door sound attenuation ratings, placing heating, ventilation, and air conditioning (HVAC) units in noise reducing enclosures, or designing buildings so that no windows face freeways or major roadways, may be used to achieve the noise compatibility standards. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific exterior noise analyses.

Mitigation Framework for Stationary Noise

MM-NOS-3: Prior to the issuance of a building permit, a site-specific acoustical/noise analysis of any on-site generated noise sources, including generators, mechanical equipment, and trucks, shall be prepared which identifies all noise-generating equipment, predicts noise levels at property lines from all identified equipment, and recommends mitigation to be implemented (e.g., enclosures, barriers, site orientation), to ensure compliance with the City's Noise Abatement and Control Ordinance. Noise reduction measures shall include building noise-attenuating walls, reducing noise at the source by requiring quieter machinery or limiting the hours of operation, or other attenuation measures. Additionally, future projects shall be required to buffer sensitive receptors from noise sources through the use of open space and other separation techniques as recommended after thorough analysis by a qualified acoustical engineer. Exact noise mitigation measures and their effectiveness shall be determined by the site specific noise analyses.

Mitigation Framework for Ambient Noise Levels

Mitigation measures MM-NOS-1, MM-NOS-2 and MM-NOS-3 would apply to vehicular traffic noise for both CPU areas.

Mitigation Framework for Construction Noise

MM-NOS-4: For projects that exceed daily construction noise thresholds established by the City of San Diego, best construction management practices shall be used to reduce construction noise levels to comply with standards established by the Municipal Code in Chapter 5, Article 9.5,

Noise Abatement and Control. Project applicant shall prepare and implement a Construction Noise Management Plan. Appropriate management practices shall be determined on a project-by-project basis, and are specific to the location. Control measures shall include:

- A. Minimizing simultaneous operation of multiple construction equipment units;
- B. Locating stationary equipment as far as reasonable from sensitive receptors;
- C. Requiring all internal combustion-engine-driven equipment to be equipped with mufflers that are in good operating condition and appropriate for the equipment; and
- D. Construction of temporary noise barriers around construction sites that block the line-of-sight to surrounding receptors.

BIOLOGICAL RESOURCES

Mitigation Framework

All impacts on sensitive biological resources shall be avoided to the maximum extent feasible and minimized when avoidance is not possible. Where impacts are not avoidable or cannot be minimized, mitigation shall be required to reduce significant impacts to levels that are less than significant. 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. Adherence to the CPU policies and Mitigation Framework, as well as regulatory compliance, is anticipated to minimize impacts on sensitive biological resources to below a level of significance.

MM-BIO-1: Prior to issuance of any discretionary permit for a future development project implemented in accordance with the CPUs, all projects which could have potentially significant impacts resulting in a reduction in the number of unique, rare, endangered, sensitive, or fully protected species of plants or animals 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 (2012) and MSCP Subarea Plan. Where sensitive biological resources are known or suspected on or adjacent to a proposed project site, a biological assessment shall be performed for that project. Based on available habitat within the CPU areas, focused presence/absence surveys shall be conducted in accordance with the Biology Guidelines and applicable resource agency survey protocols. Engineering design specifications based on project-level grading and site plans shall be incorporated into the design of future projects to minimize or eliminate direct impacts on sensitive plant and wildlife species consistent with the FESA, MBTA, CESA, MSCP Subarea Plan, and ESL Regulations.

Mitigation for Impacts to Sensitive Upland Habitats

Future projects implemented in accordance with the CPUs resulting in impacts on sensitive upland Tier I, II, IIIA, or IIIB habitats shall implement avoidance and minimization measures consistent with the City Biology Guidelines and MSCP Subarea Plan and provide suitable mitigation in accordance with Table 3 in the City's Biology Guidelines (see Table 5.5-4) and MSCP Subarea Plan. Future project-level grading and site plans shall incorporate project design features to minimize direct impacts on sensitive vegetation communities including but not

limited to riparian habitats, wetlands, maritime succulent scrub, coastal sage scrub, and grasslands consistent with federal, state, and City guidelines. Any required mitigation for impacts on sensitive vegetation communities shall be outlined in a conceptual mitigation plan following the outline provided in the City Biology Guidelines.

Mitigation for impacts on sensitive vegetation communities shall be implemented at the time future development projects are proposed. Project-level analysis shall determine whether the impacts are within or outside the MHPA. Any MHPA boundary adjustments shall be processed by the individual project applicants through the City and Wildlife Agencies during the early project planning stage.

Mitigation for impacts on sensitive upland habitats shall occur in accordance with the MSCP mitigation ratios as specified within the City's Biology Guidelines (City of San Diego 2012). These mitigation ratios are based on the tier level of the vegetation community, the location of the impact, and the location of the mitigation site(s). For example, impacts on lands inside the MHPA and mitigated outside the MHPA would have the highest mitigation ratio, whereas impacts on lands outside the MHPA and mitigated inside the MHPA would have the lowest mitigation ratio.

Mitigation for Impacts to Wetlands

Please refer to Mitigation Framework MM-BIO-2 below.

Mitigation for Short-term Impacts on Sensitive Species from Project Construction

Within the Encanto Neighborhoods CPU area, for proposed development adjacent to or within the MHPA, construction noise that exceeds the maximum levels allowed shall be avoided during the breeding seasons for protected avian species such as: coastal California gnatcatcher (March 1-August 15); least Bell's vireo (March 15-September 15); and coastal cactus wren (February 15-August 15). If construction is proposed during the breeding season for these species, USFWS protocol surveys shall be required in order to determine species presence/absence. When applicable, adequate noise reduction measures shall be incorporated.

Additional specific measures necessary for reducing potential indirect impacts on sensitive bird species, including coastal California gnatcatcher, least Bell's vireo, and coastal cactus wren, are further detailed in Mitigation Framework MM-LU-2 and MM-BIO-3.

**TABLE 5.5-4
MITIGATION RATIOS FOR IMPACTS TO UPLAND VEGETATION COMMUNITIES
AND LAND COVER TYPES**

Tier	Habitat Type	Mitigation Ratios			
TIER I (rare uplands)	Southern Foredunes	Location of Preservation			
	Torrey Pines Forest			Inside	Outside
	Coastal Bluff Scrub	Location of Impact	Inside*	2:1	3:1
	Maritime Succulent Scrub		Outside	1:1	2:1
	Maritime Chaparral				
	Scrub Oak Chaparral				
	Native Grassland				
Oak Woodlands					
TIER II (uncommon uplands)	Coastal Sage Scrub	Location of Preservation			
	Coastal Sage Scrub/ Chaparral			Inside	Outside
		Location of Impact	Inside*	1:1	2:1
	Outside		1:1	1.5:1	
TIER III A (common uplands)	Mixed Chaparral	Location of Preservation			
	Chamise Chaparral			Inside	Outside
		Location of Impact	Inside*	1:1	1.5:1
	Outside		0.5:1	1:1	
TIER III B (common uplands)	Non-Native Grasslands	Location of Preservation			
				Inside	Outside
		Location of Impact	Inside*	1:1	1.5:1
	Outside		0.5:1	1:1	

Notes:

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

For impacts on Tier II, IIIA, and IIIB habitats, the mitigation could (1) occur within the MHPA portion of Tiers I – III (out-of-kind) or (2) occur outside of the MHPA within the affected habitat type (in-kind). Project-specific mitigation will be subject to applicable mitigation ratios at the time of project submittal.

Mitigation Framework for Impacts to Wetlands

Future projects implemented in accordance with the CPUs which cannot demonstrate avoidance of impacts on wetlands/jurisdictional resources shall be required to implement the following Mitigation Framework:

MM-BIO-2: To reduce potential direct impacts on City, state, and federally regulated wetlands, all subsequent projects developed in accordance with the CPUs shall be required to comply with ACOE CWA Section 404 requirements and special conditions, RWQCB in accordance with Section 401 of the CWA, CDFW Section 1602 Streambed Alteration Agreement requirements and special conditions, and the City of San Diego ESL Regulations for minimizing impacts on wetlands. Achieving consistency with these regulations for impacts on wetlands and special aquatic sites would reduce potential impacts on regulated wetlands and provide compensatory mitigation (as required) to ensure no net loss of wetland habitats. In addition, if federal listed species are present on a project site, the USFWS would be included in the consultation initiated by the ACOE during the 404 permit process in accordance with Section 7 of the FESA. If there

is no federal nexus to jurisdictional waters, then a Section 10(A) authorization from USFWS would be required to cover any potential effects on federal listed species.

Prior to obtaining discretionary permits for future actions implemented in accordance with the CPUs that are subject to ESL, and/or where the CEQA review has determined that there may be a significant impact on other biological resources considered sensitive under CEQA, a site-specific biological resources survey shall be completed in accordance with City of San Diego Biology Guidelines. In addition, a preliminary or final jurisdictional waters/wetlands delineation of the project site shall be completed following the methods outlined in the ACOE's 1987 *Wetlands Delineation Manual*, the 2008 *Regional Supplement to the Corps of Engineers Delineation Manual for the Arid West Region*, and any required updated or additional standards. A determination of the presence/absence and boundaries of any waters of the U.S. and waters of the state shall also be completed following the appropriate ACOE guidance documents for determining the OHWM boundaries. The limits of any riparian habitats on-site under the sole jurisdiction of CDFW shall also be delineated, as well as any special aquatic sites (excluding vernal pools) that may not meet federal jurisdictional criteria but are regulated by the RWQCB. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize direct impacts to wetlands, jurisdictional waters, riparian habitats, and vernal pools consistent with federal, state, and City guidelines. Any required mitigation for proposed impacts shall be outlined in a conceptual wetland mitigation plan prepared in accordance with the City's Biology Guidelines (2012).

Additionally, any impacts on wetlands in the City of San Diego would require a deviation from the ESL wetland regulations. Under the wetland deviation process, development proposals that have wetland impacts shall be considered only pursuant to one of three options: Essential Public Project, Economic Viability Option, or Biologically Superior Option. ESL Regulations require that impacts on wetlands be avoided. Unavoidable impacts on wetlands shall be minimized to the maximum extent practicable and mitigated as follows:

- As part of the project-specific environmental review pursuant to CEQA, all unavoidable wetland impacts shall be analyzed, and mitigation shall be required in accordance with ratios shown in Tables 11.5-2a and 11.5-2b below. Mitigation shall be based on the impacted type of wetland and project design. Mitigation shall prevent any net loss of wetland functions and values of the impacted wetland.
- For the Biologically Superior Option, the project shall include avoidance, minimization, and compensatory measures, which would result in a biologically superior net gain in overall function and values of (a) the type of wetland resource being impacted and/or (b) the biological resources to be conserved. The Biologically Superior Option mitigation shall include either (1) standard mitigation per Table 11.5-2a, including wetland creation or restoration of the same type of wetland resource that is being impacted that results in high quality wetlands; and a biologically superior project design whose avoided area(s) (i) is in a configuration or alignment that optimizes the potential long-term biological viability of the on-site sensitive biological resources, and/or (ii) conserves the rarest and

highest quality on-site biological resources; or (2) for a project not considered consistent with “1” above, extraordinary mitigation per Table 11.5-2b is required.

Table 11.5-2a: City of San Diego Wetland Mitigation Ratios (With Biologically Superior Design)

<i>Vegetation Community</i>	<i>Mitigation Ratio</i>
Riparian	2:1 to 3:1
Vernal pool ¹	2:1 to 4:1
Basin with fairy shrimp ¹	2:1 to 4:1
Freshwater marsh	2:1

Notes:
¹The City does not have “take” authority for vernal pool species. A draft vernal pool HCP is currently being prepared by the City in coordination with the Wildlife Agencies. If adopted, the City would have “take” authority for the vernal pool species occurring within the vernal pool HCP areas.

Table 11.5-2b: City of San Diego Wetland Mitigation Ratios (Without Biologically Superior Design Outside the Coastal Zone)

<i>Vegetation Community</i>	<i>Mitigation Ratio</i>
Riparian	4:1 to 6:1
Vernal pool ¹	4:1 to 8:1
Basin with fairy shrimp ¹	4:1 to 8:1
Freshwater marsh	4:1

Notes:
¹The City does not have “take” authority for vernal pool species. A draft vernal pool HCP is currently being prepared by the City in coordination with the Wildlife Agencies. If adopted, the City would have “take” authority for the vernal pool species occurring within the vernal pool HCP areas.

As part of any future project-specific environmental review pursuant to CEQA, all unavoidable wetlands impacts (both temporary and permanent) shall be analyzed and mitigation required in accordance with the City Biology Guidelines; mitigation shall be based on the impacted type of wetland habitat. Mitigation shall prevent any net loss of wetland functions and values of the impacted wetland. Operational definitions of the four types of activities that constitute wetland mitigation under the ESL Regulations are as follows:

- **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** 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 shall 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 shall consist of creation of new in-kind habitat to the fullest extent possible and at the appropriate ratios. If on-site mitigation is not feasible, then at least a portion of the mitigation must occur within the same watershed. The City's Biology Guidelines and MSCP Subarea Plan require that impacts on wetlands, including vernal pools, shall be avoided, and that a sufficient wetland buffer shall be maintained, as appropriate, to protect resource functions/values. The project specific biology report shall include an analysis of on-site 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 wetland mitigation plan (which includes identification of the mitigation site) shall be approved by City staff prior to the release of the draft environmental document. Avoidance shall be the first requirement; mitigation shall only be used for impacts clearly demonstrated to be unavoidable.

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 Mayor-appointed Environmental Designee prior to any construction activity:

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

Mitigation Framework for Impacts to Migratory Wildlife

MM-BIO-3: Mitigation for future projects to reduce potentially significant impacts that would interfere with the nesting, foraging, or movement of wildlife species within the CPU areas shall be identified in site-specific biological resources report prepared in accordance with City of San Diego Biology Guidelines, as further detailed in MM-BIO-1 during the discretionary review process. The biology report shall include results of protocol surveys and recommendations for additional measures to be implemented during construction-related activities; shall identify the

limits of any identified local-scale wildlife corridors or habitat linkages and analyze potential impacts in relation to local fauna, and the effects of conversion of vegetation communities to minimize direct impacts on sensitive wildlife species and to provide for continued wildlife movement through the corridor.

Measures that shall be incorporated into project-level construction documents to minimize direct impacts on wildlife movement, nesting, or foraging activities shall be addressed in the biology report and shall include recommendations for preconstruction protocol surveys to be conducted during established breeding seasons, construction noise monitoring and implementation of any species-specific mitigation plans in order to comply with the FESA, MBTA, State Fish and Game Code, and/or the ESL Regulations.

Mitigation Framework for impacts to MSCP/MHPA

Implementation of MM-BIO-1 and MM-LU-2 shall apply.

HYDROLOGY/WATER QUALITY

Mitigation Framework

MM-HYD/WQ-1: Prior to approval of development projects implemented in accordance with the CPUs, the applicant shall demonstrate to the satisfaction of the City Engineer, based on the project application, that future projects are sited and designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and San Diego RWQCB regulations identified below. Future design of projects shall incorporate all applicable and practicable measures as further outlined below in accordance with the RWQCB, the City Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC), and the LDC, and shall be based on the recommendations of a detailed water quality and hydraulic analysis.

A. San Diego RWQCB

1. Comply with all NPDES permit(s) requirements, including the development of a SWPPP if the disturbed soil area is one acre or more, or a Water Quality Control Plan if less than one acre, in accordance with the City's Storm Water Standards.
2. If a future project includes in-water work, it shall require acquiring and adhering to a 404 Permit (from USACE) and a Streambed Alteration Agreement (from CDFW).
3. Comply with the San Diego RWQCB water quality objectives and bacteria TMDL.

B. City of San Diego

To prevent flooding, future projects implemented in accordance with the CPUs shall be designed to incorporate any applicable measures from the City of San Diego Land Development Code. Flood control measures that shall be incorporated into future projects within an SFHA, or within a 100-year floodway, include but are not limited to the following:

1. Prior to issuance of building permits or approval of any project within or in the vicinity of a floodway or SFHA, all proposed development within a SFHA shall be

subject to the following requirements and all other applicable requirements and regulations of FEMA and those provided in Chapter 14, Article 3, Division 1 of the LDC.

2. In all floodways, any encroachment, including fill, new construction, significant modifications, and other development, is prohibited unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge except as allowed under Code of Federal Regulations Title 44, Chapter 1, Part 60.3(c) (13).
3. If the engineering analysis shows that development will alter the floodway or floodplain boundaries of the SFHA, the developer shall obtain a Conditional Letter of Map Revision from FEMA.
4. Fill placed in the SFHA for the purpose of creating a building pad shall be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test Fill method issued by the American Society for Testing and Materials (ASTM). Granular fill slopes shall have adequate protection for a minimum flood water velocity of five feet per second.
5. Improvement plans shall note "Subject to Inundation" for all areas lower than the base elevation plus two feet.
6. If structures will be elevated on fill such that the lowest adjacent grade is at or above the base flood elevation, a Letter of Map Revision based on Fill (LOMR-F) shall be obtained prior to occupancy. The developer or applicant shall provide all documentation, engineering calculations, and fees required by FEMA to process and approve the LOMR-F.
7. In accordance with Chapter 14, Article 3, Division 1 of the LDC channelization or other substantial alteration of rivers or streams shall be limited to essential public service projects, flood control projects, or projects where the primary function is the improvement of fish and wildlife habitat. The channel shall be designed to ensure that the following occur:
 - a. Stream scour is minimized.
 - b. Erosion protection is provided.
 - c. Water flow velocities are maintained as specified by the City Engineer.
 - d. There are no significant increases or contributions to downstream bank erosion and sedimentation of sensitive biological resources; acceptable techniques to control stream sediment shall include planting riparian vegetation in and near the stream and detention or retention basins.
 - e. Wildlife habitat and corridors are maintained.
 - f. Groundwater recharge capability is maintained or improved.
8. Within the flood fringe of an SFHA or floodway, permanent structures and fill for permanent structures, roads, and other development shall be allowed only if the following conditions are met:

- a. The development or fill shall not significantly adversely affect existing sensitive biological resources on-site or off site.
- b. The development is capable of withstanding flooding and does not require or cause the construction of off-site flood protective works including artificial flood channels, revetments, and levees nor shall it cause adverse impacts related to flooding of properties located upstream or downstream, nor shall it increase or expand a FIRM Zone A.
- c. Grading and filling shall be limited to the minimum amount necessary to accommodate the proposed development; harm to the environmental values of the floodplain shall be minimized including peak flow storage capacity; and wetlands hydrology shall be maintained.
- d. The development shall not significantly increase or contribute to downstream bank erosion and sedimentation nor cause an increase in flood flow velocities or volume.
- e. There shall be no significant adverse water quality impacts to downstream wetlands, lagoons, or other sensitive biological resources, and the development shall be in compliance with the requirements and regulations of the NPDES as implemented by the City of San Diego.

Mitigation Framework for Runoff

Implementation of MM-HYD/WQ-1 would apply.

Mitigation Framework for Pollutant Discharges

MM-HYD/WQ-2: Future projects implemented in accordance with the CPUs shall be sited and designed to minimize impacts on receiving waters, in particular the discharge of identified pollutants to an already impaired water body. Prior to approval of any entitlements for any future project, the applicant shall demonstrate to the satisfaction of the City Engineer that measures to ensure that impacts to receiving waters are fully mitigated in accordance with the requirements of the City's Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC) and other appropriate agencies (e.g., San Diego RWQCB). To prevent erosion, siltation, and transport of urban pollutants, all future projects shall be designed to incorporate any applicable storm water improvement, both off- and on-site, in accordance with the City of San Diego Storm Water Standards Manual. These measures may be updated, expanded, or refined when applied to specific future projects based on project-specific design and changes in existing conditions; as well as changes to local, state, and federal laws.

Storm water improvements and water quality protection measures that shall be required for future projects include:

- a. Increasing on-site filtration;
- b. Preserving, restoring, or incorporating natural drainage systems into site design;
- c. Directing concentrated flows away from MHPA (Encanto Neighborhoods CPU area only) and open space areas. If not possible, drainage shall be directed into sediment

- basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA (Encanto Neighborhoods CPU area only) or open space areas;
- d. Reducing the amount of impervious surfaces through selection of materials, site planning, and narrowing of street widths where possible;
 - e. Increasing the use of vegetation in drainage design;
 - f. Maintaining landscape design standards that minimize the use of pesticides and herbicides; and
 - g. To the extent practicable, avoiding development of areas particularly susceptible to erosion and sediment loss.

San Diego RWQCB and Municipal Code Compliance

- a. The requirements of the San Diego RWQCB for storm water quality are addressed by the City in accordance with the City NPDES requirements and the participation in the regional permit with the San Diego RWQCB.
- b. Prior to permit approval, the City shall ensure any impacts on receiving waters are precluded or mitigated in accordance with the City of San Diego Storm Water Regulations.
- c. In accordance with the City of San Diego Storm Water Standards Manual, development shall be designed to incorporate on-site storm water improvements satisfactory to the City Engineer and shall be based on the adequacy of downstream storm water conveyance.

HISTORICAL RESOURCES

Mitigation Framework for Prehistoric or Historical Archaeological Resources

The City of San Diego's General Plan, combined with federal, state, and local regulations, provide a regulatory framework for developing project-level historical resources mitigation measures for future discretionary projects. All development projects with the potential to affect historical resources—such as designated historical resources; historical buildings, districts, landscapes, objects, and structures; important archaeological sites; and traditional cultural properties—are subject to site-specific review in accordance with the City's Historical Resources Regulations and Historical Resources Guidelines, through the discretionary process. The following Mitigation Framework measures (MM-HIST-1 and MM-HIST-2) would be required of all future development projects with the potential to impact significant historical resources which address archaeological resources and historic buildings, structures, and objects, respectively. This Mitigation Framework, combined with the Sherman Heights and Grant Hill Park Historic Districts CPIOZ (as described in MM-LU-1b) and CPU policies promoting the identification and preservation of historical resources in the CPU areas, reduces the program-level impact related to prehistoric or historical archaeological sites and historic resources of the built environment to below a level of significance.

MM-HIST-1: Prior to issuance of any permit for a future development project implemented in accordance with the CPU area that could directly affect an archaeological resource, 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 which may be impacted by a development activity. Sites may include, but are not limited to, residential and commercial properties, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with pre-historic Native American activities.

INITIAL DETERMINATION

The environmental analyst will 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 City's "Historical Inventory of Important Architects, Structures, and People in San Diego") and conducting a site visit. If there is any evidence that the site contains archaeological resources, then a historic evaluation consistent with the City Guidelines would be required. All individuals conducting any phase of the archaeological evaluation program must meet professional qualifications in accordance with the City Guidelines.

STEP 1:

Based on the results of the Initial Determination, if there is evidence that the site contains historical resources, preparation of a historic evaluation is required. The evaluation report would generally include background research, field survey, archaeological testing and analysis. Before actual field reconnaissance would occur, background research is required which includes a record search at the 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 should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums.

In addition to the record searches mentioned above, background information may include, but is not limited to: examining primary sources of historical information (e.g., deeds and wills), secondary sources (e.g., local histories and genealogies), Sanborn Fire Maps, and historic cartographic and aerial photograph sources; reviewing previous archaeological research in similar areas, models that predict site distribution, and archaeological, architectural, and historical site inventory files; and conducting informant interviews. The results of the background information would be included in the evaluation report.

Once the background research is complete, a field reconnaissance must be conducted by individuals whose qualifications meet the standards outlined in the City Guidelines. 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 historical 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 which 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 Guidelines.

The results from the testing program will be evaluated against the Significance Thresholds found in the Guidelines. If significant historical resources are identified within the Area of Potential Effect, 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 Department of Parks and Recreation (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 indicates 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 historical 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 is required, 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. The data recovery program must be reviewed and approved by the City's Environmental Analyst prior to draft CEQA document distribution. Archaeological monitoring may 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 or any archaeological site located on City property or within the Area of Potential Effect 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 Public

Resources Code Section 5097 must be followed. These provisions are outlined in the Mitigation Monitoring and Reporting Program (MMRP) 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 by qualified professionals as determined by the criteria set forth in Appendix B of the Guidelines. The discipline shall be tailored to the resource under evaluation. In cases involving complex resources, such as traditional cultural properties, rural landscape districts, sites involving a combination of prehistoric and historic archaeology, or historic districts, a team of experts will be necessary for a complete evaluation.

Specific types of historical resource reports are required to document the methods (see Section III of the Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from proposed development and evaluate the significance of any identified historical resources; to document the appropriate curation of archaeological collections (e.g. collected materials and the associated records); in the case of potentially significant impacts to historical resources, to recommend appropriate mitigation measures that would reduce the impacts to below a level of significance; and to document the results of mitigation and monitoring programs, if required.

Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation "Archaeological Resource Management Reports: Recommended Contents and Format" (see Appendix C of the 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 resources reports for archaeological sites and traditional cultural properties 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 which result in a substantial collection of artifacts and must address the management and research goals of the project and the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City. Appendix D (Historical Resources Report Form) may 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 historic 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., Assembly Bill 2641 and California Native American Graves Protection and Repatriation Act of 2001) and federal (i.e., Native American Graves Protection and Repatriation Act) 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 Collection (dated May 7, 1993) and, if federal funding is involved, 36 Code of Federal Regulations 79 of the Federal Register. Additional information regarding curation is provided in Section II of the Guidelines.

Mitigation Framework for Historic Buildings, Structures, and Objects

MM-HIST-2: Prior to issuance of any permit for a future development project implemented in accordance with the CPU 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 Historical Resources 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:

- Preparing a historic resource management plan;
- 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);
- Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;
- 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;
- Shielding historic properties from noise generators through the use of sound walls, double glazing, and air conditioning; and
- 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.

Mitigation Framework for Religious or Sacred Uses and Human Remains

While it is not expected that religious or sacred places or human remains would be disturbed as a result of buildout of the CPUs, there is potential for these resources to be present. In the event that human remains are discovered during project grading, work shall halt in that area and the procedures set forth in the California Public Resources Code (Section 50987.98) and State Health and Safety Code (Section 7050.5), and in the federal, state, and local regulations described above shall be undertaken. Mitigation Measure MM-HIST-1 would apply.

PALEONTOLOGICAL RESOURCES

Mitigation Framework

If subsurface disturbance activities occur, the recommended course of action is to minimize potential impacts through development of project-specific paleontological monitoring and a discovery treatment plan. If no subsurface disturbance is planned, then the paleontological resources would not be impacted and development of project-specific paleontological monitoring and discovery treatment plan would not be necessary. The following Mitigation Framework measure would be required to mitigate for Impact 5.8-1, when a project would result in excavation of over 1,000 cubic yards in high sensitivity or over 2,000 cubic yards in moderate sensitivity, with depth of cut at or greater than 10 feet.

MM-PALEO-1: Prior to the approval of subsequent development projects implemented in accordance with the CPUs, the City shall determine the potential for impacts to paleontological resources based on review of the project application submitted, and recommendations of a project-level analysis completed in accordance with the steps presented below. Future projects shall 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 required during construction activities shall be implemented at the project-level and shall provide mitigation for the loss of important fossil remains with future subsequent development projects that are subject to environmental review.

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.

GEOLOGICAL RESOURCES

Mitigation Framework

MM-GEO-1: Impacts associated with geologic hazards shall be mitigated at the project-level through adherence to the City's Seismic Safety Study and recommendations of a site-specific geotechnical report prepared in accordance with the City's Geotechnical Report Guidelines. Impacts shall also be avoided or reduced through engineering design that meets or exceeds adherence to the City's Municipal Code and the California Building Code.

More specifically, compressible soils impacts shall be mitigated through the removal of undocumented fill, colluvium/topsoil, and alluvium to firm the ground. Future development shall also be required to clean up deleterious material and properly moisture, condition, and compact the soil in order to provide suitable foundation support.

Regarding impacts related to expansive soils, future development shall be required to implement typical remediation measures, which shall include placing a minimum 5-foot cap of low expansive (Expansion Index [EI] of 50 or less) over the clays; or design of foundations and surface improvements to account for expansive soil movement.

Mitigation Framework for Erosion

MM-GEO-2: As part of the future development permitting process, the City shall require individual projects to adhere to the Grading Regulation and NPDES permit requirements. All subsequent projects developed in accordance with the CPUs shall also adhere to the California Building Code to avoid or reduce geologic hazards to the satisfaction of the City Engineer. Submittal, review, and approval of site specific geotechnical investigations shall be completed in accordance with the City's Municipal Code requirements. Engineering design specifications based on future project-level grading and site plans shall be incorporated into all future projects implemented in accordance with the CPUs to minimize hazards associated with site-level geologic and seismic conditions satisfactory to the City Engineer and shall include the following measures to control erosion during and after grading or construction:

- Desilting basins, improved surface drainage, or planting of ground covers installed early in the improvement process in areas that have been stripped of native vegetation or areas of fill material;
- Short-term measures, such as sandbag placement and temporary detention basins;
- Restrictions on grading during the rainy season (November through March), depending on the size of the grading operation, and on grading in proximity to sensitive wildlife habitat; and
- Immediate post-grading slope revegetation or hydroseeding with erosion-resistant species to ensure coverage of the slopes prior to the next rainy season.

Conformance to mandated City grading requirements shall ensure that future grading and construction operations would avoid significant soil erosion impacts. Furthermore, any development involving clearing, grading, or excavation that causes soil disturbance of one or more acres, or any project involving less than one acre that is part of a larger development plan, shall be subject to NPDES General Construction Storm Water Permit provisions. Additionally, any development of this significant size within the City shall be required to prepare and comply with an approved Stormwater Pollution Prevention Plan (SWPPP) that shall consider the full range of erosion control BMPs such as, but not limited to, including any additional site-specific and seasonal conditions. Project compliance with NPDES requirements would significantly reduce the potential for substantial erosion or topsoil loss to occur in association with new development.

Prior to obtaining grading permits for future actions a site-specific geotechnical investigation shall be completed as necessary in accordance with the City of San Diego Guidelines for Preparing Geotechnical Reports. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize hazards associated with site-level geologic and seismic conditions satisfactory to the City Engineer. Measures designed to reduce erosion at the project-level shall include the following:

- Control erosion by minimizing the area of slope disturbance and coordinate the timing of grading, resurfacing, and landscaping where disturbance does occur.

- On sites for industrial activities require reclamation plans that control erosion, where feasible, in accordance with the LDC.
- Control erosion caused by storm runoff and other water sources.
- Preserve as open space those hillsides characterized by steep slopes or geological instability in order to control urban form, insure public safety, provide aesthetic enjoyment, and protect biological resources.
- Replant with native, drought-resistant plants to restore natural appearance and prevent erosion.
- Practice erosion control techniques when grading or preparing building sites.
- Utilize ground cover vegetation when landscaping a development in a drainage area to help control runoff.
- Incorporate sedimentation ponds as part of any flood control or runoff control facility.
- During construction, take measures to control runoff from construction sites. Filter fabric fences, heavy plastic earth covers, gravel berms, or lines of straw bales are a few of the techniques to consider.
- Phase grading so that prompt revegetation or construction can control erosion. Only disturb those areas that will later be resurfaced, landscaped, or built on. Resurface parking lots and roadways as soon as possible, without waiting until completion of construction.
- Promptly revegetate graded slopes with groundcover or a combination of groundcover, shrubs, and trees. Hydroseeding may substitute for container plantings. Groundcovers shall have moderate to high erosion control qualities.
- Where necessary, design drainage facilities to ensure adequate protection for the community while minimizing erosion and other adverse effects of storm runoff to the natural topography and open space areas.
- Ensure that the timing and method of slope preparation protects natural areas from disturbance due to erosion or trampling. The final surface shall be compacted and spillovers into natural areas shall be avoided.
- Plant and maintain natural groundcover on all created slopes.

When required, the geologic technical report shall consist of a preliminary study, a geologic reconnaissance, or an in-depth geologic investigation report that includes field work and analysis. The geologic reconnaissance report and the geologic investigation report shall include all pertinent requirements as established by the Building Official. In addition, the Building Official shall require a geologic reconnaissance report or a geologic investigation report for any site if the Building Official has reason to believe that a geologic hazard may exist at the site. Section 145.1803 of the San Diego Municipal Code discusses in more detail the requirements related to the geotechnical report outlined in the SDSSS (City of San Diego 2009).

204
11/16/15

EXHIBIT B
DRAFT CANDIDATE FINDINGS
REGARDING FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
SOUTHEASTERN SAN DIEGO AND ENCANTO NEIGHBORHOODS
COMMUNITY PLAN UPDATES

PROJECT NUMBER 386029

SCH No. 2014051075

DRAFT

November 2015

DRAFT

THIS PAGE IS INTENTIONALLY BLANK.

I. INTRODUCTION

A. Findings of Fact and Statement of Overriding Considerations

The following Candidate Findings are made for the Southeastern San Diego and Encanto Neighborhoods Community Plan Updates (hereinafter referred to as CPUs or the "Project"). The environmental impacts of the Project are addressed in the Final Environmental Impact Report ("FEIR") dated October 2015 (State Clearinghouse No. 2014051075), 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 impacts of the project unless the public agency makes one or more written findings for each of those significant impacts, 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 impact 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 impacts. 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 impacts 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 impacts. 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 impacts, the adverse environmental impacts may be considered "acceptable."

- (b) When the lead agency approves a project which will result in the occurrence of significant impacts 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 Environmental Impact Report for the Southeastern San Diego and Encanto Neighborhoods Community Plan Update Project, State Clearinghouse No. 2014051075 (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 and Statement of Overriding Considerations (SOCs) 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.

The following Findings and Statement of Overriding Considerations have been submitted by the Planning Department ("Applicant") as candidate findings to be made by the decision-making body. The Planning Department does not recommend that the discretionary body either adopt or reject these findings. They are attached to allow readers of this EIR an opportunity to review the applicant's position on this matter.

B. Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) of a Draft EIR, dated May 27, 2014, and all other public notices issued by the City in conjunction with the proposed project;
- The Final EIR for the proposed project;
- The Draft EIR, circulated for public review between July 9, 2015 and September 8, 2015;

- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR and included in the Final EIR;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The reports and technical memoranda included or referenced in Responses to Comments and/or in the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and the Final EIR;
- Matters of common knowledge to the City, including but not limited to federal, state and local laws and regulations;
- Any documents expressly cited in these Findings and Statement of Overriding Considerations; and
- Any other relevant materials required to be included in the record of proceedings pursuant to Public Resources Code Section 21167.6(e).

C. Custodian and Location of Records

The documents and other materials which constitute the administrative record for the City's actions related to the project are located at the City of San Diego, Planning Department, 1222 First Avenue, Fourth Floor, San Diego, CA 92101. The City Planning Department is the custodian of the administrative record for the project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the offices of the City Planning Department. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

II. PROJECT SUMMARY

A. Project Location

The CPU areas are located within San Diego County, in the southern portion of the City of San Diego. Together, the CPU areas encompass approximately 6,740 acres, located east of Downtown and north of National City.

The Southeastern San Diego (SESD) Community Planning Area is located just east of Downtown San Diego, proximate to major employment and commercial centers in the South Bay and Downtown and linked to them by trolley and buses. Southeastern San Diego encompasses approximately 2,930 acres, excluding 121 acres of unincorporated San Diego County land (Greenwood Cemetery). Southeastern San Diego lies south of State Route 94 (SR-94), between Interstate 5 (I-5) and Interstate 805 (I-805), and north of the city limits of National City. Neighborhoods contained in Southeastern San Diego include Sherman Heights, Grant Hill, Stockton, Mt. Hope, Logan Heights, Mountain View, Southcrest and Shelltown.

The Encanto Neighborhoods Community Planning Area encompasses approximately 3,810 acres, and is located approximately five miles east of Downtown. The planning area is bounded by SR-94 to the north and I-805 to the west, providing access to local and regional destinations. The Southeastern San Diego Community Planning Area is immediately to the west. The City of Lemon Grove defines the northeast boundary of the Encanto Neighborhoods Planning Area roughly along 69th Street, while Woodman Street is the boundary with the Skyline-Paradise Hills Community Planning Area to the east. The City of National City defines the western half of the planning area's southern boundary. Plaza Boulevard marks the southern boundary to the east. Specific neighborhoods in the community include Chollas View, Lincoln Park, Valencia Park, O'Farrell, Alta Vista, Encanto, Emerald Hills, and Broadway Heights.

B. Project Background

The City has undertaken the CPUs to address changes in conditions since 1987, when the Southeastern San Diego Community Plan was adopted. As such, it is intended to define new strategies for how Southeastern San Diego and Encanto Neighborhoods could develop and function over the next 20 years. The analysis superimposed reasonably expected community buildout land uses into the San Diego Association of Governments (SANDAG) Series 12 2035 regional transportation forecast model. With adoption of the City's General Plan in 2008, the CPUs carry out the Guiding Principles of the General Plan as they pertain to the Southeastern San Diego and Encanto Neighborhoods communities. Thus, the CPUs would provide detailed policy direction needed to implement the General Plan with respect 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 open space and cultural resources within the Southeastern San Diego and Encanto Neighborhoods communities. CPU implementation requires adoption of a rezone ordinance that would rescind the existing Southeastern San Diego Planned District Ordinance (SESDPDO) and the Mt. Hope Planned District Ordinance (MHPDO) zoning and replace it with citywide zones contained within the Land Development

Code (LDC) and create a new Community Plan Implementation Overlay Zone (CPIOZ) to implement design standards which are also part of the Project studied by this EIR.

The update to the SESD Community Plan, creation of the Encanto Neighborhoods Community Plan, Impact Fee Study (IFS) for each CPU, and zoning program is necessary to implement the goals and objectives of the City of San Diego's General Plan, which provides direction to identify potential smart growth infill areas to support the City's forecasted housing needs. The 1987 SESD Community Plan allows either stand-alone commercial or residential uses along the majority of transit corridors. The 1987 SESD Plan also places much of the future housing capacity within established lower density single-family areas and not along the transit corridors.

The City worked with the community to identify locations that would support compact, pedestrian-friendly mixed-use village centers linked by transit and developed community-specific policies that support infill development. The CPUs included examining existing and future market conditions for land uses and housing types to make sure that the community plans would encourage public and private investment into the community. The existing public facilities and infrastructure were studied to determine the types and amount of additional investment that will be needed in order to support the future planned growth in a sustainable manner. For example, rather than increasing roadway capacity, the CPUs evaluated developing measures to reduce congestion through improving alternative modes of transportation. Additionally, the proposed zoning used appropriate citywide zones by replacing the existing planned district ordinances (PDOs) with citywide-base zones which allow for mixed-use, higher density development, consistent with the proposed community plan land-use designations. Furthermore, the proposed CPIOZ would implement design standards that ensure new development is designed, sited, and oriented to promote walkability and bicycling.

C. Project Description and Objectives

The Project analyzed in this PEIR is an update to the existing Southeastern San Diego Community Plan. The existing SESD Community Plan, which includes both the Southeastern San Diego and Encanto Neighborhood planning areas, was originally adopted in 1969 and comprehensively updated in 1987. As part of the update effort, the community plan area has been split into two planning areas: the Southeastern San Diego and Encanto Neighborhoods communities. To enable greater focus on each community, separate community plans are being prepared for each community through the update process. The update will ensure consistency of the CPUs with and incorporate relevant policies from the City of San Diego General Plan (General Plan), as well as provide a long-range, comprehensive policy framework for growth and development in the two communities through 2035.

Included in the CPUs are two village districts located within the community plan areas; amendments to the General Plan to incorporate the updated community plans, providing site-specific policies; amendments to the Land Development Code for adoption of a rezone and Community Plan Implementation Overlay Zone (CPIOZ), rescission of two Planned District Ordinances (PDO's), and a comprehensive update to the existing Public Facilities Financing Plan resulting in new IFS for each plan area. These plans and actions together with the CPUs form the Project for this EIR.

The CPUs would provide a mix of uses and development intensity that supports transit use within the designated Village Districts, while promoting transit-oriented-development, identifying the provision of additional public services and facilities in accordance with City standards, and maintaining and enhancing the character of single-family areas over the next 20 to 30 years. The land use elements of the CPUs define Village Districts and key corridors where future growth is targeted within both communities in order to fulfill the General Plan's City of Villages strategy.

While the CPUs set forth procedures for implementation, they do not on their own establish regulations or legislation, nor do they, on their own, rezone property. Controls on development and use of public and private property including zoning, the creation of a CPIOZ, design controls, and implementation of transportation improvements are included as part of the plan implementation program, and are considered part of the CPUs studied here.

The CPUs are components of the City's General Plan, as they further complement the General Plan policies in the proposed CPU areas through the provision of more site-specific recommendations that implement goals and policies contained within the 10 elements of the General Plan. Each of the proposed CPUs contains nine elements and an implementation chapter. The elements are as follows: Land Use; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services, and Safety; Recreation; Conservation and Sustainability; Historic Preservation; and Arts and Culture.

A number of studies have been considered in the development of the CPUs, including planning and land use documents, master plans, and technical documents addressing a range of issues. The CPUs are also intended to ensure consistency with the overall guiding principles, land use policies, and other goals found in the City's General Plan.

Project Objectives

The CEQA Guidelines §15124(b) require a description of project's purpose and objectives. The following specific objectives for the Project support the underlying purpose of the Project, assist the City as Lead Agency in developing a reasonable range of alternatives to evaluate in this PEIR, and will ultimately aid the Lead Agency in preparing findings and overriding

considerations, if necessary. The following primary goals, recommendations, and objectives of the CPUs are to:

- **Multi-Modal Transportation Strategy:** Include walkable and bicycle friendly streets, accessible and enhanced transit options, and comprehensive parking strategies throughout both communities.
- **Economic Diversification:** Broaden the economic profile to increase employment and growth opportunities.
- **Housing:** Increase allowed densities in close proximity to transit in order to provide more and varied housing and meet workforce needs close to employment centers.
- **Complete Places:** Create balanced, integrated mix of uses in Southeastern San Diego and Encanto Neighborhoods while minimizing collocation compatibility issues.
- **Transit:** Coordinate land use planning with high frequency transit service planning.
- **Open Space:** Protect the canyon lands and sensitive biological resources while providing recreational opportunities.
- **Infrastructure:** Include financing mechanisms designed to secure infrastructure improvements concurrent with large development.
- **Environmental Leadership and Sustainability:** Follow environmentally sensitive design and sustainable development practices.
- **Streamline Permit Processing:** Ensure a less costly and time-intensive process within the identified Village Districts. Incorporate specific incentives in the Encanto Neighborhoods Village District to achieve transit-supportive densities within a ¼ mile of the transit stations.

The above objectives are specific to the Southeastern San Diego and Encanto Neighborhoods planning areas, and are intended to implement the broader goals, policies, and Guiding Principles of the General Plan, such as:

- An open space network formed by parks, canyons, river valleys, habitats, beaches and ocean;
- Diverse residential communities formed by the open space network;
- Compact walkable mixed-use villages of different scales within communities;
- Employment centers for a strong economy;

- An integrated regional transportation network of walkways, bikeways, transit, roadways, and freeways that efficiently link communities and villages to each other and to employment centers;
- High-quality, affordable, and well-maintained public facilities to serve the City's population, workers, and visitors;
- Historic districts and sites that respect our heritage;
- Balanced communities that offer opportunities for all San Diegans and share citywide responsibilities;
- A clean and sustainable environment; and
- A high aesthetic standard.

III. SUMMARY OF IMPACTS

As described in Section 3.0 of the FEIR, the Project is a comprehensive update to the adopted 1987 SESD Community Plan. The Project is also a component of the City's General Plan as it provides more site-specific recommendations that implement the goals and policies of the General Plan in the CPU areas. As such, the CPUs set forth procedures for implementation and provide goals and policies for future development within the portion of the CPU areas under the City's jurisdiction.

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 CPU implementation program.

The FEIR concludes that the CPUs will have **no significant impacts** and require no mitigation measures with respect to the following issue areas:

- Land Use
 - Land Use Plan Conflict
 - Land Use Compatibility with Airport Land Use Compatibility Plan
- Transportation
 - Circulation and Access
 - Alternative Transportation

- Air Quality
 - Air Movement
- Hydrology and Water Quality
 - Regional Water Quality
 - Flooding
- Geology and Seismic Hazards
 - Unstable Geological Units or Soils
- Hazardous Materials
 - Sensitive Receptors
 - Hazardous Materials Sites
 - Emergency Response or Evacuation Plan
 - Wildland Fires
 - Hazardous Emissions or Materials near Schools
 - Airport Influence Area
- Greenhouse Gas Emissions
 - Greenhouse Gas Emissions
 - Consistency with Adopted Plans, Policies, and Regulations
- Energy
 - Electrical Power
 - Fuel
- Public Services and Facilities
 - Police, Parks and Recreation, Fire/Safety, Libraries, Schools, Public Facilities
- Public Utilities
 - Natural Gas, Water, Sewer, Communication Systems, Solid Waste Management
 - Water Use

- Visual Effects and Neighborhood Character
 - Alteration to Existing or Planned Character
 - Landform Alteration
 - Light or Glare

Potentially significant impacts of the CPUs will be mitigated to below a level of significance with respect to the following issue areas:

- Land Use
 - Environmentally Sensitive Lands and Historical Resources Regulations
 - Multiple Species Conservation Program (MSCP)/Multi-Habitat Planning Area (MHPA)
- Air Quality
 - Sensitive Receptors
- Noise
 - Noise Abatement and Control Ordinance
- Biological Resources
 - Sensitive Plant and Wildlife Species
 - Wetlands
 - Migratory Wildlife
 - MSCP
 - MHPA
- Hydrology and Water Quality
 - Water Quality
 - Runoff
 - Pollutant Discharges
- Historical Resources
 - Prehistoric/Historical Sites
 - Religious or Sacred Uses and Human Remains
- Paleontological Resources
 - Paleontological Resources
- Geology and Seismic Hazards
 - Geologic Hazards
 - Erosion

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

- Transportation
 - Capacity of the Street System
 - Freeway Traffic
 - Existing or Planned Transportation System
- Air Quality
 - Air Quality Plan
 - Ozone
- Noise
 - Transportation Noise
 - Ambient Noise

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 impacts on the environment related to:

- Land Use (Issues 2 and 3)
- Air Quality (Issue 3)
- Noise (Issue 3)
- Biological Resources (Issues 1-5)
- Hydrology and Water Quality (Issues 1-3)
- Historical Resources (Issues 1 and 2)
- Paleontological Resources (Issue 1)
- Geology and Seismic Hazards (Issues 1 and 2)

Land Use (Impact 5.1-2: Regulation Consistency – Environmentally Sensitive Lands [ESL] and Historical Resources Regulations)

Significant Impact

Environmentally Sensitive Lands

A potentially significant impact could result from a conflict with the purpose and intent of the City's ESL Regulations, as the development footprint of the CPUs would encroach into sensitive ESL areas.

Historical Resources Regulations

A potentially significant impact could result from a conflict with the purpose and intent of the City's Historical Resources Regulations. Given the presence of historical resources distributed throughout the CPU areas, implementation of the CPUs has the potential to result in significant impacts to historical resources.

Facts in Support of Finding

Environmentally Sensitive Lands

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure Framework LU-1a identified in Section 5.1 of the FEIR. Implementation of the Mitigation Framework would require that future development project types that are consistent with the CPUs and base zone regulations can be processed ministerially and would not be subject to further environmental review under CEQA. Future public and private development proposals subject to discretionary review would be reviewed in accordance with Mitigation Framework measures LU-2 and BIO 1-3. Mitigation Framework measure LU-2 requires that development projects within or adjacent to designated Multi-Habitat Planning Area (MHPA) shall comply with the Land Use Adjacency Guidelines of the Multiple Species Conservation Plan (MSCP) in terms of land use, drainage, access, toxic substances in runoff, lighting, noise, invasive plant species, grading, and brush management requirements. Mitigation Framework measure BIO-1 requires that where sensitive biological resources are known or suspected on or adjacent to a proposed project site, a biological assessment shall be conducted, and design specifications shall be incorporated to minimize or eliminate direct impacts on sensitive plant and wildlife species. Mitigation Framework measure BIO-2 requires that projects comply with ACOE Clean Water Act (CWA) Section 404 requirements and special conditions, RWQCB in accordance with CWA and City of San Diego ESL Regulations for minimizing impacts on wetlands. Mitigation Framework measure BIO-3 requires that any project that would interfere with the nesting, foraging, or movement of wildlife species shall be identified in a site-specific biological resources report prepared in accordance with City of San Diego Biology Guidelines. The CPUs also include several policies which aim to reduce impacts to sensitive and other resources covered under the ESL regulations.

Historical Resources Regulations

Potentially significant impacts would be mitigated to below a level of significance with implementation of Mitigation Framework measure LU-1b (Historical Resources – Built Environment) identified in Section 5.1 of the FEIR. Implementation of this Mitigation Framework measure would require that future development proposals that do not comply with the CPIOZ Type A for Sherman Heights and Grant Hill Park Historic Districts shall be subject to discretionary review in accordance with the Mitigation Framework MM-HIST-2 in Section 5.7 Historical Resources. This measure requires that any development project that could directly affect historic built environment resources, the City shall require the evaluation of buildings over 45 years of age prior to permit issuance; determination if such building is historically significant and/or is eligible for local designation; and documentation in a historical resources report prepared in accordance with the Historical Resources Guidelines. The report shall include recommendations for redesign to avoid the resource and/or other appropriate mitigation requirements. However, if a historically significant resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken, including but not limited to: preparing a historic resource management plan; 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); repairing damage according to the Secretary of the Interior's Standards for Rehabilitation; 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; and shielding historic properties from noise generators through the use of sound walls, double glazing, and air conditioning.

Future development project types that are consistent with the CPU, base zone regulations, and the supplemental regulations for CPIOZ Type A for Sherman Heights and Grant Hill Park Historic Districts, and can demonstrate compliance with the Sherman Heights and Grant Hill Park Historic Districts Design Criteria Guidelines and/or that no historical resources (Built Environment) are present on the project site or would not be adversely affected can be processed ministerially and would not be subject to further environmental review under CEQA. Future development projects implemented in accordance with the CPUs have a potential to impact known or unknown Historical Resources (Archaeology) and would be subject to review in accordance with the Historical Resources Regulations and Guidelines as further described in Mitigation Framework measure MM-HIST-1.

Rationale and Conclusion

Environmentally Sensitive Lands

Mitigation Framework measure LU-1a assures that future development project types that are consistent with the CPUs, and base zone regulations, and can demonstrate that there are no

biological resources present on the project site can be processed ministerially and would not be subject to further environmental review under CEQA. Future development proposals subject to discretionary review shall be reviewed in accordance with Mitigation Framework measures LU-2 and BIO 1 through BIO-3. 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 CPUs' MMRP.

Historical Resources Regulations

Mitigation Framework measure LU-1b assures that future development project types that are consistent with the CPUs, base zone regulations, and the supplemental regulations for CPIOZ Type A for Sherman Heights and Grant Hill Park Historic Districts and can demonstrate compliance with the Sherman Heights and Grant Hill Park Historic Districts Design Criteria Guidelines and/or that there are no historic built environment resources present on the project site or would not be adversely affected, can be processed ministerially and would not be subject to further environmental review under CEQA. Development proposals that do not comply with the CPIOZ Type A for Sherman Heights and Grant Hill Park Historic Districts shall be subject to discretionary review in accordance with the Mitigation Framework measure MM-HIST-2 in Section 5.7 Historical Resources. Future projects implemented in accordance with the CPU's have a potential to impact known or unknown Historical Resources (Archaeology) and would be subject to review in accordance with the Historical Resources Regulations and Guidelines as further described in Mitigation Framework measure MM-HIST-1. These mitigation framework measures 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 CPUs' MMRP.

Land Use (Impact 5.1-3: MSCP/MHPA)

Significant Impact

Implementation of the CPUs could result in a conflict with the provision of the City's Multiple Species Conservation Program (MSCP) Subarea Plan and the MHPA or approved local, regional, or state habitat conservation plan. The MHPA is mapped within the Encanto Neighborhoods CPU and the plan contains specific policies that require future projects to implement the ESL Regulations, the City's Biology Guidelines, and the MSCP Subarea Plan, including the MHPA Land Use Adjacency Guidelines to reduce impacts on biological resources, open space, land form, or other environmentally sensitive areas (P-CS-12, P-CS-14, P-CS-19).

Future development located within or adjacent to the MHPA has the potential to conflict with the MSCP Subarea in the Encanto Neighborhoods CPU area. No MHPA is mapped within the SESD CPU area; therefore, no conflicts with the MHPA are anticipated to occur in the SESD CPU area.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure LU-2 identified in Section 5.1 of the FEIR. Implementation of this Mitigation Framework measure would require that all subsequent development projects implemented in accordance with the CPUs that are within or adjacent to designated MHPA areas shall 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. 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 project biologist for each proposed 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 from land use adjacency and compliance with the Land Use Adjacency Guidelines of the MSCP. Prior to approval of any subsequent development project in an area adjacent to a designated 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 measure LU-2 assures that future projects within or adjacent to the MHPA 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 measure 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 CPUs' MMRP.

Air Quality (Impact 5.3-3: Sensitive Receptors)

Significant Impact

Stationary Sources

The SESD CPU includes light industrial uses which could generate air pollutants. Without appropriate controls, air emissions associated with planned industrial uses would represent a significant adverse air quality impact.

Collocation

The SESD CPU contains several areas where residential and other sensitive uses would be placed adjacent to light industrial or commercial uses. It is possible that industries that generate air pollutants would be developed at these locations.

Facts in Support of Finding

Stationary Sources

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure AQ-3 identified in Section 5.3 of the FEIR. Implementation of this Mitigation Framework measure would require that prior to the issuance of building permits for any new facility that would have the potential to emit toxic air contaminants, in accordance with AB 2588, an emissions inventory and health risk assessment shall be prepared. If adverse health impacts exceeding public notification levels (cancer risk equal to or greater than 10 in 1,000,000) are identified, the facility shall provide public notice to residents located within the public notification area and submit a risk reduction audit and plan to the APCD that demonstrates how the facility would reduce health risks to less than significant levels within five years of the date the plan.

Collocation

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure AQ-4 identified in Section 5.3 of the FEIR. Implementation of this Mitigation Framework measure would require that prior to the issuance of building permits for any project containing a facility identified in Table 5.3-3 of the FEIR, or locating air quality sensitive receptors closer than the recommended buffer distances, future projects implemented in accordance with the CPUs shall be required to prepare a health risk assessment (HRA) with a Tier I analysis in accordance with APCD HRA Guidelines and the Office of Environmental Health Hazard Assessment (OEHHA) Air Toxics "Hot Spots" Program Risk Assessment Guidelines (APCD 2006; OEHHA 2003).

Rationale and Conclusion

Stationary Sources

Mitigation Framework measure AQ-3 assures that project-level review must demonstrate that health risks would be below a level of significance for all future projects. This Mitigation Framework measure would reduce potentially significant air quality impacts to below a level of significance.

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

Collocation

Mitigation Framework measure AQ-3 assures that project-level review must demonstrate that health risks would be below a level of significance for all future projects. This Mitigation Framework measure would reduce potentially significant air quality impacts to below a level of significance.

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

Noise (Impact 5.4-3: Noise Abatement and Control Ordinance)

Significant Impact

Implementation of the CPUs would result in the exposure of people to noise levels which exceed standards established in the Noise Abatement and Control Ordinance.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measures NOS-3 and NOS-4 identified in Section 5.4 of the FEIR. Implementation of these Mitigation Framework measures would require that prior to the issuance of a building permit, a site-specific acoustical/noise analysis of any on-site generated noise sources, including generators, mechanical equipment, and trucks, shall be prepared which identifies all noise-generating equipment, predicts noise levels at property lines from all identified equipment, and recommends mitigation to be implemented (e.g., enclosures, barriers, site orientation), to ensure compliance with the City's Noise Abatement and Control Ordinance. Noise reduction measures shall include building noise-attenuating walls, reducing noise at the source by requiring quieter machinery or limiting the hours of operation, or other attenuation measures. Additionally, future projects shall be required to buffer sensitive receptors from noise sources through the use of open space and other separation techniques as

recommended after thorough analysis by a qualified acoustical engineer. Exact noise mitigation measures and their effectiveness shall be determined by the site specific noise analyses.

It would also require that for projects that exceed daily construction noise thresholds established by the City of San Diego, best construction management practices shall be used to reduce construction noise levels to comply with standards established by the Municipal Code in Chapter 5, Article 9.5, Noise Abatement and Control. The project applicant shall prepare and implement a Construction Noise Management Plan. Appropriate management practices shall be determined on a project-by-project basis, and are specific to the location.

Rationale and Conclusion

Mitigation Framework measures NOS-3 and NOS-4 assures that future development proposals implemented in accordance with the CPUs would be required to incorporate feasible mitigation measures and alternatives adopted in conjunction with the certification of the PEIR. With adherence to the mitigation measures NOS-3 and NOS-4, the program-level impact related to stationary and construction noise impacts to residential uses and sensitive receptors would be reduced to below a level of significance.

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

Biological Resources (Impact 5.5-1: Sensitive Plant and Wildlife Species)

Significant Impact

Implementation of the CPUs could have an adverse effect on sensitive plant and wildlife species.

Facts in Support of Finding

All impacts on sensitive biological resources shall be avoided to the maximum extent feasible and minimized when avoidance is not possible. Where impacts are not avoidable or cannot be minimized, mitigation shall be required to reduce significant impacts to levels that are less than significant. 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.

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure BIO-1 identified in Section 5.5 of the FEIR. Implementation of this Mitigation Framework measure would require that any future project which could have a potentially significant impact resulting in a reduction in the number of unique, rare, endangered, sensitive, or fully protected species of plants or animals, 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 (2012) and MSCP Subarea Plan. Where sensitive biological resources are known or suspected on or adjacent to a proposed project site, a biological assessment shall be performed for that project. Based on available habitat within the CPU areas, focused presence/absence surveys shall be conducted in accordance with the Biology Guidelines and applicable resource agency survey protocols. Engineering design specifications based on project-level grading and site plans shall be incorporated into the design of future projects to minimize or eliminate direct impacts on sensitive plant and wildlife species consistent with the FESA, MBTA, CESA, MSCP Subarea Plan, and ESL Regulations.

Mitigation for Impacts on Sensitive Upland Habitats

Future projects implemented in accordance with the CPUs resulting in impacts on sensitive upland Tier I, II, IIIA, or IIIB habitats shall implement avoidance and minimization measures consistent with the City Biology Guidelines and MSCP Subarea Plan and provide suitable mitigation in accordance with Table 3 in the City's Biology Guidelines and MSCP Subarea Plan. Future project-level grading and site plans shall incorporate project design features to minimize direct impacts on sensitive vegetation communities including but not limited to riparian habitats, wetlands, maritime succulent scrub, coastal sage scrub, and grasslands consistent with federal, state, and City guidelines. Any required mitigation for impacts on sensitive vegetation communities shall be outlined in a conceptual mitigation plan following the outline provided in the City Biology Guidelines.

Mitigation for impacts on sensitive vegetation communities shall be implemented at the time future development projects are proposed. Project-level analysis shall determine whether the impacts are within or outside the MHPA. Any MHPA boundary adjustments shall be processed by the individual project applicants through the City and Wildlife Agencies during the early project planning stage.

Mitigation for impacts on sensitive upland habitats shall occur in accordance with the MSCP mitigation ratios as specified within the City's Biology Guidelines (City of San Diego 2012). These mitigation ratios are based on the tier level of the vegetation community, the location of the impact, and the location of the mitigation site(s). For example, impacts on lands inside the MHPA and mitigated outside the MHPA would have the highest mitigation ratio, whereas impacts on lands outside the MHPA and mitigated inside the MHPA would have the lowest mitigation ratio.

Mitigation for Impacts to Wetlands

Potentially significant impacts to wetlands would be mitigated through implementation of the Mitigation Framework measure found in BIO-2.

Mitigation for Short-term Impacts on Sensitive Species from Project Construction

Additional specific measures necessary for reducing potential indirect impacts on sensitive bird species, including coastal California gnatcatcher, least Bell's vireo, and coastal cactus wren, are further detailed in Mitigation Framework measures LU-2 and BIO-3. (The details pertaining to LU-2 are discussed above under *Land Use (MHPA Land Use Adjacency Guidelines)*).

Rationale and Conclusion

Mitigation Framework measure BIO-1 assures that future development requires site-specific environmental review, analysis of potential impacts on biological resources, and recommendations for mitigation. This Mitigation Framework measure would reduce potentially significant impacts to sensitive plant and wildlife species to below a level of significance.

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

Biological Resources (Impact 5.5-2: Wetlands)

Significant Impact

Implementation of the CPUs could have an adverse effect on wetlands. Potential impacts on wetland vegetation communities would include the loss of southern cottonwood-willow riparian forest, southern riparian scrub, mule fat scrub, and non-native riparian.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure BIO-2 identified in Section 5.5 of the FEIR. Implementation of this Mitigation Framework measure would require that all subsequent projects developed in accordance with the CPUs shall be required to comply with ACOE CWA Section 404 requirements and special conditions, RWQCB in accordance with Section 401 of the CWA, CDFW Section 1602 Streambed Alteration Agreement requirements and special conditions, and the City of San Diego ESL Regulations for minimizing impacts on wetlands.

Prior to obtaining discretionary permits for future actions implemented in accordance with the CPUs that are subject to ESL, and/or where the CEQA review has determined that there may be a significant impact on other biological resources considered sensitive under CEQA, a site-specific biological resources survey shall be completed in accordance with City of San Diego Biology Guidelines. In addition, a preliminary or final jurisdictional waters/wetlands delineation of the project site shall be completed. A determination of the presence/absence and boundaries of any waters of the U.S. and waters of the state shall also be completed. The limits of any riparian habitats on-site under the sole jurisdiction of CDFW shall also be delineated, as well as any

special aquatic sites (excluding vernal pools) that may not meet federal jurisdictional criteria but are regulated by the RWQCB. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize direct impacts to wetlands, jurisdictional waters, riparian habitats, and vernal pools consistent with federal, state, and City guidelines.

Additionally, any impacts on wetlands in the City of San Diego would require a deviation from the ESL wetland regulations. Under the wetland deviation process, development proposals that have wetland impacts shall be considered only pursuant to one of three options: Essential Public Project, Economic Viability Option, or Biologically Superior Option. ESL Regulations require that impacts on wetlands be avoided. Unavoidable impacts on wetlands shall be minimized to the maximum extent practicable and mitigated as follows:

- As part of the project-specific environmental review pursuant to CEQA, all unavoidable wetland impacts shall be analyzed, and mitigation shall be required in accordance with ratios shown in Tables 5.5-5a and 5.5-5b in the FEIR. Mitigation shall be based on the impacted type of wetland and project design. Mitigation shall prevent any net loss of wetland functions and values of the impacted wetland.
- For the Biologically Superior Option, the project shall include avoidance, minimization, and compensatory measures, which would result in a biologically superior net gain in overall function and values of (a) the type of wetland resource being impacted and/or (b) the biological resources to be conserved.

As part of any future project-specific environmental review pursuant to CEQA, all unavoidable wetlands impacts (both temporary and permanent) shall be analyzed and mitigation required in accordance with the City Biology Guidelines; mitigation shall be based on the impacted type of wetland habitat. Mitigation shall prevent any net loss of wetland functions and values of the impacted wetland. The four types of activities that constitute wetland mitigation under the ESL Regulations are wetland creation, wetland restoration, wetland enhancement, and wetland acquisition.

For permanent wetland impacts that are unavoidable and minimized to the maximum extent feasible, mitigation shall consist of creation of new in-kind habitat to the fullest extent possible and at the appropriate ratios. If on-site mitigation is not feasible, then at least a portion of the mitigation must occur within the same watershed.

Rationale and Conclusion

Implementation of the Mitigation Framework measure detailed in BIO-2, which requires compliance with the ESL Regulations, MSCP Subarea Plan, and the City's Biology Guidelines,

would serve to reduce impacts on wetlands, vernal pools, and other jurisdictional water resources at the program level. This Mitigation Framework measure would reduce potentially significant impacts to wetlands to below a level of significance.

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

Biological Resources (Impact 5.5-3: Migratory Wildlife)

Significant Impact

Buildout in accordance with the CPUs has the potential to impact active nests of raptors or migratory bird species.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure BIO-3 identified under Section 5.5 of the FEIR. Implementation of this Mitigation Framework measure would require that mitigation for future projects to reduce potentially significant impacts that would interfere with the nesting, foraging, or movement of wildlife species within the CPU areas shall be identified in site-specific biological resources report prepared in accordance with City of San Diego Biology Guidelines, as further detailed in BIO-1, during the discretionary review process. The biology report shall include results of protocol surveys and recommendations for additional measures to be implemented during construction-related activities; shall identify the limits of any identified local-scale wildlife corridors or habitat linkages and analyze potential impacts in relation to local fauna, and the effects of conversion of vegetation communities to minimize direct impacts on sensitive wildlife species and to provide for continued wildlife movement through the corridor.

Measures that shall be incorporated into project-level construction documents to minimize direct impacts on wildlife movement, nesting, or foraging activities shall be addressed in the biology report and shall include recommendations for preconstruction protocol surveys to be conducted during established breeding seasons, construction noise monitoring and implementation of any species-specific mitigation plans in order to comply with the FESA, MBTA, State Fish and Game Code, and/or the ESL Regulations.

Rationale and Conclusion

Mitigation Framework measure BIO-3 would assure that future development implemented in accordance with the CPUs would be able to mitigate impacts to migratory wildlife. This Mitigation Framework measure would reduce potentially significant impacts to biological resources (migratory wildlife) to below a level of significance.

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

Biological Resources (Impact 5.5-4: MSCP)

Significant Impact

Adoption of the CPUs will likely lead to subsequent projects that would have the potential to result in temporary and permanent impacts on sensitive vegetation communities as identified by the MSCP.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measures BIO-1 and LU-2 as described above.

Rationale and Conclusion

Mitigation Framework measures BIO-1 and LU-2 would assure that future development implemented in accordance with the CPUs would serve to reduce impacts on MSCP covered species to below a level of significance at the program level.

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

Biological Resources (Impact 5.5-5: MHPA)

Significant Impact

Implementation of the CPUs could introduce land uses within an area that could have a potential indirect effect on the City's MHPA in the Encanto Neighborhoods CPU area. No MHPA is mapped within the SESD CPU area; therefore, no edge effects to MHPA are anticipated to occur in the SESD CPU area.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of Mitigation Framework measure LU-2, detailed in Section 5.1 of the FEIR. Implementation of Mitigation Framework measure LU-2 would require that MHPA Land Use Adjacency impacts be addressed at the project-level.

Rationale and Conclusion

Mitigation Framework measure LU-2 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 measure 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 CPUs' MMRP.

Hydrology and Water Quality (Impact 5.6-1: Water Quality)

Significant Impact

Future projects constructed during buildout of the CPUs could result in impacts to water quality. Therefore, implementation of the CPUs has the potential to result in significant direct and indirect impacts associated with water quality.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure HYD/WQ-1 identified in Section 5.6 of the FEIR. Implementation of this Mitigation Framework measure would require that prior to approval of development projects implemented in accordance with the CPUs, the applicant shall demonstrate to the satisfaction of the City Engineer, based on the project application, that future projects are sited and designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and San Diego RWQCB regulations. Future design of projects shall incorporate all applicable and practicable measures in accordance with the RWQCB, the City Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the Land Development Code [LDC]), and the LDC, and shall be based on the recommendations of a detailed water quality and hydraulic analysis.

Rationale and Conclusion

Mitigation Framework measure HYD-WQ-1 assures that future projects reduce potential impacts to downstream resources. This Mitigation Framework measure would reduce potentially significant impacts to water quality to below a level of significance.

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

Hydrology and water Quality (Impact 5.6-2: Runoff)

Significant Impact

Buildout in accordance with the CPUs would result in an increase in impervious surfaces and associated increased runoff, which could result in alterations to on- and off-site drainage.

Therefore, implementation of the CPUs has the potential to result in significant direct and indirect impacts associated with increased runoff and alterations to on-and off-site drainage patterns.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure HYD/WQ-1 as described above. Implementation of this Mitigation Framework measure would require that applicants shall demonstrate that future projects are sited and designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and San Diego RWQCB regulations.

Rationale and Conclusion

Mitigation Framework measure HYD/WQ-1 would assure that potential impacts to natural drainage systems and associated downstream resources would be reduced to below a level of significance.

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

Hydrology and Water Quality (Impact 5.6-3: Pollutant Discharge)

Significant Impact

There is a potential for implementation of the CPUs to result in increased pollutant discharges. Future projects constructed during buildout of the CPU could result in impacts to water quality, including discharges to surface or groundwater. The construction of such facilities and, to a lesser degree, the operation of these facilities could impact water quality. Grading and exposed soil could result in sedimentation.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure HYD/WQ-2 identified in Section 5.6 of the FEIR. Implementation of this Mitigation Framework measure would require that subsequent projects be sited and designed to minimize impacts on receiving waters, in particular the discharge of identified pollutants to an already impaired water body. Prior to approval of any entitlements for any future project, the City shall ensure that any impacts on receiving waters be precluded and, if necessary, mitigated in accordance with the requirements of the City's Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC) and other appropriate agencies (e.g., RWQCB). To prevent erosion, siltation, and transport of urban

pollutants, all future projects shall be designed to incorporate any applicable storm water improvement, both off- and on-site, in accordance with the City of San Diego Stormwater Standards Manual. Future projects shall incorporate storm water improvements and water quality protection measures as determined by project-specific water quality reports

Rationale and Conclusion

These individual actions making up Mitigation Framework measure HYD/WQ-2 reiterate that future development implemented in accordance with the CPU would be subject to the requirements of the Storm Water Standards, which include design of new or improved systems to meet local and state regulatory requirements satisfactory to the City Engineer. Strict adherence to the Mitigation Framework measure detailed in HYD/WQ-2, which also requires regulatory compliance, would ensure that potential impacts related to discharges into surface or groundwater, alterations to surface or groundwater, increases in pollutant discharges (erosion), and downstream sedimentation would be reduced to below a level of significance. Implementation of this mitigation framework would be assured through incorporation into the CPUs' MMRP and through regulatory compliance.

Historical Resources (Impact 5.7-1: Prehistoric/Historical Sites)

Significant Impact

Implementation of the CPUs could result in an alteration of a prehistoric or historic building, structure, object or site.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure HIST-1 (Archaeological Resources) and HIST-2 (Historic Buildings, Structures, and Objects) identified in Section 5.7 of the FEIR. Implementation of this Mitigation Framework measure would require site-specific review for future projects according to the City of San Diego's Historical Resources Regulations and Historical Resources Guidelines. Prior to issuance of any permit for a future development project implemented in accordance with the CPU area that could directly affect an archaeological resource, the City shall require the following determinations: (1) 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 and HIST-2 would require that future projects implemented in accordance with the CPUs 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 and Guidelines. 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 CPUs' MMRP.

Historical Resources (Impact 5.7-2: Religious or Sacred Uses or Human Remains)

Significant Impact

Implementation of the CPUs could result in impacts on existing religious or sacred uses or the disturbance of human remains, including those interred outside of formal cemeteries. Although there are no known religious or sacred uses within the CPU areas, human remains have been encountered within the CPU areas, specifically related to the ethnohistoric village of Las Choyas, which has been identified as an area of concern for the local Native American community. This area of cultural sensitivity overlaps both CPUs, and as such, any impacts in this area from future development implemented in accordance with the CPUs would be considered significant.

Facts in Support of Finding

The Mitigation Framework for impacts to religious or sacred uses or disturbance of any human remains would be the same as outlined for Archaeological Resources. Please refer to Mitigation Framework measure HIST-1, discussed above and described in detail in Section 5.7.1 and 5.7.2 of the FEIR.

Rationale and Conclusion

HIST-1 would require that site-specific surveys be conducted to identify any significant on-site cultural resources for future projects implemented in accordance with the CPUs, and if such resources, including sacred sites, are found, that appropriate measures are taken in accordance with CEQA, the City's Historic Resources Regulations, and the Historical Resources Guidelines, which requires compliance with the California Public Resources Code (Section 50987.98) and State Health and Safety Code (Section 7050.5). In addition, subsequent projects which have a potential to impact Tribal Cultural Resources associated with the village of Las Choyas would be subject to the provisions of AB 52 and CEQA which requires tribal notification and consultation. This Mitigation Framework measure in combination with the requirements of CEQA would reduce potentially significant impacts to historical resources (religious or sacred sites or disturbance of any human remains) to below a level of significance.

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

Paleontological Resources (Impact 5.8-1)

Significant Impact

Construction-related grading or trenching activities associated with future projects implemented in accordance with the CPUs could have a potential impact on paleontological resources in a geologic deposit/formation/rock unit with a high or moderate sensitivity rating.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of the Mitigation Framework measure PALEO-1 identified in Section 5.8 of the FEIR. Implementation of this Mitigation Framework measure would require that prior to the approval of subsequent development projects implemented in accordance with the CPUs, the City shall determine the potential for impacts to paleontological resources based on review of the project application submitted, and recommendations of a project-level analysis that would identify where fossil resources could be affected during construction-related activities. Future projects shall 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 required during construction activities shall be implemented at the project-level and shall provide mitigation for the loss of important fossil resources with future subsequent development projects that are subject to environmental review.

Rationale and Conclusion

Future development implemented in accordance with the CPUs, subject to discretionary review would be required to implement Mitigation Framework measure PALEO-1. Therefore, the program-level impact related to paleontological resources would be reduced to below a level of significance.

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

Geology and Seismic Hazards (Impact 5.9-1: Geologic Hazards)

Significant Impact

Geologic hazards are present in the CPU areas. Implementation of the CPUs could expose people or structures to geologic hazards such as earthquakes, landslides, mudslides, and ground failure.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of Mitigation Framework measure GEO-1 identified in Section 5.9 of the FEIR. Implementation of this Mitigation Framework measure would require that impacts associated with geologic hazards shall be mitigated at the project-level through adherence to the City's Seismic Safety Study and recommendations of a site-specific geotechnical report prepared in accordance with the City's Geotechnical Report Guidelines. Impacts shall also be avoided or reduced through engineering design that meets or exceeds adherence to the City's Municipal Code and the California Building Code.

Rationale and Conclusion

Future development implemented in accordance with the CPUs that would potentially result in impacts related to geologic hazards would be required to implement GEO-1. This Mitigation Framework measure reduces this program-level impact to below a level of significance.

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

Geology and Seismic Hazards (Impact 5.9-2: Erosion)

Significant Impact

Implementation of the CPUs would allow for the intensification of some land uses that could lead to construction and grading activities that could expose topsoil and increase soil erosion from water and wind.

Facts in Support of Finding

The potentially significant impact would be mitigated to below a level of significance with implementation of Mitigation Framework measure GEO-2 identified in Section 5.9 of the FEIR. Implementation of this Mitigation Framework measure would require individual projects to adhere to the Grading Regulation and NPDES permit requirements. All subsequent projects developed in accordance with the CPUs shall also adhere to the California Building Code to avoid or reduce geologic hazards to the satisfaction of the City Engineer.

Submittal, review, and approval of site specific geotechnical investigations shall be completed in accordance with the City's Municipal Code requirements. Engineering design specifications based on future project-level grading and site plans shall be incorporated into all future projects implemented in accordance with the CPUs to minimize hazards associated with site-level geologic and seismic conditions satisfactory to the City Engineer.

Conformance to mandated City grading requirements shall ensure that future grading and construction operations would avoid significant soil erosion impacts. Furthermore, any development involving clearing, grading, or excavation that causes soil disturbance of one or more acres, or any project involving less than one acre that is part of a larger development plan, shall be subject to NPDES General Construction Storm Water Permit provisions. Additionally, as noted above, any development of this size within the City shall be required to prepare and comply with an approved Stormwater Pollution Prevention Plan (SWPPP) that shall consider the full range of erosion control BMPs such as, but not limited to, including any additional site-specific and seasonal conditions. Project compliance with NPDES requirements would significantly reduce the potential for substantial erosion or topsoil loss to occur in association with new development.

Prior to obtaining grading permits for future actions a site-specific geotechnical investigation shall be completed as necessary in accordance with the City of San Diego Guidelines for Preparing Geotechnical Reports. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize hazards associated with site-level geologic and seismic conditions satisfactory to the City Engineer.

When required, the geologic technical report shall consist of a preliminary study, a geologic reconnaissance, or an in-depth geologic investigation report that includes field work and analysis. The geologic reconnaissance report and the geologic investigation report shall include all pertinent requirements as established by the Building Official.

In addition, the Building Official shall require a geologic reconnaissance report or a geologic investigation report for any site if the Building Official has reason to believe that a geologic hazard may exist at the site.

Rationale and Conclusion

Future development implemented in accordance with the CPUs that would potentially result in impacts related to erosion would be required to implement GEO-2. This Mitigation Framework measure reduces this program-level impact to below a level of significance.

Implementation of this mitigation framework would be assured through incorporation into the CPUs' 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

Significant Impact

Transportation (Impact 5.2-2: Freeway Traffic)

Significant Impact

Implementation of the CPUs would result in the addition of a substantial amount of traffic to a congested freeway segment, interchange, or ramp.

Facts in Support of Finding

Implementation of the CPUs would potentially significantly impact 22 freeway segments, including six segments of I-5, two segments of I-15, two segments of I-805, and 12 segments of SR 94.

The SANDAG 2050 Revenue Constrained Regional Transportation Plan (RTP) includes the improvements listed below on these segments:

- **Interstate 5 (I-5), between 17th Street and State Route 94 (SR-94); I-5, between SR-94 and Imperial Avenue; I-5, between Imperial Avenue and SR-75; I-5, between SR-75 and 28th Street; I-5, between 28th Street and I-15; and I-5, between I-15 and Main Street** – The SANDAG 2050 Revenue Constrained RTP includes operational improvements along I-5 between 17th Street and Main Street. These improvements are expected to be built by Year 2050.
- **I-15, between I-805 and SR-94; I-15, between Market Street and Ocean View Boulevard** - The SANDAG 2050 Revenue Constrained RTP includes construction of managed lanes along I-15 between I-805 and Ocean View Boulevard. These improvements are expected to be built by Year 2035.
- **I-805, between Market Street and Imperial Avenue; and I-805, between Imperial Avenue and 43rd Street** – The SANDAG 2050 Revenue Constrained RTP includes construction of managed lanes along I-805 between Market Street and 43rd Street. These improvements are expected to be built by Year 2030.
- **SR-94, between 17th Street and 25th Street; SR-94, between 25th Street and 28th Street; SR-94, between 28th Street and 30th Street; SR-94, between 30th Street and I-15; SR-94, between I-15 and Home Avenue; and SR-94, between Home Avenue and I-805** – The SANDAG 2050 Revenue Constrained RTP includes construction of

managed lanes along SR-94 between 17th Street and I-805. These improvements are expected to be built by Year 2020.

- **SR-94, between I-805 and 47th Street; SR-94, between 47th Street and Euclid Avenue; SR-94, between Euclid Avenue and Kelton Road; SR-94, between Kelton Road and Federal Boulevard; SR-94, between Federal Boulevard and College Grove Way; and SR-94, between College Grove Way and College Avenue** – The SANDAG 2050 Revenue Constrained RTP includes construction of managed lanes along SR-94 between I-805 and College Avenue. These improvements are expected to be built by Year 2040.

Additional freeway widenings beyond those proposed in the Regional Plan are not feasible due to conflicts with existing development, associated increases in noise and GHG emissions, undermined community character, negative effects on implementing transportation demand management strategies (by encouraging single occupant vehicle trips), and exorbitant costs. In addition, there is some uncertainty related to the actual developments and associated traffic impacts that will materialize over time. Future development projects' transportation studies would be able to more accurately identify individual project-level impacts and provide the mechanism to mitigate them through fair share contributions in addition to the funding planned by SANDAG and other funding sources consistent with SANDAG Revenue Constrained RTP. Implementation of the SESD and Encanto Neighborhoods CPUs could significantly impact the freeway segments and future potential mitigations measures and fair share contribution should be further evaluated at the project level.

SANDAG

Significant Impact

Air Quality (Impact 5.3-1: Air Quality Plan)

Implementation of the CPUs would result in a substantial adverse impact on the implementation of the applicable air quality plan.

Facts in Support of Finding

As discussed in Section 5.3 of the FEIR, total emissions under the SESD CPU are projected to be greater than total emissions under the Adopted Community Plan for ROG. Thus, emissions of ROG would be greater than what is accounted for in adopted regional air quality improvement plans. Therefore, the SESD CPU would conflict with implementation of the San Diego Regional Air Quality Strategy (RAQS) and would have a potentially significant impact on regional air quality without mitigation.

Total emissions under the Encanto Neighborhoods CPU are projected to be greater than total emissions under the Adopted Community Plan for ROG, NO_x, and CO. Thus, emissions of these pollutants would be greater than what is accounted for in adopted regional air quality improvement plans. Therefore, the Encanto Neighborhoods CPU would conflict with implementation of the RAQS and would have a potentially significant impact on regional air quality unless mitigation was incorporated.

Because the significant air impact stems from an inconsistency between the SESD CPU and the adopted land use plans upon which the RAQS was based, the only measure that can lessen this effect is the revision of the RAQS and SIP based on the revised CPUs. This effort is the responsibility of SANDAG and the SDAPCD and is outside the jurisdiction of the City. As such, no mitigation is available to the City. Impacts remain significant and unavoidable.

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 (capacity of the street system, freeway traffic, and existing or planned transportation system)
- Air Quality (ozone)
- Noise (transportation noise, ambient noise)

Although mitigation measures are identified in the FEIR that could reduce significant impacts resulting from implementation of the proposed CPUs, 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 CPUs, implementing programs including zoning regulations, and the Impact Fee Studies 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 (Impact 5.2-1: Capacity of the Street System)

Significant Impact

Implementation of the CPUs would result in an increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system.

Facts in Support of Finding

Roadway Segment Analysis

Assuming the implementation of the proposed roadway diets (narrowing or reduction of traffic lanes in order to provide better pedestrian and bicycle facilities) and widening under the CPUs, 67 study area roadway segments are projected to operate at LOS E or F under buildout of the CPUs, including 38 roadway segments located within Southeastern San Diego, 22 roadway segments within Encanto Neighborhoods, three segments within both Southeastern San Diego and Encanto Neighborhoods, and four within the sphere of influence. Based on the criteria documented previously, the CPUs would have a significant impact to all but one of the segments (or 66 roadway segments); the exception is Division Street, between Harbison Avenue and 58th Street. Potential improvements to these 66 segments that were identified in the Traffic Impact Study (TIS) are as follows. Segments are numbered based on the TIS; only those segments that are projected to operate at LOS E or F under buildout of the CPUs are identified here.

SOUTHEASTERN SAN DIEGO

5. Market Street, between 25th Street and 28th Street – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
6. Market Street, between 28th Street and 32nd Street – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
10. Market Street, between Boundary Street and I-805 SB Ramps – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
15. Imperial Avenue, between 17th Street and 19th Street - Provide additional right-of-way and widen the roadway to a 3-lane Collector with a continuous left-turn lane.
16. Imperial Avenue, between 19th Street and 25th Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.

17. Imperial Avenue, between 25th Street and 28th Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.
18. Imperial Avenue, between 28th Street and 30th Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.
20. Imperial Avenue, between 32nd Street & 36th Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.
21. Imperial Avenue, between 36th Street and 40th Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.
37. Ocean View Boulevard, between 28th Street and 30th Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.
39. Ocean View Boulevard, between 32nd Street and I-15 SB Ramps - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
41. Ocean View Boulevard, between I-15 NB Ramps and 36th Street - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
42. Ocean View Boulevard, between 36th Street and 40th Street - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
48. National Avenue, between 27th Street and 28th Street - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
49. National Avenue, between 28th Street and I-5 NB Ramps - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
50. National Avenue, between I-5 NB Ramps and 32nd Street - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
51. National Avenue, between 32nd Street and 43rd Street - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
56. Alpha Street, between 38th Street and 43rd Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.
57. Division Street, between Main Street and Osborn Street - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
66. Cesar Chavez Parkway, between Commercial Street and I-5 NB Ramps - Provide additional right-of-way and widen to provide a 2-lane Collector with a continuous left-turn lane.

68. 25th Street, between SR-94 WB Off-Ramp and SR-94 EB On-Ramp - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
69. 25th Street, between SR-94 EB On-Ramp and Market Street - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
70. 25th Street, between Market Street and Imperial Avenue - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
72. 28th Street, between SR-94 WB Ramps and SR-94 EB Ramps - Provide additional right-of-way and widen to provide a continuous left-turn lane.
73. 28th Street, between SR-94 EB Ramps and Market Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.
74. 28th Street, between Market Street and Imperial Avenue - Provide additional right-of-way and widen to provide a continuous left-turn lane.
76. 28th Street, between Commercial Street and Ocean View Boulevard - Provide additional right-of-way and widen to provide a continuous left-turn lane.
77. 28th Street, between Ocean View Boulevard and National Avenue - Provide additional right-of-way and widen to provide a continuous left-turn lane.
79. 30th Street, between E Street and Imperial Avenue - Provide additional right-of-way and widen to provide a continuous left-turn lane.
83. 32nd Street, between SR-94 EB On-Ramp/F Street and Market Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.
84. 32nd Street, between Market Street and Imperial Avenue - Provide additional right-of-way and widen to provide a continuous left-turn lane.
87. 32nd Street, between Ocean View Boulevard and National Avenue - Provide additional right-of-way and widen to provide a continuous left-turn lane.
88. 32nd Street, between National Avenue and Boston Avenue - Provide additional right-of-way and widen to provide a continuous left-turn lane.
89. 35th / Rigel Street, between Ocean View Boulevard and Main Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.
99. 43rd Street, between Logan Avenue and Newton Avenue - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
100. 43rd Street, between Newton Avenue and Beta Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.

101. 43rd Street, between Beta Street and Delta Street - - Provide additional right-of-way and widen the roadway to a 4-lane Major Arterial with a raised median.
102. 43rd Street / Highland Avenue, between Delta Street and Division Street - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
105. Mallard Street, between Federal Boulevard and 69th Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.

ENCANTO NEIGHBORHOODS

14. Market Street/Atkins Avenue, between Euclid Avenue and 60th Street – Provide additional right-of-way and widen to provide a continuous left-turn lane.
27. Imperial Avenue, between San Jacinto Drive and Valencia Parkway – Provide additional right-of-way and widen the roadway to a 4-lane Major Arterial with a raised median.
54. Logan Avenue, between 47th Street and Euclid Avenue – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
63. Division Street, between 58th Street and Valencia Parkway – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
114. Lisbon Street, between Imperial Avenue and 71st Street – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
117. Skyline Drive, between Valencia Parkway and 61st Street – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
118. Skyline Drive, between 61st Street and Omeara Street – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
121. Olvera Avenue/58th Street, between Euclid Avenue and Skyline Drive – Provide additional right-of-way and widen to provide a continuous left-turn lane.
123. Plaza Boulevard, between Division Street and Woodman Street – Provide additional right-of-way and widen to provide a continuous left-turn lane.
124. 47th Street, between SR-94 EB On-Ramp and Market Street – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
125. 47th Street, between Market Street and Imperial Avenue – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
126. 47th Street, between Imperial Avenue and Logan Avenue – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.

127. 47th Street, between Logan Avenue and I-805 NB Ramps – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
137. Bayview Heights Way, between SR-94 WB Ramps and SR-94 EB Ramps – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
138. Kelton Road, between SR-94 EB Ramps and Alvin Street – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
139. Alvin Street, between Kelton Road and Pitta Street – Provide additional right-of-way and widen to provide a continuous left-turn lane.
140. Pitta Street, between Alvin Street and Market Street – Provide additional right-of-way and widen to provide a continuous left-turn lane.
146. 60th Street, between Federal Boulevard and Imperial Avenue – Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
147. 61st Street, between Imperial Avenue and Division Street – Provide additional right-of-way and widen to provide a continuous left-turn lane.
152. Woodman Street, between Imperial Avenue and Skyline Drive – Provide additional right-of-way and widen to provide a continuous left-turn lane.

SOUTHEASTERN SAN DIEGO & ENCANTO NEIGHBORHOODS

11. Market Street, between I-805 SB Ramps & I-805 NB Ramps - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.
43. Ocean View Boulevard, between 40th Street and 47th Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.
53. Logan Avenue, 45th Street and 47th Street - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.

SPHERE OF INFLUENCE

31. Commercial Street, between 17th Street and 19th Street - Provide additional right-of-way and widen to provide a continuous left-turn lane.
45. National Avenue, between Beardsley Street and SR-75 Off-Ramp - Provide additional right-of-way and widen to provide a continuous left-turn lane.
47. National Avenue, between 26th Street and 27th Street - Provide additional right-of-way and widen the roadway to a 4-lane Collector with a continuous left-turn lane.

78. 28th Street, between National Avenue and Boston Avenue - Provide additional right-of-way and widen the roadway to a 4-lane Major Arterial with a raised median.

These additional potential improvement measures are not feasible and are therefore not included as part of the Project or mitigation in the Draft EIR. The above roadway segments are currently built to the limits of the existing right-of-way. To widen these roadways, sidewalks or bicycle facilities would need to be removed or reduced in width, which would result in impacts to non-vehicular modes of travel (pedestrians and bicyclists). Planning and environmental laws recognize the importance of planning for all modes of transportation, which provide for the needs of all users including pedestrians, bicyclists, transit riders, and motorists (See AB 1358 [2008] and SB 375 [2008]). As such, these mitigation measures identified above are considered infeasible due to policy considerations. Another option for roadway widening would involve the expansion of current right-of-way through additional property acquisition. Property acquisitions, however, are considered environmentally, financially, and socially infeasible. In many cases, property acquisitions would require demolition of existing buildings which would generate additional environmental impacts associated with air quality, noise, GHGs, solid waste, and traffic as well as continuing to promote vehicular usage. Furthermore, a guiding strategy for street system planning for these Community Plan Updates was to provide a Complete Streets network (accommodating all modes and users). As stated in the SESD Mobility Element Section 3.3, on page 3-10 and in the Encanto Neighborhoods Mobility Element Section 3.3, on page 3-9:

“Due to the urbanized nature of the community, most public right-of-way is fully constructed with streets and sidewalks as well as adjacent development. A guiding strategy for street system planning was to provide a Complete Streets network (accommodating all modes and users) while largely limiting recommendations to modifications within the existing rights-of-way, and to avoid extensive road widening in the largely built out urban community.”

For these reasons, mitigation measures for impacted roadway segments are considered infeasible. Therefore, because no feasible mitigation exists, the impacts to roadway segments identified would remain significant and avoidable.

The Community Plans do include improvements that can be accommodated within the existing rights-of way, which further the project Goals as identified on page 3-2 of the SESD CPU Mobility Element and page 3-2 of the Encanto Neighborhoods CPU Mobility Element:

- A complete network of pedestrian-friendly, multi-modal facilities throughout the community.
- Pedestrian-friendly infrastructure including sidewalks with parkways, gridded streets and pedestrian-scale blocks.

- Safe, walkable neighborhoods which utilize new paseos, pedestrian connections, improved sidewalks, and make use of the alley network for vehicular access.
- A complete, safe, and efficient bicycle network that connects community destinations and links to surrounding communities and the regional bicycle network.

Additionally, at the project-level, partial mitigation may be possible in the form of transportation demand management measures that encourage carpooling and other alternate modes of transportation. At the time future subsequent development projects are proposed, project-specific traffic analyses would contain detailed recommendations. Following existing City requirements, all project-specific mitigation for direct impacts shall be implemented prior to the issuance of Certificate of Occupancy in order to provide mitigation at the time of impact.

Intersection Analysis

Assuming the implementation of planned intersection improvements, 10 study area intersections would operate at LOS E or F during the AM and/or PM peak hour, including five intersections located within Southeastern San Diego, three within Encanto Neighborhoods, and three within the sphere of influence area. Based on the significant impact criteria previously, the CPU would have a significant impact to all 10 intersections. Potential improvements to these 10 intersections that were identified in the Traffic Impact Study (TIS) are as follows. Segments are numbered based on the TIS; only those segments that are projected to operate at LOS E or F under buildout of the CPUs are identified here.

SOUTHEASTERN SAN DIEGO

23. 28th Street / National Avenue – Provide additional right-of-way and National Avenue in the westbound direction to add a second westbound through lane.
38. I-15 NB Ramps / Ocean View Boulevard – Provide additional right-of-way and widen Ocean View Boulevard and/or remove parking in the westbound direction to add a second westbound through lane.
49. 40th Street / Imperial Avenue – Provide additional right-of-way and widen Imperial Avenue in the south-east bound direction to add an exclusive southeast-bound right-turn lane.
63. 47th Street / I-805 SB Ramps – Provide additional right-of-way and widen the I-805 SB off-ramp to add a second southbound right-turn lane.

ENCANTO

68. Euclid Avenue / Imperial Avenue – Provide additional right-of-way and widen Imperial Avenue in the westbound direction to add a second westbound left-turn lane.

69. Euclid Avenue / Olvera Avenue – Convert the existing exclusive southbound right-turn lane into a southbound through and right-turn shared lane and optimize the intersection signal phasing to accommodate northbound/southbound traffic. Provide additional right-of-way and widen the southern leg of this intersection to add an additional through lane.
79. Woodman Street / Skyline Drive – Provide additional right-of-way and widen Woodman Street in the northbound direction to add a second left-turn lane and an exclusive northbound right-turn lane with overlap, widen Skyline Drive in the westbound direction to add a second left-turn lane and a second through lane.

These additional potential improvement measures are not feasible and are therefore not included as part of the Project or mitigation in the Draft EIR. To implement mitigation measures within the Study Area, sidewalks or bicycle facilities would need to be removed or reduced in width, which would result in impacts to non-vehicular modes of travel (pedestrians and bicyclists). In addition, this mitigation measure would also increase pedestrian crossing distance at the intersection. Planning and environmental laws recognize the importance of planning for all modes of transportation, which provide for the needs of all users including pedestrians, bicyclists, transit riders, and motorists (See AB 1358 [2008] and SB 375 [2008]). As such, the mitigation measures identified above are considered infeasible due to policy considerations. Another option for intersection widening would involve the expansion of current right-of-way through additional property acquisition. Property acquisitions, however, are considered environmentally, financially, and socially infeasible. In many cases, property acquisitions would require demolition of existing buildings which would generate additional environmental impacts associated with air quality, noise, GHGs, solid waste, and traffic as well as continuing to promote vehicular usage. Furthermore, a guiding strategy for street system planning for these Community Plan Updates was to provide a Complete Streets network (accommodating all modes and users) while largely limiting recommendations to modifications within the existing rights-of-way, and to avoid extensive road widening in the largely built out urban community. For these reasons, mitigation measures for this impacted intersection are considered infeasible. Therefore, because no feasible mitigation exists, the impacts to this intersection identified under the Preferred Plan would remain significant and avoidable at the program level.

SPHERE OF INFLUENCE

7. I-5 SB Off-Ramp / Beardsley Street / Logan Avenue – Provide additional right-of-way and widen Logan Avenue in the eastbound direction and/or remove parking to add a second eastbound through lane.

This potential improvement measure is not feasible and is therefore not included as part of the Project or mitigation in the Draft EIR. To implement this mitigation measure, sidewalks or bicycle facilities would need to be removed or reduced in width, which would result in impacts to non-vehicular modes of travel (pedestrians and bicyclists). In addition, this mitigation measure would also increase pedestrian crossing distance at the intersection. Planning and environmental laws recognize the importance of planning for all modes of transportation, which provide for the needs of all users including pedestrians, bicyclists, transit riders, and motorists (See AB 1358 [2008] and SB 375 [2008]). As such, these mitigation measures identified above are considered infeasible due to policy considerations. Another option for intersection widening would involve the expansion of current right-of-way through additional property acquisition. Property acquisitions, however, are considered environmentally, financially, and socially infeasible. In many cases, property acquisitions would require demolition of existing buildings which would generate additional environmental impacts associated with air quality, noise, GHGs, solid waste, and traffic as well as continuing to promote vehicular usage. Furthermore, a guiding strategy for street system planning for these Community Plan Updates was to provide a Complete Streets network (accommodating all modes and users) while largely limiting recommendations to modifications within the existing rights-of-way, and to avoid extensive road widening in the largely built out urban community. For these reasons, mitigation measures for this impacted intersection are considered infeasible. Therefore, because no feasible mitigation exists, the impacts to this intersection identified under the Preferred Plan would remain significant and avoidable at the program level.

40. I-15 Ramps / Main Street – Provide additional right-of-way and widen the southbound I-15 off-ramp to add an exclusive southbound right-turn lane, restripe the existing southbound shared lane into an exclusive southbound left-turn lane.
43. I-5 SB Off-Ramp/Yama Street/Main Street – Provide additional right-of-way and widen the I-5 SB Off-Ramp to add a southbound right-through share lane, and widen Main Street in the eastbound direction to add an exclusive eastbound right-turn lane.

These potential improvement measures are not feasible and are therefore not included as part of the Project or mitigation in the Draft EIR. There is some uncertainty related to actual future developments and associated traffic impacts that will materialize over time. Future development projects' transportation studies would be able to more accurately identify individual project-level impacts to these facilities and provide the mechanism to mitigate them through fair share contributions in addition to other funding sources. Furthermore, Caltrans permits would be required to implement these improvements.

Additionally, at the project-level, partial mitigation may be possible in the form of transportation demand management measures that encourage carpooling and other alternate modes of transportation. At the time future subsequent development projects are proposed, project-specific

traffic analyses would contain detailed recommendations. Following existing City requirements, all project-specific mitigation for direct impacts shall be implemented prior to the issuance of Certificate of Occupancy in order to provide mitigation at the time of impact.

The SESD and Encanto Neighborhoods CPUs' significant traffic impact to these freeway ramp intersection would remain significant unmitigated at the program level.

Rationale and Conclusion

The City shall implement all policies identified in the Mobility Element to reduce the demand for vehicles on the City's transportation system. However, as identified above, even with implementation of these policies, the impacts would remain significant and unavoidable.

Transportation (Impact 5.2-2: Freeway Traffic)

Significant Impact

Implementation of the CPUs would result in the addition of a substantial amount of traffic to a congested freeway segment, interchange, or ramp.

Facts in Support of Finding

Under buildout of the CPU, the following twenty-four (24) freeway segments within the project study area are anticipated to operate at less than desirable LOS E or F:

- I-5, between 17th Street and SR-94 – (SB: LOS F);
- I-5, between SR-94 and Imperial Avenue – (NB: LOS F / SB: LOS E);
- I-5, between Imperial Avenue and SR-75 – (NB: LOS E);
- I-5, between SR-75 and 28th Street – (NB: LOS E);
- I-5, between 28th Street and I-15 – (NB: LOS F / SB: LOS E);
- I-5, between I-15 and Main Street – (NB: LOS F / SB: LOS F);
- I-15, between I-805 and SR-94 – (SB: LOS E);
- I-15, between Market Street and Ocean View Boulevard – (NB: LOS E / SB: LOS F);
- I-805, between Home Avenue and SR-94 – (NB: LOS E / SB: LOS E);
- I-805, between SR-94 and Market Street – (NB: LOS E / SB: LOS E);
- I-805, between Market Street and Imperial Avenue – (NB: LOS E / SB: LOS E);
- I-805, between Imperial Avenue and 43rd Street – (NB: LOS E / SB: LOS F);

- SR-94, between 17th Street and 25th Street – (EB: LOS E / WB: LOS E);
- SR-94, between 25th Street and 28th Street – (EB: LOS F / WB: LOS E);
- SR-94, between 28th Street and 30th Street – (EB: LOS F / WB: LOS F);
- SR-94, between 30th Street and I-15 – (EB: LOS E / WB: LOS E);
- SR-94, between I-15 and Home Avenue – (WB: LOS E);
- SR-94, between Home Avenue and I-805 – (WB: LOS E);
- SR-94, between I-805 and 47th Street – (EB: LOS F / WB: LOS E);
- SR-94, between 47th Street and Euclid Avenue (EB: LOS E / WB: LOS F);
- SR-94, between Euclid Avenue and Kelton Road (EB: LOS F / WB: LOS E);
- SR-94, between Kelton Road and Federal Boulevard – (EB: LOS F / WB: LOS E);
- SR-94, between Federal Boulevard and College Grove Way – (EB: LOS F / WB: LOS E); and
- SR-94, between College Grove Way and College Avenue – (EB: LOS F / WB: LOS F).

Based on the criteria documented previously, the CPUs would have a significant impact to all freeway segments listed above with the following exceptions:

- I-805, between Home Avenue and SR-94; and
- I-805, between SR-94 and Market Street.

The following regionally planned improvements have been identified. However, completion of these improvements would not reduce the impact to freeway traffic to below a level of significance.

I-5, between 17th Street and SR-94; I-5, between SR-94 and Imperial Avenue; I-5, between Imperial Avenue and SR-75; I-5, between SR-75 and 28th Street; I-5, between 28th Street and I-15; and I-5, between I-15 and Main Street – The SANDAG 2050 Revenue Constrained Regional Transportation Plan (RTP) includes operational improvements along I-5 between 17th Street and Main Street. These improvements are expected to be built by 2050.

I-15, between I-805 and SR-94; I-15, between Market Street and Ocean View Boulevard - The SANDAG 2050 Revenue Constrained RTP includes construction of managed lanes along I-15 between I-805 and Ocean View Boulevard. These improvements are expected to be built by 2035.

I-805, between Market Street and Imperial Avenue; and I-805, between Imperial Avenue and 43rd Street – The SANDAG 2050 Revenue Constrained RTP includes construction of managed lanes along I-805 between Market Street and 43rd Street. These improvements are expected to be built by 2030.

SR-94, between 17th Street and 25th Street; SR-94, between 25th Street and 28th Street; SR-94, between 28th Street and 30th Street; SR-94, between 30th Street and I-15; SR-94, between I-15 and Home Avenue; and SR-94, between Home Avenue and I-805 – The SANDAG 2050 Revenue Constrained RTP includes construction of managed lanes along SR-94 between 17th Street and I-805. These improvements are expected to be built by 2020.

SR-94, between I-805 and 47th Street; SR-94, between 47th Street and Euclid Avenue; SR-94, between Euclid Avenue and Kelton Road; SR-94, between Kelton Road and Federal Boulevard; SR-94, between Federal Boulevard and College Grove Way; and SR-94, between College Grove Way and College Avenue – The SANDAG 2050 Revenue Constrained RTP includes construction of managed lanes along SR-94 between I-805 and College Avenue. These improvements are expected to be built by 2040.

Additional freeway widening beyond those proposed in the Regional Plan are not feasible due to conflicts with existing development, associated increases in noise and GHG emissions, undermined community character, negative effects on implementing transportation demand management strategies (by encouraging single occupant vehicle trips); these improvements would be cost prohibitive. In addition, there is some uncertainty related to the actual developments and associated traffic impacts that will materialize over time. Future development projects' transportation studies would be able to more accurately identify individual project-level impacts and provide the mechanism to mitigate them through fair share contributions in addition to the funding planned by SANDAG and other funding sources consistent with SANDAG Revenue Constrained RTP. Future potential mitigation measures and fair share contribution should thus be further evaluated at the project level, though freeway traffic impacts from the CPUs would remain unmitigated at the program level.

Rationale and Conclusion

The City shall implement all policies identified in the Mobility Element to reduce the demand for vehicles on the regional transportation system. However, as identified above, even with implementation of these policies, the impacts to I-5, I-15, I-805, and SR-94 shall remain significant and unavoidable at the program level.

Transportation (Impact 5.2-3: Existing or Planned Transportation System)

Significant Impact

Implementation of the CPUs would result in a substantial impact upon existing or planned transportation system.

Facts in Support of Finding

As shown under Impact 5.2-1 and Impact 5.2-2 of the FEIR, and in the discussion of impacts to the capacity of the street system and freeway system included above, adoption of the CPUs would result in a significant impact upon the existing transportation system. As discussed above, mitigation measures identified as part of the TIS for capacity of the street system are not compatible with the mobility vision, goals, and policies of the CPUs, and completion of planned improvements to the freeway system would not reduce the impact to freeway traffic to below a level of significance.

Rationale and Conclusion

The City shall implement all policies identified in the Mobility Element to reduce the demand for vehicles on the existing and planned transportation system. However, as identified above, even with implementation of these policies, the impacts to existing or planned transportation system shall remain significant and unavoidable.

Air Quality (Impact 5.3-2: Ozone)

Significant Impact

Implementation of the CPUs would substantially contribute to the existing violation of state and federal ambient air quality standards for ozone. The San Diego Air Basin is not in attainment for O₃, PM₁₀, and PM_{2.5}. Construction under the CPUs could potentially contribute to localized violations, and operational emissions could potentially contribute to regional violations.

Facts in Support of Finding

As discussed in Section 5.3 of the FEIR, future projects that conform to the CPUs could contribute to cumulatively considerable emissions if multiple projects are implemented simultaneously. Although construction is temporary and individual future projects are not likely to exceed the City's standards, the level, duration, and location of temporary construction is not known at this time. Therefore, if multiple projects are implemented simultaneously, construction activities under the CPUs would have a potentially significant impact on local air quality without mitigation. In general, implementation of the policies in the CPUs and General Plan would preclude or reduce air quality impacts. However, it is possible that for certain projects, adherence to the regulations may not adequately avoid or minimize air quality impacts. As such, individual

projects would require additional measures to avoid or reduce potentially significant air quality impacts that would be addressed during subsequent CEQA review. These additional measures would be considered mitigation.

Additionally, operational emissions of land uses proposed under the SESD and Encanto Neighborhoods CPUs could potentially contribute to regional violations. As discussed under Impact 5.3-1 of the FEIR, total ROG, NO_x, and CO emissions under the SESD and Encanto Neighborhoods CPUs would conflict with implementation of the RAQS. Therefore, the CPUs would contribute substantially to an existing air quality violation and would have a potentially significant impact on regional air quality without mitigation.

The goals, policies, and recommendations of the City combined with the federal, state, and local regulations provide a framework for developing project-level air quality protection measures for future discretionary projects. The City's process for the evaluation of discretionary projects includes environmental review and documentation pursuant to CEQA as well as an analysis of those projects for consistency with the goals, policies, and recommendations of the General Plan and CPUs. In general, implementation of the policies in the CPUs and General Plan would preclude or reduce air quality impacts to below a level of significance. Compliance with the standards is required for all projects and is not considered mitigation. However, it is possible that for certain projects, adherence to the regulations would not adequately avoid or minimize air quality impacts. As such, individual projects would require additional measures to avoid or reduce potentially significant air quality impacts that would be addressed during subsequent CEQA review. These additional measures would be considered mitigation.

Mitigation Framework measures MM-AQ-1 and MM-AQ-2 shall be implemented to reduce project-level impacts. These measures shall be updated, expanded and refined when applied to specific future projects based on project-specific design and changes in existing conditions, and local, state, and federal laws.

Rationale and Conclusion

Identified mitigation would reduce emissions and may preclude many potential impacts. As no project-specific data are available at this time, air emissions from the future developments within the CPU areas cannot be adequately quantified. Mitigation Framework measures MM-AQ-1 and MM-AQ-2 would be implemented; however, impacts would remain significant and unavoidable at the program level.

Noise (Impact 5.4-1: Transportation Noise)

Significant Impact

Implementation of the CPUs would result in the exposure of people to future transportation noise levels which exceed the land use compatibility standards established in the General Plan.

Transportation noise impacts would result primarily from vehicle traffic. Impacts from rail- and airport-related traffic are considered less than significant.

Facts in Support of Finding

As discussed in Section 5.4 of the FEIR, the roads generating the greatest noise level in the CPU areas are I-5, I-805, I-15, SR-94, Market Street, Imperial Avenue, Ocean View Boulevard, 47th Street, Euclid Avenue, and National Avenue. The local freeways are the dominant noise sources in the CPU areas and traffic noise levels at residential land uses nearest these freeways currently exceed the City's compatibility thresholds for residential land uses. Traffic noise levels at existing and proposed residential use areas closest to the freeways and heavily traveled roadways would exceed the City's compatibility thresholds for residential land uses. Noise levels greater than 75 CNEL are considered incompatible for all land use types. Uses located adjacent to I-5, I-15, I-805, and SR-94 have the potential to be exposed to noise levels greater than 75 CNEL.

Existing noise levels at noise sensitive receptors exceed applicable standards due to noise from vehicular traffic. Traffic levels are forecasted to increase over time, so future noise levels would increase with or without adoption of the CPUs. This increase in noise levels may cause existing and proposed noise sensitive receptors to be exposed to noise levels in excess of applicable standards. Thus, without mitigation, implementation of the CPUs may result in significant impacts by allowing sensitive receivers to be located in areas where exterior noise levels exceed the compatibility standards established by the General Plan.

Rationale and Conclusion

Implementation of the policies in the CPUs and General Plan would preclude or reduce traffic noise impacts. In addition, the City's process for the evaluation of discretionary projects includes environmental review and documentation pursuant to CEQA as well as an analysis of those projects for consistency with the goals, policies, and recommendations of the General Plan. Compliance with the standards is required for all projects and is not considered to be mitigation. However, it is possible that for certain projects, adherence to the regulations may not adequately reduce noise levels, and as such, individual projects would require additional measures to comply with applicable standards. Adherence to the Mitigation Framework detailed in MM-NOS-1 and MM-NOS-2, which requires regulatory compliance as noted above, would ensure that impacts related to exterior and interior noise for new development are reduced; however,

even with strict adherence to the Mitigation Framework, these impacts cannot be reduced to below a level of significance and therefore, the impacts remain significant and unavoidable.

Noise (Impact 5.4-2: Ambient Noise)

Significant Impact

Implementation of the CPUs would result in a significant increase in the existing ambient noise levels.

Facts in Support of Finding

As discussed in Section 5.4 of the FEIR, a potentially significant impact would occur along 14 roadway segments in the SESD CPU area and 10 roadway segments in the Encanto Neighborhoods CPU area. There are existing sensitive uses located adjacent to these roadway segments, and there could be also future sensitive uses located adjacent to them.

Rationale and Conclusion

Possible noise-reduction measures would include the construction of barriers between heavily traveled roadways and noise-sensitive exterior use areas, as well as retrofitting older homes with new window and door components with higher STC ratings to help reduce interior noise impacts. However, implementation of mitigation measures cannot be assured since the degree of future program-level impacts and applicability, feasibility, and success of future mitigation measures cannot be adequately known for each specific future project at the program level.

However, because the significant noise impacts are to existing homes in an already urbanized area it cannot be determined whether the existing structures contain adequate attenuation to reduce interior noise to the 45 CNEL standard, nor what measures would be required to retrofit these structures to meet the City's General Plan compatibility standards, and there is no mechanism in place for implementing such a retrofit program. The Mitigation Framework is intended to provide assurance that subsequent projects implemented in accordance with the CPUs are designed and sited to ensure compliance with all applicable noise standards.

Implementation of General Plan and CPU policies, requirements in the Municipal Code, and compliance with applicable regulations (Title 24) would reduce traffic noise exposure, because they set standards for the siting of sensitive land uses. Adherence to the Mitigation Framework detailed in MM-NOS-1, MM-NOS-2, requiring regulatory compliance would ensure that impacts related to exterior and interior noise for new development are reduced, and MM-NOS-3 which requires submittal of site-specific acoustical analyses prior to issuance of a building permit would further ensure compliance with the City's Noise Abatement and Control Ordinance. These site-specific noise analyses would be required to demonstrate that the project would not place

sensitive receptors in locations where the exterior existing or future noise levels for future for multi-family development proposals would exceed the noise compatibility standards of the City's General Plan. With this framework, noise impacts to new multi-family development would be less than significant; however, even with strict adherence to the Mitigation Framework, these impacts cannot be reduced to below a level of significance and therefore, the impacts remain significant and unavoidable.

Compliance with the standards is required for all projects and is not considered to be mitigation. However, it is possible that for certain projects, adherence to the regulations may not adequately reduce noise levels, and as such individual projects would require additional measures to comply with applicable standards. Thus, without mitigation, implementation of the CPUs would result in a significant impact from traffic noise, because the CPUs would potentially allow sensitive receptors to be located in areas where exterior noise levels exceed the compatibility standards established by the General Plan. Adherence to the Mitigation Framework detailed in MM-NOS-1, MM-NOS-2 and MM-NOS-3, which requires regulatory compliance as noted above, would ensure that impacts related to exterior and interior noise are reduced; however, even with strict adherence to the Mitigation Framework, these impacts cannot be reduced to below a level of significance. Therefore, the impacts would remain significant and unavoidable at the program level.

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 impacts, 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 impacts 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. 386029/SCH No. 2014051075):

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 EIR for the proposed CPUs conducted an analysis of three alternatives:

- No Project Alternative (Adopted Community Plan);
- Higher-Density Alternative
- Lower-Density Alternative

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

No Project Alternative (Adopted Community Plan)

The No Project Alternative is the continued implementation of the adopted 1987 SESD Community Plan, consistent with CEQA Guidelines Section 15126.6(e)(3)(A). The current Community Plan addresses the following key issues in the community through its policies and regulations: need for employment opportunities and commercial shopping; concerns about density; community design and appearance; lack of connectivity on the street system; adequate public facilities including for recreation and education; and the disproportionate number of assisted housing projects and social services in the community.

Existing Community Plan land use designations seek to promote a balance of land uses. The majority of both planning areas is designated as Single-Family Residential. In Southeastern San Diego, most of this land is designated for development at 10 to 14 units per acre, while in Encanto Neighborhoods most land is designated at a lower density of 5 to 10 units per acre.

In Southeastern San Diego, the Imperial Avenue corridor is designated as Multiple Use, along with 25th Street and the western portion of Market Street. The General Commercial designation applies to Market Street between 25th and 32nd Streets and National Avenue between 28th and 33rd Streets as well as to segments of National Avenue east of Highway 15 that have existing commercial uses. Commercial Street and eastern portions of Market Street (e.g. Gateway Center) are designated as Industrial. Institutional and Schools/Public Facilities are used somewhat interchangeably to designate public/quasi-public facilities.

In Encanto Neighborhoods, much of the area west of Euclid Avenue and along Imperial Avenue is designated for Multi-Family Residential and, to a lesser extent, for commercial uses. Institutional and Schools/Public Facilities are designated for City-owned and other public/quasi-public facilities.

Potentially Significant Impacts

Land uses maintained by the No Project Alternative would be consistent with those of the CPUs in much of both CPU areas. Proposed land use changes in the CPUs would be concentrated along Market Street, the Commercial/Imperial corridor, and National Avenue in Southeastern San Diego, and around the Euclid and Market area in Encanto Neighborhoods, where the proposed CPUs would generally facilitate more mixed-use and higher-intensity development compared to the existing Community Plan (No Project Alternative).

Implementation of the No Project Alternative would not avoid any of the significant and unavoidable impacts of the CPUs (transportation [capacity, freeway traffic, existing or planned transportation system], air quality [ozone], and noise [transportation noise, ambient noise]), though it may result in lesser impacts for some (transportation, ambient noise).

The amount of preserved open space would be less under the No Project Alternative than under the proposed CPUs. Thus, implementation of this alternative would result in greater impacts to biological resources and hydrology and water quality. Future development under the alternative would be required to adhere to existing regulations, thus limiting the potential for significant impacts.

The alternative also has potential for greater impacts in the issue areas of land use, transportation (alternative transportation), noise (transportation), historical resources, geology and seismic hazards, greenhouse gas emissions, and energy (fuel). It lacks the CPUs' updated policies that would serve to reduce impacts from future development. The alternative lacks policies that support the General Plan's "City of Villages" strategy, and would not implement the environmental goals, objectives, and guidelines of the General Plan's various elements to the same extent as the CPUs.

The alternative has potential for lesser impacts in the issue areas of transportation (all except alternative transportation), air quality, noise (ambient noise), hazardous materials, energy (electrical power), public services and facilities, and public utilities. The alternative would generate fewer vehicular trips than the CPUs for both the Southeastern San Diego and Encanto Neighborhoods communities. However, the No Project (Adopted Community Plan) Alternative does not contain the proposed CPU policies intended to promote a robust multimodal network that encourage walking, bicycling, and taking transit while continuing to provide for needed vehicular access in both communities.

The No Project Alternative meets several of the 10 project objectives, but none to the same extent as the CPUs. The No Project Alternative also does not include the two mixed-use villages as proposed by the CPUs: The Village Districts proposed under the CPUs implement both General Plan and CPU goals for compact communities, a wider range of housing types, affordability, greater transit opportunities, etc. The No Project Alternative would allow for some suburban-type development, which would be more auto-centric, and contribute to, rather than reduce GHG impacts.

Finding and Supporting Facts

Adoption of the No Project (Adopted Community Plan) Alternative would not achieve important objectives of the Community Plan Updates. These include:

- **Multi-Modal Transportation Strategy:** Include walkable and bicycle friendly streets, accessible and enhanced transit options, and comprehensive parking strategies throughout both communities.
- **Housing:** Increase allowed densities in close proximity to transit in order to provide more and varied housing and meet workforce needs close to employment centers.
- **Complete Places:** Create balanced, integrated mix of uses in Southeastern San Diego and Encanto Neighborhoods while minimizing collocation compatibility issues.
- **Transit:** Coordinate land use planning with high frequency transit service planning.
- **Infrastructure:** Include financing mechanisms designed to secure infrastructure improvements concurrent with large development.
- **Environmental Leadership and Sustainability:** Follow environmentally sensitive design and sustainable development practices.
- **Streamline Permit Processing:** Ensure a less costly and time-intensive process within the identified Village Districts. Incorporate specific incentives in the Encanto Neighborhoods Village District to achieve transit-supportive densities within a ¼ mile of the transit stations.

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.

Higher-Density Alternative

The Higher-Density Alternative focuses new higher-density, mixed-use development in the Village Districts to a greater degree than the proposed Community Plans. This Alternative goes further than the proposed Plans in supporting the goal of facilitating transit-oriented development and a range of housing types.

In Southeastern San Diego, the Commercial Street corridor between 28th and 32nd streets would retain its current industrial designation in the proposed Community Plan. In contrast, this corridor would be designated Neighborhood Mixed Use-Medium, allowing mixed use development with ground-floor retail and 30 to 44 units per acre, in Alternative 1.

In Encanto Neighborhoods, the core area of the Village District would be designated Community Mixed Use-Medium (30 to 44 units per acre) in the proposed Plan, while it would be designated Community Mixed Use-High, allowing up to 74 units per acre, in Alternative 1. In addition, the Commercial Mixed Use designation on the west side of Euclid Avenue north of Hilltop Drive would extend further to the west in Alternative 1 compared to the proposed Plan. This would result in an increase in the development capacity of this large, vacant site in Alternative 1 compared to the CPUs.

Throughout the rest of both planning areas, designated land uses would be the same as in the CPUs, and the Higher-Density Alternative would also feature all the same policies as the CPUs. As with the CPU, with the exceptions of significant and unavoidable impacts, strict adherence to the applicable mitigation framework for each applicable issue area would reduce potential impacts to below a level of significance.

Potentially Significant Impacts

Implementation of the Higher-Density Alternative would not avoid any of the identified significant and unavoidable impacts of the CPUs (transportation [capacity of the street system, freeway traffic, existing or planned transportation system], air quality [ozone], and noise [transportation noise, ambient noise]). It may result in less impact in terms of alternative transportation, but potentially greater impacts to transportation (capacity of the street system, freeway traffic) and noise (transportation noise, ambient noise in Encanto).

As discussed in Chapter 10 of the FEIR, this alternative would generate more vehicular trips than the CPUs for both the Southeastern San Diego and Encanto Neighborhoods communities. Since

the High Density Alternative would have the same transportation network and policies as the CPUs, while generating a higher number of trips, transportation related impact associated with the Higher Density Alternative would be greater than the CPUs. A mitigation framework is included in this alternative. The City shall implement all policies identified in the Mobility Element to reduce the demand for vehicles on the City's transportation system. However, as identified above, even with implementation of these policies, the transportation impacts for capacity of the street system, freeway traffic, and existing or planned transportation system would remain significant and unavoidable.

This alternative has the potential for greater impacts in the issue areas of transportation (capacity of the street system, freeway), air quality (air quality, pollutants in Encanto Neighborhoods and overall), noise (transportation noise, ambient noise in Encanto Neighborhoods), paleontological resources, greenhouse gas, energy, public services and facilities, public utilities, and visual impacts and neighborhood character.

The alternative has the potential for lesser impacts in the issue areas of land use (objectives of the General Plan), transportation (alternative transportation), and air quality (pollutants in Southeastern San Diego, though overall pollutant levels would be expected to increase due increased emissions in Encanto Neighborhoods).

Finding and Supporting Facts

Although the Higher-Density Alternative generally meets all the CPUs' objectives, it would have potential for greater environmental impacts in the CPU areas than the proposed CPUs, and would also not avoid the significant impacts of the proposed CPUs. Thus, this alternative is considered infeasible.

Lower-Density Alternative

The Lower-Density Alternative maintains the proposed CPUs' focus on creating walkable areas with mixed use development around the Trolley stations and along transit corridors. However, the density of future development would be lower under this alternative, resulting in less overall development.

In Southeastern San Diego, the Community Mixed Use-Medium designation around the 25th Street Trolley station would be reduced in size under Alternative 2 compared to the proposed Plan. In Alternative 2, the western end of the Commercial/Imperial corridor and the Cesar Chavez Parkway corridor would be designated for lower density (15 to 29 units per acre) mixed use. Portions of L Street would be designated for residential at 15 to 29 instead of 30 to 44 units per acre. Blocks in the southeast corner of the Logan Heights neighborhood would be designated for residential development at 15 to 29 as under the proposed Community Plan, but only 10 to 14 units per acre in Alternative 2. Blocks along Market Street and National Avenue which the

Community Plan designates mixed use at 30 to 44 units per acre would be lowered to 15 to 29 units per acre under Alternative 2. Existing shopping centers on National Avenue and 43rd Street would retain a commercial designation matching their current use.

In Encanto Neighborhoods, the Community Mixed Use-Medium (30 to 44 units per acre) designation would be scaled back to a smaller core area around the Euclid and Market Trolley station in Alternative 2. The Market Street corridor to the west would be designated at 15 to 29 units per acre (Community Mixed Use-Low), as would land to the south of the Village core. The Euclid Avenue corridor north of the Village core would be also be designated at 15 to 29 units per acre instead of 30 to 44 as under the proposed Plan. Similarly, the portion of the Imperial Avenue corridor in the Encanto Village District designated at 30 to 44 units per acre would become smaller, applying only on the blocks closest to the Trolley Station.

Throughout the rest of both planning areas, designated land uses would be the same as in the proposed Plans, and the Lower-Density Alternative would also feature all the same policies as the proposed Plans.

Potentially Significant Impacts

This alternative would produce the least amount of development and associated impacts. Its impacts are expected to be similar to those analyzed for the CPUs for most of the environmental impact categories analyzed in this EIR—land use; transportation; air quality; greenhouse gases; noise; paleontological resources; biological resource; historical resources; geology and seismic hazards; hazardous materials; hydrology; public services and facilities; public utilities; and visual impacts and neighborhood character.

Implementation of the Lower-Density Alternative would not avoid any of the identified significant and unavoidable impacts of the CPUs (transportation [capacity of the street system, freeway traffic, existing or planned transportation system], air quality [ozone], and noise [transportation noise, ambient noise]), though it may result in lesser impacts for some (transportation [capacity of the street system and freeway], air quality, noise [transportation noise, ambient noise]).

The Lower-Density Alternative would generate less vehicular trips than the CPUs for both the Southeastern San Diego and Encanto Neighborhoods community. Since the Lower-Density Alternative would have the same transportation network and policies as the CPU, while generating less vehicular trips, transportation related impact associated with the Lower-Density Alternative would be less significant than the CPUs.

The Lower-Density Alternative also lessens the intensity of residential development within both villages. Greater density within the Village Districts, such as that proposed under the CPU, better

implements General Plan and CPU goals for compact communities, a wider range of housing types, affordability, greater transit opportunities, etc. The Lower-Density alternative would allow for more suburban-type development, which would be more auto-centric, and contribute to, rather than reduce GHG impacts.

Although this alternative would reduce density, the development footprint within the CPU would remain generally the same, and therefore, result in similar areas requiring grading and ground disturbance as with the CPU. Therefore, this alternative would have similar, or in some cases less impacts to biological resources, historical resources, hydrology/water quality, human health/public safety/hazardous materials, utilities (including solid waste), and paleontological resources depending on the location and development footprint. As with the CPU, with the exceptions of significant and unavoidable impacts, strict adherence to the applicable mitigation framework for each applicable issue area would reduce potential impacts to below a level of significance.

Finding and Supporting Facts

Although the Lower-Density Alternative generally meets the CPUs' objectives, it would be less effective in implementing the General Plan's "City of Villages" strategy, as well as the following objectives:

- **Housing:** Increase allowed densities in close proximity to transit in order to provide more and varied housing and meet workforce needs close to employment centers.
- **Complete Places:** Create balanced, integrated mix of uses in Southeastern San Diego and Encanto Neighborhoods while minimizing collocation compatibility issues.
- **Environmental Leadership and Sustainability:** Follow environmentally sensitive design and sustainable development practices.

Because this alternative would not avoid the significant impacts of the proposed CPUs, and would not attain important objectives as discussed above, with failure to meet even a single objective sufficient for rejection of the alternative, this alternative is considered infeasible.

SAN DIEGO, CALIF.

15 NOV 16 AM 6:41

CITY CLERK'S OFFICE

RECEIVED

EXHIBIT C

DRAFT

**STATEMENT OF OVERRIDING CONSIDERATIONS
(PUBLIC RESOURCES CODE §21081(B))**

**REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE SOUTHEASTERN SAN DIEGO AND ENCANTO NEIGHBORHOODS
COMMUNITY PLAN UPDATE**

PROJECT NO. 386029

SCH NO. 2014051075

November 2015

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, including considerations for the provision of employment opportunities for highly trained workers 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 impacts related to transportation, air quality and noise. 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 CPU alternatives discussed in the FEIR should not be adopted because while each alternative meets some of the basic objectives of the CPU, they do not meet them to the same extent as with the CPU, and do not meet the General Plan policies as further documented below; 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 CPU that the City has found to override the alternatives' environmental benefits would be negated by the proposed CPU'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 CPU's environmental impacts to an insignificant level; considered the entire administrative record, including the FEIR; and weighed the proposed CPU's benefits against its environmental impacts. After doing so, the City Council has determined that the proposed CPU's 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 City 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 following benefits of the Project outweigh the unavoidable significant environmental impacts of the Project:

1. The CPUs will provide comprehensive guides for growth and development in the Southeastern San Diego and Encanto Neighborhoods Communities.

The CPUs provide a comprehensive guide for future growth and development within the Southeastern San Diego and Encanto Neighborhoods. The overarching guiding principal includes focusing future growth and development into distinct village areas thereby preserving the surrounding established low density residential neighborhoods, designated historic districts and designated open space areas. This strategy provides a blueprint for development that strengthens Southeastern San Diego’s and the Encanto Neighborhoods established character as diverse urban neighborhoods through the creation of appropriate land uses, sufficient public facilities and development policies as a component of the City of San Diego’s General Plan.

The CPUs provide strategies and specific implementing actions to ensure that each vision developed by community stakeholders as part of the CPUs are accomplished. Detailed policies that are based on these visions and guiding principles are incorporated in each Community Plan that provide the basis for evaluating whether specific development proposals and public projects are consistent with the plan. As cited in the FEIR’s 5.1 Land Use section, the CPUs provide strategies and specific implementing actions to help ensure that each vision developed by the respective stakeholders is accomplished and that it is in conformance with the General Plan. Accompanying the approval of the CPUs are related detailed implementing programs, including zoning regulations and Impact Fee Studies (IFS). The IFS’s identify a variety of funding sources for financing improvements to public facilities within each community planning area.

The CPUs provide 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 respective CPU Land Use Elements encompass a broad range of land use designations defined in the General Plan, supplemented with a more detailed description and distribution of land uses for Southeastern San Diego and the Encanto Neighborhoods. The CPUs land use designations include: residential with a variety of density ranges, village centers, commercial, industrial, open space, parks, and institutional uses. These diverse land uses provide the foundation to create balanced communities that incorporate and promote a multi-modal transportation strategy, environmental leadership and sustainability, sufficient infrastructure improvements to meet the future population demands, protection of valuable open space and creeks, economic diversification, and complete places that create a balanced integrated mixture of uses while minimizing the collocation of uses.

Both CPUs provide goals and policies that will facilitate the following: the development of a variety of uses, facilities, and services needed to serve the Southeastern San Diego and Encanto Neighborhoods; two distinct villages that include places to live, work and recreate; the enhancement of the established historic districts; a variety of housing types including workforce housing in close proximity to jobs; diversified commercial and industrial uses that serve local, community and regional needs; and adequate public facilities and institutional resources that serve the needs of the community. Therefore, the goals and policies contained in the CPUs ensure a balance of land uses that respect sensitive uses, provide workforce housing near employment opportunities such as the working waterfront and Downtown San Diego, and enhance multi-modal transportation options by promoting growth in close proximity to the 25th Street, 32nd Street, 47th Street, Euclid Avenue and 62nd Street transit stations.

To accommodate both the existing population and the anticipated new growth, the IFSS identify a variety of funding sources for financing improvements to the public facilities and infrastructure described in the CPUs. The Southeastern San Diego and Encanto Neighborhoods CPU Public Facilities, Safety, and Services Element Policies include policies that support the development of infrastructure to support future growth. As such, the CPUs provide a consistent, comprehensive approach to developing a multi-modal infrastructure framework to support future housing and new employment opportunities as well as promoting new higher density mixed use development around the transit corridors and stations. These specific factors support the decision to approve the CPUs despite the significant unavoidable impacts identified in the FEIR.

2. The CPUs implement the General Plan's City of Villages Strategy by providing balanced land use plans that meet the needs of the Southeastern San Diego and Encanto Neighborhoods Communities

The General Plan incorporates the City of Villages strategy, and aims to direct new development projects into already urbanized areas and areas with conditions allowing the integration of housing, employment, civic, and transit uses. It is a development strategy that mirrors regional planning and smart growth principles intended to preserve remaining open space and natural habitat, reduce green house gas emissions, and focus development in areas with available public infrastructure. The CPUs incorporate the Regional Comprehensive Plan (RCP) Smart Growth strategy through the designation of high-density mixed-use "villages" along transit corridors. These villages provide for the coordination of land use and transportation planning to create compact, connected pedestrian-friendly activity centers. Complementing the RCP's regional

approach to smart growth, the CPUs provide local incentives to implement transit-oriented development at the community level through parking reductions, density transfers, and FAR bonuses for publicly-accessible open space.

The CPUs are consistent with the General Plan's City of Villages Strategy, which was designed to sustain the long-term environmental health of the City and its many communities. As with the General Plan, the CPUs place an emphasis on directing population growth into mixed-use activity centers that are pedestrian-friendly and linked to an improved regional transit system. The Land Use Elements of the CPUs incorporate the City of Villages Strategy by designating two transit-oriented (village) centers: the Southeastern Village District in Southeastern San Diego, and the combined Euclid and Market Village and Imperial Avenue Village Districts in the Encanto Neighborhoods. Each CPU has a set of village-specific land use policies intended to concentrate development along key corridors in close proximity to high frequency mass transit (trolley stops). Multiple policies in the CPUs promote mixed uses and walkability along corridors by requiring or encouraging ground floor commercial spaces and by detailing street-level design elements that activate storefronts and create an attractive public realm. The CPUs use two designations "Active Frontage Required" and "Active Frontage Permitted" to promote pedestrian-oriented development along appropriate streets. These designations work in conjunction with the CPUs' land use frameworks to define activities and capacities. The CPUs also contain standards and incentives to support transit-oriented development, such as parking reductions and density transfers.

The Southeastern Village includes the Commercial/Imperial corridor from Interstate 5 to Interstate 15, and is centered on the trolley stops at 25th Street and 32nd Street. This Village will build upon the existing character of this highly urban community and will contain a mix of uses, with higher density allowed near the high frequency 25th Street and 32nd Street transit stops as well as along Imperial Avenue, preserve industrial lands along Commercial Street, as well as promote new commercial, residential, and mixed-use development throughout the Village area, sensitively designed to integrate into the existing community character. The Historic Districts of Sherman Heights and Grant Hill will be respected and preserved while allowing planned infill development that is sensitive to the existing and evolving community character.

The Village at Market Creek and Imperial Avenue Village is envisioned as the mixed-use center of Encanto Neighborhoods and the center of the community. This Village includes the Euclid Avenue, 47th Street, and 62nd Street trolley stations. It is planned to grow into a dynamic higher density mixed-use hub that caters to the needs of the existing and evolving community. The integration of commercial and residential uses is emphasized in the Villages, including uses such as retail, professional/administrative offices, commercial, entertainment, recreation facilities, and service industries. The Community Plan envisions that the Village will draw on the existing cluster of activities and the high level of transit access at the 47th Street, Euclid Avenue and 62nd transit stations. It will include a diversity of housing types, employment and retail uses, and public realm enhancements. Furthermore, a specific strategy for preserving and enhancing Chollas Creek will be realized.

As stated in the CPUs, the majority of growth and development will occur within the three designated Village areas that are located along the established transit/trolley infrastructure. Thereby focusing growth and development away from the established lower density neighborhoods and instead along the transit corridors and nodes. However, there are policies contained in each CPU that support diverse housing opportunities for Southeastern San Diego

and Encanto Neighborhoods residents, including affordable housing opportunities within the two Villages. Within each new Village, the CPUs encourage quality neighborhood- and community-serving commercial uses that will provide needed services in the future.

By providing a balanced land use plan that incorporates a variety of land uses to promote vibrant compact and walkable villages that are less reliant on automobiles thereby reducing GHG emissions, the CPU is consistent with the General Plan's land use, housing, conservation and economic prosperity goals and policies. These specific factors support the decision to approve the CPUs despite the significant unavoidable impacts identified in the PEIR.

3. Plan adoption and implementation will support the City of Villages strategy through the implementation of additional housing and mixed uses near job/employment centers

The CPUs support an increase in the number of potential residential units, within each of the new villages. This will contribute to the City of San Diego's ability to accommodate projected housing demand adequately served by public transit. As a result, the goals, policies and objectives of the General Plan and the CPUs with respect to Housing and Transportation would be adequately met.

The proposed CPUs provide affordable single and multi-family housing throughout the proposed CPU areas, thus enabling a wide range of economic levels and age groups to live within these communities. By facilitating this diversity, multiple generations of families can live together throughout their lifetime. Specifically, the Encanto Neighborhoods Land Use Element includes Affordable Housing Policies LU-22, LU-23, LU-25, LU-26, LU-30, and LU-59 through LU-63 that do the following: promote and encourage the development of very low and low income affordable housing in all residential and multi-use neighborhood designations; create affordable home ownership opportunities for moderate income buyers; and use land use, regulatory, and financial tools to facilitate the development of housing affordable to all income levels. The SESD Land Use Element contains policies LU-21 through LU-27 relate to the production of affordable housing units

The CPUs provide a consistent, comprehensive approach to balancing new housing with the retention of non-residential land and building supply in the Southeastern San Diego and Encanto Neighborhoods. The CPUs provide for new housing, including affordable housing, in the designated Village areas, which would also accommodate neighborhood-serving commercial uses and services. The CPU's designation of the villages would allow denser, more transit-oriented neighborhoods, than currently exists in Southeastern San Diego and Encanto Neighborhoods. Within Southeastern San Diego, the adopted land use designations do not allow for mixed-use development and also limit densities to low to medium density. The CPU focuses the new housing and job growth in areas that are transit-oriented and promote multi-modal opportunities. Consequently, the CPU would reduce reliance on private automobile use.

For all of these reasons, the CPUs provide a comprehensive means of implementing the City of Villages strategy with workforce housing located in transit oriented villages and supported by commercial and industrial uses to provide employment opportunities, while enhancing multi-modal choices and reducing GHG emissions.

4. The CPU provides more effective means to protect and enhance character and function than existing land use controls.

The CPU areas are largely urbanized and built out with pockets of open space contained within canyons and along Chollas Creek. The CPUs build upon the adopted Community Plan's goal for respecting the existing character of the communities while strengthening linkages and connectivity, improving the built environment, creating mixed-use walkable neighborhoods and preserving open space. The CPUs seek to encourage an urban form that reflects the existing and evolving character of both communities and provides an attractive built environment while simultaneously protecting the canyons and creek areas.

Development completed in accordance with the CPUs would occur in an existing urbanized area with established public transportation infrastructure, which may reduce vehicle trips and miles traveled and support walking as a transportation choice. In addition, implementation of the policies contained in the Land Use, Mobility, Recreation, and Conservation Elements of the proposed plans would improve mobility within the plan areas, including open space and recreation areas through the development of a balanced, multi-modal transportation network. Implementation of proposed Land Use Policies 3 through 17 (Encanto) and Land Use Policies 3-10 (Southeastern San Diego) supports the integration of transit within mixed use residential and employment areas and encourages the creation of safe and direct bicycle and pedestrian connections to provided multi-modal access.

The Land Use Elements define Village District areas and key corridors where future growth is targeted within both communities in order to fulfill the General Plan's City of Villages strategy. As part of these Villages, both land use elements provide for density incentives for transit-oriented development. These incentives can be found in Tables 2-6 (both Community Plans) and include shared parking and reduced parking requirements, a transfer of development rights transfer program within the Encanto Village at Market Creek and Imperial Avenue Village areas which are intended to spur development flexibility, and new transit-oriented mixed use development surrounding the existing trolley stops.

The Recreation and Conservation Elements contain policies aimed at improving public access to local and regional passive and active recreational opportunities through the creation of bicycle and pedestrian pathways linkages to such areas as Las Chollas Creek and the existing park system in both communities. While the intent of the Mobility Elements is to provide a more cohesive transportation network, policies MO-10 through MO-14 in both CPUs specifically address transit services and facilities, including highlighting the presence of trolley stations, improving the environment surrounding bus and trolley stops, and working with MTS to incorporate measures to improve personal safety at bus and trolley stops. Urban Design Element Policies 4.2-1 through 4.2-10 encourage pedestrian-oriented design, multi-modal connections, and streetscaping that will promote walkability and support both the village concepts.

The CPU provides for growth and development through the assumed buildout year of 2035 by providing a foundation for development that builds on Southeastern San Diego and Encanto Neighborhoods's established character as urbanized areas that are close to major employment

centers. These specific factors support the decision to approve the project despite the significant unavoidable impacts identified in the FEIR.

5. The CPU promotes the City's Complete Streets policy by restoring a more balanced street environment that prioritizes public transit, walking, and bicycling over private vehicle movement.

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 as adopted in 2008 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 proposed CPUs include several policies aimed at improving the existing transportation network, as well as encouraging alternative modes of transportation to reduce impacts related to traffic/circulation and air quality. The Mobility Elements in both CPUs support and help to implement the General Plan at the community plan level by including specific goals, policies, and recommendations that will improve mobility through the development of a balanced, multi-modal transportation network. Specifically, the Mobility Elements include Walkability Policies MO-1 through MO-6 in both community plans, which promote and encourage the new construction of, and upgrades to, existing pedestrian pathways; Transit Policies MO-10 through MO-14 in both plans, which improve access to public transit facilities (i.e., San Diego trolley); Transportation Demand Management Policies MO-24 through MO-26 (Encanto) and MO-23 through MO-25 (SESD), which promote use of transit services by encouraging employers and new residential development to provide transit passes to employees and/or residents; and Bicycle Policies MO-7 through MO-9 in both plans, which promotes a continuous network of bicycle facilities connecting the proposed CPU areas to the citywide bicycle network and bicycle parking facilities. In support of General Plan Policies UD-D-1 through D-3, the SESD Land Use Element Policy LU-3 focuses the highest intensity development (residential and non-residential) on both Commercial Street and Imperial Avenue around the trolley stops to capitalize on access to transit, boost transit ridership, and reduce reliance on driving. The Encanto Neighborhoods LU-3 policy encourages implementing the City of Villages concept for mixed-use transit oriented development as a way to minimize the need to drive by increasing opportunities for individuals to live near work, offering convenient mix of local goods and services, and providing access to high quality transit.

The CPU will encourage alternative transportation and aim to reduce vehicle miles traveled (and greenhouse gas emissions) throughout Southeastern San Diego and Encanto Neighborhoods through a variety of transportation, pedestrian safety, and open space improvements that are included in the Urban Design, Mobility, Recreation, and Conservation elements. The two proposed villages are consistent with the smart growth land use pattern called for in SANDAG's Regional Comprehensive Plan and 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 while also addressing housing needs.

As part of the CPU's Mobility Element, an enhanced transit system is envisioned. The CPUs support, refine, and implement the City's Bicycle Master Plan within the Southeastern San Diego and Encanto Neighborhoods area. This includes the provision of a Class IV Cycle-track along Market Street. Class II bikeways would be provided along all new classified streets in Southeastern San Diego and Encanto Neighborhoods. The CPU also encourages bikeways within the village areas to connect to trail heads with access to the canyon and creek system trails and pathways.

The proposed CPU's serve to reduce parking related impacts by reducing the parking footprint within the plan areas and encouraging alternative modes of transportation. In addition to the reduction in visual impacts associated with parking surfaces, by limiting surface parking in the plan areas, the associated adverse environmental effects (e.g., grease and oil from leaking vehicles) would be decreased while at the same time reducing microclimate temperature associated with large expanses of paved surface area. In support of this goal, the proposed Mobility and Urban Design Elements include policies related to parking.

Specifically, Mobility Element Parking Policy MO-26 (SESD) and MO-28 (Encanto) permits construction of public parking garages that include shared parking arrangements that efficiently use space, are appropriately designed, and reduce the overall number of off-street parking spaces required for development. Mobility Element Policy MO-27 (SESD) and MO-29 (Encanto) encourages that parking spaces be rented, leased or sold separately from new residential or commercial space in order to increase their use within the community. Mobility Element Policy MO-29 (SESD) and MO-31 (Encanto) identifies the possibility of establishing a parking in-lieu fee for new development that would contribute to implementation of parking demand reduction strategies, as well as potentially fund parking structures within the community. In addition, Urban Design Element Policy UD-112 (Encanto) and UD-113 (SESD) aims to minimize the land area dedicated to parking, and Policy UD-113 encourages the wrapping of at-grade parking with active uses, leaving building frontages and streetscapes free of parking facilities.

The CPUs provide for the use of street design and traffic calming/management solutions to improve pedestrian safety and also includes an Urban Design Element, which encourages the village design to be both pedestrian and transit-oriented with goals and policies for activating vibrant village cores with attractive streetscaping, public art, architecture, and public facilities.

These specific factors support the decision to approve the project despite the significant unavoidable impacts identified in the PEIR.

6. The CPU implements the City's goal to incorporate its General Plan policies and goals into its neighborhoods as part of its long term community plan update process.

The CPUs are superior in meeting the General Plan's Guiding Principles and the goals generated by the community planning group and stakeholders because it maintains established low density neighborhoods and the designated historic districts, provides employment lands, and increases residential development opportunities along the existing transit corridors to densities that support transit. Future growth and development will be focused within the two new transit/pedestrian-oriented compact mixed-use villages that will afford a wide variety of housing types and

densities that increase the overall residential density of the planning areas. The CPUs implement the major goals of the City's Housing Element with the provision of sufficient housing for all income groups and providing affordable housing opportunities consistent with a land use pattern which promotes infill development and socioeconomic equity, while facilitating compliance with all applicable federal, state, and local laws and regulations.

The alternatives considered include the No Project Alternative, the Reduced Density Alternative, and the Increased Density Alternative. Based on a comparison of the alternatives' overall environmental impacts and their compatibility with the CPUs' goals and objectives, the No Project Alternative is the environmental superior alternative for this Program EIR, since overall development would be less than any of the other alternatives. However, the No Project Alternative does not meet the purpose and objectives of either CPU, including identifying land use and mobility strategies to cohesively guide growth and development in Southeastern San Diego and Encanto Neighborhoods, foster walkable and transit-oriented communities, and address a range of long-range planning topics. Other key goals include meeting the vision and guiding principles for Southeastern San Diego of a diverse, inclusive, and vibrant place to live and work, and for Encanto Neighborhoods of a scenic, vibrant and healthy community. These purposes and objectives are described in further in Chapter 2 (Project Description) and are supported by specific objectives, CPU land use changes, and CPU policies.

Of the remaining alternatives, the environmentally superior alternative is the Lower-Density Alternative. This alternative would produce the least amount of development, and associated impacts. Its impacts are expected to be similar to those analyzed for the CPUs for most of the environmental impact categories analyzed in this EIR—land use; transportation; air quality; greenhouse gases; noise; paleontological resources; biological resource; historical resources; geology and seismic hazards; hazardous materials; hydrology; public services and facilities; public utilities; and visual effects and neighborhood character. As with the CPUs, the Lower-Density Alternative would have significant and unavoidable impacts in the areas of transportation, air quality, and noise.

The increased residential density included in the preferred land use plans will assist in meeting the City's affordable housing needs and implement the CPU's housing policies, found in the Land Use Element's Section 2.2 and the General Plan's Land Use Element policies in Section H, Balanced Communities and Equitable Development, for a mix of housing types and the integration of affordable housing within village areas. Both villages are consistent with the General Plan's guiding principles, the City of Villages strategy, and the CPU policies for diverse, balanced, compact, and walkable mixed-use villages that are linked to public facilities, to recreation opportunities, and to employment centers by walkways, bikeways, transit, roadways, and freeways. The CPUs Urban Design Elements and the General Plan's Urban Design Element policies UD-A.1 – UD-A.17 contained in Section A General Urban Design, policies UD-B.1 – UD-B.8 in Section B Distinctive Neighborhoods and Residential Design, and policies UB-C.1-UD-C.8 in Section C Mixed-Use Villages and Commercial Areas provide policy direction for village areas, streetscape improvements, building character, street trees, and sustainability features, gateways, and view corridors that respect the community's natural setting, strengthens linkages and connectivity, improves the built environment, and creates mixed-use walkable villages.

These fundamental recommendations that are based on the General Plan policies cited not only will create diverse new housing near job/employment centers with transit opportunities; but will maintain the existing low density neighborhoods and historic districts, preserve open space resources while intensifying the nodes surrounding the transit stations and along the transit corridors in Southeastern San Diego and Encanto Neighborhoods. Therefore, the CPUs are consistent with the General Plan's Guiding Principles and each Community Plans land use goals that were generated with the community during the update process. These specific factors support the decision to approve the project despite the significant unavoidable impacts identified in the PEIR.

I. 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.

DRAFT