

RESOLUTION NUMBER R- 310768

DATE OF FINAL PASSAGE DEC 01 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING ENVIRONMENTAL IMPACT REPORT SCH. NO. 2016061023 AND ADOPTING THE FINDINGS, AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE COMPREHENSIVE UPDATE TO THE UPTOWN COMMUNITY PLAN.

WHEREAS, the City of San Diego undertook a comprehensive update to the uptown Community Plan, amendments to the General Plan, amendments to the Land Development Code 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 14, 2016; and

WHEREAS, the City Council considered the issues discussed in the Environmental Impact Report Sch. No. 2016061023 (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.

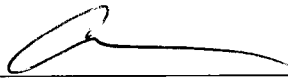
BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and CEQA Guidelines Sections 15091 and 15093, the City Council hereby adopts Findings and a Statement of Overriding Considerations with respect to the Project, a copy of which is attached hereto as Exhibit A and incorporated herein by reference.

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 B hereto and incorporated herein by reference.

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 I. GOLDSMITH, City Attorney

By 

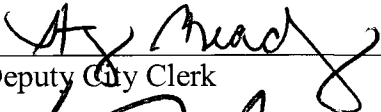
Corrine L. Neuffer
Deputy City Attorney

CLN:dkr
10/19/2016
11/16/2016 Rev. Copy
Or.Dept:Planning
Doc. No.: 1376929_2

ATTACHMENTS: Exhibit A, Findings and Statement of Overriding Considerations
Exhibit B, Mitigation, Monitoring, and Reporting Program

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 14 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/28/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

EXHIBIT A

PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) CANDIDATE FINDINGS

AND

PROGRAM ENVIRONMENTAL REPORT

STATEMENT OF OVERRIDING CONSIDERATION

FOR THE UPTOWN COMMUNITY PLAN UPDATE

REGARDING FINAL PEIR FOR THE UPTOWN COMMUNITY PLAN UPDATE

PROJECT NUMBER 380611

SCH No. 2016061023

**PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) CANDIDATE FINDINGS
FOR THE UPTOWN COMMUNITY PLAN UPDATE WITH THE PLANNING COMMISSION
MODIFICATION AND THE MISSION HILLS VARIATION
REGARDING FINAL PEIR FOR THE UPTOWN COMMUNITY PLAN UPDATE
PROJECT NUMBER 380611
SCH No. 2016061023**

I. INTRODUCTION

A. Findings of Fact and Statement of Overriding Considerations

The following Candidate Findings and Statement of Overriding Considerations are made for the Uptown Community Plan Update (CPU) and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation (also referred to as the "Mission Hills Variation"). The environmental effects of the Project are addressed in the Final Program Environmental Impact Report ("Final PEIR") dated September 2016 (State Clearinghouse No. 2016061023), and a memo dated November 10, 2016, that provides an analysis of the potential impacts of the Uptown Community Plan Update (CPU) and associated discretionary actions with the Planning Commission Modification as they compare to the impacts of the proposed project and alternatives within the PEIR. The conclusions of this analysis apply to the Mission Hills Variation as it represents a conservative analysis since the Planning Commission Modification would result in an increase of 3 additional dwelling units compared to slightly reduced density under the Mission Hills Variation. These documents are incorporated by reference herein.

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

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
 - (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
 - (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
 - (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
 - (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

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

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

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

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region- wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed and considered the Final Program Environmental Impact Report for the Uptown Community Plan Update, State Clearinghouse No. 2016061023 (PEIR), as well as all other information in the record of proceedings on this matter, the following Findings of Fact (Findings) for the Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation are made and Statement of Overriding Considerations (Statement) is adopted by the City of San Diego (City) in its capacity as the CEQA Lead Agency. These Findings and Statement 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 Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

The following Findings have been prepared by the Planning Department as candidate findings to be made by the decision-making body.

B. Record of Proceedings

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

- The Notice of Preparation (NOP), dated December 23, 2013, and all other public notices issued by the City in conjunction with the Project;
- The Draft PEIR (Draft PEIR), dated June 10, 2016;
- The Final PEIR for the Project, dated September 2016;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft PEIR;
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft PEIR and included in the Final PEIR; The

Mitigation Monitoring and Reporting Program (MMRP) for the Uptown Community Plan Update (CPU) and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation;

- The reports and technical memoranda included or referenced in Responses to Comments and/or in the Final PEIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft PEIR and the Final PEIR;
- Matters of common knowledge to the City, including but not limited to federal, state and local laws and regulations;
- The Memorandum dated November 10, 2016, to Jeff Murphy, Planning Director from Alyssa Muto, Deputy Director of Environmental and Policy Analysis. that describes the Planning Commission Modification;
- Any documents expressly cited in these Findings and SOC; 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, 1010 Second Avenue, 12th 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 Uptown CPU area consists of approximately 2,700 acres (approximately 4.2 square miles) and is located in the central portion of the City of San Diego in close proximity to Downtown San Diego. Uptown abuts the community planning areas of Old Town San Diego and Midway-Pacific Highway on the west, Mission Valley on the north, North Park on the east, and Downtown and Balboa Park on the south.

B. Project Background

The adopted Uptown Community Plan was last updated in 1988. The City initiated the process of updating the Uptown, North Park and Golden Hill Community Plans in 2009. The Notice of Preparation (NOP) for the Program Environmental Impact Report (PEIR) was issued on December 23, 2013 (State Clearinghouse No. 2013121076) and a public scoping meeting was held on January 9, 2014, to gather agency and public input on the scope and content of the PEIR. As a result of timing related to stakeholder input, the environmental analysis for the Uptown CPU was analyzed in a separate CEQA document and a new State Clearinghouse number was assigned to the project (State Clearinghouse No. 2016061023). While the North Park and Golden Hill CPUs are analyzed in one

PEIR, the Uptown CPU and associated discretionary actions has its own separate PEIR and these findings pertain only to the Uptown CPU and the associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

Between 2009 and 2016, an extensive outreach program was undertaken to solicit input from residents, business owners, community leaders, public officials, and other interested parties. The outreach program included multiple Community Plan Update Advisory Committee (CPUAC) meetings on various land use topics, historic resources and mobility open house events, and a cluster workshop involving participants from each of the three communities to discuss urban design. Multi-day workshops or "charrettes" focusing on land use, areas of change and stability, urban design, mobility, historical resources, and recreation were conducted for the Uptown CPU area culminating in an urban design framework that would set the foundation for developing land use policies and recommendations. Additionally, "Open Mic Night" events were hosted by the City in an effort for community members to consider various perspectives from stakeholder organizations such as those representing local business districts, neighborhood-level organizations, historic preservation societies, planning and architectural organizations, and hospitals, as well as walkability, open space, and housing advocates. The policies and details of the CPU was developed and shaped through this process.

Subsequent to distribution of the Final Environmental Impact Report (FEIR) for the Uptown Community Plan Update (CPU) and associated discretionary actions, the City Council considered the Planning Commission record and recommendation, as well as public comment and oral presentations on the use of the adopted Community Plan's higher residential density in areas of the CPU area to achieve the goal of facilitating transit-oriented development and a range of housing types. The proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, referred to herein as the Mission Hills Variation, would increase total dwelling units by 1,897 units compared to the proposed Uptown CPU analyzed in the PEIR for a total build-out potential of 34,597 dwelling units.

Because the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would incrementally increase total buildout compared to the proposed Uptown CPU, an analysis was performed to clarify the level of impacts compared to the proposed Uptown CPU and associated discretionary actions. The analysis is contained in the November 10, 2016 memo that provides an environmental analysis of the Uptown CPU and associated discretionary actions with the Planning Commission Modification. As detailed in the memo, the proposed Uptown CPU with the Planning Commission Modification would increase the total dwelling units by 1,900 dwelling units compared to the proposed Uptown CPU analyzed in the PEIR, for a total build-out potential of 34,600 dwelling units. Since the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would result in slightly less development potential (3 fewer dwelling units) than what was analyzed in the November 10, 2016 memo that evaluated the additional 1,900 dwelling units under the Planning Commission Modification, the environmental analysis conclusions of that memo would conservatively apply to the Mission Hills Variation.

As detailed in the November 10, 2016 memo, the Planning Commission Modification was determined to result in more vehicular trips (transportation), operational emissions (air quality), regional emissions of (greenhouse gases [GHG]), increased future ambient noise levels, and an increased deficit in population based parks (public services and facilities) than the proposed Uptown

CPU. However, these impacts are similar to those provided in the PEIR analysis of the following Alternatives: No Project (the adopted Community Plan), Adopted Community Plan with Removal of the Interim Height Ordinance Alternative (IHO), and the Proposed CPU Policies with Adopted Community Land Use Map Alternative evaluated in the Final PEIR. Impacts would be similar to the proposed Uptown CPU, and no new impacts or substantially more severe impacts were identified. No changes were identified to the significance of impacts or the severity of impacts or required mitigation measures for the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification. As the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would further reduce development potential compared to what was provided in the November 10, 2016 analysis, these conclusions also apply to the Mission Hills Variation.

C. Project Description and Purpose

The project analyzed in the Final PEIR includes implementation of the Uptown CPU and associated discretionary actions described below. These Findings address the Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation as described below. The purpose of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation is to ensure consistency with and incorporate relevant policies from the City of San Diego General Plan (General Plan) and the Climate Action Plan (CAP), as well as provide a long-range, comprehensive policy framework and vision for growth and development in the community through 2035.

The components of the Mission Hills Variation are further detailed below:

1. Community Plan Elements

The Land Use Element defines Village Districts and key corridors where future growth is targeted in order to fulfill the General Plan's City of Villages strategy. While the proposed CPU sets forth procedures for implementation, it does not on its own establish regulations or legislation, nor does it, on its own, rezone property. Controls on development and use of public and private property including zoning, development regulations, and implementation of transportation improvements are included as part of the Uptown CPU.

The Uptown CPU contains nine elements and an Introduction and Implementation chapter. Applicable goals and policies are provided within each of the following elements: Land Use; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services and Safety; Recreation; Conservation, Noise and Historic Preservation.

2. Zoning

Throughout the CPU area, Citywide zoning would be applied in all areas. Proposed densities would be consistent with existing zoning.

3. Land Development Code Amendments

- a. The Mid-City Communities Planned District Ordinance and the West Lewis Street Planned District Ordinance would be repealed, and parcels would be rezoned with

existing Citywide zones to implement the land use plan densities under the Adopted Land Use Plan.

The mapped boundaries of the existing Community Plan Implementation Overlay Zone (CPIOZ) would be amended within the Uptown community and used as a mechanism to require a Site Development Permit with discretionary review, for any proposed structure greater than 50 feet in Mission Hills and 65 feet elsewhere within the Uptown CPIOZ boundary. The CPIOZ review would apply within areas of Mission Hills, Hillcrest, and Bankers Hill/Park West neighborhoods.

4. MHPA Boundary Line Corrections

The Uptown CPU and associated discretionary actions with the Planning Commission Modification includes comprehensive community-wide Multi-Habitat Planning Area (MHPA) boundary line corrections. The MHPA boundary line corrections were completed using a comprehensive, systematic approach. The boundary line corrections generally removed existing developed areas in addition to the 35-foot brush management zone 1 area as required in accordance with the City's Land Development Code, Section 142.0412. The comprehensive MHPA boundary corrections would result in removal of acreage of existing developed lands from the MHPA and an addition of sensitive habitats including coastal sage scrub and chaparral.

5. Adoption of the Uptown Impact Fee Study (IFS)

The Uptown CPU and associated discretionary actions with the Planning Commission Modification and Mission Hills Variation would include adoption of the Uptown IFS which provides a list of facilities that are needed to implement the goals of the community plan, and to develop applicable Development Impact Fees (DIFs) pursuant to the California Government Code through which new development will pay a share of the cost of those facilities based on a clear nexus. The IFS functions as an implementation document of the City of San Diego's General Plan and the Uptown CPU.

In summary, the Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would update the existing Uptown Community Plan that was last updated by the City Council in 1988, and would be compatible with the adopted City of San Diego General Plan City of Villages strategy and would: provide guidance for future growth and redevelopment with regard to the distribution and arrangement of land uses (public and private), local street and transit network, prioritization and provision of public facilities, community and site-specific urban design guidelines, and recommendations to preserve and enhance natural and cultural resources.

The overall vision of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation is to guide, over the next 20 to 30 years, future infill development that is transit supportive per the General Plan and is also protective of desired community character and resources. The Mission Hills Variation land use plan is the currently adopted land use plan with the exception that areas designated residential – low medium: 10-15 du/ac on the adopted land use plan within an area generally located north and south of Washington Street between Ingalls Street, Dove Street, and Curlew Street would be designated

residential low: 5-9 du/ac under the Mission Hills Variation. The land use plan would locate the highest intensity land uses within the community along transit corridors where existing and future commercial, residential and mixed-use development can support existing and planned transit investments.

Following adoption of the Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, changes may be required as a result of subsequent projects submittals in order to address changed circumstances and opportunities. If approved, they would take the form of amendments. The City's Planning Commission and City Council are responsible for reviewing and evaluating recommendations, and/or approving any amendments. Any proposed amendment would be subject to environmental review.

D. Statement of Objectives

As described in Section 3.3 of the Final PEIR, the Uptown CPU and associated discretionary actions has the following eight objectives that would be the same for the proposed Uptown CPU with the Planning Commission Modification and the Mission Hills Variation:

1. Develop a multi-modal transportation network emphasizing active transportation measures for walkable and bicycle-friendly streets, and transit-related measures supporting transit operations and access.
2. Maintain or increase the housing supply through the designation of higher residential densities focusing along major transit corridors.
3. Provide for increased economic diversification through land use to increase employment and economic growth opportunities.
4. Preserve the neighborhood character and design relationships between neighborhoods within each community through the development of transitions and design policies.
5. Identify significant historical and cultural resources within each community and provide for their preservation, protection, and enhancement.
6. Provide increased recreation opportunities and new public open spaces.
7. Preserve, protect and enhance each community's natural landforms, including canyons and environmentally sensitive lands.
8. Include financing strategies that can secure infrastructure improvements concurrent with development.

III. SUMMARY OF IMPACTS

The Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation addressed in these findings is a comprehensive update to the existing Uptown Community Plan as described in Chapter 3.0 of the Final PEIR, and as reflected in the Memorandum dated November 10, 2016 that describes the Planning Commission Modification with the exception that areas designated residential low medium: 10-15 du/ac on the adopted land

use plan within an area generally located north and south of Washington Street between Ingalls Street, Dove Street, and Curlew Street, would be designated residential – low: 5-9 du/ac under the Mission Hills Variation. The proposed CPU is a component of the City's General Plan as it expresses the General Plan policies in the proposed CPU area through the provision of more site-specific recommendations that implement goals and policies contained within the 10 elements of the General Plan. As such, the proposed CPU sets forth procedures for implementation and provides goals and policies for future development within the CPU area.

Controls on development and use of public and private property including zoning, design controls, and implementation of transportation improvements are included as part of the implementation program for the Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

The Final PEIR and November 10, 2016 memo concludes that the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification (with conclusions conservatively applicable to the Mission Hills Variation) would have **no significant impacts** and require no mitigation measures with respect to the following issues:

1. Land Use
 - Conflicts with Applicable Plans
 - Conversion of Open Space or Farmland
 - Conflicts with the MSCP Subarea Plan
 - Conflicts with an Adopted ALUCP
2. Visual Effects and Neighborhood Character
 - Scenic Vistas or Views
 - Neighborhood Character
 - Distinctive or Landmark Trees
 - Landform Alteration
 - Light or Glare
3. Transportation
 - Alternative Transportation
4. Air Quality
 - Conflicts with Air Quality Plans
 - Air Quality Standards
 - Sensitive Receptors
 - Odors
5. Greenhouse Gas Emissions
 - Greenhouse Gas Emissions
 - Conflicts with Plan or Policies

6. Noise

- Airport Compatibility
- Noise Ordinance Compliance
- Temporary Construction Noise (Operational Vibration)

7. Biological Resources

- Sensitive Wildlife Species
- Sensitive Habitats
- Wetlands
- Wildlife Corridors and Nursery Sites
- Multiple Species Conservation Program

8. Geologic Conditions

- Seismic Hazards
- Erosion or Loss of Topsoil
- Geologic Instability
- Expansive Soils

9. Hydrology and Water Quality

- Flooding and Drainage Patterns
- Water Quality
- Groundwater

10. Public Services and Facilities

- New and altered public facilities

11. Public Utilities

- Water Supply
- Utilities
- Solid Waste and Recycling

12. Health and Safety

- Wildfire Hazards
- Schools
- Emergency Evacuation and response Plans
- Hazardous Materials Site and Health Hazards
- Aircraft Related Hazards

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

- Noise (Temporary Construction Noise)
- Paleontological Resources (for discretionary projects only)

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

1. Transportation and Circulation
 - Traffic Circulation
2. Noise
 - Ambient Noise
 - Vehicular Noise
 - Temporary Construction Noise (vibration during construction)
3. Historical Resources
 - Historic Structures, Objects, or Sites
 - Prehistoric Resources, Sacred Sites, and Human Remains
4. Paleontological Resources (for ministerial projects only)

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 Final PEIR 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 Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation which would mitigate or avoid the significant effects on the environment related to:

1. Noise – Temporary Construction Noise

Significant Effect

Construction activities related to implementation of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would potentially generate short-term noise levels in excess of 75 dB(A) L_{eq} at adjacent properties (Impact 6.6-4).

Facts in Support of Finding

While the City regulates noise associated with construction equipment and activities through enforcement of noise ordinance standards (e.g., days of the week and hours of operation) and imposition of conditions of approval for building or grading permits, a permit may be obtained to deviate from the noise ordinance under certain circumstances. Due to the highly developed nature of the CPU area with sensitive receivers potentially located in proximity to construction sites, there is a potential for construction noise sensitive land uses to be exposed to noise levels in excess of noise

ordinance standards. At a program-level of analysis, it is not possible to conduct site-specific noise evaluations to verify anticipated construction noise levels.

Rationale and Conclusion

Future development implemented in accordance with the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would be required to incorporate standard controls detailed in the Final PEIR mitigation measure NOISE-6.6-1 which would reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance. With the implementation of these measures, and the limited duration of the noise-generating construction period, the substantial temporary increase in ambient noise levels from construction would be less than significant.

2. Paleontological Resources (Discretionary Projects only)

Significant Effect

A potentially significant impact would result from implementation of future discretionary projects within the Uptown CPU area associated with grading into the San Diego, Pomerado Conglomerate and Mission Valley Formations, which have a high sensitivity for paleontological resources. Grading into these formations could potentially destroy fossil resources (Impact 6.10-1).

Facts in Support of Finding

A potentially significant impact would occur because future development would have the potential to disturb geologic formations during grading that contain fossils. The Uptown CPU area is underlain with San Diego, Pomerado Conglomerate, and Mission Valley Formations which have high paleontological resource sensitivity. If grading associated with future development destroys fossil remains occurring within these formations, a significant impact would occur.

Rationale and Conclusion

Mitigation framework PALEO 6.10-1 assures that future discretionary projects implemented in accordance with the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would be screened by City staff to determine the potential for grading to impact sensitive geologic formations. If future development projects would exceed the grading thresholds specified in the mitigation framework, the City would require paleontological monitoring, which would ensure any inadvertent fossil discoveries during construction are identified, recovered, and handled in accordance with the required paleontological MMRP. Thus, implementation of the regulatory framework would reduce potentially significant impacts to paleontological resources for future discretionary projects (but not ministerial projects) within the Uptown CPU area to less than significant. Implementation of this mitigation framework would be assured because it would be incorporated into the MMRP for the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

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 PEIR and the Record of Proceedings, finds pursuant to CEQA §21081(a)(2) and CEQA Guidelines §15091(a)(2) that there are no changes or alterations, which could reduce significant impacts that are within the responsibility and jurisdiction of another public agency.

1. Traffic and Circulation – Freeway Segments and Ramp Meters

Significant Effect

a. Freeway Segments

- I-5 from Old Town Avenue to Imperial Avenue (Impact 6.3-33)
- I-8 from Hotel Circle West to SR-15 (Impact 6.3-34)
- SR-15 from I-805 to SR-94 (Impact 6.3-35)
- I-805 from I-8 to SR-15 (Impact 6.3-36)
- SR-94 from 25th Street to SR-15 (Impact 6.3-37)
- SR-163 northbound segment from I-8 to Washington Street and northbound and southbound segments from Washington Street to Robinson Avenue (Impact 6.3-38)

b. Ramp Meters

- Hancock Street to I-5 southbound on-ramp in the PM peak period (Impact 6.3-39)
- Kettner Boulevard to I-5 southbound on-ramp in the PM peak period (Impact 6.3-40)
- Fifth Avenue to I-5 southbound on-ramp in the PM peak period (Impact 6.3-41)

Facts in Support of Finding

a. Freeway Segments

At the project-level, significant impacts at locations outside of the jurisdiction of the City could be partially mitigated in the form of fair share contribution or transportation demand management (TDM) measures that encourage carpooling and other alternative means of transportation consistent with proposed Uptown CPU policies. Fair share contributions could be provided toward the construction of the projects that are identified in SANDAG's San Diego Forward: The Regional Plan (RP) and in mitigation measures TRANS 6.3-34 through 6.3-37 listed below. The SANDAG RP did not identify any improvements to the I-5 segment from Old Town Avenue to Imperial Avenue (Impact 6.3-33) or to the SR-163 northbound from I-8 to Washington Street and SR-163 northbound and southbound segments from Washington Street to Robinson Avenue (Impact 6.3-38). Thus, no feasible mitigation has been identified to reduce this impact.

- Operational improvements along I-8 between I-5 and SR-125 (TRANS 6.3-34)
- Construction of managed lanes along SR-15 from I-5 to I-805 and from I-8 to SR-163 (TRANS 6.3-35)
- Construction of managed lanes along I-805 between SR-15 and SR-163 (TRANS 6.3-36)
- Construction of managed lanes along SR-94 between I-5 and SR-125. (TRANS 6.3-37)

b. Ramp Meters

At the project-level, significant impacts at locations outside of the jurisdiction of the City could be partially mitigated in the form of fair share contribution or transportation demand management (TDM) measures that encourage carpooling and other alternative means of transportation consistent with proposed Uptown CPU policies. TRANS 6.3-39 also requires the City of San Diego to coordinate with Caltrans to address ramp capacity at impacted on-ramp locations. Improvements could include, but are not limited to, additional lanes and interchange reconfiguration; however, specific capacity improvements are still undetermined by Caltrans, as future improvements require additional study to determine actual improvements that would address the identified impacts. However, future development projects could identify impacts and appropriate mitigation through project specific transportation studies. Fair share contributions may be provided at the project level for impacted ramps where the impacted facility is identified in the SANDAG's RP.

Rationale and Conclusion

a. Freeway Segments

Implementation of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would result in a significant impact to the segment of I-8 from Hotel Circle West to SR-15 (Impact 6.3-34). The SANDAG RP identifies operational improvements along I-8 between I-5 to SR-125 (TRANS 6.3-34) that would partially mitigate this impact.

A significant impact is also identified along the segment of SR-15 from I-805 to SR-94 (Impact 6.3-35). The SANDAG RP identifies construction of managed lanes along SR-15 from I-5 to I-805 and from I-8 to SR-163 (TRANS 6.3-35) that would partially mitigate this impact.

A significant impact is identified along the segment of I-805 from I-8 to SR-15 (Impact 6.3-36). The SANDAG RP identifies construction of managed lanes along I-805 between SR-15 to SR-163 (TRANS 6.3-36) that would partially mitigate this impact.

A significant impact is also identified along the segment of SR-94 from 25th Street to SR-15 (Impact 6.3-37). The SANDAG RP identifies construction of managed lanes from I-5 to SR-125. Caltrans is also evaluating alternatives to this measure as part of the environmental analysis for the SR-94 Express Lanes Project, including bus on shoulders and other multi-modal projects outlined in the Community Based Alternatives of the SR-94 Express Lanes Project. This measure (or an alternative measure) would provide partial mitigation, since it reduces the traffic demand on the freeway general purpose lanes (TRANS 6.3-37).

Although implementation of the SANDAG RP measures would partially mitigate these impacts, at a program level of analysis, actual development and associated traffic impacts for the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation will materialize over time. In addition, there is uncertainty as to the timing of implementation of the improvements and whether the improvements will occur prior to the occurrence of the impacts. Regarding impacts, 6.3-33 and 6.3-38, the SANDAG RP did not identify any improvements to the I-5 segment from Old Town Avenue to Imperial Avenue (Impact 6.3-33) or to the SR-163 northbound segment from I-8 to Washington Street and SR-163 northbound and

southbound segments from Washington Street to Robinson Avenue (Impact 6.3-38). Future development project's 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 forecast funding planned by SANDAG and other funding sources consistent with the SANDAG RP. Thus, these freeway segment impacts would remain significant and unavoidable.

b. Ramp Meters

Mitigation measures that would potentially reduce southbound ramp meter impacts include additional freeway lanes, interchange reconfiguration, implementation of TDM measures that encourage carpooling and other alternate means of alternative transportation, or a combination of these measures. At a program level of analysis, implementation of ramp improvements is infeasible because the City does not have approval authority over freeways. Actual development and associated traffic impacts for the Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation will materialize over time. In addition, there is uncertainty as to the timing of implementation of improvements and whether the improvements will occur prior to the occurrence of impacts. At the project level, future projects could make fair-share contributions to impacted ramps; however, only if these ramps are included in the SANDAG RP. None of the impacted ramps are currently included within the SANDAG RP; thus, fair share funding for the impacted ramps is infeasible at this time. Future development project's transportation studies would be able to more accurately identify potential transportation impacts and provide the mechanism to mitigate them through project-specific mitigation including but not limited to physical improvements, fair share contribution, transportation demand management measures which may be more cost effective than alternative infrastructure improvements, or a combination of these measures. Thus, at a program level of analysis, the impact to ramp meters remains significant and unavoidable.

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

The following potentially significant impacts cannot be mitigated below a level of significance (Public Resource Code §21081(a) (3)):

1. Transportation and Circulation
 - Traffic Circulation
2. Noise
 - Ambient Noise
 - Vehicular Noise
 - Temporary Construction Noise (vibration during construction)
3. Historical Resources
 - Historic Structures, Objects, or Sites
 - Prehistoric Resources, Sacred Sites, and Human Remains
4. Paleontological Resources (for ministerial projects only)

Although mitigation measures are identified in the Final PEIR that could reduce significant impacts due to implementation of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, implementation of some of the 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. "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.

Relative to the issue area of traffic circulation, for those measures included in the IFS, full funding cannot be assured to implement these mitigation measures because the adequacy and timing of funding is not known and thus, the timing of completion of the improvements is uncertain. Other identified mitigation measures would not be consistent with the policy framework and goals of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. Thus, for these significant impacts, a finding of infeasibility is appropriate because there are no feasible mitigation measures available that would reduce the identified impacts to below a level of significance.

1. Transportation – Traffic Circulation

Significant Effect

The following cumulative impacts to intersections and roadway segments were determined to be significant, as reflected in Attachment 1 of the Memorandum dated November 10, 2016 that describes the Planning Commission Modification (with conclusions conservatively applicable to the Mission Hills Variation):

a. Intersections

- Washington Street and Fourth Avenue (*Impact 6.3-1*)
- Washington Street and Eighth Avenue/ SR-163 Off-Ramp (*Impact 6.3-2*)
- Washington Street/ Normal Street and Campus Avenue/ Polk Avenue (*Impact 6.3-3*)
- University Avenue and Sixth Avenue (*Impact 6.3-4*)
- Elm Street and Sixth Avenue (*Impact 6.3-5*)
- Cedar Street and Second Avenue (*Impact 6.3-6*)

b. Roadway Segments

- First Avenue: Washington Street to Grape Street (*Impact 6.3-7*)
- Fourth Avenue: Arbor Drive to Washington Street (*Impact 6.3-8*)
- Fourth Avenue: Walnut Avenue to Laurel Street (*Impact 6.3-9*)
- Fifth Avenue: Robinson Avenue to Walnut Avenue (*Impact 6.3-10*)
- Sixth Avenue: Washington Street to Elm Street (*Impact 6.3-11*)
- Ninth Avenue: Washington Street to University Avenue (*Impact 6.3-12*)

- Campus Avenue/Polk Avenue: Washington Street to Park Boulevard (*Impact 6.3-13*)
- Cleveland Avenue: Tyler Street to Richmond Street (*Impact 6.3-14*)
- Fort Stockton Drive: Sunset Boulevard to Goldfinch Street (*Impact 6.3-15*)
- Grape Street: First Avenue to Sixth Avenue (*Impact 6.3-16*)
- Hawthorn Street: First Avenue to Sixth Avenue (*Impact 6.3-17*)
- India Street: Washington Street to Winder Street (*Impact 6.3-18*)
- India Street: Glenwood Drive to Redwood Street (*Impact 6.3-19*)
- Laurel Street: Columbia Street to Sixth Avenue (*Impact 6.3-20*)
- Lincoln Avenue: Washington Street to Park Boulevard (*Impact 6.3-21*)
- Park Boulevard: Mission Avenue to El Cajon Boulevard (*Impact 6.3-22*)
- Park Boulevard: Robinson Avenue to Upas Street (*Impact 6.3-23*)
- Richmond Street: Cleveland Avenue to Upas Street (*Impact 6.3-24*)
- Robinson Avenue: First Avenue to Eighth Avenue (*Impact 6.3-25*)
- San Diego Avenue: Hortensia Street to Pringle Street (*Impact 6.3-26*)
- State Street: Laurel Street to Juniper Street (*Impact 6.3-27*)
- University Avenue: Ibis Street to Fifth Avenue (*Impact 6.3-28*)
- University Avenue: Sixth Avenue to Eighth Avenue (*Impact 6.3-29*)
- University Avenue: Normal Street to Park Boulevard (*Impact 6.3-30*)
- Washington Street: Fourth Avenue to Sixth Avenue (*Impact 6.3-31*)
- Washington Street: Richmond Street to Normal Street (*Impact 6.3-32*)

Facts in Support of Finding

a. Intersections

Washington Street and Fourth Avenue (Impact 6.3-1)

The Washington Street and Fourth Avenue intersection impact (Impact 6.3-1) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-1, which would require widening Fourth Avenue in the southbound direction to add a second left-turn lane and restriping the southbound approach to be two left-turn lanes, one through lane, and one right-turn lane to improve LOS to D or better.

Washington Street and Eighth Avenue/ SR-163 Off-Ramp (Impact 6.3-2)

The Washington Street and Eighth Avenue/SR-163 Off-Ramp intersection impact (Impact 6.3-2) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-2, which would require widening Washington Street in the eastbound direction to four lanes and the westbound direction to three lanes; and widening the SR-163 Off-ramp to two lanes to improve LOS to D or better.

Washington Street/ Normal Street and Campus Avenue/ Polk Avenue (Impact 6.3-3)

The Washington Street and Normal Street and Campus Avenue/Polk Avenue intersection impact (Impact 6.3-3) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-3, which would require widening Washington Street in the northeast direction to add an exclusive right-turn lane to improve LOS to D or better.

University Avenue and Sixth Avenue (Impact 6.3-4)

The University Avenue and Sixth Avenue intersection impact (Impact 6.3-4) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-4, which would require widening Sixth Avenue in the southbound direction to add a second left-turn lane to improve LOS to D or better.

Elm Street and Sixth Avenue (Impact 6.3-5)

The Elm Street and Sixth Avenue intersection impact (Impact 6.3-5) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-5, which would require widening Elm Street in the westbound direction to add a second right-turn lane to improve LOS to D or better.

Cedar Street and Second Avenue (Impact 6.3-6)

The Cedar Street and Second Avenue intersection impact (Impact 6.3-6) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-6, which would require installing a traffic signal at this intersection to improve LOS to D or better.

b. Roadway Segments

First Avenue: Washington Street to Grape Street (Impact 6.3-7)

The First Avenue segment from Washington Street to Grape Street functions as a north-south, two-way, 2-lane collector with no center lane. This roadway segment impact (Impact 6.3-7) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-7, which would restripe the roadway to a 2-lane collector with a continuous left-turn lane from Washington Street to University Avenue. From University Avenue to Robinson Avenue, the impact could be mitigated to less than significant through widening the roadway to a 4-lane collector with a continuous left-turn lane. From Robinson Avenue to Grape Street, restriping to a 2-lane collector with a continuous left-turn lane would reduce the impact to less than significant. The Uptown IFS identifies a portion of this roadway segment (from Laurel Street to Hawthorn Street) as an improvement project. Installation of this measure would improve this roadway segment to LOS D or better.

Fourth Avenue: Arbor Drive to Washington Street (Impact 6.3-8)

The Fourth Avenue segment from Arbor Drive to Washington Street functions as a two-way, 2-lane collector. This roadway segment impact (Impact 6.3-8) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-8, which would widen Fourth Avenue to a 4-lane collector with a continuous left-turn lane. This mitigation measure would restore operations to LOS D or better.

Fourth Avenue: Walnut Avenue to Laurel Street (Impact 6.3-9)

The Fourth Avenue segment from Walnut Avenue to Laurel Street functions as a one-way southbound 3-lane collector. This roadway segment impact (Impact 6.3-9) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-9, which would restore the

roadway to a 3-lane one-way collector for vehicles and remove the dedicated multi-modal lane. This mitigation measure would restore operations to LOS D or better.

Fifth Avenue: Robinson Avenue to Walnut Avenue (Impact 6.3-10)

The Fifth Avenue segment from Robinson Avenue to Walnut Avenue functions as a one-way northbound 3-lane collector. This roadway segment impact (Impact 6.3-10) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-10, which would restore the roadway to a 3-lane one-way collector for vehicles and remove the dedicated multi-modal lane. This mitigation measure would restore operations to LOS D or better.

Sixth Avenue: Washington Street to Elm Street (Impact 6.3-11)

The Sixth Avenue segment from Washington Street to University Avenue functions as a 3-lane collector. The Sixth Avenue segment from University Avenue to Elm Street functions as a north-south 4-lane collector, with no center lane. This roadway segment impact (Impact 6.3-11) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-11, which would widen the roadway to a 6-lane prime arterial from Washington Street to University Avenue. From University Avenue to Laurel Street, widening the roadway to a 4-lane major arterial would reduce the impact to less than significant. From Laurel Street to Elm Street, widening the roadway to a 4-lane collector would reduce the impact to less than significant. This mitigation measure would restore operations to LOS D or better.

Ninth Avenue: Washington Street to University Avenue (Impact 6.3-12)

The Ninth Avenue segment from Washington Street to University Avenue functions as a two-way, north-south roadway. This roadway segment impact (Impact 6.3-12) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-12, which would restripe the roadway to a 2-lane collector with a continuous left-turn lane. This mitigation measure would restore operations to LOS D or better.

Campus Avenue/Polk Avenue: Washington Street to Park Boulevard (Impact 6.3-13)

The Campus Avenue/ Polk Avenue segment from Washington Street to Park Boulevard functions as a north-south 2-lane collector. This roadway segment impact (Impact 6.3-13) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-13, which would restripe the roadway to a 2-lane collector with a continuous left-turn lane. This mitigation measure would restore operations to LOS D or better.

Cleveland Avenue: Tyler to Richmond Street (Impact 6.3-14)

The Cleveland Avenue segment from Tyler to Richmond Street functions under its adopted Community Plan classification as a 2-lane collector. This roadway segment impact (Impact 6.3-14) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-14, which would restripe the roadway to a 2-lane collector with a continuous left-turn lane. This mitigation measure would restore operations to LOS D or better.

Fort Stockton Drive: Sunset Boulevard to Goldfinch Street (Impact 6.3-15)

The Fort Stockton Drive segment from Sunset Boulevard to Goldfinch Street functions under its adopted Community Plan classification as a 2-lane collector. This roadway segment impact (Impact 6.3-15) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-15, which would restripe the roadway to a 2-lane collector with a continuous left-turn lane. This mitigation measure would restore operations to LOS D or better.

Grape Street: First Avenue to Sixth Avenue (Impact 6.3-16)

The Grape Street segment from First Avenue to Sixth Avenue functions as a two-way, 2-lane collector. This roadway segment impact (Impact 6.3-16) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-16, which would restripe the roadway to a 2-lane collector with a continuous left-turn lane from First Avenue to Third Avenue. From Third Avenue to Sixth Avenue, restriping the roadway to a 2-lane collector with a continuous left-turn lane would reduce the impact to less than significant. This mitigation measure would restore operations to LOS D or better.

Hawthorn Street: First Avenue to Sixth Avenue (Impact 6.3-17)

The Hawthorn Street segment from First Avenue to Sixth Avenue functions as a two-way, 2-lane collector. This roadway segment impact (Impact 6.3-17) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-17, which would restripe the roadway to a 2-lane collector with a continuous left-turn lane from First Avenue to Third Avenue. From Third Avenue to Sixth Avenue, restriping the roadway to a 2-lane collector with continuous left-turn lane would reduce the impact to less than significant. This mitigation measure would restore operations to LOS D or better.

India Street: Washington Street to Winder Street (Impact 6.3-18)

The India Street segment from Washington Street to Winder Street functions as a two-way, 2-lane collector. This roadway segment impact (Impact 6.3-18) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-18, which would restripe the roadway to a 2-lane collector with continuous left-turn lane. This mitigation measure would restore operations to LOS D or better.

India Street: Glenwood Drive to Redwood Street (Impact 6.3-19)

The India Street segment from Glenwood Drive to Redwood Street functions as a northbound, 2-lane collector. This roadway segment (Impact 6.3-19) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-19, which would widen the roadway to a 4-lane one-way collector from Glenwood Drive to Sassafras Street. From Sassafras Street to Redwood Street, widening the roadway to a 3-lane one-way collector would reduce the impact to less than significant. This mitigation measure would restore operations to LOS D or better.

Laurel Street: Columbia Street to Sixth Avenue (Impact 6.3-20)

The Columbia Street to Sixth Avenue segment functions as an east-west 4-lane collector from Columbia to Union Street and as a 2-lane collector, with a two-way left turn lane from Union Street to Sixth Avenue. This roadway segment impact (Impact 6.3-20) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-20, which would widen the roadway to a 4-lane collector. This mitigation measure would restore operations to LOS D or better.

Lincoln Avenue: Washington Street to Park Boulevard (Impact 6.3-21)

The Lincoln Avenue segment from Washington Street to Park Boulevard functions as a two-way, 2-lane collector. This roadway segment impact (Impact 6.3-21) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-21, which would restripe the roadway to a 2-lane collector with a continuous left-turn lane. This mitigation measure would restore operations to LOS D or better.

Park Boulevard: Mission Avenue to El Cajon Boulevard (Impact 6.3-22)

The Park Boulevard segment from Mission Avenue to El Cajon Boulevard functions as a 3-lane collector. This roadway segment impact (Impact 6.3-22) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-22, which would widen the roadway to a 4-lane one-way collector. This mitigation measure would restore operations to LOS D or better.

Park Boulevard: Robinson Avenue to Upas Street (Impact 6.3-23)

The Robinson Avenue to Upas Street functions as a 3-lane collector from Robinson to Cypress Avenue and as a north-south, 2-lane collector, with a two-way left-turn lane between Cypress Avenue and Upas Street. This roadway segment impact (Impact 6.3-23) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-23, which would widen the roadway to a 4-lane one-way collector. This mitigation measure would restore operations to LOS D or better.

Richmond Street: Cleveland Avenue to Upas Street (Impact 6.3-24)

The Richmond Street segment from Cleveland Avenue to Upas Street functions as a north-south 2-lane collector. This roadway segment impact (Impact 6.3-24) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-24, which would restripe the roadway to a 2-lane collector with a continuous left-turn lane. The Uptown IFS identifies a portion of this roadway segment (from Cleveland Avenue to Robinson Avenue) as an improvement project. This mitigation measure would restore operations to LOS D or better.

Robinson Avenue: First to Eighth Avenue (Impact 6.3-25)

The Robinson Avenue segment from First to Eighth Avenue functions as an east-west 2-lane collector. This roadway segment impact (Impact 6.3-25) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-25, which would restripe the roadway to a 2-lane collector with continuous left-turn lane from First to Third Avenue. From Third Avenue to

Eighth Avenue, widening the roadway to a 4-lane collector would reduce the impact to less than significant. This mitigation measure would restore operations to LOS D or better.

San Diego Avenue: Hortensia Street to Pringle Street (Impact 6.3-26)

The San Diego Avenue segment from Hortensia Street to Pringle Street functions as a 2-lane collector. This roadway segment impact (Impact 6.3-26) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-26, which would restripe the roadway to a 2-lane collector with a continuous left-turn lane. This mitigation measure would restore operations to LOS D or better.

State Street: Laurel Street to Juniper Street (Impact 6.3-27)

The State Street functions as a 2-lane collector between Laurel Street and Juniper Street. This roadway segment impact (Impact 6.3-27) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-27, which would restripe the roadway to a 2-lane collector with continuous left-turn lane. This improvement project is identified in the Uptown IFS. This mitigation measure would restore operations to LOS D or better.

University Avenue: Ibis Street to Fifth Avenue (Impact 6.3-28)

The University Avenue segment from Ibis Street to Fifth Avenue functions as an east-west 2-lane collector. This roadway segment impact (Impact 6.3-28) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-28, which would widen the roadway to a 4-lane collector. This mitigation measure would restore operations to LOS D or better.

University Avenue: Sixth Avenue to Eighth Avenue (Impact 6.3-29)

The University Avenue segment from Sixth Avenue to Eighth Avenue functions as a 4-lane collector that varies with or without a center lane. This roadway segment impact (Impact 6.3-29) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-29, which would widen the roadway to a 4-lane major arterial and install a raised median. This mitigation measure would restore operations to LOS D or better.

University Avenue: Normal Street to Park Boulevard (Impact 6.3-30)

The University Avenue segment from Normal Street to Park Boulevard functions as a 4-lane collector. This roadway segment impact (Impact 6.3-30) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-30, which would widen the roadway to a 4-lane collector. This mitigation measure would restore operations to LOS D or better.

Washington Street: Fourth Avenue to Sixth Avenue (Impact 6.3-31)

The Washington Street segment from Fourth Avenue to Sixth Avenue functions at its adopted Community Plan classification as an east-west 4-lane major. This roadway segment impact (Impact 6.3-31) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-31, which would widen the roadway to a 6-lane major arterial. This mitigation measure would restore operations to LOS D or better.

Washington Street: Richmond Street to Normal Street (Impact 6.3-32)

The Washington Street segment from Richmond Street to Normal Street functions as a 6-lane major. This roadway segment impact (Impact 6.3-32) could be mitigated to less than significant with implementation of mitigation measure TRANS 6.3-32, which would restripe the roadway to a 6-lane prime arterial and remove on-street parking. This mitigation measure would restore operations to LOS D or better.

Rationale and Conclusion

Although improvements are identified in the Final PEIR that would reduce impacts to local roadways and intersections, the City is unable to rely on these measures to reduce the impacts to less than significant levels for three reasons. First (1), for those mitigation measures that are included in the IFS, full funding for the construction of improvements and timing of construction cannot be assured at the time the improvement is needed. Second (2), although some of the identified improvements would reduce traffic congestion, their implementation would be contrary to achieving the smart growth goals of the General Plan, the proposed Uptown CPU Mobility Element policies, and Climate Action Plan (CAP). Lastly (3), surrounding development restricts the ability to obtain sufficient right-of-way to construct some of the identified improvements. Thus, impacts of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation on local roadway segments and intersections will be significant and unavoidable. Findings for specific intersection and street segments impacts are discussed below with reference to the three reasons for infeasibility (1, 2 and/or 3).

a. Intersections

Washington Street and Fourth Avenue (Impact 6.3-1)

The current configuration of the southbound approach includes a single left turn lane. A dual left turn lane is required to mitigate the impact. Widening the southbound approach to accommodate a dual left turn lane would require right-of-way acquisition, which would require removal of frontage and possible building area from two existing commercial properties. Widening this roadway would be inconsistent with proposed Uptown CPU Policy UD-3.35 to support traffic calming by reducing vehicle travel lanes. This improvement would require removal of 10 on-street parking spaces in an area that has a number of businesses whose customers rely on on-street parking. This would conflict with Mobility Element Policy MO-7.13 which supports on-street parking on all streets to support adjacent uses and enhance pedestrian safety and activity. The improvement would also increase pedestrian crossing distances, which would conflict with a number of proposed Uptown CPU Mobility Element policies that promote a pedestrian scale environment and improvements to enhance the pedestrian experience including proposed Uptown CPU Policy UD-3.43 which calls for narrowing of streets. Therefore, the impact at this location would be significant and unavoidable. (Infeasibility Category: 2, 3)

Washington Street and Eighth Avenue/SR-163 Off Ramp (Impact 6.3-2)

Implementation of TRANS 6.3-2 would require widening Washington Street in the eastbound direction to four lanes and the westbound direction to three lanes and widening the off-ramp for SR-163 to two lanes. Right-of-way (ROW) acquisition would be needed, affecting available frontage at

one residential and four commercial properties. The improvement would also increase pedestrian crossing distances which would conflict with a number of proposed Uptown CPU Mobility Element policies that promote a pedestrian scale environment and improvements to enhance the pedestrian experience. Widening would be inconsistent with proposed Uptown CPU Policy UD-3.35 to support traffic calming by reducing vehicle travel lanes. The improvement would require removal of 15 on-street parking spaces, in an area that has a number of businesses whose customers rely on on-street parking. This would conflict with Mobility Element Policy MO-7.13, which supports on-street parking on all streets to support adjacent uses and enhance pedestrian safety and activity. Therefore, the impact at this location would be significant and unavoidable. (Infeasibility Category: 2, 3)

Washington Street/Normal Street/Campus Avenue/Polk Avenue (Impact 6.3-3)

An additional exclusive right turn lane would be needed to fully improve the LOS at this location to LOS D or better. Widening the northeast bound approach to accommodate an exclusive right turn lane would require right-of-way acquisition, which would result in taking property frontage from a commercial property for road purposes. The improvement would also adversely affect vehicular turning radius, and would require reconfiguration of the pedestrian island. Widening this roadway would be inconsistent with proposed Uptown CPU Policy UD-3.35 to support traffic calming by reducing vehicle travel lanes. This improvement would also not be consistent with multiple policies related to pedestrian safety and walkability in the Uptown CPU. A mitigation measure to add lane capacity would not support the Uptown CPU objective to develop a multi-modal transportation network emphasizing active transportation measures for walkable and bicycle-friendly streets, and transit-related measures supporting transit operations and access. Therefore, the impact at this location would be significant and unavoidable. (Infeasibility Category: 2, 3)

University Avenue/Sixth Avenue (Impact 6.3-4)

Implementation of TRANS 6.3-4 involves widening Sixth Avenue in the southbound direction to add a second left-turn lane. Widening the southbound approach to accommodate a dual left turn lane would require right of way acquisition, which would require taking portions of two commercial properties, removing sidewalks in a heavily used pedestrian location, and would increase pedestrian crossing distance. This improvement would conflict with the proposed Uptown CPU pedestrian oriented policies that support a pedestrian scale environment and enhanced pedestrian amenities. Therefore, the impact at this location would be significant and unavoidable. (Infeasibility Category: 2, 3)

Elm Street and Sixth Avenue (Impact 6.3-5)

Implementation of TRANS 6.3-5 would involve widening Elm Street in the westbound direction to add a second right-turn lane. This improvement would require the removal or relocation of a planned bicycle facility along Sixth Avenue. The widening would be inconsistent with the Bicycle Master Plan and proposed Uptown CPU Policies UD-3.39 for the incorporation of bicycle lanes and MO-4.1 related to a complete streets network. An improvement which removes a bicycle lane would also not be consistent with additional policies in the Mobility Element, including Policy MO-2.4 to support bicycle facilities on Sixth Avenue and Policy MO-4.9 to implement road diets and traffic calming measures to increase walking and bicycling in Uptown. Thus, the impact would remain significant and unavoidable. (Infeasibility Category: 2)

Cedar Street and Second Avenue (Impact 6.3-6)

Implementation of TRANS 6.3-6 involves installing a traffic signal at this intersection. However, this intersection is located outside the boundaries of the Uptown CPU area; improvements outside of the Uptown CPU cannot be included in the IFS for Uptown as funds collected and associated with the Uptown CPU cannot fund improvements outside of the Uptown CPU area. This intersection is in the Downtown Community Plan area. While it is not specifically called out in the financing plan for Downtown, it would be considered an eligible expenditure for that community plan area. However, implementation of this measure cannot be guaranteed because the IFS for the Downtown Community Plan area would not fully fund the improvement and there is no guarantee that this mitigation measure would be implemented prior to occurrence of the impact. Therefore, the impact would remain significant and unavoidable. (Infeasibility Category: 1).

b. Roadway Segments

First Avenue

The functional classification of these roadway segments is a 2-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at all segments. This could be achieved by either restriping or roadway widening.

Washington Avenue to University Avenue and Robinson Avenue to Grape Street (Impact 6.3-7)

Due to the narrow width of the road along these segments, restriping would require the removal of approximately 139 on-street parking spaces in an area that has a number of businesses whose customers rely on on-street parking. This would conflict with Mobility Element Policy MO-7.13, which supports on-street parking on all streets to support adjacent uses and enhance pedestrian safety and activity. Therefore, the measure would be infeasible and the impact at this location would be significant and unavoidable. (Infeasibility Category: 2)

University Avenue to Robinson Avenue (Impact 6.3-7)

Widening would increase pedestrian crossing distances and would impact approximately 13 residential and one commercial structure by removing property frontage. This improvement would increase pedestrian crossing distance and impact sidewalks which would conflict with the proposed Uptown CPU pedestrian oriented policies that support a pedestrian scale environment and enhanced pedestrian amenities. Therefore, the measure would be infeasible and the impact at this location would be significant and unavoidable. (Infeasibility Category: 2, 3)

Laurel Street to Hawthorne Street (Impact 6.3-7)

The improvement to restripe from Laurel Street to Hawthorn Street to a 2-lane collector with continuous left-turn lane is identified in the Uptown IFS. However, because the IFS would not fully fund the improvement and there is no guarantee this mitigation measure would be implemented prior to occurrence of the impact, it would remain significant and unavoidable. (Infeasibility Category: 1).

Fourth Avenue

Arbor Drive to Washington Street (Impact 6.3-8)

The functional classification of this roadway segment is 2-lane collector with no center lane. Widening to a 4-lane collector with continuous left turn lane would fully mitigate the impact at this location. However, the improvement would increase crossing distance for pedestrians and would impact seven residential and seven commercial structures by removing usable property frontage. This improvement would conflict with the proposed Uptown CPU pedestrian oriented policies that support a pedestrian scale environment and enhanced pedestrian amenities. Therefore, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Walnut Avenue to Laurel Street (Impact 6.3-9)

The functional classification of this roadway segment is 3-lane collector (one-way with one lane dedicated for a multimodal facility). Restriping to a 3 lane one-way collector would fully mitigate the impact at this location. However, this would require the removal of a bike lane which would conflict with the Bicycle Master Plan and proposed Uptown CPU Mobility Element policies that prioritize multi-modal transportation options and bicycle facilities. Thus, the improvement would be infeasible and the impact at this location would be significant and unavoidable. (Infeasibility Category: 2)

Fifth Avenue

Robinson Avenue to Walnut Avenue (Impact 6.3-10)

The functional classification of this roadway segment is 3-lane collector. This is a one-way road with one lane dedicated for a multi-modal facility. Restriping to a 3 lane one-way collector would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-10 would require restoring the roadway to a 3 lane one-way collector for vehicles. This improvement would be inconsistent with proposed Uptown CPU Policies UD-3.35 to support traffic calming by reducing vehicle travel lanes, UD-3.39 incorporation of bicycle lanes, Policy MO-2.4 to support bicycle facilities on Fifth Avenue, and MO-4.1 related to a complete streets network. Thus, the improvement would be infeasible and the impact at this location would be significant and unavoidable. (Infeasibility Category: 2)

Sixth Avenue

Washington Street to University Avenue (Impact 6.3-11)

The Sixth Avenue segment from Washington Street to University Avenue has a functional classification of 3 lane two-way collector. Widening to 6-lane prime arterial would fully mitigate the impact at this location. The Sixth Avenue segment from University Avenue to Laurel Street has a functional classification of 4-lane collector with no center lane. Installation of a raised median for classification as a 4-lane major arterial would fully mitigate the impact at this location. The Sixth Avenue segment from Laurel Street to Elm Street has a functional classification of 2-lane collector with continuous left turn lane. Widening to a 4-lane collector with continuous left turn lane would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-11 would

increase crossing distance for pedestrians. This would not be consistent with multiple policies related to pedestrian safety and walkability in the Uptown CPU, including Policy MO-4.9 to implement road diets and traffic calming measures where appropriate to improve safety and walkability. From Washington Street to University Avenue, the improvements would impact three commercial structures. From University Avenue to Laurel Street the improvements would require ROW acquisition affecting approximately 44 residential and 19 commercial structures by removing usable frontage. From Laurel Street to Elm Street ROW acquisitions would affect approximately 10 residential and 5 commercial structures. The widening would be inconsistent with proposed Uptown CPU Policies UD-3.35 to support traffic calming by reducing vehicle travel lanes and UD-3.43, which calls for narrowing of streets. Therefore, the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Ninth Avenue

Washington Street to University Avenue (Impact 6.3-12)

The Ninth Avenue segment from Washington Street to University Avenue has a functional classification of a 2-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-12 would require the removal of approximately 8 on-street parking spaces. Parking is heavily utilized in this area in support of the multi-family residential land uses and nearby commercial land uses. Thus, removal of on-street parking would not be consistent with Uptown CPU Policy MO-7.13 to support on-street parking to support adjacent uses. Alternatively, this roadway segment could be widened to accommodate a continuous left turn lane. However, street widening would increase crossing distance for pedestrians would not be consistent with Policy UD-3.43 which calls for narrowing of streets and multiple policies related to pedestrian safety and walkability in the Uptown CPU, including Policy MO-4.9 to implement road diets and traffic calming measures where appropriate to improve safety and walkability. Thus, the impact would remain significant and unavoidable. (Infeasibility Category: 2)

Campus Avenue/Polk Avenue

Washington Street to Park Boulevard (Impact 6.3-13)

The Campus Avenue/ Polk Avenue segment from Washington Street to Park Boulevard has a functional classification of a 2-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-13 would require the removal of approximately 5 on-street parking spaces (converting 11 diagonal parking spaces to 5 parallel parking spaces along the north side of the street). Given that parking is heavily utilized in this area, removal of on-street parking is inconsistent with proposed Uptown CPU Policy MO-7.13 to support on-street parking to support adjacent uses. Alternatively, this roadway segment could be widened to accommodate a continuous left turn lane. However, street widening would increase crossing distance for pedestrians, which is not consistent with policies related to pedestrian safety and walkability in the Uptown CPU and would also require ROW acquisition affecting Saint John the Evangelist Catholic Church. Therefore, the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Cleveland Avenue

Tyler Street to Richmond Street (Impact 6.3-14)

The Cleveland Avenue segment from Tyler Street to Richmond Street has a functional classification of a 2-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-14 would require the removal of approximately 35 on-street parking spaces and result in impact to an existing Class II bicycle facility. Given that parking is heavily utilized in this area, removal of on-street parking is inconsistent with proposed Uptown CPU Policy MO-7.13 to support on-street parking. Bicycle facilities and connections are also protected by multiple policies in the Mobility Element of the proposed Uptown CPU. Alternatively, these roadway segments could be widened to accommodate a continuous left turn lane. However, street widening would impact fronting properties and increase crossing distance for pedestrians, which is not consistent with Uptown CPU Policy UD-3.43 and Policy MO-4.9 to implement road diets and traffic calming measures. A mitigation measure to add lane capacity would conflict with the Bicycle Master Plan and would not support the Uptown CPU objective to develop a multi-modal transportation network emphasizing active transportation measures for walkable and bicycle-friendly streets, and transit-related measures supporting transit operations and access. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2)

Fort Stockton Drive

Sunset Boulevard to Goldfinch Street (Impact 6.3-15)

The Fort Stockton Drive segment from Sunset Boulevard to Goldfinch Street has a functional classification of a 2-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-15 would require the removal of approximately 113 on-street parking spaces. Parking is heavily utilized in this area in support of surrounding residential properties and commercial properties close to Goldfinch Street. Thus, removal of on-street parking would be inconsistent with proposed Uptown CPU Policy MO-7.13 to support on-street parking. Alternatively, this roadway segment could be widened to accommodate a continuous left turn lane. However, street widening would impact fronting properties and increase crossing distance for pedestrians, which is not consistent with policies related to pedestrian safety and walkability and Policy UD-3.43 which calls for narrowing of streets. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2)

Grape Street

First Avenue to Sixth Avenue (Impact 6.3-16)

The Grape Street segment from First Avenue to Sixth Avenue has a functional classification of a 2-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-16 would require the removal of approximately 84 on-street parking spaces. Parking is heavily utilized in this area by both residential land uses and commercial businesses. Thus, removal of on-street parking would be inconsistent with proposed Uptown CPU Policy MO-7.13 to support on-street parking. Alternatively,

this roadway segment could be widened to accommodate a continuous left turn lane. However, a mitigation measure to add lane capacity would not support the Bicycle Master Plan or the Uptown CPU objective to develop a multi-modal transportation network emphasizing active transportation measures for walkable and bicycle-friendly streets, and transit-related measures supporting transit operations and access. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2)

Hawthorn Street

First Avenue to Sixth Avenue (Impact 6.3-17)

The Hawthorn Street segment from First Avenue to Sixth Avenue has a functional classification of a 2-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-17 would require the removal of approximately 25 on-street parking spaces. Parking is heavily utilized in this area by both residential land uses and commercial businesses. Thus, removal of on-street parking would not be consistent with proposed Uptown CPU Policy MO-7.13 to support on-street parking. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2)

India Street

Washington Street to Winder Street (Impact 6.3-18)

The functional classification of this roadway segment is 2-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. This could be achieved by restriping. Restriping would require the removal of approximately 25 heavily used on-street parking spaces. Parking along this segments support adjacent businesses and provides a buffer between the pedestrian walkway and the street, which enhances the pedestrian environment. This improvement would conflict with the proposed CPU Mobility Element goals for “safe, walkable neighborhoods which utilize pedestrian connections and improved sidewalks to create a comfortable pedestrian experience” and it would conflict with Mobility Element Policy MO-4.9 that supports implementing road diets and traffic calming measures to improve safety and increase walking and bicycling because it would widen crossing distances and remove parking that provides a buffer between pedestrians and cars. The improvement would conflict with Mobility Element Policy MO-7.13 which supports on-street parking on all streets to support adjacent uses and enhance pedestrian safety and activity since it would remove 25 parking spaces that support adjacent uses. Thus, this measure would be infeasible because it would conflict with proposed Uptown CPU Mobility Element goals and policies and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2)

Glenwood Drive to Sassafras Street (Impact 6.3-19)

The functional classification of this roadway segment is 2-lane one-way collector. A 4-lane one-way collector would fully mitigate the impact at this location. Widening this roadway segment to a 4-lane one-way collector would increase crossing distance for pedestrians, require the removal of approximately 22 on-street parking spaces that support adjacent businesses, and would impact approximately two residential and five commercial structures by removing usable frontage for road

purposes. This improvement would conflict with proposed CPU Mobility Element goals for “safe, walkable neighborhoods which utilize pedestrian connections and improved sidewalks to create a comfortable pedestrian experience” because it would increase crossing distances and remove parking that provides a buffer between pedestrians and cars. Mobility Element Policy MO-4.9 supports implementing road diets and traffic calming measures where appropriate to improve safety and quality of service, and increase walking and bicycling in Uptown. This improvement would conflict with this measure because it would increase traffic flow and capacity and would not prioritize pedestrian and bicycle mobility. Mobility Element Policy MO-7.13 supports on-street parking on all streets to support adjacent uses and enhance pedestrian safety and activity. The improvement would conflict with this policy by removing parking that supports adjacent uses. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Sassafras Street to Redwood Street (Impact 6.3-19)

The functional classification of this roadway segment is 2-lane one-way collector. A 3-lane one-way collector would fully mitigate the impact at this location. However, widening this roadway segment to a 3-lane one-way collector is infeasible because it would conflict with proposed Uptown CPU goals and policies. Specifically, it would increase crossing distance for pedestrians and require the removal of 10 on-street parking spaces that support adjacent businesses. Mobility Element Policy MO-4.9 supports implementing road diets and traffic calming measures where appropriate to improve safety and quality of service, and increase walking and bicycling in Uptown. This improvement would conflict with this measure because it would increase traffic flow and capacity and would not prioritize pedestrian and bicycle mobility. Mobility Element Policy MO-7.13 supports on-street parking on all streets to support adjacent uses and enhance pedestrian safety and activity. The improvement would conflict with this policy by removing parking that supports adjacent uses. The improvement would also impact approximately three residential and six commercial structures by removing frontage for road purposes which would also conflict with the aforementioned Mobility Element policies. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Laurel Street

Columbia Street to Sixth Avenue (Impact 6.3-20)

The Laurel Street segment from Columbia Street to Union Street has a functional classification of a 4-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. Laurel Street from Union Street to Sixth Avenue is 2-lane collector with continuous left turn lane. Widening to a 4-lane collector with continuous left turn lane would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-20 would increase crossing distance for pedestrians and would impact approximately 14 commercial and 31 residential structures. In addition, implementation of this mitigation measure would require additional ROW acquisitions from Union Street to Sixth Avenue. Widening roadways and increasing crossing distance is also not consistent with Uptown CPU Policy UD-3.43 which calls for narrowing of streets, Policy MO-7.13 to support on-street parking, and policies related to pedestrian safety and walkability in the Uptown CPU. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Lincoln Avenue

Washington Street to Park Boulevard (Impact 6.3-21)

The Lincoln Avenue segment from Washington Street to Park Boulevard has a functional classification of a 2-lane collector with no center lane. Installation of a continuous left turn lane could be achieved by restriping and would fully mitigate the impact at this location; however, removal of approximately 21 on-street parking spaces would be required. Parking is heavily utilized in this area in support of adjacent multi-family residential land uses, offices, and commercial properties; thus, removal of on-street parking would not be consistent with Uptown CPU Policy MO-7.13 to support on-street parking that supports adjacent uses. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2)

Park Boulevard

Mission Avenue to El Cajon Boulevard (Impact 6.3-22)

The Park Boulevard segment from Mission Avenue to El Cajon Boulevard has a functional classification of a 3 lane collector with no center lane. Widening to a 4-lane one-way collector would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-22 would require an increase in the crossing distance for pedestrians and would require removal of 2 shared use bicycle facilities and require ROW acquisition from approximately 7 commercial structures. Mobility Element Policy MO-4.9 supports implementing road diets and traffic calming measures where appropriate to improve safety and quality of service, and increase walking and bicycling in Uptown. Mobility Element Policy MO-7.13, which supports on-street parking on all streets to support adjacent uses and enhance pedestrian safety and activity. Implementation of this mitigation measure would conflict with the Bicycle Master Plan and multiple policies in the Uptown CPU which support multi-modal facilities. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Robinson Avenue to Upas Street (Impact 6.3-23)

The Park Boulevard segment from Robinson Avenue to Upas Street has a functional classification of a 2-lane collector with continuous left turn lane. Widening to a 4-lane one-way collector would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-23 would require an increase in the crossing distance for pedestrians and would require ROW acquisition from approximately 8 residential structures. The widening would not be consistent with multiple proposed policies related to complete streets, including Uptown CPU Policy UD-3.35 to support traffic calming by reducing vehicle travel lanes. This improvement would also not be consistent with Mobility Element policies in the Uptown CPU, including Policy MO-4.1 related to a complete streets network, Policy MO-2.5 to support bicycle facilities on Robinson Avenue and Park Boulevard, and Policy MO-4.9 to implement road diets and traffic calming measures to improve quality of service for bicycling. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Richmond Street

Cleveland Avenue to Robinson Avenue (Impact 6.3-24)

The functional classification of this roadway segment is 2-lane collector with no center lane. Restriping to 2-lane collector with continuous left turn lane would fully mitigate the impact at this location and this improvement is included in the proposed Uptown IFS. However, because the IFS would not fully fund the improvement and there is no guarantee this mitigation measure would be implemented prior to occurrence of the impact, it would remain significant and unavoidable. (Infeasibility Category: 1)

Robinson Avenue to Upas Street (Impact 6.3-24)

The functional classification of this roadway segment is 2-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. This could be achieved by either restriping or roadway widening. However, restriping would require the removal of approximately 74 on-street parking spaces. Parking is heavily utilized in this area largely in support of multi-family residential land uses. The on-street parking also provides a buffer between pedestrians and cars. Removal of on-street parking to provide a continuous left turn lane would increase crossing distances for pedestrians and would not be consistent with Uptown CPU Policy UD-3.43 which calls for narrowing of streets and policies related to pedestrian safety and walkability in the Uptown CPU. Removal of parking would also not be consistent with Mobility Element Policy MO-7.13, which supports on-street parking on all streets to support adjacent uses and enhance pedestrian safety and activity. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2)

Robinson Avenue

First Avenue to Eighth Avenue (Impact 6.3-25)

The Robinson Avenue segment has a functional classification of a 2-lane collector with no center lane. Installation of a continuous left turn lane from First Avenue to Third Avenue and widening to a 4-lane collector with continuous left turn lane from Third Avenue to Eighth Avenue would fully mitigate the impact at this location. However, implementation of mitigation measure TRANS 6.3-25 would require restriping or roadway widening. Restriping would require the removal of approximately 16 on-street parking spaces while widening would increase crossing distance for pedestrians, and impact 2 shared use bicycle facilities and approximately 11 residential and 13 commercial structures. Parking is heavily utilized in this area by both residences and patrons of the numerous commercial properties along this segment. Removal of on-street parking, street widening, and impacts to bicycle facilities on Robinson Avenue would not be consistent with proposed Uptown CPU Policy UD-3.35 to support traffic calming by reducing vehicle travel lanes, Policy UD-3.39 incorporation of bicycle lanes, Policy UD-3.43 which calls for narrowing of streets, Policy MO-4.1 related to a complete streets network, Policy MO-7.13 to support on-street parking, and Policy MO-2.5 to support bicycle facilities on Robinson Avenue, and Policy MO-4.9 to implement road diets and traffic calming measures. A mitigation measure to add lane capacity would not support the Uptown CPU objective to develop a multi-modal transportation network emphasizing active transportation measures for walkable and bicycle-friendly streets, and transit-related

measures supporting transit operations and access. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

San Diego Avenue

Hortensia Street to Pringle Street (Impact 6.3-26)

The San Diego Avenue segment from Hortensia Street to Pringle Street has a functional classification of a 2-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-26 would require the removal of approximately 32 on-street parking spaces. Parking is heavily utilized in this area by the residential properties along this segment and removal of on-street parking would not be consistent with Policy MO-7.13 to support on-street parking in Uptown. Alternatively, this roadway segment could be widened to accommodate a continuous left turn lane. However, street widening would increase crossing distance for pedestrians which would not be consistent with multiple policies related to complete streets, walkability, and safety. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2)

State Street

Laurel Street to Juniper Street (Impact 6.3-27)

The State Street segment from Laurel Street to Juniper Street has a functional classification of a 2-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-27 is identified in the Uptown IFS. However, because the IFS would not fully fund the improvement and there is no guarantee this mitigation measure would be implemented prior to occurrence of the impact, it would remain significant and unavoidable. (Infeasibility Category: 1)

University Avenue

Ibis Street to Fifth Avenue (Impact 6.3-28)

The University Avenue segment from Ibis Street to First Avenue has a functional classification of a 2-lane collector with no center lane. The University Avenue segment from First Avenue to Fifth Avenue is 2-lane collector with no fronting property between First Avenue and Fourth Avenue; and a continuous left turn lane between Fourth Avenue and Fifth Avenue. Widening to 4-lane collector with continuous left turn lane would fully mitigate the impacts at these locations. Implementation of mitigation measure TRANS 6.3-28 would increase crossing distance for pedestrians along this segment of University. It would also impact 40 residential and 5 commercial properties from Ibis Street to First Avenue, 25 commercial properties from First Avenue to Fourth Avenue, and an additional 25 commercial properties from Fourth Avenue to Fifth Avenue by property frontage for road purposes. This mitigation measure would not be consistent with multiple proposed policies in the Uptown CPU related to complete streets, including Policy UD-3.35 to support traffic calming by reducing vehicle travel lanes, Policy UD-3.43 which calls for narrowing of streets, Policy MO-4.1 related to a complete streets network, and Policy MO-4.9 to implement road diets. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Sixth Avenue to Eighth Avenue (Impact 6.3-29)

The University Avenue segment from Sixth Avenue to Eighth Avenue has a functional classification of a 4-lane collector with no center lane. Widening to a 4-lane major arterial would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-29 to widen the roadway and construct a raised median would increase crossing distance for pedestrians and require ROW for roadway purposes affecting four commercial properties. This is not consistent with proposed Uptown CPU Policy UD-3.35 to support traffic calming by reducing vehicle travel lanes, Policy UD-3.43 which calls for narrowing of streets, and Policy MO-4.9 to implement road diets and traffic calming measures where appropriate to consider community character and safety of all users. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Normal Street to Park Boulevard (Impact 6.3-30)

The University Avenue segment from Normal Street to Park Boulevard has a functional classification of a 4-lane collector with no center lane. Installation of a continuous left turn lane would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-30 would require roadway widening as there is not currently enough ROW to restripe this segment to the roadway classification needed. Widening of this segment would increase crossing distance for pedestrians and require taking frontage from 9 residential and 2 commercial properties for road purposes. This is not consistent with proposed Uptown CPU Policy UD-3.35 to support traffic calming by reducing vehicle travel lanes, Policy UD-3.43 which calls for narrowing of streets, and Policy MO-4.9 to implement road diets and traffic calming measures where appropriate. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Washington Street

Fourth Avenue to Sixth Avenue (Impact 6.3-31)

The Washington Street segment from Fourth Avenue to Sixth Avenue has a functional classification of a 4-lane major arterial. Widening to 6-lane major arterial would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-31 would increase crossing distance for pedestrians, require bridge widening over 6th Avenue, and impact 6 residential properties. In addition, widening is not consistent with Uptown CPU Policy UD-3.35 to support traffic calming by reducing vehicle travel lanes and Policy UD-3.43, which calls for narrowing of streets. Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

Richmond Street Normal Street (Impact 6.3-32)

The functional classification of this roadway segment is 6-lane major arterial. Restriping to a 6-lane prime arterial would fully mitigate the impact at this location. Implementation of mitigation measure TRANS 6.3-32 would require additional ROW that would impact one commercial and three residential properties which is not consistent with Uptown CPU Policy UD-3.35 to support traffic calming by reducing vehicle travel lanes and Policy UD-3.43 which calls for narrowing of streets.

Thus, the measure is infeasible and the impact at this location would remain significant and unavoidable. (Infeasibility Category: 2, 3)

2. Noise

Significant Effect

a. Ambient Noise

The proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would result in an ambient noise increase along segments within the community plan area as reflected in the Memorandum dated November 10, 2016, that describes the Planning Commission Modification. Significant ambient noise level increases would occur in the Uptown CPU area and would affect both existing noise sensitive land uses (Impact 6.6-1) and future noise sensitive land uses subject only to a ministerial permit process (Impact 6.6-2).

b. Vehicular Noise

Traffic generated from build-out of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would result in vehicular noise in excess of the applicable land use and noise compatibility levels in certain areas, resulting in a potentially significant exterior noise impact for ministerial projects (Impact 6.6-3).

c. Temporary Construction Noise - Vibration

During build-out of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, potential pile driving during construction that occurs within 95 feet of existing structures has the potential to exceed 0.20 inch per second peak particle velocity. Thus, potential vibration impacts during future construction activity associated with build-out of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would be potentially significant (Impact 6.6-5).

Facts in Support of Finding

a. Ambient Noise

A significant increase in ambient noise would occur adjacent to several street segments in the Uptown CPU area due to future traffic noise that would result in exposure of noise sensitive land uses to noise levels in excess of the compatibility levels established in the General Plan. A significant impact is identified for existing noise sensitive land uses because there is no mitigation framework that can be applied to existing land use to ensure future noise levels are less than significant. Similarly, significant increases in ambient noise could also affect future ministerial projects with noise sensitive land uses because there would be no discretionary review that would allow application of the mitigation framework in the Final PEIR to ministerial projects.

b. Vehicular Noise

A mitigation framework exists for new discretionary development in areas exposed to high levels of vehicle traffic noise. Individual discretionary projects would be required to demonstrate exterior and interior noise levels would be compatible with City standards. However, in the case of ministerial projects, there is no procedure to ensure that exterior noise is adequately attenuated. Ministerial projects are not subject to a discretionary review that would allow site-specific noise evaluation and attenuation for exterior noise impacts. Thus, there is no mechanism to require future ministerial projects to comply with the mitigation framework in the Final PEIR.

c. Temporary Construction Noise - Vibration

The Final PEIR concludes that vibration during construction (primarily resulting from potential pile driving) has the potential to generate perceptible groundborne vibration levels at a range of approximately 100 feet from its source. Mitigation measure Noise 6.6-2 would require a site specific vibration analysis be conducted when construction includes vibration-generating activities such as pile driving and would occur within 95 feet of existing structures. This measure would require a vibration monitoring and contingency plan, monitoring during vibration, and post survey evaluation of structures for potential damage and repairs if damage occurs as a result of construction activities.

Rationale and Conclusion

a. Ambient Noise

The significant impacts related to ambient noise increases (Impacts 6.6-1 and 6.6-2) would remain significant and unavoidable because there is no process in place to require existing land uses and future land uses that only require a ministerial permit to incorporate noise mitigation to attenuate for ambient noise levels in excess of the compatibility levels established in the General Plan Noise Element. Thus, ambient noise impacts to existing noise sensitive land uses (Impacts 6.6-1) and to future noise sensitive land uses subject to a ministerial permit only (Impacts 6.6-2), would be significant and unavoidable. No feasible mitigation has been identified at the program level to reduce these impacts to less than significant as there is no mechanism to require exterior noise analysis and attenuation for these ministerial projects.

b. Vehicular Noise

The Final PEIR identifies significant and unavoidable impacts would occur for future ministerial projects exposed to vehicular traffic noise levels in excess of the compatibility levels established in the General Plan Noise Element, based on future (2035) noise contours (Impact 6.6-3). These impacts would be significant and unavoidable. No feasible mitigation has been identified at the program level to reduce these impacts to less than significant as there is no mechanism to require exterior noise analysis and attenuation for these ministerial projects.

c. Temporary Construction Noise - Vibration

Regarding vibration impacts during construction (Impact 6.6-5), implementation of the mitigation measure NOISE 6.6-2 would reduce construction-related vibration impacts; however, at the program-level it cannot be known whether the measures would be adequate to minimize vibration

levels to less than significant. Thus, even with implementation of NOISE 6.6-2, construction related vibration impacts at the program level would be significant and unavoidable.

3. Historical Resources

Significant Effect

a. Historic Structures, Objects, or Sites

Section 6.7 of the Final PEIR identifies a significant impact related to the alteration of a historic building, structure, object, or site where an increase in development potential is proposed beyond the adopted Community Plan and current zoning (Impact 6.7-1).

b. Prehistoric Resources, Sacred Sites, and Human Remains

Section 6.7 of the Final PEIR identifies a significant impact related to the disturbance of prehistoric archeological resources, including religious or sacred use sites and human remains (Impact 6.7-2).

Facts in Support of Finding

a. Historic Structures, Objects, or Sites

The significant impact of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification with the Mission Hills Variation would be mitigated partially through regulatory compliance, including conformance with the City of San Diego's General Plan, combined with Federal, State, and local regulations, which provide a regulatory framework for project-level historical resources, valuation/analysis criteria, and when applicable, 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 are subject to site-specific review in accordance with the City's Historical Resources Regulations and Historical Resources Guidelines, through the subsequent project review process. Mitigation measure HIST-6.7-1 provides a framework that would be required of all development projects with the potential to impact significant historical resources. The framework outlines requirements for avoidance of impacts and minimization of impacts to historic buildings and structures and required measures such as preparation of a historic resource management plan, and screening and shielding to protect the character of historical resources.

b. Prehistoric Resources, Sacred Sites, and Human Remains

All development projects with the potential to affect prehistoric resources such as important archaeological sites; tribal cultural resources, 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 subsequent project review process. Additionally, mitigation measure HIST-6.7-2 provides a framework that would be required of all development projects with the potential to impact significant historical resources. This framework outlines the process of project level reviews conducted by City staff review, requirements for field surveys and archeological testing, archeological monitoring requirements, curation, and required compliance with the City's CEQA Thresholds.

Rationale and Conclusion

a. Historic Structures, Objects, or Sites

Implementation of mitigation measure HIST 6.7-1 combined with the proposed Uptown CPU policies promoting the identification and preservation of historical resources in the Uptown CPU area would reduce the program-level impact related to historical resources of the built environment. However, even with implementation of the mitigation framework, the degree of future impacts and applicability, feasibility, and success of future mitigation measures cannot be adequately known for each specific future project at this program level of analysis.

With respect to potential historic districts, implementation of proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would not result in an increase in development potential within the potential historic districts as it would reflect the existing adopted land use plan and current zoning, and would, thus, not contribute to a potential adverse impact to potential historic districts. Thus, potential impacts to historical resources including historic structures, objects, or sites would occur where there would be an increase in the development potential beyond the adopted Community Plan or current zoning. These impacts would be significant and unavoidable at the program level.

b. Prehistoric Resources, Sacred Sites, and Human Remains

Implementation of mitigation measure HIST 6.7-2, which addresses archaeological and tribal cultural resources, combined with the policies of the General Plan and the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation promote the identification, protection and preservation of archaeological resources; compliance with CEQA and Public Resources Code Section 21080.3.1 requiring tribal consultation, and the City's Historical Resources Regulations (SDMC Section 143.0212), which require review of ministerial and discretionary permit applications for any parcel identified as sensitive on the Historical Resources Sensitivity Maps, would reduce the program-level impact related to prehistoric or historical archaeological resources and tribal cultural resources. However, even with application of the existing regulatory framework and mitigation framework, the feasibility and efficacy of mitigation measures cannot be determined at this program level of analysis. Thus, impacts to prehistoric resources, sacred sites, and human remains would be significant and unavoidable at the program level.

4. Paleontological Resources (for ministerial projects only)

Significant Effect

Section 6.10 of the Final PEIR identifies a significant impact related to the potential destruction of paleontological resources. Because of high sensitivity for paleontological resources within the San Diego, Pomerado Conglomerate, and Mission Valley Formations, grading into these formations could potentially destroy fossil resources. Therefore, grading activities associated with the future ministerial projects that require grading in excess of 1,000 cubic yards, extending to a depth of ten feet or greater into high sensitivity formations, could result in significant impacts to paleontological resources.

Facts in Support of Finding

Since ministerial projects are not subject to a discretionary review process, there would be no mechanism to screen for grading quantities and geologic formation sensitivity and apply appropriate requirements for paleontological monitoring. Thus, impacts related to future ministerial development that would occur with build-out of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would be significant and unavoidable (Impact 6.10-2).

Rationale and Conclusion

Build-out of future ministerial projects in conformance with the proposed Uptown CPU with the Planning Commission Modification and the Mission Hills Variation could result in a certain amount of disturbance to the native bedrock within the study area. Since ministerial projects are not subject to a discretionary review process, there would be no mechanism to screen for grading quantities and geologic formation sensitivity and apply appropriate requirements for paleontological monitoring. Thus, impacts resulting from future ministerial development that would occur with build-out of the proposed Uptown CPU and associated discretionary actions would be significant and unavoidable.

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

Because the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation will cause one or more unavoidable significant environmental effects, the City must make findings with respect to the alternatives to the proposed Project considered in the Final PEIR, evaluating whether these alternatives could feasibly avoid or substantially lessen the unavoidable significant environmental effects of the proposed Uptown CPU with the Planning Commission Modification and the Mission Hills Variation while achieving most of its objectives (listed in Section II.D above and Section 3.3 of the Final PEIR).

The City, having reviewed and considered the information contained in the Final PEIR 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 Final PEIR (Project No. 30330/304032/SCH No. 2004651076): Specific economic, legal, social, technological, or other considerations, including considerations of the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final PEIR 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

Five Alternatives were evaluated in Chapter 10 of the Final PEIR:

- No Project (Adopted Community Plan);
- Adopted Community Plan with Removal of the Interim Height Ordinance Alternative;
- Proposed CPU Policies with Adopted Community Plan Land Use Map Alternative;
- Density Redistribution Alternative; and
- Lower-Density Alternative.

These five project Alternatives are summarized below, along with the findings relevant to each Alternative.

No Project (Adopted Community Plan) Alternative

The No Project Alternative is the continued implementation of the adopted Uptown Community Plan for Uptown (1988), consistent with CEQA Guidelines Section 15126.6(e)(3)(A). The No Project Alternative for the Uptown CPU would consist of the adopted Uptown Community Plan land use designations as they apply today, including all amendments to the Uptown Community Plan from its original adoption in 1988 to the most recent amendment in 2008 (as outlined in Table 10-2 of the Final PEIR). The land use plan for the No Project Alternative is shown on Final PEIR Figure 10-1. As shown in Table 10-3 of the Final PEIR, the No Project Alternative could have approximately 34,600 dwelling units at build-out. This would result in the same number of units as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification.

The majority of the plan area is designated as Low-Density Residential at 5 to 10 units per acre under the adopted Community Plan. The highest residential densities are focused on the major transportation corridors (e.g., Washington Avenue; University Avenue; Park Boulevard; Fourth, Fifth and Sixth avenues) with the highest intensity of up to 110 dwelling units per acre (du/ac) along Fifth and Sixth avenues and within the Hillcrest core based on underlying zoning. Maximum building heights in these areas would continue to be subject to the Interim Height Ordinance (IHO). Mixed-use development is encouraged in selected areas with residential use over street-level retail use.

The IHO, which was approved in 2008, restricts maximum building heights to 50 feet in Mission Hills and 65 feet in Hillcrest within areas in the Uptown Community where the existing zoning allowed maximum building heights from 150 feet to 200 feet. It also established a Process 4 discretionary approval process for development proposals south of Upas Street that would exceed 65 feet in height. Additionally, it included a 15-foot exception to the maximum building height limit in order to allow stairs for roof access, elevator overrides, mechanical screening, and sustainable development features.

Potentially Significant Effects

The No Project Alternative consists of continued implementation of the adopted Uptown Community Plan, consistent with CEQA Guidelines Section 15126.6(e)(3)(A). Land use impacts under this Alternative would be greater than the anticipated impacts of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation because it would not contain the proposed CPU policies and land use changes intended to

improve compatibility with and implement the General Plan and Climate Action Plan. Additionally, the No Project Alternative would also not benefit from the proposed Uptown CPU policies that are intended to ensure compatible development and design that enhances and is sensitive to neighborhood character.

Although this Alternative would preserve open space in similar areas as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, the necessary MHPA boundary line corrections would not be included as part of this Alternative. The boundary line adjustments remove existing developed areas from the MHPA and provide for a more accurate mapping for protection of sensitive habitats within the MHPA. Additionally, this Alternative does not provide the additional parkland and equivalencies to meet the community's need related to park and recreation facilities.

The No Project Alternative would result in three additional dwelling units compared to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation; therefore, this Alternative would generate a slightly greater number of vehicular trips as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. However, the additional three dwelling units and associated trips would not result in a substantial increase in trips and impacts to individual intersections and roadway facilities are anticipated to be similar to the impacts of the Mission Hills Variation. The No Project Alternative does not contain additional policies intended to promote a multimodal network that encourage walking, bicycling, and transit and provide a greater level of consistency with General Plan policies. Without increasing multimodal opportunities and providing the same connections to transit and to adjacent communities, this Alternative would also not achieve the same level of consistent with SANDAG 2050 RP or the City's CAP.

Air quality emissions under the No Project Alternative would be slightly greater than the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation due to the three additional dwelling units allowed. Similarly, the No Project Alternative would result in slightly greater GHG emissions as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation based on the land use assumptions. Since the No Project Alternative would not include the proposed Uptown CPU policies that are intended to implement CAP Strategies and the General Plan's City of Villages Strategy, this alternative would not achieve consistency with applicable GHG plans and policies to the same extent as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. Thus, significant and unavoidable impacts associated with consistency with GHG plans and policies under the No Project Alternative would occur that would be avoided under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

The No Project (Adopted Community Plan) Alternative would not include the identification of potential historic districts and associated policies supporting protection of potential historical resources. Thus, the No Project Alternative would not benefit from the identification of these potential historic districts nor the associated policy framework. Additionally, the No Project Alternative would not benefit from the protections that would be implemented under the proposed Uptown CPU mitigation framework. Under both the No Project Alternative and the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and

the Mission Hills Variation, impacts to historical resources would be significant and unavoidable; however, potential impacts would be slightly reduced under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

Finding and Supporting Facts

The No Project Alternative meets several of the eight project objectives, but none to the same extent as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. The No Project Alternative does not provide the same policy framework relative to the provision of a multi-modal transportation network; and does not provide the same regulatory context for the preservation of historical resources. Furthermore, because the No Project (Adopted Community Plan) Alternative does not include the same provisions for multi-modal facilities or mixed-use development, it would not implement CAP or City of Villages strategies to the same extent as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. The No Project (Adopted Community Plan) Alternative would also not designate additional park and recreation land uses in combination with policies for additional amenities and equivalencies to address the community's parkland deficit.

Adoption of the No Project (Adopted Community Plan) Alternative would not achieve the following important project objectives:

- Develop a multi-modal transportation network emphasizing active transportation measures for walkable and bicycle-friendly streets, and transit-related measures supporting transit operations and access.
- Identify significant historic and cultural resources within each community and provide for their preservation, protection, and enhancement.
- Provide increased recreation opportunities and new public open spaces.

Similar to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, the No Project (Adopted Community Plan) Alternative would meet the project objective to increase the housing supply along major transit corridors. However, the No Project (Adopted Community Plan) Alternative would not achieve the remaining objectives to the same extent as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, including the objectives related to walkable and bicycle-friendly streets, increased parks, identification of significant historic and cultural resources, or urban design policies.

Rationale and Conclusion

The No Project Alternative is rejected as infeasible because it fails to meet multiple project objectives, and failure to meet even a single objective would be sufficient for rejection of the Alternative and a conclusion that 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 the update to proceed and achieve these General Plan policies.

Adopted Community Plan with Removal of the Height Ordinance Alternative

The Adopted Community Plan with Removal of the Interim Height Ordinance Alternative is similar to the No Project Alternative described above. The majority of plan area is designated as Low-Density Residential with development focused on the major transportation corridors and mixed-use encouraged in selected areas. This Alternative would maintain the adopted land use designations, accommodating 34,600 dwelling units at build-out, three dwelling units more than the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. The existing policies in the adopted Community Plan and zoning program, which includes the Mid-City Communities Plan District and West Lewis Plan District Ordinances, would continue to guide development with the exception of the Interim Height Ordinance (O-20329). The removal of the Interim Height Ordinance would eliminate restrictions to maximum building heights of 50 feet in Mission Hills and 65 feet in Hillcrest within areas in the Uptown Community, where the existing zoning allows maximum building heights from 150 feet to 200 feet, as well as the Process 4 discretionary approval process for development proposals south of Upas Street that would exceed 65 feet in height.

The Adopted Community Plan with Removal of the Interim Height Ordinance Alternative would allow taller buildings under ministerial review within the Mission Hills, Hillcrest, and Bankers Hill/Park West neighborhoods. Under this Alternative, building heights in areas subject to the Interim Height Ordinance would be regulated by the Mid-City Communities Plan District (MCCDP). In the case of Mission Hills, areas currently limited to 50 feet would allow structures to 150 feet in the MCCDP - CN-2A zone on lots 10,000 square feet or greater. In the area of Hillcrest limited to 65 feet, structures would be permitted to 200 feet in the MCCPD - CN-1A zone on lots 30,000 square feet or greater. The increased building height allowance would allow development with taller buildings compared to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

All of the other policies in the Adopted Community Plan with Removal of the Interim Height Ordinance Alternative are the same as the existing policies in the adopted Community Plan.

Potentially Significant Effects

The Adopted Community Plan with Removal of the Interim Height Ordinance Alternative would allow for slightly increased residential density (3 additional dwelling units) compared to the density under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. Implementation of the Adopted Community Plan with Removal of the Interim Height Ordinance Alternative would not reduce or avoid any significant impacts of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation and rather, would result in greater impacts relative to land use, neighborhood character, transportation (alternative transportation), and historical resources.

The Adopted Community Plan with Removal of the Interim Height Ordinance Alternative would have a slightly increased population at build-out compared to the anticipated population for the build-out of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. This Alternative would not designate additional parkland within the community to address the parkland deficit from the build-out population. Additionally, this Alternative would not provide MHPA boundary line corrections that would increase sensitive habitat within the MHPA and remove developed land.

The Adopted Community Plan with Removal of the Interim Height Ordinance Alternative also does not contain additional policies intended to promote a multimodal network that encourage walking, bicycling, and transit and provide a greater level of consistency with the City's General Plan policies, the SANDAG 2050 RP, and the City's CAP. Since the Adopted Community Plan with Removal of the Interim Height Ordinance Alternative would not provide policies to implement these strategies, GHG impacts of the Adopted Community Plan with Removal of the Interim Height Ordinance Alternative would be significant and unavoidable and greater than the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

The Adopted Community Plan with Removal of the Interim Height Ordinance Alternative would not benefit from identification of potential historic districts and associated policies intended to protect these areas. Additionally, this Alternative would allow greater building heights in certain areas. Like the No Project Alternative, the Adopted Community Plan with Removal of the Interim Height Ordinance Alternative would also not provide policies developed to guide design of the community and enhance neighborhood character.

Finding and Supporting Facts

The Adopted Community Plan with Removal of the Interim Height Ordinance Alternative is rejected as infeasible, because it does not meet all of the project objectives, and failure to meet even a single objective would be sufficient for rejection of the Alternative and a conclusion of infeasibility. The Adopted Community Plan with Removal of the Interim Height Ordinance Alternative does not meet the objective of designating increased recreation opportunities in the land use plan and does not meet the objective of preserving neighborhood character and design relationships between neighborhoods within each community through the development of transitions and design policies. The existing policy framework, without the benefit of the proposed Uptown CPU policies would result in incrementally greater impacts associated with neighborhood character, alternative transportation, and historical resources than under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. Furthermore, it would not avoid any of the significant and unavoidable impacts of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation (traffic circulation, noise, historical resources, and paleontological resources). Similar to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, programmatic mitigation included in the Final PEIR would be implemented through future discretionary projects to reduce potential impacts associated with paleontological resources and noise to below a level of significance.

Rationale and Conclusion

The Adopted Community Plan with Removal of the Interim Height Ordinance Alternative is rejected as infeasible because this Alternative would not meet all of the project objectives, would not reduce any of the significant effects of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, and would result in incrementally greater impacts without offering sufficient benefits to offset the increased level of impact.

Proposed CPU Policies with Adopted Community Plan Land Use Map Alternative

The Proposed CPU Policies with Adopted Community Plan Land Use Map Alternative would use the adopted Community Plan land use map. The Alternative would address neighborhood character issues by implementing the new proposed urban design policies that address objectives such as creating development transitions between new development and existing neighborhoods, increasing the urban tree canopy, and supporting sustainable development. Under this Alternative, the current zoning program which includes the Mid-City Communities Plan District and the West Lewis Plan District ordinances would be retained. The Interim Height Ordinance (O-20329) would also be retained. The proposed use of the Community Plan Implementation Overlay Zone (CPIOZ) to regulate building heights greater than 50 feet in Mission Hills and 65 feet elsewhere within the Uptown would not be included in the Proposed CPU Policies with the Adopted Community Plan Land Use Map Alternative since the IHO would be retained.

The build-out assumptions and land use map would be identical to the No Project (Adopted Community Plan) Alternative. Like the proposed Uptown CPU with associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, this Alternative would identify potential historic districts and an associated policy framework that addresses preservation of potential historic districts. Application of the proposed Uptown CPU policies related to urban design and mobility under this Alternative would also provide design guidance including development transitions to new development and would support multimodal transportation choices.

Potentially Significant Effects

The Proposed CPU Policies with Adopted Community Plan Land Use Map Alternative would retain the adopted Community Plan land uses, would apply proposed CPU policies, would apply a zoning program including the Mid-City Communities Plan District, the West Lewis Plan District and would retain the Interim Height Ordinance (O-20329). Application of the proposed CPU policies under this Alternative would ensure consistency with the City's General Plan City of Villages Strategy, the City's CAP policies, and other applicable land use plans and policies. Implementation of this Alternative, however, would not reduce or avoid any significant impacts of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

The Proposed CPU Policies with Adopted Community Plan Land Use Map Alternative would result in a slight increase in residential development potential (three additional dwelling units) and a slight increase in traffic under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. Vehicle trips along with impacts

to individual intersections and roadway segments would be similar under this Alternative. This Alternative would incorporate policies that would support the goal of creating a multi-modal transportation network; thus, potential impacts related to alternative transportation would be similar to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

Air and GHG emissions of the Proposed CPU Policies with Adopted Community Plan Land Use Map Alternative would be similar to those of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

Finding and Supporting Facts

The Proposed CPU Policies with Adopted Community Plan Land Use Map Alternative meets all of the project objectives. Population associated with build-out under this Alternative would result in a similar parkland deficit as under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. However, this Alternative does include policies similar to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. The Proposed CPU Policies with Adopted Community Plan Land Use Map Alternative promotes a multi-modal network, preserves neighborhood character and design relationships, and meets the objective to protect significant historic and cultural resources.

The Proposed CPU Policies with Adopted Community Plan Land Use Map Alternative would allow a high intensity of development and build-out potential within the CPU area, similar to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. This Alternative would result in similar impacts associated with traffic and circulation, air quality, and GHG emissions as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. This Alternative would not avoid any of the significant unavoidable impacts of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation (traffic, noise, historical resources, and paleontological resources). Similar to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, programmatic mitigation included in the Final PEIR would be implemented through future discretionary projects to reduce potential impacts associated with paleontological resources and noise to below a level of significance.

Rationale and Conclusion

The Proposed CPU Policies with Adopted Community Plan Land Use Map Alternative would meet all of the project objectives. The Proposed CPU Policies with Adopted Community Plan Land Use Map Alternative is rejected as infeasible because this Alternative would not reduce any of the significant effects of the project, would not rezone the Uptown community plan area with Citywide zoning, and would not repeal the Interim Height Ordinance to provide flexibility for development to achieve maximum densities in proximity to transit corridors.

Density Redistribution Alternative

The Density Redistribution Alternative applies land uses proposed in June 2015 Draft Community Plan and includes all the other discretionary actions and proposed policies in the proposed Uptown CPU, and without the corresponding density bonus incentives. This Alternative would result in reduced density within mixed-use corridors and multi-family areas compared to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. Under the Density Redistribution Alternative, the reduction in density would be redistributed to the mixed-use and multifamily area generally bounded by Park Boulevard, Washington Street, Normal Street and University Avenue. This alternative would have a higher density in the redistributed area than compared to the higher mixed-use densities that would be allowed in the same area under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

When compared to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, the Density Redistribution Alternative reduces residential density development potential throughout mixed-use corridors and multi-family areas and increases density in the mixed-use and multifamily area generally bounded by Park Boulevard, Washington Street, Normal Street and University Avenue. The Density Redistribution Alternative would allow 32,700 residential dwelling units, while the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would allow 34,597 dwelling units.

Potentially Significant Effects

With the exception of the mixed-use and multi-family area generally bounded by Park Boulevard, Washington Street, Normal Street and University Avenue, the Density Redistribution Alternative would result in reduced residential density along mixed-use transit corridors and adjacent multi-family residential area beyond what is proposed under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. Land use impacts under this Alternative would be similar to the anticipated impacts of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. The proposed land uses would be compatible with the implementation of the General Plan, but to a lesser degree due to reduced densities along transit corridors. Like the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, this Alternative would not conflict with adopted land use plans, policies, or ordinances; however, it would achieve consistency with the General Plan City of Villages strategy to a lesser extent. Specifically, the Density Redistribution Alternative would facilitate transit-oriented development and mixed-use development, but to a lesser degree than the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation due to reduced density near areas accessible to transit, with exception of the mixed-use and multifamily area generally bounded by Park Boulevard, Washington Street, Normal Street and University Avenue. Thus, land use impacts of this Alternative would be slightly greater than the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

Implementation of the Density Redistribution Alternative would generate a reduced number of vehicle trips compared to the proposed Uptown CPU and associated discretionary actions with the

Planning Commission Modification and the Mission Hills Variation. Under the Density Redistribution Alternative, potential roadway and intersections impacts would be slightly reduced compared to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation due to reduced vehicle trips. Thus, overall, this alternative would have slightly reduced traffic impacts compared to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

The Density Redistribution Alternative would facilitate transit-oriented development and mixed-use development, but to a lesser degree than the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation because the transit-oriented densities would be reduced compared to the Planning Commission Modification and the Mission Hills Variation. Like the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, this Alternative would not conflict with adopted land use plans, policies, or ordinances including the General Plan City of Villages strategy or the CAP, but the Density Redistribution Alternative would achieve consistency with these plans and policies to a lesser extent than the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. This Alternative would not avoid any significant impacts of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation and would result in greater impacts relative to land use plans and GHG.

Finding and Supporting Facts

The Density Redistribution Alternative meets all of the eight project objectives, similar to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. However, due to the overall reduced transit oriented densities, this alternative does not achieve consistency with the City of Villages strategy and the CAP to the same degree as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. This Alternative would not provide the same level of density along transit corridors in the CPU area which would result in incrementally greater impacts associated with land use and GHG plan and policy consistency. Furthermore, it would not avoid any of the significant unavoidable impacts of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation (traffic, noise, historical resources, and paleontological resources). Similar to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, programmatic mitigation included in the Final PEIR would be implemented through future discretionary projects to reduce potential impacts associated with paleontological resources and noise to below a level of significance.

Rationale and Conclusion

While the Density Redistribution Alternative would meet all of the eight project objectives, it is rejected as infeasible because this it would not meet the objectives to the same degree as the proposed Uptown CPU with the Planning Commission Modification and the Mission Hills Variation, would not reduce any of the significant effects of the Project, would result in incrementally greater impacts with regard to with land use and GHG without offering sufficient benefits to offset the increased level of impact, and would achieve less consistency with the CAP and the City of Villages

Strategy as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

Lower-Density Alternative

The Lower-Density Alternative incorporates the land uses proposed in June 2015 Draft Community Plan without the corresponding density bonus incentives originally proposed with this land use scenario. The Lower-Density Alternative would accommodate a reduced population of 55,700 in the CPU area, compared to a population of 58,865 that would be accommodated under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. The Lower-Density Alternative would be the same as the Density Redistribution Alternative with the exception that densities would not be as high along Park Boulevard generally between Washington Street, University Avenue, and Normal Street. The Lower-Density Alternative would provide for residential development potential of 31,100 dwelling units, compared to the 34,597 that would be provided under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

Potentially Significant Effects

The Lower-Density Alternative would lower multi-family density throughout the community along transit corridors and nodes as compared to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. Land use impacts under this Alternative would be similar to the anticipated impacts to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. The Lower-Density Alternative would facilitate transit-oriented development and mixed use development, but to a lesser degree than the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation due to reduced density near areas within proximity to transit. Land use changes would be compatible with the implementation of the General Plan, but to a lesser degree when compared to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

Implementation of this Alternative would result in fewer trips than would be generated by the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. The proposed reduction in residential densities would result in reduced vehicle trips and an associated incremental reduction in the severity of transportation impacts. While the impacts to individual intersections and roadway segments would be less than the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, these impacts would remain significant and unavoidable. The Lower-Density Alternative would contain the proposed Uptown CPU policies intended to promote a multimodal network that encourages walking, bicycling, and taking transit; however, these goals would be achieved to a lesser extent due to the reductions in development potential within areas accessible to transit. Thus, alternative transportation impacts of the Lower-Density Alternative would be slightly greater than the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation.

Potential decreases in traffic and development potential which have the potential to decrease air quality emissions could be cancelled out by the fact that less density would be located in close

proximity and accessible to transit. Thus, air quality impacts under this Alternative would likely be similar to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. In addition, the GHG efficiencies of providing fewer multi-family units and development in proximity to transit would be lost. This would result in a potential conflict with the implementation of CAP Strategies and the General Plan's City of Villages Strategy. Decreasing residential and commercial density in transit corridors and Community Villages within a TPA would not support the City of San Diego in achieving the GHG emissions reduction targets of the CAP since these residents would need to find housing or employment elsewhere that may not have accessibility to transit.

Finding and Supporting Facts

The Lower-Density Alternative meets seven of the eight project objectives. The Lower-Density Alternative would not meet the objective to maintain or increase the housing supply with higher residential densities along major transit corridors. This Alternative does not provide the same extent or density of housing as proposed under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification, especially within transit corridors; therefore, it would not facilitate economic development through the creation of new mixed-use opportunities with greater residential intensities within the central business core of the community to the same degree as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification. Furthermore, this Alternative would not avoid any of the significant unavoidable impacts of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation (traffic, noise, historical resources, and paleontological resources). Similar to the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, programmatic mitigation included in the Final PEIR would be implemented through future discretionary projects to reduce potential impacts associated with paleontological resources and noise to below a level of significance.

Rationale and Conclusion

This Alternative is rejected as infeasible because it does not meet the project objectives to the same extent as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation and would not implement CAP Strategies and the General Plan City of Villages Strategy to the same degree as the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation. This Alternative would have slightly less impacts related to traffic and air quality; however those reduced impacts would not outweigh the greater impacts of this Alternative with regard to CAP consistency.

**PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)
STATEMENT OF OVERRIDING CONSIDERATIONS (SOC) FOR THE
UPTOWN COMMUNITY PLAN UPDATE AND ASSOCIATED DISCRETIONARY ACTIONS
WITH THE PLANNING COMMISSION MODIFICATION AND THE MISSION HILLS VARIATION
(PROJECT NUMBER 380611; SCH No. 2016061023)
(PUBLIC RESOURCES CODE §21081(b))**

Pursuant to Section 21081(b) of CEQA and CEQA Guidelines Sections 15903 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 Uptown Community Plan Update (CPU) and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation (hereinafter referred to as the Project), as defined in the Final Program Environmental Impact Report (Final PEIR). This statement of overriding considerations is specifically applicable to the significant and unavoidable mitigation measures identified in Chapter 6 of the Final PEIR. As set forth in the Findings, the Project will result in unavoidable adverse cumulative impacts related to transportation and circulation, noise, historical resources, and paleontological resources.

The City Council of the City of San Diego, having:

- (i) Independently reviewed the information in the Final PEIR and the record of proceedings;
- (ii) Made a reasonable and good faith effort to eliminate or substantially lessen the significant impacts resulting from the Project to the extent feasible by adopting recommended mitigation measures identified in the Final PEIR; and
- (iii) Balanced the benefits of the project against the significant environmental impacts, chooses to approve the project, despite its significant environmental impacts, because, in its view, specific economic, legal, social, and other benefits of the project render the significant environmental impacts acceptable.

The following statement identifies why, in the City Council's judgment, the benefits of the Project outweigh the unavoidable significant impacts. Each of these benefits serves as an independent basis for overriding all significant and unavoidable impacts. Any one of the reasons set forth below is sufficient to justify approval of the project. Substantial evidence supports the various benefits and such evidence can be found in the preceding sections, which are incorporated by reference into this section, the Final PEIR, or in documents that comprise the Record of Proceedings in this matter.

FINDINGS FOR STATEMENT OF OVERRIDING CONSIDERATIONS

- 1. The Community Plan Update provides a comprehensive guide for growth and development in the Uptown community consistent with the General Plan City of Villages Strategy.**

Together with the General Plan, the proposed Uptown Community Plan Update (CPU) and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation guiding principles, goals, and policies provide a long-range and comprehensive guide for the future physical development of the community planning area. Community identified needs formed the basis for the CPU's guiding principles, goals and policies.

Guiding Principles

- Multi-modal circulation and community access;
- Development diversity;
- Sustainability in development and in the environment;
- Business vitality and growth;
- Public facilities and recreation needs;
- Open space conservation; and
- Respecting cultural and historical resources.

Guided by the City of Villages growth strategy and citywide policy direction contained in the General Plan, the CPU goals and policies establish the following land use and multi-modal mobility strategies to cohesively guide growth and development in Uptown:

- Direct higher density residential mixed-use development along transit corridors, nodes and villages,
- Direct higher density residential in multifamily areas near the transit corridors emphasizing pedestrian connectivity,
- Foster walkable and transit-oriented neighborhoods,
- Maintain the low-density character of single-family neighborhoods,
- Create a high quality, reliable, multi-modal transportation network, and
- Promote a clean, sustainable environment.

The proposed Project focuses future growth and development on transit corridors, in multifamily areas in close proximity to the transit corridors, and community village areas. The proposed Project identifies:

- Community Villages located in the Hillcrest neighborhood focused at :
 - Washington Street, University Avenue, 4th Avenue and 5th Avenue; and
 - Washington Street, University Avenue; Park Boulevard; 10th Avenue
- Neighborhood Villages located in the following neighborhoods:
 - Mission Hills at Goldfinch Street and Washington Street;
 - Middletown at India Street and Washington Street; and
 - Bankers Hill/Park West at Laurel Street and Fifth Avenue.

Single-family and low-density neighborhoods will remain intact. The proposed Project addresses the street and transit network with the development of a balanced, multi-modal transportation network that improves pedestrian, bicycle and transit mobility while also addressing vehicular traffic capacity consistent with “complete streets” principles. The mobility vision and multi-modal transportation network strengthens the land use vision and promotes a sustainable environment.

2. The proposed Project follows General Plan policy direction governing the preparation of community plans, including application and refinement of citywide policies, designating land uses, and making site-specific recommendations that address the needs of the Uptown community.

Based on General Plan policy direction, the proposed Project contains detailed land uses and site-specific policy recommendations. The proposed Project addresses community specific development aspects that include:

- Distribution and arrangement of designated land uses;
- Multi-modal function and design of the street and transit network;
- Location, prioritization, and the provision of public facilities;
- Community and site-specific urban design guidelines;
- Urban design guidelines addressing the public realm and development form; and
- Community and site-specific recommendations to preserve and enhance natural and cultural resources.

The proposed Project addresses General Plan topics of citywide importance such as housing capacity, appropriate implementation mechanisms, and a sufficient level of information for development review, including detailed policies and land use and mobility maps. The proposed Project supports the City of Villages strategy by focusing growth along transit corridors and multifamily areas adjacent to transit corridors while maintaining single-family, lower density neighborhoods.

The proposed Project provides detailed, site-specific recommendations for the village and mixed-use areas along transit corridors. The CPU contains policies that address density in proximity to transit stops, building orientation, pedestrian mobility improvements, land use compatibility, and location-specific land use policies.

The proposed Project identifies the location of new and expanded public facilities, including specific park and recreation opportunities and park equivalencies, and functional descriptions. A funding source and prioritization list is provided in the Impact Fee Study (formerly referred to as Public Facilities Financing Plan), which is a project component.

The proposed Project contains policies and guidelines that address community and site-specific design goals. The policies and guidelines define important features within existing neighborhoods, districts, and corridors, and addresses relationships of new buildings, groups of buildings, streetscapes and landscapes to adjacent lower density neighborhoods. The proposed Project provides direction to design new buildings that provide transitions from existing lower scale development.

The proposed Project addresses the preservation and enhancement of natural and cultural resources by a precisely mapped open space boundary, and conservation policies related to preservation of landforms, natural vegetation, public views and sustainable development.

The proposed Project identifies cultural resources unique to Uptown in a historic context statement and survey. The proposed Project contains policies for the preservation and protection of historical resources, including the identification of potential historic districts.

Citywide zoning will serve as the development regulations to implement the CPU. The citywide zoning will support streamlined permit processing and implement the CPU policies related to villages and transit-oriented development. The proposed amendment to CPIOZ will implement community review of projects with proposed structure heights greater than 50 feet in Mission Hills and 65 feet elsewhere within the Uptown CPIOZ boundary.

3. The proposed Project supports the City of Villages strategy through the implementation of additional housing and mixed uses near job/employment centers, and increase employment and economic growth opportunities for the Uptown community.

The proposed Project will provide capacity for higher density residential housing and mixed-use development. Currently, there are approximately 23,160 existing residential units within the Uptown Community Plan area. The proposed Project will provide capacity for 11,440 additional dwelling units in the community with a maximum of 34,600 residential units at buildout. The majority of these units will be within proximity to transit, advancing the City of Villages strategy. Major employment centers in Uptown include the Scripps-Mercy Hospital and UCSD Medical Center. Uptown is also located near major job centers in Mission Valley and Downtown. The proposed Project focuses future mixed-use development along transit corridors and in village and mixed-use areas in the community to allow residents to support transit use to employment centers.

4. The proposed Project supports employment and economic growth opportunities.

The proposed Project provides for new and enhanced local commercial opportunities to increase jobs in the community along transit corridors. Future residential development will provide for increased demand for commercial goods and services that will support employment and economic growth while providing additional commercial and retail services within walking and bicycling distance for the surrounding residential community. The proposed Project maintains the Office-Commercial land use designation along First Avenue through Fifth Avenue, which will continue to support medical-related uses such as doctor's offices, clinics, and nursing facilities and contribute to employment and economic growth opportunities in the community due to their proximity to Scripps-Mercy Hospital and UCSD Medical Center, which are also major employment centers in the community.

5. The proposed Project promotes neighborhood character and addresses design relationships between areas of growth and development and distinct character.

The proposed Project establishes an urban design framework that provides policies and guidelines for new development that is sympathetic to the existing and evolving character of the community. The proposed Project provides design guidance for new development to retain and enhance the

distinct attributes and scale of the neighborhoods. It also provides specific design guidance that acknowledges the design of the public realm through improvement of the streetscape, the function and design of various street types and alleys (Streetscape and Public Realm Policies UD-3.1 through UD-3.9 and UD-3.35 through UD-3.61), the promotion of urban forestry including specific tree recommendations for prominent residential and commercial streets (Urban Forestry Policies UD-3.62 through UD-3.69), and community and neighborhood gateways (Community and Neighborhood Gateways Policies UD-3.71 through UD-3.79).

The proposed Project acknowledges that the focus of new development will be in commercial/mixed-use areas as well as in multifamily designated areas with infill capacity and provides a broad range of policies that guides development form based on neighborhood context and character, pedestrian experience, building materials, functionality and sustainable design. The proposed Project provides policies that guide various aspects of urban form such as street wall articulation, windows (UD-4.12 and UD-4.13), lighting (UD-4.18 and UD-4.19), public space (UD-4.35 through UD-4.42), public art (UD-4.43 through UD-4.48), street orientation (UD-4.49 through UD-4.53), height and massing (UD-4.71 through UD-4.78), and sustainable building design (UD-4.54 through UD-4.70). The proposed Project provides guidance to ensure development transitions between future higher scale buildings within higher density areas and the lower scale neighborhoods adjacent to these areas and includes guidelines to treat bulk and massing of higher scale buildings to minimize visual intrusiveness on neighboring lower scale buildings (UD-4.79 through UD-4.92).

The proposed Project would not include specific buildings height limits through the implementation of the Community Plan Implementation Overlay Zone (CPIOZ) for neighborhoods of Bankers Hill/Park West, Mission Hills, and Hillcrest; but would but retain the CPIOZ as a mechanism to require a Site Development Permit, and community review, for any proposed structure greater than 50 feet in Mission Hills and 65 feet elsewhere within the Uptown CPIOZ boundary.

6. The proposed Project promotes a Complete Streets strategy by providing a balanced street environment that addresses the needs of public transit, walking, bicycling, and vehicles.

The proposed Project mobility strategy focuses on a balanced, multimodal transportation network that meets the needs of pedestrians, bicyclists, motorists, and transit users of streets for safe and convenient travel in a manner that is suitable to the Uptown community and consistent with the General Plan multi-modal/complete streets policy. The proposed Project focuses growth and development on and adjacent to transit corridors. The proposed Project includes multi-modal goals and policies that support high frequency transit services, transit oriented development, and safe and integrated bicycle and pedestrian networks. It identifies pedestrian and bicycle improvements to increase connectivity. The proposed Project also encourages village design to be pedestrian-oriented and include enhanced public realm spaces such as pocket parks and public plazas.

The proposed Project identifies pedestrian-oriented routes (Figure 3-1) and includes policies addressing connectivity, amenities, and safety to encourage walking as a viable mode of transportation (MO-1.1, MO-1.2). The proposed Project identifies the installation of corner bulb-outs to promote pedestrian safety (MO-1.3), and addresses mobility functions such as pedestrian access (MO-1.4 through MO-1.16, bicycle parking (MO-2.1), and transit stops (MO-3.1 and MO-3.2).

The proposed Project supports the installation of bicycle share stations and corrals (MO-6.3 and MO-2.10) within transit corridors, and repurposing of right-of-way to provide improved bicycle facilities (MO-4.2). The proposed Project bicycle network adds connections and access that provides a more comprehensive and complete network for bicyclists (MO-2.7).

The proposed Project contains policies to expand transit services within the community and to adjacent communities. The CPU supports coordination with the San Diego Association of Governments and Metropolitan Transit System to provide improved transit amenities such as shade structures, benches and timetables at bus stops, implementation of electronic arrival schedules, and exclusive transit lanes (MO-3.2, MO-3.3). The proposed Project supports a future streetcar route from Downtown to Hillcrest (MO-3.6).

The proposed Project supports the use of intelligent transportation systems solutions to manage the efficiency of the street grid network for transit and motorized vehicles (MO-5.1 through MO-5.3). It also provides for the use of traffic calming measures to improve pedestrian safety while maintaining network efficiency (NE-1.10, NE-1.12, NE-1.14).

7. The Community Plan identifies recreation opportunities and new public open spaces.

The household population for the proposed Project at build out is estimated to be 58,870 residents. The projected population warrants approximately 164.84 useable acres of park land at full community development in addition to approximately two recreational centers and an aquatic complex. Opportunities for additional park land and recreation facilities within Uptown are anticipated to come primarily through development of private and public properties and through the application of park equivalencies. While the City's primary goal is to obtain land for population-based parks, where vacant land is limited, unavailable or is cost-prohibitive, the General Plan allows the application of park equivalencies to be determined by the community and the City in order to assist in satisfying the community's population-based park needs.

Recreation Element Tables 7-1 and 7-2 summarize the existing and future parks, park equivalencies, and recreation facilities that have been identified in Uptown Community to supplement their existing population-based park and recreation facilities inventory. In addition to neighborhood and pocket parks, the table also includes recommendations for joint use of school property, new trails and improvements to existing trails, as well as recommendations generated by the community and City.

8. The Community Plan contains strategies to protect historical resources.

The proposed Project calls for the identification and preservation of significant historical resources in Uptown and providing educational opportunities and incentives related to historical resources in Uptown. Policies for protecting the community's historical resources in the CPU include providing supplemental development regulations for potential historic districts (HP-2.1); intensely surveying and preparing nominations for potential historic districts identified in the Uptown Historic Resources Survey and bringing those nominations before the Historical Resources Board for review and designation (HP-2.2); and providing support and guidance to community members who wish to prepare and submit historic district nominations to the City (HP-2.3).

9. The Community Plan implements strategies in the Climate Action Plan (CAP).

One of the five primary strategies identified in the CAP is to implement bicycling, walking, transit and land use strategies. These concepts are consistent with the General Plan and City of Villages Strategy, and include a focus on increased capacity in Transit Priority Areas (TPAs). The proposed Project provides recommendations consistent with these land use and mobility strategies, provides transit-supportive residential and employment densities in TPAs, and provides a comprehensive mobility network with added connections for pedestrians, bicycles, and transit.

The proposed Project directs growth and development into community and neighborhood villages and transit corridors with densities ranging from 44 dwelling units per acre to 109 dwelling units per acre within TPAs that are served by high frequency transit. The proposed mobility network complements the transit-supportive density proposed in the village areas and along the major transit corridors with policies for increasing multi-modal opportunities and reduced reliance on single occupancy vehicles. The policies support improved access to transit through better pedestrian and bicycle infrastructure. The proposed Project supports a future streetcar line to improve access to employment and activity centers, such as Downtown, the Hillcrest Business District, and Balboa Park. The policies complement mobility connections and options with streetscape elements to improve pedestrian walkability. The proposed land use and zoning associated with the CPU would support transit-supportive residential densities along and adjacent transit corridors, and would accommodate mixed-use village development.

Additional strategies within the CAP also relate to efficiency in water and energy use, waste management, and climate resiliency. While these issues are primarily addressed through Citywide programs, the proposed Project includes some community-specific climate change policies designed to promote sustainability and reduce greenhouse gas emissions consistent with General Plan and CAP. The proposed Project policies support employing sustainable building techniques that include adaptive reuse of existing buildings (UD-4.54 through UD-4.70), the use of photovoltaic energy, energy storage installations, and electric vehicle charging stations (CE-1.3, MO-6.5); seeking opportunities for creating community gardens and locally produced food (CE-1.5, CE-1.6); and the use of recycled and/or gray water irrigation systems (CE-2.19). The proposed Project includes policies related to urban forestry and expansion of the community's overall tree canopy that include retaining mature and healthy trees, the use of broad canopy trees to enhance the pedestrian and bicycle environment and reduce heat gain, and the use of street trees and sustainable site planning practices (Low Impact Development) to manage stormwater runoff and improve air quality (UD-3.62 through 3.70; and CE-2.20 through CE-2.23). In addition, the proposed Project supports the CAP Annual Monitoring Report Program (CE-1.11) and supports the implementation of the CAP through a wide range of actions described in (CE-1.12).

CONCLUSION

For the foregoing reasons, the City Council finds that the 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 Council has adopted this Statement of Overriding Considerations.

EXHIBIT B

**MITIGATION MONITORING AND REPORTING PROGRAM FOR THE
UPTOWN COMMUNITY PLAN UPDATE AND ASSOCIATED DISCRETIONARY ACTIONS**

(PROJECT NUMBER 380611; SCH No. 2016061023)

(PUBLIC RESOURCES CODE 21081.6)

**MITIGATION MONITORING AND REPORTING PROGRAM FOR THE
UPTOWN COMMUNITY PLAN UPDATE AND ASSOCIATED DISCRETIONARY ACTIONS
WITH THE PLANNING COMMISSION MODIFICATION
AND THE MISSION HILLS VARIATION
(PROJECT NUMBER 380611; SCH No. 2016061023)
(PUBLIC RESOURCES CODE 21081.6)**

This Mitigation Monitoring and Reporting Program (MMRP) 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 Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Program Environmental Impact Report (PEIR) SCH No. 2016061023; PROJECT NUMBER 21002568 shall be made conditions of future development within the Uptown CPU area as further described below.

I. Transportation and Circulation

Roadway Segments

a. Impacts

Implementation of the Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would have a cumulatively significant impact at 52 roadway segments. The impacts at these roadway segments would occur because the Level of Service (LOS) would degrade to an unacceptable E or F, or because the v/c ratio increase would exceed the allowable threshold at a location operating at LOS E or F.

b. Mitigation Framework

The Traffic Impact Study identified several roadway segment improvements that would reduce potentially significant impacts. As discussed in the Findings, a number of mitigation measures are infeasible due to conflicts with the overall mobility vision and other policies of the Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation and are precluded by surrounding development. These measures are not included in this MMRP. Only measures TRANS 6.3-7d, TRANS 6.3-24a, and TRANS 6.3-27 are included in the proposed IFS and this MMRP.

TRANS 6.3-7d: First Avenue from Laurel Street to Hawthorn Street (Impact 6.3-7d): Restripe the roadway to a 2 lane collector with continuous left-turn lane.

TRANS 6.3-24a: Richmond Street from Cleveland Avenue to Robinson Avenue (Impact 6.3-24): Restripe the roadway to a 2-lane collector with continuous left-turn lane.

TRANS 6.3-27: State Street from Laurel Street to Juniper Street (Impact 6.3-27): Restripe the roadway to a 2-lane collector with continuous left-turn lane.

c. Mitigation Funding, Timing, and Responsibility

Funding sources for implementation of the mitigation measures would include the Impact Fee Study (IFS) fees required of future development and may also include grants from SANDAG and/or Caltrans. As discussed in the Findings, these impacts were ultimately determined to be significant and unavoidable based on the lack of full funding and lack of assurance of implementation of the measure prior to occurrence of an impact. Mitigation timing would be driven by the timing of individual, project-level development related to impacts within the proposed Uptown CPU area. However, the City would be responsible for collecting development fees associated with future development and coordinating with SANDAG and Caltrans regarding prioritization and implementation of improvements.

Ramp Meters

a. Impacts

As described in Section 6.3 of the PEIR, implementation of the Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation would result in three significant cumulative ramp meter impacts.

b. Mitigation Framework

As discussed in the PEIR and Findings, the ramp meter impacts would be significant and unavoidable because the City does not have approval authority over freeways and there is uncertainty as to the timing of implementation of improvements and whether they will occur prior to the occurrence of impacts. Additionally, none of the impacted ramp meters are included in SANDAG's San Diego Forward: The Regional Plan (RP); thus, fair share funding for the impacted ramps would be infeasible at this time. However, the following measure is proposed to partially mitigate the significant impact:

TRANS 6.3-39: The City of San Diego shall coordinate with Caltrans to address ramp capacity at impacted on-ramp locations. Improvements could include additional lanes, interchange reconfiguration, etc.; however, specific capacity improvements are still undetermined, as these are future improvements that must be defined more over time. Furthermore, implementation of freeway improvements in a timely manner is beyond the full control of the City since Caltrans has approval authority over freeway improvements. At the project level, significant impacts at locations outside of the jurisdiction of the City could be partially mitigated in the form of fair share contribution or TDM measures that encourage carpooling and other alternative means of transportation consistent with proposed CPU policies. Fair share contributions may be provided at the project level for impacted ramps where the impacted facility is included in the SANDAG RP; however, at this time none of the impacted ramps are included in the SANDAG RP. (Impacts 6.3-39 – 6.3-41)

c. Mitigation Funding, Timing, and Responsibility

As discussed above and in the Findings, specific funding and timing of ramp improvement is not known at this time because no improvements to these ramps are identified in the SANDAG RP. Potential funding sources may include SANDAG and/or Caltrans, as noted. Thus, the impacts to

freeway ramps would be significant and unavoidable. However, the City will coordinate with Caltrans regarding ramp improvements on an ongoing basis.

II. Noise

Temporary Construction Noise

a. Impacts

Construction activities related to implementation of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and Mission Hills Variation would potentially generate short-term noise levels in excess of 75 dB(A) L_{eq} at adjacent properties. While the City regulates noise associated with construction equipment and activities through enforcement of noise ordinance standards (e.g., days of the week and hours of operation) and imposition of conditions of approval for building or grading permits, there is a procedure in place that allows for a permit to deviate from the noise ordinance. Due to the highly developed nature of the Uptown CPU area with sensitive receivers potentially located in proximity to construction sites, there is a potential for construction of future projects to expose existing sensitive land use to significant noise levels.

Vibration impacts during construction could be avoided by scheduling construction activities with the highest potential to produce perceptible vibration to hours with least potential to affect nearby properties. However, pile driving within 95 feet of existing structures has the potential to exceed 0.20 inch per second, and would be a potentially significant.

b. Mitigation Framework

In order to mitigate impacts related to construction noise, the following mitigation measures would be implemented.

NOISE 6.6-1: At the project level, future discretionary development projects will be required to incorporate feasible mitigation measures. Typically, noise can be reduced to comply with City standards when standard construction noise control measures are enforced at the project site and when the duration of the noise-generating construction period is limited to one construction season (typically one year) or less.

- Construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Construction is not allowed on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays. (Consistent with Section 59.5.0404 of the San Diego Municipal Code).
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Locate stationary noise-generating equipment (e.g., compressors) as far as possible from adjacent residential receivers.

- Acoustically shield stationary equipment located near residential receivers with temporary noise barriers.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.

In order to mitigate impacts relative to vibration during construction, the following mitigation measure would be implemented.

NOISE 6.6-2: For discretionary projects where construction would include vibration-generating activities, such as pile driving, within 95 feet of existing structures, site-specific vibration studies shall be conducted to ensure the development project would not adversely affect adjacent properties to the satisfaction of the Chief Building Official. Such efforts shall be conducted by a qualified structural engineer and could include the following:

- Identify sites that would include vibration compaction activities such as pile driving and have the potential to generate groundborne vibration and the sensitivity of nearby structures to groundborne vibration.
- Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels approach the limits.
- Monitor vibration during initial demolition activities and during pile-driving activities. Monitoring results may indicate the need for more or less intensive measurements.
- When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.

- Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described noise mitigation would be provided on a project-specific basis by the associated property owners and/or developers. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the Uptown CPU area, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for noise-related mitigation monitoring, enforcement, and reporting would be with the City of San Diego.

III. Historical Resources

Historic Structures, Objects, or Sites

a. Impacts

As described in Section 6.7, Historical Resources, of the PEIR, implementation of the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation could result in an alteration of a historic building, structure, object, or site where an increase in density is proposed beyond the adopted Community Plan or current zoning and could adversely impact prehistoric archaeological and tribal cultural resources including religious or sacred use sites and human remains. These impacts are potentially significant.

b. Mitigation Framework

The following mitigation measure (HIST 6.7-1) provides a framework that would be required of all future development projects with the potential to impact significant historical resources.

HIST 6.7-1: Historic Buildings, Structures, and Objects

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

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

- Preparing a historic resource management plan;
- Adding 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 Historical Resources Guidelines, 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, where possible. If required, mitigation programs can also be included in the report.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to historical resources would be provided on a project-specific basis by the associated property owners and/or developers. Mitigation Measure HIST 6.7-1 would be implemented prior to issuance of any permit for a future development project under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation that could directly affect historic structures, objects or sites including a building/structure in excess of 45 years of age that has been determined to be historically significant by the City. Responsibility for mitigation monitoring, enforcement, and reporting related to historical resources would be with the City of San Diego.

Prehistoric Resources, Sacred Sites, and Human Remains

a. Impacts

As described in Section 6.7 of the PEIR, prehistoric resources, sacred sites, and human remains could occur within the Uptown CPU area. As a result, future development pursuant to the Uptown CPU and associated discretionary actions with the Planning Commission Modification and the

Mission Hills variation could have a significant impact on important prehistoric resources, human remains, religious or sacred resources.

b. Mitigation Framework

Implementation of Mitigation Measure HIST 6.7-2, would minimize program-level (and project-level) impacts to prehistoric resources, sacred sites, and human remains, but not to below a level of significance.

HIST 6.7-2: Archaeological and Tribal Cultural Resources

Prior to issuance of any permit for a future development project implemented in accordance with the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation that could directly affect an archaeological or tribal cultural resource, the City shall require the following steps be taken to determine: (1) the presence of archaeological or tribal cultural 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 prehistoric 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 may conduct a site visit, as needed. If there is any evidence that the site contains archaeological or tribal cultural resources, then an archaeological 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 a historical resource, 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 South Coast Information Center at San Diego State University and the San Diego Museum of Man. A review of the Sacred Lands File maintained by the Native American Heritage Commission must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeology 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, based on the City Guidelines, must be performed by a qualified archaeologist.

Step 2

Where a recorded archaeological site or Tribal Cultural Resource (as defined in the Public Resources Code) is identified, the City would be required to initiate consultation with identified California Indian tribes pursuant to the provisions in Public Resources Code Section 21080.3.1 and 21080.3.2., in accordance with Assembly Bill 52. It should be noted that during the consultation process tribal representative(s) will be directly involved in making recommendations regarding the significance of a tribal cultural resource which also could be a prehistoric archaeological site. A testing program may be recommended which requires 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). The archaeological testing program, if required shall include 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. Results of the consultation process will determine the nature and extent of any additional archaeological evaluation or changes to the proposed project.

The results from the testing program shall 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. However, this process would not proceed until such time that the tribal consultation has been concluded and an agreement is reached (or not reached) regarding significance of the resource and appropriate mitigation measures are identified. When appropriate, 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. When tribal cultural resources are present and also cannot be avoided, appropriate and feasible mitigation will be determined through the tribal consultation process and incorporated into the overall data recovery program, where applicable or project specific mitigation measures incorporated into the project. 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 distribution of a draft CEQA document and shall include the results of the tribal consultation process. 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 tribal cultural resource 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. 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. These provisions will be outlined in the MMRP included in a subsequent project-specific 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 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 tribal cultural resources 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, unless otherwise determined during the tribal consultation process. 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 [Coto] and California Native American Graves Protection and Repatriation Act of 2001 [Health and Safety Code 8010-8011]) and federal (i.e., Native American Graves Protection and Repatriation Act [U.S.C. 3001-3013]) 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 of all recovered artifacts must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance. When tribal cultural resources are present, or non-burial-related artifacts associated with tribal cultural resources area suspected to be recovered, the treatment and disposition of such resources will be determined during the tribal consultation process. This information must then 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, Title 36 of the Code of Federal Regulations, Part 79. Additional information regarding curation is provided in Section II of the Guidelines.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to religious and sacred resources would be provided on a project-specific basis by the associated property owners and/or developers. Mitigation Measure HIST 6.7-2 would be implemented prior to issuance of any permit for a future development project under the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation that could directly affect archaeological resources. Responsibility for mitigation monitoring, enforcement, and reporting related to archaeological resources would be with the City of San Diego.

IV. Paleontological Resources

a. Impacts

Because of high sensitivity for paleontological resources within the San Diego, Pomerado Conglomerate, and Mission Valley Formations, grading into these formations could potentially destroy fossil resources. Therefore, implementation of future discretionary and ministerial projects within the proposed Uptown CPU area within these formations has the potential to result in significant impacts to paleontological resources (Impacts 6.10-1 and 6.10-2).

b. Mitigation Framework

In order to reduce the potential adverse impact to paleontological resources associated with discretionary projects (Impacts 6.10-1), the project would incorporate the mitigation measure identified in the General Plan PEIR addressing paleontological resource impacts.

The following measure would apply to any discretionary project that proposes subsurface disturbance within a high sensitivity formation. If no subsurface disturbance is planned, then paleontological resources would not be impacted and development of a project-specific paleontological monitoring and discovery treatment plan would not be necessary. The following mitigation measure would reduce impact 6.10-1 to less than significant.

PALEO 6.10-1: Prior to the approval of subsequent discretionary development projects implemented in accordance with the proposed Uptown CPU and associated discretionary actions with the Planning Commission Modification and the Mission Hills Variation, the City shall determine the potential for impacts to paleontological resources within a high sensitivity formation 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:
 - Required over 1,000 cubic yards of excavation and/or a 10-foot, or greater, depth in a high resources potential geologic deposit/formation/rock unit.

- Require over 2,000 cubic yards of excavation and/or 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.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to paleontological resources would be provided on a project-specific basis by the associated property owners and/or developers. As noted in Mitigation Measure PALEO 6.10-1, applicable elements of this measure would be implemented prior to issuance of any construction permits, during construction, and post-construction. Responsibility for mitigation monitoring, enforcement and reporting related to paleontological resources would be with the City of San Diego.

Passed by the Council of The City of San Diego on NOV 14 2016, by the following vote:

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

Date of final passage DEC 01 2016.

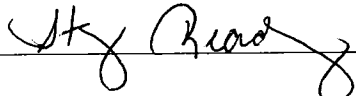
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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- 310766