

# 331a  
9/10/19

RESOLUTION NUMBER R- 312653

DATE OF FINAL PASSAGE SEP 12 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING PROGRAM ENVIRONMENTAL IMPACT REPORT NO. 518009/SCH NO. 2017071066, ADOPTING THE FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE COMPREHENSIVE UPDATE TO THE MISSION VALLEY COMMUNITY PLAN.

WHEREAS, on September 10, 2019, the City Council of the City of San Diego held a public hearing for the purpose of considering adoption of the comprehensive update to the Mission Valley Community Plan, amendments to the General Plan, amendments to the Land Development Code, associated rezoning actions, and associated amendments to the City's Local Coastal Program (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 City Council considered the issues discussed in Program Environmental Impact Report No. 518009/SCH No. 2017071066 (Report) prepared for this Project; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that it is certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA 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 State CEQA Guidelines Section 15091, the City Council hereby adopts the Findings made with respect to the Project, which are attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that pursuant to State CEQA Guidelines Section 15093, the City Council hereby adopts the Statement of Overriding Considerations with respect to the Project, which is attached hereto as Exhibit B.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit C.

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, 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.

APPROVED: MARA W. ELLIOTT, City Attorney

By:   
Corrine L. Neuffer  
Deputy City Attorney

SMT:CLN:als  
08/15/2019  
11/05/2019 Cor. Copy  
Or. Dept: Planning  
Doc. No. 2068427\_2

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

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 10 2019.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor

(See attached memo and signature page.)

Office of  
The City Attorney  
City of San Diego

MEMORANDUM

**DATE:** November 5, 2019  
**TO:** Elizabeth Maland, City Clerk  
**FROM:** Corrine L. Neuffer  
**SUBJECT:** Item 331-Subitem A - R-312653 – Certifying Environmental Impact Report for Mission Valley Community Plan – Council Meeting of September 10, 2019

RECEIVED  
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We are submitting a Corrected Copy of Resolution R-2020-93 (R-312653) adopted by City Council on September 10, 2019 for Mission Valley Community Plan. We inadvertently attached the wrong version of Exhibit C (Mitigation, Monitoring, and Reporting Program) for this resolution.

Exhibit A – (Findings) and Exhibit B – (Statement of Overriding Considerations) remains unchanged.

CLN:als  
Doc. No.: 2218107

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 10 2019.

ELIZABETH S. MALAND  
City Clerk

By Connie Patterson  
Deputy City Clerk

Kevin Faulconer  
KEVIN FAULCONER, Mayor

Approved: 9/12/19  
(date)

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor

**EXHIBIT A**  
**CANDIDATE FINDINGS**  
**FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)**  
**FOR THE**  
**MISSION VALLEY COMMUNITY PLAN UPDATE**

**PROJECT NUMBER 518009**  
**SCH No. 2017071066**

**September 2019**

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## **I. INTRODUCTION**

### **A. Findings of Fact**

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The following Candidate Findings are made for the Mission Valley Community Plan Update project (hereinafter referred to as the "proposed CPU" or the "Project"). The environmental impacts of the Project are addressed in the Final Program Environmental Impact Report ("Final PEIR") dated May 31, 2019 (State Clearinghouse No. 2017071066), which is incorporated by reference herein.

The California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Sections 21000 *et seq.*) and the State CEQA Guidelines (CEQA Guidelines) (14 California Code of Regulations Sections 15000 *et seq.*) promulgated therein, require that the environmental impacts of a 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 environmental impact report (EIR) to determine the adequacy of the proposed candidate findings. Specifically, regarding findings, CEQA Guidelines Section 15091 provides:

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



- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental impacts. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

These requirements also exist in CEQA Section 21081. The "changes or alterations" referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which avoid or substantially lessen the significant environmental impacts of the project, may include a wide variety of measures or actions as set forth in CEQA 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 a project, a Statement of Overriding Considerations must be prepared. The statement provides the lead agency's views on whether the benefits of a project outweigh its unavoidable adverse environmental impacts. Regarding a Statement of Overriding Considerations, CEQA Guidelines Section 15093 provides:

- (f) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific-economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental impacts, the adverse environmental impacts may be considered "acceptable."

- (g) When the lead agency approves a project which will result in the occurrence of significant impacts which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (h) 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.

## **B. Record of Proceedings**

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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 July 28, 2017, and all other public notices issued by the City in conjunction with the Project;
- The Draft PEIR, dated February 6, 2019;
- The Final PEIR, dated May 31, 2019;
- 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);
- The reports and technical memoranda included or referenced in the 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;
- Any documents expressly cited in these Findings and the Statement of Overriding Considerations; and
- Any other relevant materials required to be included in the Record of Proceedings pursuant to PRC Section 21167.6(e).

## **II. PROJECT SUMMARY**

### **A. Project Location**

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The Mission Valley Community Plan area is located in the geographic center of the City of San Diego. The CPU area is surrounded by several other Community Plan areas: Old Town San Diego, Uptown, Greater North Park, Normal Heights, Kensington-Talmadge, College Area, Navajo, Tierrasanta, Kearny Mesa, Serra Mesa, Linda Vista, and Mission Bay Park.

The CPU area encompasses roughly 3,216 acres of land. The CPU area is urbanized and generally characterized as a mix of commercial and residential uses, with significant recreational and open space acreage. The CPU area is generally bounded by Friars Road and the northern slopes of the valley on the north, the eastern banks of the San Diego River on the east, the southern slopes of the valley on the south, and Interstate (I-) 5 on the west.

The San Diego River, which runs westward through Mission Valley, is a significant asset and defining feature of the community. The valley sits at the crossroads of the regional freeway system, enjoying access from I-5, I-8, I-15, I-805 and State Route (SR-) 163.

### **B. Project Objectives and Description**

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#### **Project Objectives**

The objectives of the proposed CPU are as follows:

- Establish a sustainable, walkable community with enriched pedestrian spaces including linear parks and nodes of pedestrian-scale, visually stimulating development that support a mix of uses;
- Establish a strengthened grid system that supports local and regional roadway network efficiency, with a finer grain of streets that provide a second layer of neighborhood mobility more suitable to pedestrian and daily community trips;
- Accommodate new roadway connections within developed areas or areas planned for development for improved connectivity and adequate emergency access and response;
- Provide housing and employment opportunities in close proximity to transit;
- Meet the City's Climate Action Plan (CAP) goals;
- Create a branching park and pedestrian pathway system with the San Diego River as the backbone and organizing framework;
- Establish usable public spaces that provide amenities for recreation and relaxation for community enjoyment;
- Encourage architecture that is distinctive and memorable, with attention paid to building quality, materials, details, and amenities that give back to the community; and

- Enhance and maintain the hillsides that form the edges of the valley.

### **Project Description**

The proposed CPU is a comprehensive update to the Mission Valley Community Plan, adopted in 1985. The adopted Community Plan has undergone over 20 amendments in the intervening years and was last amended in 2013. The proposed CPU provides detailed, community-specific policy direction to guide development in Mission Valley and brings the Community Plan up to date by analyzing current land use, development, and environmental characteristics; evaluating changes in demographics; understanding the demand for housing and commercial development; working with community members to establish a vision and objectives; evaluating the “fit” of current Community Plan policies to achieve community goals and regulatory requirements; and ensuring policies and recommendations remain in harmony with the General Plan, citywide, and regional policies.

The proposed CPU’s implementation requires adoption of the proposed Mission Valley Community Plan, and other associated discretionary actions, including amendments to the General Plan to incorporate the proposed CPU as a component of the General Plan Land Use Element, amendments to the San Diego Municipal Code and Official Zoning Map to be consistent with the proposed CPU, amendments to existing development agreements; and updates and amendments to other plans and regulatory documents including but not limited to, SANDAG’s Regional Plan, the City’s Pedestrian Master Plan, the City’s Bicycle Master Plan, the City’s Traffic Signal Communications Master Plan, the Urban Water Management Plan, and the City’s Local Coastal Program.

The intent of the proposed CPU is for Mission Valley be a vibrant community, renowned for its walk- and bike-ability, accessibility to interstates and transit, recreational and employment opportunities, and a concentration of diverse food and unique shopping. New and creative housing opportunities are envisioned to be a defining feature of a future Mission Valley. Existing sites are re-envisioned to better integrate housing into the area, with a balance between housing, employment, and shopping opportunities. The community’s San Diego River Trail and pedestrian paseos will join with green streets and community parks. New connections and a strengthened grid will improve vehicular mobility, and present and future trolley lines will support easy commuting and transit-oriented development.

The proposed CPU envisions the following major changes related to the community’s vision for specific portions of the CPU area:

- **Western Mission Valley.** To acquire a residential and park focus with complementing office and retail uses.
- **South of I-8.** To be enhanced through higher quality building materials, new opportunities for regional retail development, and restoration of the landscape.
- **The Stadium Site.** Redevelopment to occur through a future Campus Master Plan, which would use the content requirements of a Specific Plan prepared pursuant to California Government Code Section 65451(a).

- **Central Mission Valley.** To become an active, mixed-use urban hub and central business district.
- **Eastern Mission Valley.** To support higher density residential development with enhanced multi-modal connectivity.

### III. SUMMARY OF IMPACTS

The project addressed in these Findings is a comprehensive planning document that provides the policy framework to guide development within the Mission Valley Community Plan area, as described in Chapter 3.0 of the Final PEIR. The Project is intended to further express General Plan policies within the Mission Valley community through the provision of site-specific recommendations that implement citywide goals and policies, address community needs, and guide zoning.

Controls on development and the use of public and private property including zoning, supplemental development regulations, and implementation of mobility improvements are included as part of the implementation program for the proposed CPU.

The Final PEIR concludes that the Project will have **no significant impacts (direct and/or cumulative)** and require no mitigation measures with respect to the following issues:

#### 1. Agriculture and Forestry Resources

- Farmland Mapping and Monitoring Program
- Agricultural Zoning/Williamson Act
- Forest, Timberland, and Timberland Production Zone
- Loss of Forest Land
- Natural Conversion of Farmland or Forest

#### 2. Mineral Resources

- Loss of a Known Mineral Resource
- Loss of a Locally-Important Mineral Resource Recovery Site

#### 3. Population and Housing

### **Less than Significant Impacts**

The Final PEIR concludes that the Project would have **less than significant impacts (direct and/or cumulative)** and require no mitigation measures with respect to the following issues:

1. Air Quality

- Sensitive Receptors
- Odors

2. Biological Resources

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

3. Geology, Soils, and Seismicity

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

4. Greenhouse Gas Emissions and Energy

- Greenhouse Gas Emissions
- Conflicts with Plans or Policies
- Energy

5. Hazards and Hazardous Materials

- Wildland Fire Risk
- Hazardous Emissions and Materials
- Emergency Plan Consistency
- Hazardous Materials Sites
- Aircraft Hazards

## 6. Hydrology and Water Quality

- Flooding and Drainage Patterns – Local Surface Runoff, Dam Failure, Other Flood Hazards
- Water Quality
- Groundwater

## 7. Land Use

- Conflicts with Applicable Plans
- Conversion of Open Space or Farmland
- Conflicts with the MSCP Subarea Plan and the Vernal Pool Habitat Conservation Plan
- Conflicts with an Adopted ALUCP

## 8. Noise

- Airport Noise
- San Diego Municipal Code – On-Site Generated Noise
- Vibration

## 9. Paleontological Resources

## 10. Public Utilities and Infrastructure

- Water Supply
- Solid Waste Management

## 11. Transportation

- Alternative Transportation

## 12. Visual Effects and Neighborhood Character

- Obstruction of Vistas or Scenic Views
- Adverse Alteration to Character
- Loss of Trees

- Change in Existing Landform
- Light or Glare

### **Impacts that are Less than Significant with Mitigation**

The Final PEIR did not identify any **direct and/or cumulatively significant impacts which will be mitigated to below a level of significance.**

### **Significant and Unavoidable Impacts**

The Final PEIR identifies the following direct and/or cumulatively significant impacts which are considered **significant and unavoidable because mitigation measures do not exist or are considered not feasible to fully reduce impacts to a less than significant level.**

1. Air Quality
  - Conflicts with Air Quality Plans
  - Air Quality Standards
2. Historical, Cultural, and Tribal Cultural Resources
  - Historic Structures, Objects, or Sites
  - Prehistoric and Historic Archaeological Resources, Sacred Sites, and Human Remains
  - Tribal Cultural Resources
3. Hydrology and Water Quality
  - Flooding and Drainage Patterns – Riverine Flooding
4. Noise
  - Increase in Ambient Noise
  - Land Use Compatibility
  - San Diego Municipal Code – Construction Noise
5. Public Services and Facilities
6. Public Utilities and Infrastructure
  - Utilities



## 7. Transportation

- Traffic Circulation – Roadway Segments, Intersections, and Freeway Facilities

## IV. FINDINGS REGARDING SIGNIFICANT IMPACTS

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

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The City, having independently reviewed and considered the information contained in the Final PEIR and the public record for the Project, finds, pursuant to CEQA Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), that there is no feasible mitigation available that would mitigate or avoid the significant impacts on the environment from the Project.

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

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The City, having independently reviewed and considered the information contained in the Final PEIR and the public record for the Project, finds pursuant to CEQA Section 21081(a)(2) and CEQA Guidelines Section 15091(a)(2) that there are changes or alterations which would mitigate or avoid the significant impacts on the environment that are within the responsibility and jurisdiction of another public agency.

## AIR QUALITY

### Conflicts with Air Quality Plans (Issue 1)

#### Significant Impact

Buildout of the proposed CPU would result in greater density and greater future emissions than what was accounted for in the Regional Air Quality Strategy (RAQS), which would conflict with implementation of the applicable air quality plans and could have a potentially significant impact on regional air quality.

#### Facts in Support of Finding

The RAQS include anticipated growth associated with the currently adopted Mission Valley Community Plan. The proposed CPU would increase the number of multi-family residential units and the amount of commercial, retail, office, institutional, and recreational uses in the CPU area, which would result in greater future emissions compared to the adopted Community Plan. Additionally, the future vehicle miles travelled (VMT) associated with buildout of the proposed CPU would be greater than the VMT associated with buildout of the adopted Community Plan, thereby resulting in greater mobile source emissions. Thus, the proposed CPU would not be consistent with the RAQS.

## Rationale and Conclusion

Implementation of Mitigation Measure AQ-1 would reduce this potentially significant impact by requiring the City to provide a revised land use map to the San Diego Association of Governments (SANDAG) to ensure that any revisions made by the San Diego Air Pollution Control District (SDPACD) to the RAQS and the State Implementation Plan (SIP) accurately reflect the anticipated growth of the proposed CPU. The City does not have control of or the authority to update the RAQS and the SIP; this effort is the responsibility of the SDAPCD. As updates to the regional air quality plans are within the SDAPCD's jurisdiction, the effectiveness of this mitigation measure cannot be guaranteed at this time. Therefore, this impact would remain significant and unavoidable. Nevertheless, Mitigation Measure AQ-1 is included in the Final PEIR and will be included in the MMRP.

## **TRANSPORTATION**

### **Traffic Circulation – Freeway Facilities (Issue 1)**

#### Significant Impact

Implementation of the proposed CPU would result in cumulatively significant impacts to the following freeway facilities:

#### *Freeway Segments*

- I-8 EB (AM & PM peak hours), between I-5 Interchange and Morena Boulevard;
- I-8 EB (AM & PM peak hours), between Morena Boulevard and Taylor Street;
- I-8 EB (PM peak hour) and I-8 WB (AM peak hour), between Taylor Street and Hotel Circle;
- I-8 EB (PM peak hour), between Hotel Circle and SR-163 Interchange;

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- I-8 EB (AM & PM peak hours) and I-8 WB (AM peak hour), between Mission Center Road and Qualcomm Way / Texas Street;
- I-8 EB (PM peak hour), and I-8 WB (AM peak hour), between I-805 Interchange and I-15 Interchange;
- I-8 EB (PM peak hour), between I-15 Interchange and Fairmount Avenue;
- I-5 NB (AM and PM peak hours), between I-8 Interchange to Old Town Avenue;
- SR-163 NB (AM peak hour) and SR-163 SB (PM peak hour), between Genesee Avenue and Friars Road;
- SR-163 NB (AM & PM peak hours), between Friars Road and I-8 Interchange;

- SR-163 NB (AM & PM peak hours), between I-8 Interchange and 6th Avenue;
- SR-163 NB (AM & PM peak hours) and SR-163 SB (AM & PM peak hours), between 6th Avenue and Washington Street;
- I-805 NB (AM peak hour) and I-805 SB (PM peak hour), between Mesa College Drive / Kearny Villa Road and Murray Ridge Road / Phyllis Place;
- I-805 NB (AM peak hour) and I-805 SB (PM peak hour), between Murray Ridge Road / Phyllis Place and I-8 Interchange;
- I-805 NB (AM peak hour) and I-805 SB (PM peak hour), between I-8 Interchange and Adams Avenue;
- I-805 NB (AM peak hour) and I-805 SB (PM peak hour), between Adams Avenue and El Cajon Boulevard;
- I-15 NB (AM peak hour) and I-15 SB (PM peak hour), between Aero Drive and Friars Road;
- I-15 NB (AM & PM peak hours) and I-15 SB (AM & PM peak hours), between Friars Road and I-8;
- I-15 NB (AM and PM peak hours), between I-8 and Adams Avenue; and
- I-15 NB (AM & PM peak hours), between Adams Avenue and El Cajon Boulevard.

*Ramp Meters*

- I-15 NB On-Ramp at Friars Road (AM and PM peak hours)

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 for the construction of a managed lane or other operational improvements along freeway segments or transportation demand management (TDM) measures that encourage carpooling and other alternative means of transportation consistent with Mission Valley 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 (2015 Regional Plan) and in mitigation measures **MM-TR-42** through **MM-TR-61**.

The location of the freeway improvements is within the City's land use jurisdiction, but they are within the authority of Caltrans, which would require its review and approval of the project and design prior to the implementation of any improvements. In addition, the mitigation measures are infeasible and not proposed as part of the CPU. The improvements identified in the 2015

Regional Plan would improve operations along the freeway segments; however, to what extent is still undetermined, as these are future improvements that must be defined more over time. Thus, It is not legally feasible to develop a fair share contribution for new development. The City will continue to coordinate with Caltrans and SANDAG on future improvements, as future project-level developments proceed, to develop potential "fair share" mitigation strategies for freeway impacts, as appropriate. The City's Development Services Department (DSD) would collect the fair share contributions from the project proponent and administer them until such time that mitigation improvements are implemented on the State Highway System (SHS), whereupon Caltrans will enter into a cooperative agreement with the City, as lead agency for the freeway improvement project.

*b. Ramp Meters*

At the project-level, significant impacts at a location outside of the jurisdiction of the City could be partially mitigated in the form of fair share contribution for capacity improvements to address flow rate at the ramp meter or along affected travel lanes. Mitigation measure MM-TR-62, requires the City of San Diego to coordinate with Caltrans to address ramp capacity at the impacted on-ramp location. Particularly, this impact could be reduced to less than significant by the following improvements: additional lanes, interchange reconfigurations, and TDM. Additionally, the CPU includes a variety of transit, pedestrian, and bicycle facilities that may help to reduce single-occupancy vehicle travel, which can help improve ramp capacity. 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.

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 the impacted ramp. Caltrans review and approval of the project and design is required prior to the implementation of any improvements. In addition, it is not legally feasible to develop a fair share contribution for new development for the same reasons discussed in a., Freeway Segments. The mitigation measure is therefore infeasible and not proposed as part of the CPU. However, the City will continue to coordinate with Caltrans and SANDAG on future improvements, as future project-level developments proceed, to develop potential "fair share" mitigation strategies for ramp meter impacts, as appropriate. DSD would collect the fair share contributions from the project proponent and administer them until such time that mitigation improvements are implemented on the State Highway System (SHS), whereupon Caltrans will enter into a cooperative agreement with the City, as lead agency for the freeway ramp meter improvement project.

Rationale and Conclusion

*a. Freeway Segments*

The Mission Valley Community Plan Update Transportation Impact Study (TIS), Appendix D of the Final PEIR, identified significant impacts to 31 individual directional freeway segments. The 2015 Regional Plan identifies the construction of managed lanes along the I-805 corridor from

Mesa College Drive to El Cajon Boulevard (MM-TR-54 through MM-TR-57) and the I-15 corridor from Aero Drive to the I-8 Freeway (MM-TR-58 and MM-TR-59) that would partially mitigate these impacts. The 2015 Regional Plan also identifies operational improvements along several I-8 EB and WB segments (MM-TR-42 through MM-TR-48) and the I-5 northbound (NB) segment from the I-8 Interchange to Old Town Avenue (MM-TR-49) that would partially mitigate these impacts. The 2015 Regional Plan does not specify improvements at other impacted locations and requires coordination with Caltrans and SANDAG to determine the appropriate improvements to address these impacts. These segments include the SR-163 corridor from Genesee Avenue to Washington Street (MM-TR-50 through MM-TR-53) and the I-15 northbound segment from the I-8 Freeway to El Cajon Boulevard (MM-TR-60 and MM-TR-61).

At a program level of analysis, there is uncertainty as to the timing of the actual development and associated traffic impacts for the project. In addition, the SANDAG Regional Plan is based on a reasonably expected funding scenario; however, actual timing of transportation improvements is contingent upon revenues anticipated and future funding decisions. Therefore, future development project's transportation studies would 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 2015 Regional Plan. DSD would collect the fair share contributions from the project proponent and administer them until such time that mitigation improvements are implemented on the State Highway System (SHS), whereupon Caltrans will enter into a cooperative agreement with the City, as lead agency for the freeway segment improvement project.

The improvements identified in SANDAG's RP (2015) would improve operations along the freeway segments and ramps; however, there is insufficient information regarding the improvements and future developments' project-level impacts to allow the City to include such improvements within the proposed CPU to form the basis for a fair share mitigation fee for future development at this time. The RP does not clearly define or schedule freeway operational improvements and in some cases, a project study report is needed to identify specific improvements. Also, the RP does not include fully identified funding required to complete the improvements; therefore, the timing for implementation of these improvements is not known at this time. Given that the need for these improvements is due to regional cumulative impacts beyond those attributable solely to implementation of the proposed CPU, it is not possible to determine a fair share payment for the proposed CPU toward these improvements. Thus, It is not legally feasible to develop a fair share contribution for new development at this time.

Furthermore, since the design, construction, and implementation of the freeway segment improvements are within the responsibility and jurisdiction of another public agency and not the City, who is making this Finding, the City has limited control over the implementation of these mitigation measures. The feasibility of the mitigation measures to reduce the significant impacts that would occur along these freeway segments is limited by the decision-making authority of Caltrans. Therefore, the impacts would remain significant and unavoidable for freeway segments.

*b. Ramp Meters*

Mitigation measure **MM-TR-62** would potentially reduce I-15 NB On-Ramp at Friars Road through improvements which could include: additional lanes, interchange reconfigurations, and 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, there is uncertainty as to the timing of the actual development and associated traffic impacts for the project. Therefore, future development projects' transportation studies would 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, TDM measures which may be more cost effective than alternative infrastructure improvements, or a combination of these measures. For example, at the project-level, future projects could make fair share contributions to the impacted ramp; however, only if this ramp is included in the 2015 Regional Plan. DSD would collect the fair share funds from the project proponent and administer them until such time that mitigation improvements are implemented on the State Highway System (SHS), whereupon Caltrans will enter into a cooperative agreement with the City, as lead agency for the freeway ramp meter improvement project. The impacted ramp is not currently included within the 2015 Regional Plan; thus, fair share funding for the impacted ramps is infeasible at this time.

Improvements to the I-15 NB on-ramp require further study in conjunction with the development of the Stadium site under a Specific Plan that would identify direct and cumulative impacts and appropriate mitigations. **MM-TR-63** and **MM-TR-64** provide for this future review of Specific Plan proposals and coordination with Caltrans, SANDAG, and MTS. Thus, it is not legally feasible to develop a fair share contribution for new development at this time.

Furthermore, since the design, construction, and implementation of the freeway ramp improvements are within the responsibility and jurisdiction of another public agency and not the City, the City has limited control over the implementation of this mitigation measure. The feasibility of the mitigation measure to reduce the significant impacts that would occur along this freeway-ramp meter is limited by the decision-making authority of Caltrans. Therefore, impacts would remain significant and unavoidable for freeway ramp meters.

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

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The City, having independently reviewed and considered the information contained in the Final PEIR and the public record for the Project, finds pursuant to CEQA Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3) that the Project will have significant and unavoidable impacts in the following issue areas:

## **AIR QUALITY**

### **Air Quality Standards (Issue 2)**

#### Significant and Unavoidable Impact

Construction and operational emissions associated with buildout of the proposed CPU could violate an air quality standard or contribute substantially to an existing or projected air quality violation.

#### Facts in Support of Finding

The exact number, timing, and size of individual development projects that could occur per the proposed CPU are unknown at this time. While construction emissions related to the development of a small-scale project might not exceed the City's significance thresholds, the simultaneous construction of several of these types of projects could result in a significant air quality impact. Similarly, construction activities associated with a large project, such as the redevelopment of the stadium site, could result in a significant air quality impact. Buildout of the proposed CPU could also result in a significant air quality impact as operational emissions would be greater for all criteria air pollutants when compared to the adopted land uses and assumptions used to develop the RAQS.

#### Rationale and Conclusion

Federal, State, and local regulations would also provide a framework for developing project-level air quality protection measures for future projects. However, it is possible that for certain projects, adherence to the regulations may not adequately protect air quality and would require additional mitigation measures to avoid or reduce significant air quality impacts.

Development per a future Stadium Specific Plan is required to implement Mitigation Measure AQ-2, which outlines construction practices that will be implemented during the redevelopment of the stadium site. Although a future Stadium Specific Plan would implement Mitigation Measure AQ-2, the ability of this measure to fully mitigate potential air quality impacts resulting from any construction activities cannot be guaranteed, and thus, full implementation of the mitigation would not guarantee that impacts would be reduced to a less than significant level. Nevertheless, Mitigation Measure AQ-2 is included in the Final PEIR and will be included in the MMRP.

Given the potential significant growth that could occur in the CPU area, criteria pollutant air emissions from development per the proposed CPU could exceed the SDAPCD screening thresholds. Therefore, air quality impacts would remain significant and unavoidable.

## **HISTORICAL, CULTURAL, AND TRIBAL CULTURAL RESOURCES**

### **Historic Structures, Objects, or Sites (Issue 1)**

#### Significant and Unavoidable Impact

Future development associated with buildout of the proposed CPU could result in the alteration of a historic building, structure, object, or site.

#### Facts in Support of Finding

The CPU area contains known historic resources including resources listed in the National Register of Historic Places (NRHP), the California Register of Historic Resources (CRHR), and the San Diego Register of Historic Resources. Implementation of the proposed CPU would increase development potential in the CPU area, which could result in direct impacts (e.g., alteration of a historic resource) or indirect impacts (e.g., introduction of effects out of character with a historic resource) to historic resources. While the San Diego Municipal Code (SDMC) provides for the regulation and protection of both designated and potential historical resources, and the proposed CPU does not propose specific development, it is not possible to guarantee the successful preservation of all historic resources within the CPU area.

#### Rationale and Conclusion

Implementation of Mitigation Measure CULT-1 would require that, prior to the issuance of any permit for a future project that will 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 (SDMC Section 143.0212). 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 City's Historical Resources Guidelines. The 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.

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Although future development would implement Mitigation Measure CULT-1 and apply relevant policies and implementing actions from the General Plan and the proposed CPU to reduce impacts to historical resources, the ability of this measures to fully mitigate potential significant impacts to historical resources cannot be guaranteed, and thus, potential impacts to historic structures, objects, or sites would remain significant and unavoidable. Nevertheless, Mitigation Measure CULT-1 is included in the Final PEIR and will be included in the MMRP.



## **HISTORICAL, CULTURAL, AND TRIBAL CULTURAL RESOURCES**

### **Prehistoric and Historic Archaeological Resources, Sacred Sites, and Human Remains (Issue 2)**

#### **Significant and Unavoidable Impact**

Future development and related construction activities could result in the alteration or destruction of prehistoric or historic archaeological resources, objects, or sites, and could impact religious or sacred uses or disturb human remains.

#### **Facts in Support of Finding**

The Cultural Resources Constraints Analysis identified 57 recorded archaeological and cultural resources within the CPU area, and much of the area is of moderate or high cultural sensitivity. Although there are no known religious or sacred uses within the CPU area, the potential exists for these to be encountered during future construction activities. Native American human remains have also been encountered within the CPU area, and the potential for uncovering human remains outside of a documented cemetery during both archaeological investigations and construction activities is high. Therefore, future development implemented per the proposed CPU could result in potential direct impacts (e.g. substantial alteration or demolition of archaeological sites from ground-disturbing activities) and indirect impacts (e.g., vandalism of an archaeological resources) to archaeological and cultural resources.

While existing federal, State, and local regulations, and proposed CPU policies would provide for the regulation and protection of prehistoric and historic archaeological resources and human remains, it is not possible to ensure the successful preservation of all prehistoric and historic archaeological resources.

#### **Rationale and Conclusion**

Implementation of Mitigation Measure CULT-2 would reduce impacts to prehistoric or historic archaeological resources, sacred sites, and human remains. This mitigation, combined with relevant policies and implementing actions from the General Plan and the proposed CPU, in addition to compliance with CEQA Section 21080.3.1 requiring tribal consultation early in the development review process, and the City's Historic Resources Regulations (SDMC Section 143.0212), which requires 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.

Implementation of this measure would reduce the significance of impacts, but the impact would remain significant and unavoidable because it is possible that an area within a designated low sensitivity area could adversely impact a resource. Mitigation Measure CULT-2 is included in the Final PEIR and will be included in the MMRP, although impacts would remain significant and unavoidable.

## **HISTORICAL, CULTURAL, AND TRIBAL CULTURAL RESOURCES**

### **Tribal Cultural Resources (Issue 3)**

#### Significant and Unavoidable Impact

Future development per the proposed CPU could result in significant and unavoidable impacts to tribal cultural resources.

#### Facts in Support of Finding

There is precedent for the potential discovery of tribal cultural resources in the CPU area given the prehistoric and historic activity present in the CPU area, as well as information provided by the Iipay Nation of Santa Ysabel. While existing federal, State, and local regulations, and proposed CPU policies and mitigation measures would provide for the regulation and protection of tribal cultural resources, there is no guarantee that any substantial adverse changes to tribal cultural resources could be avoided. Impacts to tribal cultural resources would be significant and unavoidable.

#### Rationale and Conclusion

Implementation of Mitigation Measure CULT-2 would reduce impacts to tribal cultural resources. This mitigation, combined with the policies from the General Plan and the proposed CPU promoting the identification, protection, and preservation of archaeological resources, in addition to compliance with CEQA Section 21080.3.1 requiring tribal consultation early in the development review process, and the City's Historic Resources Regulations (SDMC Section 143.0212), which requires 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.

Implementation of this measure would reduce the significance of impacts, but the impact would remain significant and unavoidable because it is possible that an area within a designated low sensitivity area could adversely impact a resource. Mitigation Measure CULT-2 is included in the Final PEIR and will be included in the MMRP although impacts would remain significant and unavoidable.

## **HYDROLOGY AND WATER QUALITY**

### **Flooding and Drainage Patterns – Riverine Flooding (Issue 1)**

#### Significant and Unavoidable Impact

Future development located behind provisionally accredited levees (PALs) could be impacted by riverine flooding given the level of uncertainty regarding the levees status in the next revision of FEMA's Flood Insurance Rate Maps (FIRMs). The following areas could potentially be impacted:

- North of the San Diego River from SR-163 to just west of the westerly terminus of Station Village Lane, including properties along Hazard Center Drive, portion of Frazee

Road south of Friars Road, Mission Center Court, Caminito Gabaldon, and Caminito De Pizza.

- South of the San Diego River from SR-163 to Qualcomm Way, including properties along Camino De La Reina, Camino Del Rio North, and Camino Del Este. This includes Mission Valley Mall.

### Facts in Support of Finding

There are several developed areas within the CPU area that FEMA has identified on the FIRM panels as Zone X with a Provisionally Accredited Levee (PAL) note. Zone X is not a Special Flood Hazard Area (SFHA) and is not typically subject to the regulations for the flood fringe. A PAL designation means that the levee was recognized on FEMA's previous FIRMs; however, the regulatory requirements for levee accreditation have since changed and the levee system may lose its accreditation if FEMA does not receive proof of compliance with NFIP Code of Federal Regulations Section 65.10. Based on the FIRM panels, the timeframes for levee accreditation have passed. Therefore, the levees in the CPU area cannot be considered to provide flood protection because they do not meet FEMA's standards.

Policy FSR-3 of the proposed CPU recommends that development located behind a PAL be designed to SFHA Zone AE criteria by projecting the Base Flood Elevation(s) shown in the adjacent Zone AE into the project area. The future accreditation of these levees cannot be guaranteed, therefore, potential flooding impacts associated with future development located behind a PAL would be significant and unavoidable.

### Rationale and Conclusion

The proposed CPU provides a policy framework that would help reduce potential flooding impacts related to future development behind a PAL. Designing to the Zone AE criteria as specified above would provide protection up to the 100-year flood event. However, given that it is unknown at this time whether the PAL would be removed from the next FIRM revision, impacts and mitigation are not fully known. Therefore, this impact would remain significant and unavoidable.

## **NOISE**

### **Increase in Ambient Noise (Issue 1)**

#### Significant and Unavoidable Impact

Implementation of the proposed CPU would expose noise-sensitive land uses to ambient noise levels that exceed the City's Land Use – Noise Compatibility Guidelines.

### Facts in Support of Finding

Future development per the proposed CPU would increase traffic and associated traffic noise along local roadways due to increased density and intensity of uses throughout the CPU area.

The increased ambient noise levels would result in a significant impact to existing noise-sensitive receptors adjacent to the following roadway segments:

1. Phyllis Place from Abbots Hill Road to I-805 Southbound Ramps;
2. Bachman Place from Hotel Circle to Lewis Street; and
3. Rancho Mission Road from San Diego Mission Road to Camino del Rio North.

New and existing development in these areas may experience exterior noise that is not adequately attenuated. Therefore, exterior noise impacts located in areas that exceed the applicable land use and noise compatibility level would be significant.

### Rationale and Conclusion

The proposed CPU includes a policy encouraging the retrofitting of older structures with noise-sensitive land uses with acoustically rated windows and doors featuring higher Sound Transmission Class ratings. However, because not all existing noise-sensitive land uses would be retrofitted, impacts to existing noise-sensitive land uses adjacent to those three roadway segments would be significant and unavoidable.

Therefore, exterior noise impacts would remain significant and unavoidable.

## **NOISE**

### **Land Use Compatibility (Issue 2)**

#### Significant and Unavoidable Impact

Development per the proposed CPU could expose noise-sensitive receptors to current or future motor vehicle traffic noise levels that exceed standards established in the City's General Plan Noise Element.

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#### Facts in Support of Finding

Buildout of the proposed CPU would result in noise levels that would exceed 60 CNEL throughout the entire CPU area, and 65 CNEL in a majority of the CPU area. Land uses located within 239 to 288 feet of I-5, 163 to 320 feet of I-8, 262 to 315 feet of I-15, 292 to 325 feet of I-805, and 190 to 262 feet of SR-163 could potentially be exposed to noise levels greater than 75 CNEL. Development per the proposed CPU could introduce new noise-sensitive land uses in areas exceeding the City's Land Use – Noise Compatibility Guidelines. These would include residential land uses that would be located between the 70 and 75 CNEL contours. This could result in a potentially significant noise impact.

#### Rationale and Conclusion

New development located in areas where the exterior noise levels exceed the Land Use – Noise Compatibility Guidelines are required to conduct a site-specific interior noise analysis and

submit a Title 24 Compliance Report that demonstrates interior noise levels of 45 CNEL (24 CCR Section 1207.5, 2016; City of San Diego General Plan Noise Element, 2015). The proposed CPU also includes policy NOI-1 which supports site design strategies and noise reduction measures for new development located within 500 feet of freeways. Implementation of this regulatory and policy framework would ensure that interior traffic noise impacts for new development projects would be less than significant.

As buildout of the CPU would result in noise levels which exceed 60 CNEL throughout the entire CPU area, future development projects could place sensitive receptors in locations where the existing or future exterior noise levels would exceed the City's Land Use – Noise Compatibility Guidelines. Therefore, exterior noise impacts remain significant and unavoidable and there are no feasible mitigation measures available to mitigate this impact.

## **NOISE**

### **San Diego Municipal Code – Construction Noise (Issue 5)**

#### **Significant and Unavoidable Impact**

Build out of the proposed CPU could result in the exposure of sensitive receptors to significant temporary construction noise.

#### **Facts in Support of Finding**

The City regulates construction noise through its Noise Abatement and Control Ordinance, which puts limits on the days of the week and hours of operation allowed for construction. The City also imposes requirements for building and grading permits related to construction noise. However, there is also a procedure in place that allows for a permit to deviate from the noise ordinance. Due to the highly developed nature of the CPU area with sensitive receivers potentially located in proximity to construction sites, there is a potential that future construction activities associated with the proposed CPU could expose existing sensitive receptors to significant noise levels.

#### **Rationale and Conclusion**

Implementation of Mitigation Measure NOI-1 would require future discretionary projects to implement measures to minimize construction-related noise impacts. While implementation of this measure would reduce the significance of impacts, this impact would remain significant and unavoidable because it is not feasible to ensure and enforce implementation for all projects developed per the proposed CPU.

## **PUBLIC SERVICES AND FACILITIES**

### **Public Facilities (Issue 1)**

#### Significant and Unavoidable Impact

Buildout of the proposed CPU would increase overall population and could result in the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts.

#### Facts in Support of Finding

Implementation of the proposed CPU would result in an increase in overall population, which could result in the need for new or physically altered public services and facilities to meet the increased demand. The proposed CPU contains policies and implementation actions aimed at reducing potential negative environmental impacts resulting from the construction of police and fire stations. Additionally, the City would collect fees from future development to fund needed infrastructure. The proposed CPU also includes policies to develop new parks and recreation facilities to serve the community at buildout of the CPU. Future police, fire-rescue, library, and park and recreational facilities would be subject to a separate environmental review at the time design plans are available. However, as impacts associated with the construction and operational of future facilities are not known at this time, this impact would remain significant and unavoidable.

Under the proposed CPU, residential population growth would generate an elementary school population that would exceed the existing elementary school capacity, while the estimated middle and high school populations could be accommodated by existing facilities. To ensure that school space is available for future residential growth, SDUSD may undertake a number of potential measures, and may levy impact fees on new development in order to mitigate any potential impacts on school facilities pursuant to Senate Bill 50 (Chapter 407, Statutes of 1998). Nevertheless, this impact would remain significant and unavoidable as impacts associated with the construction and operation of future school facilities are not known at this time.

#### Rationale and Conclusion

The proposed CPU provides a policy framework that would help reduce potential impacts associated with the construction and operation of future public facilities needed to accommodate anticipated population growth. Future projects would be subject to a separate environmental review at the time design plans are available and fees collected from future development projects would provide a funding source for future public facilities improvements. However, as specific construction and operational details and their associated impacts are not known at this time, it would be speculative at a program-level of analysis to identify mitigation measures that would fully mitigate potential impacts. Therefore, impacts to public services and facilities would remain significant and unavoidable.

## **PUBLIC UTILITIES AND INFRASTRUCTURE**

### **Utilities (Issue 2)**

#### Significant and Unavoidable Impact

Buildout of the proposed CPU would increase overall population and could result in the need for new or physically altered public utilities, the construction of which could cause significant environmental impacts.

#### Facts in Support of Finding

The City's existing built areas are currently served by storm water, wastewater, potable water distribution, and communications systems infrastructure. However, some areas within the CPU area have existing infrastructure deficiencies and may require capacity improvements. No new storm water drains or drainage facilities, sewer collection or wastewater treatment facilities, water distribution or treatment facilities, or communications systems infrastructure are proposed, however, improvements to utilities may be required as buildout of the proposed CPU occurs. Future construction details and their associated impacts are not known at this time; therefore, this impact would remain significant and unavoidable.

#### Rationale and Conclusion

Future utilities development is required to comply with the City's Storm Water Standards, Sewer Design Guide, SDMC, and other local regulations, which would help reduce construction-related impacts. Additionally, future utilities development would be required to undergo project-level review to determine any significant impacts. As specific construction details and their associated impacts are not currently known, it would be speculative at a program-level of analysis to identify mitigation measures that would fully mitigate potential impacts. Therefore, impacts to public utilities would remain significant and unavoidable.

## **TRANSPORTATION**

### **Traffic Circulation – Roadway Segments and Intersections (Issue 1)**

#### Significant Impact

The following cumulative impacts to roadway segments and intersections were determined to be significant:

#### *a. Roadway Segments*

- Sea World Drive, between Mission Bay Parkway and Friars Road
- Friars Road, between Avenida De Las Tiendas and Ulric Street/SR-163 SB Ramps
- Three consecutive segments of Friars Road, between Mission Village Drive and Rancho Mission Road

- Friars Road, between Santo Road and Riverdale Street
  - Rio San Diego Drive, between River Run Drive and Fenton Parkway
  - Hotel Circle North, between I-8 WB Off-Ramp and Riverwalk Street "J"
  - Camino De La Reina, between Avenida Del Rio and Camino De La Siesta
  - Camino Del Rio North, between 1800' West of Ward Road and Ward Road
  - Two consecutive segments of Hotel Circle South, between I-8 EB Off-Ramp and I-8 EB On-Ramp
  - Camino Del Rio South, between I-15 SB Off-Ramp and I-15 NB On-Ramp
  - Morena Boulevard, between Tecolote Road and West Morena Boulevard
  - Via Las Cumbres, between Linda Vista Road and Friars Road
  - Avenida Del Rio, between Fashion Valley Parking Lot and Camino De La Reina
  - Two consecutive segments of Ulric Street, between Fashion Hills boulevard and Friars Road
  - Camino De La Siesta, between Camino De La Reina and Camino Del Rio North
  - Metropolitan Drive, between Mission Valley Road and Murray Canyon Road
  - Two consecutive segments of Mission Center Road, between Murray Ridge Road and Mission Valley Road
  - Auto Circle, between Camino Del Rio North and I-8 EB Ramps
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- Two consecutive segments on Murray Ridge Road, between Mission Center Road and I-805 SB Ramps
  - Franklin Ridge Road, between Via Alta and Civita Boulevard
  - Two consecutive segments of Qualcomm Way, between Camino Del Rio North and I-8 EB Ramps
  - Three consecutive segments of Texas Street, between 1400' North of Madison Avenue and El Cajon Boulevard
  - North Side Drive, between Fenton Market Place Driveway and Lowe's Frontage Road
  - Two consecutive segments of Rancho Mission Road, between Friars Road and Camino Del Rio North



- Riverdale Street, between Friars Road and Vandever Avenue
- Two consecutive segments of Fairmount Avenue, between Camino Del Rio North and Camino Del Rio South
- Riverwalk Drive, between Fashion Valley Road and Avenida Del Rio

*b. Intersections*

- #3: I-805 SB Ramps / Phyllis Place in the PM peak hour
- #4: I-805 NB Ramps / Phyllis Place in the PM peak hour
- #11: Fashion Valley Road / Friars Road in the PM peak hour
- #24: Mission Village Drive / Friars Road WB Ramps in the PM peak hour
- #25: Mission Village Drive / Friars Road EB Ramps in the AM and PM peak hours
- #27: I-15 NB Ramps / Friars Road in the PM peak hour
- #40: Mission Center Road / Camino De La Reina in the PM peak hour
- #45: Fairmount Avenue / Camino Del Rio North/I-8 WB Off-Ramp in the PM peak hour
- #50: I-8 WB Ramps/Mission Valley Mall Driveway / Camino Del Rio North in the PM peak hour
- #52: Qualcomm Way / Camino Del Rio N/I-8 WB Ramps in the AM and PM peak hour
- #58: Mission Center Road / I-8 EB Ramps in the PM peak hour
- #61: Texas Street / Camino Del Rio South in the AM peak hour
- #67: Texas Street / Madison Avenue in the AM peak hour
- #74: Fashion Valley Road & Riverwalk Drive in the PM peak hour

Facts in Support of Finding

*a. Roadway Segments*

The Mission Valley Community Plan Update Transportation Impact Study (TIS), Appendix D of the Final PEIR, identified thirty-eight (38) local roadway segments that would be significantly impacted with implementation of the proposed CPU and provided corresponding potential improvements to mitigate those impacted segments. The potential improvements defined in the TIS are included into the Final PEIR as mitigation measures **MM-TR-1** through **MM-TR-27**

that would improve these segments, increasing their capacities to mitigate their impacts. However, these improvements are infeasible for reasons listed below.

*b. Intersections*

The TIS identified fourteen (14) local roadway intersections that would be significantly impacted with implementation of the proposed CPU and provided corresponding potential improvements to mitigate those impacted intersections. The potential improvements defined in the TIS are included in the Final PEIR as mitigation measures **MM-TR-28** through **MM-TR-41** that would improve these intersections, increasing their capacities and reducing automobile delays to mitigate their impacts. However, these improvements are infeasible for reasons listed below.

Rationale and Conclusion

The CPU identifies bicycle and pedestrian facility improvements that work in concert with the proposed land use. The CPU envisions a more balanced mobility network that provides viable options aimed at shifting trips to transit, walking, and bicycling, while also accommodating vehicle traffic and minimizing conflicts between travel modes. Improving walking and cycling conditions can reduce automobile trips and associated traffic congestion. Therefore, the active transportation improvements proposed as part of this CPU are anticipated to further stimulate this mode shift.

Although mitigation measures are identified in the Final PEIR that would reduce impacts to local roadways and intersections, these measures are infeasible. First (1), although some of the identified improvements would reduce traffic congestion, their implementation would be contrary to achieving the smart growth and mobility goals of the General Plan, Mission Valley CPU, and Climate Action Plan (CAP). Specifically, the potential mitigation measures which involve road widening or other automobile-related improvements would create potentially undesirable conditions for active transportation users as it could impede implementation of planned pedestrian and bicycle improvements. Second (2), the roadway segment or intersection is currently built to the limits of the existing right-of-way, which prevents construction of some of the identified improvements while maintaining existing features such as on-street parking and sidewalks, and widening could also result in additional environmental impacts. Lastly (3), in some cases, additional study would be needed in conjunction with future Specific Plan proposals and/or Caltrans Project Study Reports to determine the appropriate improvements. Mitigation measures **MM-TR-63** and **MM-TR-64** provide for this future review of Specific Plan proposals and continued coordination with Caltrans, SANDAG and MTS. Thus, impacts of the proposed CPU on local roadway segments and intersections would be significant and unavoidable. Findings for specific roadway segment and intersection impacts are identified below with reference to the three categories for infeasibility (Infeasibility Categories: 1, 2, and/or 3).

*a. Roadway Segments*

Mitigation measures **MM-TR-1** through **MM-TR-27** are provided to address the potential significant impacts to local roadway segments; however, none of the improvements identified in the measures were added to the proposed CPU because they are infeasible due to at least one of the categories of infeasibility listed above.

- MM-TR-1** Sea World Drive, between Mission Bay Parkway and Friars Road.  
(Infeasibility Category: 1, 2)
- MM-TR-2** Friars Road, between Avenida De Las Tiendas and Ulric Street/SR-163 SB Ramps. (Infeasibility Category: 1, 2)
- MM-TR-3** Friars Road, between Mission Village Drive and Rancho Mission Road.  
(Infeasibility Category: 1, 2)
- MM-TR-4** Friars Road, between Santo Road and Riverdale Street. (Infeasibility Category: 1, 2)
- MM-TR-5** Rio San Diego Drive, between River Run Drive and Fenton Parkway.  
(Infeasibility Category: 1, 2)
- MM-TR-6** Hotel Circle North, between I-8 WB Off-Ramp and Riverwalk Street "J".  
(Infeasibility Category: 1, 2)
- MM-TR-7** Camino De La Reina, between Avenida Del Rio and Camino De La Siesta.  
(Infeasibility Category: 1, 2)
- MM-TR-8** Camino Del Rio North, between 1800' West of Ward Road and Ward Road.  
(Infeasibility Category: 1, 2)
- MM-TR-9** Hotel Circle South, between I-8 EB Off-Ramp and I-8 EB On-Ramp.  
(Infeasibility Category: 1, 2)
- MM-TR-10** Camino Del Rio South, between I-15 SB Off-Ramp and I-15 NB On-Ramp.  
(Infeasibility Category: 1, 2)
- MM-TR-11** Morena Boulevard, between Tecolote Road and West Morena Boulevard.  
(Infeasibility Category: 1, 2)
- MM-TR-12** Via Las Cumbres, between Linda Vista Road and Friars Road. (Infeasibility Category: 1, 2)
- MM-TR-13** Avenida Del Rio, between Fashion Valley Parking Lot and Camino De La Reina. (Infeasibility Category: 1, 2)
- MM-TR-14** Ulric Street, between Fashion Hills boulevard and Friars Road. (Infeasibility Category: 1, 2)
- MM-TR-15** Camino De La Siesta, between Camino De La Reina and Camino Del Rio North. (Infeasibility Category: 1, 2)
- MM-TR-16** Metropolitan Drive, between Mission Valley Road and Murray Canyon Road. (Infeasibility Category: 1, 2)

- MM-TR-17** Mission Center Road, between Murray Ridge Road and Mission Valley Road. (Infeasibility Category: 1, 2)
- MM-TR-18** Auto Circle, between Camino Del Rio North and I-8 EB Ramps. (Infeasibility Category: 1, 2)
- MM-TR-19** Murray Ridge Road, between Mission Center Road and I-805 SB Ramps. (Infeasibility Category: 1, 2)
- MM-TR-20** Franklin Ridge Road, between Via Alta and Civita Boulevard. (Infeasibility Category: 1, 2)
- MM-TR-21** Qualcomm Way, between Camino Del Rio North and I-8 EB Ramps. (Infeasibility Category: 2, 3)
- MM-TR-22** Texas Street, between 1400' North of Madison Avenue and El Cajon Boulevard. (Infeasibility Category: 1, 2)
- MM-TR-23** North Side Drive, between Fenton Market Place Driveway and Lowe's Frontage Road. (Infeasibility Category: 1, 2)
- MM-TR-24** Rancho Mission Road, between Friars Road and Camino Del Rio North. (Infeasibility Category: 3)
- MM-TR-25** Riverdale Street, between Friars Road and Vandever Avenue. (Infeasibility Category: 1, 2)
- MM-TR-26** Fairmount Avenue, between Camino Del Rio North and Camino Del Rio South. (Infeasibility Category: 1, 2)
- MM-TR-27** Riverwalk Drive, between Fashion Valley Road and Avenida Del Rio. (Infeasibility Category: 1, 2)

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*b. Intersections*

Mitigation measures MM-TR-28 through MM-TR-41 are provided to address the potential significant impacts to local roadway intersections; however, none of the improvements identified in the measures were added to the proposed CPU because they would be infeasible due to at least one of the categories of infeasibility listed above.

- MM-TR-28** 3: I-805 SB Ramps / Phyllis Place in the PM peak hour. (Infeasibility Category: 1, 2)
- MM-TR-29** 4: I-805 NB Ramps / Phyllis Place in the PM peak hour. (Infeasibility Category: 1, 2)
- MM-TR-30** 11: Fashion Valley Road / Friars Road in the PM peak hour. (Infeasibility Category: 1, 2)

- MM-TR-31 24: Mission Village Drive / Friars Road WB Ramps in the PM peak hour. (Infeasibility Category: 3)**
- MM-TR-32 25: Mission Village Drive / Friars Road EB Ramps in the AM and PM peak hours. (Infeasibility Category: 3)**
- MM-TR-33 27: I-15 NB Ramps / Friars Road in the PM peak hour. (Infeasibility Category: 3)**
- MM-TR-34 40: Mission Center Road / Camino De La Reina in the PM peak hour. (Infeasibility Category: 1, 2)**
- MM-TR-35 45: Fairmount Avenue / Camino Del Rio North/I-8 WB Off-Ramp in the PM peak hour. (Infeasibility Category: 1, 2)**
- MM-TR-36 50: I-8 WB Ramps/Mission Valley Mall Driveway / Camino Del Rio North in the PM peak hour. (Infeasibility Category: 3)**
- MM-TR-37 52: Qualcomm Way / Camino Del Rio N/I-8 WB Ramps in the AM and PM peak hour. (Infeasibility Category: 3)**
- MM-TR-38 58: Mission Center Road / I-8 EB Ramps in the PM peak hour. (Infeasibility Category: 3)**
- MM-TR-39 61: Texas Street / Camino Del Rio South in the AM peak hour. (Infeasibility Category: 1, 2)**
- MM-TR-40 67: Texas Street / Madison Avenue in the AM peak hour. (Infeasibility Category: 1, 2)**
- MM-TR-41 74: Fashion Valley Road & Riverwalk Drive in the PM peak hour. (Infeasibility Category: 1, 2)**

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

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Because the Project will cause one or more unavoidable significant environmental impacts, the City must make findings with respect to the alternatives to the Project considered in the Final PEIR, evaluating whether these alternatives could feasibly avoid or substantially lessen the Project's unavoidable significant environmental impacts while achieving most of its objectives (listed in Section II.B above and Section 3.1.2 of the Final PEIR).

The City, having independently reviewed and considered the information contained in the Final PEIR and the Record of Proceedings, and pursuant to CEQA Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), makes the following findings with respect to the alternatives identified in the Final PEIR.

## **Background**

The Final PEIR evaluated the following alternatives:

1. No Project Alternative;
2. Alternative 1; and
3. Alternative 2.

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

### **No Project Alternative**

Under the No Project Alternative, the existing Mission Valley Community Plan would continue to guide development. The plan includes goals and actions to improve the transportation system, relate development intensity to the capacity of the transportation system, encourage mixed-use development on large sites, guide urban form and physical development that protects and is responsive to the physical environment, and encourage the development of neighborhood facilities that fulfill the daily needs of local residents.

### **Potentially Significant Impacts**

Significant impacts of the No Project Alternative are summarized below:

1. Historical, Cultural, and Tribal Cultural Resources
  - Historic Structures, Objects, or Sites
  - Prehistoric and Historic Archaeological Resources, Sacred Sites, and Human Remains

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- Tribal Cultural Resources
2. Hydrology and Water Quality
  - Flooding and Drainage Patterns – Riverine Flooding
3. Noise
  - Increase in Ambient Noise
  - Land Use Compatibility
  - San Diego Municipal Code – Construction Noise

4. Public Services and Facilities
5. Public Utilities and Infrastructure
  - Utilities
6. Transportation
  - Traffic Circulation

### Finding and Supporting Facts

The No Project Alternative would have similar or reduced impact levels for issue areas determined to be significant under the proposed CPU, including hydrology and water quality, noise, public services and facilities, and public utilities and infrastructure.

Development pursuant to the No Project Alternative would eliminate two significant impacts related to air quality (conflicts with air quality plans, and air quality standards) because the land uses under the adopted Mission Valley Community Plan would be consistent with the assumptions used to develop the RAQS. Additionally, because buildout of the No Project Alternative would be less dense compared to the proposed CPU, impacts regarding the exposure of sensitive receptors to pollutants would be less than the anticipated impacts of the proposed CPU.

Impacts to historical, cultural, and tribal cultural resources would remain significant and unavoidable under the No Project Alternative. Much of the CPU area is of either moderate or high cultural sensitivity and future development under this alternative could encounter as-yet undiscovered archaeological or Native American resources. While the No Project Alternative would have less development potential compared to the proposed CPU, future development per this alternative could still result in significant and unavoidable direct and indirect impacts to historical, cultural, and tribal cultural resources, similar to the proposed CPU.

Transportation impacts under the No Project Alternative would be significant and unavoidable and greater than the anticipated impacts under the proposed CPU. Implementation of the No Project Alternative would result in significant and unavoidable impacts to 44 roadway segments and 35 directional freeway segments, while implementation of the proposed CPU would result in significant and unavoidable impacts to 38 roadway segments and 31 directional freeway segments. Additionally, while the No Project Alternative would have less than significant impacts regarding conflicts with adopted plans and policies addressing alternative transportation, impacts would be slightly greater compared to the proposed CPU as this alternative would not include the proposed CPU's policies that support increasing multi-modal opportunities consistent with SANDAG's Regional Plan, the City's General Plan, and the CAP.

### Rationale and Conclusion

The No Project Alternative is rejected as infeasible because it would not substantially reduce the significant impacts associated with the proposed CPU. Although it would eliminate two significant air quality impacts, other significant impacts identified in the proposed CPU would

remain significant and unavoidable under the No Project Alternative, and transportation impacts would be greater.

The No Project Alternative would also not achieve the Project Objectives outlined in Section 3.1.2 of the Final PEIR to the same degree as the proposed CPU. Specifically, the No Project Alternative would not provide housing and employment opportunities in close proximity to transit at as great a level as the proposed CPU, and therefore, it would not meet the City's CAP goals to the same extent as the proposed CPU. Mission Valley includes transit priority areas that present unique opportunities for planned densities that can decrease automobile transportation mode share. Adoption of the No Project Alternative would be inconsistent with the City's policies related to densities in areas within transit priority areas. While the No Project Alternative would include new roadway connections over the San Diego River to facilitate adequate emergency access and response, it would not increase multi-modal connectivity and safety to the same degree as it would not include the proposed CPU's bicycle and pedestrian improvements that would provide connections to transit and create enhanced bicycle and pedestrian facilities. The No Project Alternative would also not meet the proposed CPU's objective of establishing usable public spaces that provide amenities for recreation and relaxation for community enjoyment as it would not include some of the recreational areas that have been planned or identified in the proposed CPU. For the reasons discussed above, this alternative is infeasible.

### **Alternative 1**

Alternative 1 differs from the proposed CPU in that it would not include the proposed Riverwalk Street "J" connection, which would extend from Friars Road to Hotel Circle South, or the extension of Fenton Parkway to Mission City Parkway/Camino Del Rio North. Therefore, there would be no new roadway extensions across the San Diego River. Alternative 1 would include all other policies, land use designations, and mobility improvements included in the proposed CPU. Projected buildout under Alternative 1 would be the same as the projected buildout for the proposed CPU. This alternative was developed to reduce potential impacts related to the construction of the roadway extensions across the river.

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### **Potentially Significant Impacts**

Significant impacts of Alternative 1 are summarized below.

1. Air Quality
  - Conflicts with Air Quality Plans
  - Air Quality Standards
2. Historical, Cultural, and Tribal Cultural Resources
  - Historic Structures, Objects, or Sites
  - Prehistoric and Historic Archaeological Resources, Sacred Sites, and Human Remains



- Tribal Cultural Resources
- 3. Hydrology and Water Quality
  - Flooding and Drainage Patterns – Riverine Flooding
- 4. Noise
  - Increase in Ambient Noise
  - Land Use Compatibility
  - San Diego Municipal Code – Construction Noise
- 5. Public Services and Facilities
- 6. Public Utilities and Infrastructure
  - Utilities
- 7. Transportation
  - Traffic Circulation
  - Alternative Transportation

### Finding and Supporting Facts

Buildout under Alternative 1 would be the same as the proposed CPU; therefore, impacts regarding conflicts with air quality plans and air quality standards would remain significant and unavoidable because the land uses would not be consistent with the assumptions used in the development of the RAQS. Additionally, the removal of the Riverwalk Street “J” and Fenton Parkway roadway connections across the San Diego River would increase vehicle miles travelled (VMT) and associated mobile source emissions, and would result in a further inconsistency with the RAQS.

Implementation of Alternative 1 would have a lower impact on biological resources compared to the proposed CPU. The removal of the Riverwalk Street “J” and Fenton Parkway roadway connections across the San Diego River under Alternative 1 would reduce potential impacts to sensitive biological resources near the river. Therefore, impacts would be less than significant, and slightly less than the proposed CPU.

Impacts to historical, cultural, and tribal cultural resources would remain significant and unavoidable under Alternative 1, similar to the proposed CPU. Much of the CPU area is of either moderate or high cultural sensitivity and future development under this alternative could encounter as-yet undiscovered archaeological or Native American resources. Future development per Alternative 1 could directly or indirectly impact historical, cultural, or tribal cultural resources. However, as Alternative 1 would not include the Riverwalk Street “J” or Fenton

Parkway roadway connections across the San Diego River, there would be less potential for development per this alternative to impact resources in the vicinity of the river.

Transportation impacts under Alternative 1 would be significant and unavoidable and greater than the anticipated impacts under the proposed CPU. Implementation of Alternative 1 would impact three additional roadway segments than the proposed CPU (41 roadway segments would be significantly impacted under Alternative 1 whereas 38 roadways would be significantly impacted under the proposed CPU). Thirty-two directional freeway segments would be impacted under Alternative 1, same as the proposed CPU. Impacts regarding consistency with applicable plans and policies related to alternative transportation would also be greater under Alternative 1 compared to the proposed CPU. Alternative 1 would include the same planned mobility improvements and policies as the proposed CPU, including those that support increasing multi-modal opportunities consistent with SANDAG's Regional Plan, the City's General Plan, and the CAP, except it would not provide direct bicycle, pedestrian, and transit connections across the San Diego River to the proposed Riverwalk transit station and existing Fenton Parkway Station. Therefore, Alternative 1 would not implement the project objectives to create a better-connected mobility system that promotes access for pedestrians, bicycles, and transit, and would not accommodate new roadway connections for improved connectivity and adequate emergency access and response. Unlike the proposed CPU, Alternative 1 would result in significant and unavoidable impacts related to conflicts with plans and policies addressing alternative transportation.

Development under Alternative 1 would have similar impact levels for issue areas determined to be significant under the proposed CPU, including hydrology and water quality, noise, public services and facilities, and public utilities and infrastructure.

### Rationale and Conclusion

Alternative 1 is infeasible because overall it would not substantially reduce the significant impacts associated with the proposed CPU. Air quality impacts would be greater under Alternative 1 because the removal of the roadway connections across the San Diego River would increase VMT and associated mobile emissions. Similarly, transportation impacts under Alternative 1 would be greater than the proposed CPU as the absence of these new roadway connections would result in a greater number of impacts to the proposed roadway network, and it would also decrease multi-modal opportunities throughout the community.

While Alternative 1 would meet most of the Project Objectives outlined in Section 3.2.1 of the Final PEIR, it would not meet the proposed CPU's goal of accommodating new roadway connections within developed areas or areas planned for development for improved connectivity and adequate emergency access and response. The removal of the two high-water north-south roadway connections across the San Diego River could affect public safety by not providing for adequate emergency response and access, especially during flood conditions when all other roadways crossing the San Diego River are impassable. For the reasons discussed above, this alternative is infeasible.

## **Alternative 2**

Alternative 2 differs from the proposed CPU in that instead of the two-lane Riverwalk Street “J” connection, the north-south connection would be made 900 feet to the west via a two-lane Via Las Cumbres connection. Like the proposed CPU Riverwalk Street “J” connection, the extension of Via Las Cumbres would include Class II buffered bicycle lanes and a painted median from Friars Road to Riverwalk Street U (with additional lanes at intersections as needed) and would bridge over the San Diego River; plus enhancements to Fashion Valley Road to raise it to the 15-year flood level and widen it to a four-lane major street with Class IV cycle track, which is the same as under the proposed CPU. Differing from the proposed CPU, the profile of this alternative would be much higher, as the Via Las Cumbres extension would be elevated over the MTS trolley track, instead of converting the existing berm into a bridge over Riverwalk Street “J”. For this alternative, the bridge would cross the river further west than under the proposed CPU.

### **Potentially Significant Impacts**

Significant impacts of Alternative 2 are summarized below.

1. **Air Quality**
  - **Conflicts with Air Quality Plans**
  - **Air Quality Standards**
2. **Historical, Cultural, and Tribal Cultural Resources**
  - **Historic Structures, Objects, or Sites**
  - **Prehistoric and Historic Archaeological Resources, Sacred Sites, and Human Remains**
  - **Tribal Cultural Resources**
3. **Hydrology and Water Quality**
  - **Flooding and Drainage Patterns – Riverine Flooding**
4. **Noise**
  - **Increase in Ambient Noise**
  - **Land Use Compatibility**
  - **San Diego Municipal Code – Construction Noise**

5. Public Services and Facilities
6. Public Utilities and Infrastructure
  - Utilities
7. Transportation
  - Traffic Circulation

### Finding and Supporting Facts

Development under Alternative 2 would have similar impact levels for issue areas determined to be significant under the proposed CPU, including air quality; historical, cultural, and tribal cultural resources; hydrology and water quality; noise; public services and facilities; and public utilities and infrastructure.

Implementation of Alternative 2 would result in less than significant, but greater biological resource impacts compared to the proposed CPU. The construction and development associated with the Via Las Cumbres connection would result in permanent impacts to MHPA-designated lands adjacent to the San Diego River, as well as riparian woodland habitat, which could potentially impact sensitive species and habitats, and wetlands. Although future development under Alternative 2 would be required to adhere to all applicable federal, State, and local regulations regarding the protection of biological resources, development under this alternative would have a greater conflict with the City's MSCP because development would encroach into and/or permanently impact MHPA lands. Future development under Alternative 2 would be required to incorporate the MHPA Land Use Adjacency Guidelines into the design of projects adjacent to the MHPA to reduce potential indirect impacts to the MHPA; however, as this alternative would have the potential to impact a greater area of the MHPA, biological impacts would be greater compared to the proposed CPU.

Transportation impacts under Alternative 2 would be significant and unavoidable, similar to the proposed CPU. Implementation of Alternative 2 would result in significant and unavoidable impacts to the 38 roadway segments and 31 directional freeway segments, which would be the same under the proposed CPU. Impacts related to conflicts with applicable plans and policies related to alternative transportation would be less than significant and similar to the proposed CPU as Alternative 2 would include the same planned mobility improvements and mobility policies as in the proposed CPU policies, including those that support increasing multi-modal opportunities consistent with SANDAG's Regional Plan, as well as the City's General Plan and the CAP.

### Rationale and Conclusion

Alternative 2 is infeasible because overall it would not substantially reduce the significant impacts associated with the proposed CPU. While Alternative 2 would meet the Project Objectives outlined in Section 3.2.1 of the Final PEIR, it would result in greater impacts to biological and historical, cultural, and tribal cultural resources. Specifically, construction of the Via Las Cumbres roadway connection over the San Diego River could potentially impact MHPA

lands and sensitive biological resources located near the area of construction. Similarly, construction activities could disturb previously undiscovered archaeological and/or Native American resources buried adjacent to the river. For the reasons discussed above, this alternative is infeasible.

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**EXHIBIT B**  
**STATEMENT OF OVERRIDING CONSIDERATIONS**  
**(PUBLIC RESOURCES CODE §21081(b))**  
**FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)**  
**FOR THE**  
**MISSION VALLEY COMMUNITY PLAN UPDATE**

**PROJECT NUMBER 518009**

**SCH No. 2017071066**

**September 2019**

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STATEMENT OF OVERRIDING CONSIDERATIONS  
FOR THE MISSION VALLEY COMMUNITY PLAN UPDATE  
(PUBLIC RESOURCES CODE §21081(b))

Pursuant to California Environmental Quality Act (CEQA) Section 21081(b) and CEQA Guidelines Sections 15093 and 15043, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks, when determining whether to approve the Mission Valley Community Plan Update and associated discretionary actions (hereinafter referred to as the "CPU"), as defined in the Final Program Environmental Impact Report (PEIR). This statement of overriding considerations is specifically applicable to the significant and unavoidable impacts identified in Chapter 4 of the Final PEIR. As set forth in the Findings, the Project will result in unavoidable adverse impacts related to air quality; historical, cultural, and tribal cultural resources; hydrology and water quality; noise; public services and facilities; public utilities and infrastructure; and transportation.

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.

1. The CPU provides a comprehensive guide for growth and development in the Mission Valley community consistent with the General Plan's City of Villages Strategy and San Diego Forward: The Regional Plan.

Together with the General Plan, the proposed Mission Valley Community Plan Update (CPU)'s design guidelines, policies, implementing actions, and supplemental development regulations 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 design guidelines, policies, implementing actions, and supplemental development regulations.

The General Plan's City of Villages strategy calls for growth to be focused into mixed-use activity centers that are pedestrian-friendly, centers of community, and linked to the transit system. A village is further defined as the mixed-use heart of a community where residential, commercial, employment, and civic uses are all present and integrated; although it is recognized that each village will be unique to the community in which it is located. Mission Valley is identified in the General Plan as a Regional Employment Center and the community contains a large number of commercial, office, retail, and hotel uses. The community is also served by existing and planned trolley and bus service along key community street corridors; as a result, most of the community is within one half-mile of a major transit stop.

Additionally, San Diego Forward: The Regional Plan, prepared by the San Diego Regional Association of Governments (SANDAG), provides a blueprint for how the San Diego region will grow. It includes a Sustainable Communities Strategy, which includes a call to focus housing and job growth in urbanized areas where there is existing and planned transportation infrastructure, including transit. The Regional Plan also includes a Smart Growth Concept Map, which identifies the Mission Valley community as a Smart Growth Opportunity Area where higher density, transit-oriented mixed-use development is encouraged.

Citywide mobility goals contained in the General Plan's Mobility Element include greater walkability achieved through pedestrian-friendly street, site, and building design; increased transit ridership; a street and freeway system that balances the needs of multiple users of the public right-of-way; an interconnected street system that provides multiple linkages within and between communities; vehicle congestion relief; improved performance and efficiency of the street and freeway system, by means other than roadway widening or construction; expanded travel options and improved personal mobility; and a safe and comprehensive local and regional bikeway network.

The Recreation Element of the General Plan establishes standards for the provision of population-based parks, recreation centers, and aquatics complexes as follows:

- Population-based parks: 2.8 acres per 1,000 residents
- Recreation center: 17,000 square feet of recreation center per 25,000 residents
- Aquatics complex: One complex per 50,000 residents

It also establishes guidelines for the provision of park equivalencies, which are methods for meeting community park and recreation needs where constraints make meeting the above standards infeasible or to satisfy community specific needs and demands where applying flexibility is beneficial from a recreational standpoint.

Consistent with the General Plan, City of Villages Strategy, and Regional Plan, the CPU focuses future growth and development into mixed-use and multiple-use activity centers that are pedestrian-friendly and linked to transit and an improved regional transportation system.

The land use designations and residential densities in the CPU's land use map allow for an increase of in the community's housing capacity; employment capacity; and commercial, retail, office, and hotel uses to meet the needs of the CPU area and adjacent communities. Nearly all of the community's housing capacity would be located within a half-mile of a major transit stop.

The CPU 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 by incorporating three new roadway connections to be designed to be consistent with "complete streets" principles. Additionally, the CPU provides for a network of new pedestrian and bicycle connections through the community that will create a complete mobility system that promotes access for pedestrians, bicycles, and transit. The mobility vision and multi-modal transportation network strengthen the land use vision and promote a sustainable environment.

Also identified in the CPU are approximately 161.83 acres of proposed parks and park equivalencies. In addition, the CPU includes implementing actions and policies that will encourage the realization of additional park opportunities through agreements, the development permitting process, and other methods.

2. The CPU 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 Mission Valley community.

Based on the General Plan's City of Villages strategy and Land Use and Community Planning Element Policy LU-C.2, as well as policy direction to identify sites suitable for mixed-use development, revitalize transit corridors through plan designations and zoning that permits a higher intensity of mixed-use development, and consider integrating medium- to high-density residential uses with employment uses, the CPU contains detailed land uses and site-specific policy recommendations. Specifically, the CPU 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 policies;
- Urban design policies addressing the public realm and development form; and
- Community and site-specific policies to preserve and enhance natural and cultural resources.

The CPU 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, land use and mobility maps, and supplemental development

regulations. The CPU implements the City of Villages strategy by focusing growth along transit corridors and in mixed-use and multi-use areas adjacent to transit corridors.

The CPU provides detailed, site-specific design guidelines and policies for the mixed-use developments located in proximity to transit. The CPU contains policies that address density in proximity to transit routes and stations, building form and design that promotes community cohesion, residential development that is diverse and meets the needs of the community, pedestrian and bicycle mobility improvements, land use compatibility, and location-specific land use policies.

The CPU identifies the location of new and expanded public facilities, including specific park and recreation opportunities and park equivalencies, police and fire protection stations, and provides functional descriptions of these facilities.

The CPU contains policies and design guidelines that address community and site-specific design goals. These policies and design guidelines address developing fine-grained block and lot patterns to promote connectivity; promoting a pedestrian-scaled streetscape environment; designing development in a way that promotes and supports walkability, bicycle use, and transit use; and providing building and site design policy guidance that encourages new development that engages with public streets and neighboring development. The CPU also provides area-specific design guidelines and policies that address transit and freeway adjacent development, community nodes and main streets, hillsides, and development near the San Diego River.

The CPU recognizes the preservation and enhancement of natural resources within the community, and contains conservation policies and design guidelines related to energy, green building practices and infrastructure, sustainable development, open space protection, smart cities, and sea level rise and flooding.

The CPU identifies historical, cultural, and tribal cultural resources located in the Mission Valley community in a historic context statement and survey. The CPU also contains policies and implementing actions that call for the identification, protection, and preservation of historical, cultural, and tribal cultural resources.

Citywide zoning, including mixed-use zoning, and the application of the Hillside Conservation, Design, and Height Limitation Subdistrict Community Plan Implementation Overlay Zone (CPIOZ), the San Diego River CPIOZ, and the Specific Plan Subdistrict CPIOZ will serve as the development regulations to implement the CPU. The citywide zoning will implement the CPU policies related to villages and transit-oriented development. The CPIOZs will support streamlined permit processing and will provide supplemental development regulations tailored to specific sites within the community to implement specific aspects of the CPU.

3. The CPU supports the General Plan's City of Villages strategy and the SANDAG Regional Plan's Sustainable Communities Strategy through the implementation of additional housing options, increased density, and mixed uses near transit and job/employment centers, and continued employment and economic growth opportunities within the Mission Valley community.

The CPU will provide capacity for higher density residential housing and mixed-use development. Currently, there are approximately 12,000 multi-family dwellings and 4 single-family residential units within the Mission Valley planning area. The CPU will provide capacity for approximately 28,000 additional dwelling units in the community with a maximum of approximately 39,000 residential units at buildout. Nearly all of these residential units will be within a Transit Priority Area (TPA), advancing the City of Villages strategy, the Climate Action Plan, and the Regional Plan. Major employment uses in the Mission Valley Community include retail, commercial, office, and hotel uses. The Mission Valley community is considered a major employment center in the City and is connected to Downtown, another major employment center, by the San Diego Trolley. The CPU focuses future mixed-use development along transit corridors to allow residents and employees of the community to utilize transit for their commuting needs. The CPU also contains policies that support the development of senior and affordable housing on site (refer to RES-3 and RES-4).

4. The CPU supports employment and economic growth opportunities.

Major employment uses in the CPU area include commercial, retail, office, and hotel uses. The CPU provides for new and enhanced local commercial, retail, office, and hotel opportunities integrated with residential uses to create mixed-use development along transit corridors, allowing residents and employees of the community to utilize transit for their transportation needs. Future residential and mixed-use development will provide support for new commercial opportunities that will encourage employment and economic growth while providing additional commercial and retail services within walking and bicycling distance for community residents. The CPU focuses future mixed-use development in Transit Priority Areas (TPAs) throughout the community, which would increase non-vehicular access to employment opportunities in the region.

5. The CPU promotes neighborhood and community character and addresses the relationship of the community to the San Diego River.

The CPU establishes an urban design framework that provides design guidelines and policies for new development that is respectful of the existing and evolving character of the Mission Valley Community. The CPU provides design guidance for new development that promotes connectivity, a pedestrian-friendly environment, and diversity in both its form and function. The CPU identifies a connected pedestrian and bicycle network and encourages the development of paseos that will further promote connectivity and increase access to destinations within the community, including parks and open space areas within the community. (Refer to Implementing Actions in the Mobility Chapter and policies in the Walkability and Streets sections of the Policies for Development Chapter). The CPU also includes Implementing Action IA-7, which calls for the completion of the San Diego River Pathway connection from the Ocean Beach Community Planning Area to the Navajo Community Planning Area.

The CPU incorporates specific design guidance that acknowledges the importance of the design of the public realm to community vitality through improvement of the streetscape and the various function and design of various street types and enhancements (refer to Design Guidelines in the Urban Design Chapter and Streetscape policies in the Policies for Development Chapter). The CPU promotes urban greening by including specific tree recommendations for primary street

corridors, encouraging the incorporation of street trees to increase shade and promote carbon sequestration, and implementing Green Streets that provide storm water filtration and reduce storm water runoff (refer to DG-6 and DG-16). The CPU also includes design guidelines that addresses creating active streetscapes that are multifunctional, programming public open spaces for a variety of uses; and encouraging access and connectivity throughout the community through public signage and paseos. (Refer to Implementing Actions under the Public Realm section of the Urban Design Chapter).

The CPU acknowledges that the focus of new development will be in mixed-and multiple-use villages and districts ranging from infill development to larger scale sites, and provides a broad range of policies that guide development form based on neighborhood context and character, pedestrian experience, building materials, functionality, and sustainable design. The CPU provides policies that guide various aspects of urban form such as building articulation, windows, lighting, public space, public art, street orientation, height and massing, and sustainable building design. (Refer to the Design Guidelines in the Urban Design Chapter; and policies in the Blocks and Lots, Streetscapes, Building Placement and Orientation, Building Form and Design, Green Building Practices sections as well as Area-Specific policies in the Policies for Development Chapter).

The CPU includes implementation of the Hillside Conservation, Design, and Height Limitation Subdistrict CPIOZ, and the San Diego River Subdistrict CPIOZ. The Hillside Conservation, Design, and Height Limitation Subdistrict CPIOZ provide supplemental development regulations that will ensure land development projects respect, preserve, and or recreate the hillside areas of Mission Valley. Similarly, the San Diego River Subdistrict CPIOZ includes supplemental development regulations that will ensure that future development preserve and enhance the character of the San Diego River valley, provide for sensitive rehabilitation and redevelopment, and create the San Diego River Pathway.

6. The CPU promotes a Complete Streets strategy by providing a balanced street environment that addresses the needs of public transit users, pedestrians, bicyclists, and motorists.

The CPU 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 Mission Valley community and consistent with the General Plan's multi-modal/complete streets policies. The CPU identifies bicycle and pedestrian facility improvements that work in concert with the proposed land use plan. The CPU envisions a more balanced mobility network that provides viable options aimed at shifting trips to transit, walking, and bicycling, while also accommodating vehicle traffic and minimizing conflicts between travel modes. Bringing origins and destinations closer together and improving walking and cycling conditions can reduce automobile trips and associated traffic congestion. Therefore, the land use plan and active transportation improvements proposed as part of this CPU are anticipated to stimulate this mode shift. (Refer to Implementing Actions in the Mobility chapter; Walkability, Bicycling, Transit, Transportation Demand Management, Streets, and Area-Specific: Transit Adjacent policies in the Policies for Development Chapter, and Design Guidelines in the Transit Design Districts section of the Urban Design chapter).

The CPU focuses growth and development on and adjacent to transit corridors. The CPU includes multi-modal goals and policies that support high frequency transit services; transit-oriented villages and districts that include commercial, employment, and residential uses; and safe and integrated bicycle and pedestrian networks. It identifies pedestrian and bicycle improvements to increase connectivity within the community, to transit, and to adjacent communities, including a network of paseos, bridges, and new roadways that will benefit both pedestrians and bicyclists (refer to Implementing Actions in the Mobility chapter).

The CPU identifies a pedestrian route network and includes policies addressing connectivity, amenities, and safety to encourage walking as a viable mode of transportation. The CPU recommends including pedestrian bridges, a continuous network of sidewalks, continental crosswalks with pedestrian countdown signals and audible indicators, and pedestrian-scale lighting to promote pedestrian safety. The CPU also encourages village and district design to be pedestrian-oriented and include enhanced public realm spaces with paseos, street trees and landscaping, and other pedestrian amenities to further promote walking as a mode of transportation. (Refer to Implementing Actions in the Walkability section of the Mobility Chapter; Design Guidelines in the Urban Design Chapter; and Walkability policies in the Policies for Development Chapter).

The CPU supports the implementation of separated bicycle facilities, and other new and enhanced bicycle connections and facilities. To enhance the safety, comfort, and accessibility for all levels of bicyclists, the CPU recommends providing connections to bicycle facilities, and incorporating bicycle bridges, bicycle parking, and bicycle facilities including buffered bicycle lanes, cycle tracks, and multi-use paths. Overall, the CPU bicycle network adds connections and access that provide a more comprehensive and complete network for bicyclists. (Refer to Implementing Actions in the Bicycling Section of the Mobility Chapter, Design Guidelines in the Urban Design Chapter, and Bicycling policies in the Policies for Development Chapter).

The CPU proposes new roadway connections to create a better connected mobility system, provide adequate emergency access and response, and reduce vehicle miles traveled (and greenhouse gas emissions). The CPU envisions meeting the transportation demand in the community through policies that support improving major street corridors according to complete streets principles to accommodate multiple modes of travel, creating new streets and connections, and optimizing the function and capacity of the community's roads. (Refer to Implementing Actions in the Streets and Freeways section of the Mobility Chapter).

The CPU contains policies that support expanded and enhanced transit services within the community and to adjacent communities. The CPU supports coordination with the San Diego Association of Governments (SANDAG), Caltrans, and Metropolitan Transit System to provide improved transit amenities such as bridges, mobility hubs, transit priority measures, and transit infrastructure. The CPU also includes implementing actions and policies that support improving access to and enhancing transit facilities including providing ADA access, wayfinding signage, public art, landscaping, and other amenities. (Refer to Implementing Actions in the Transit section of the Mobility Chapter, and Transit policies in the Policies for Development Chapter).

The CPU includes policies that support the use of intelligent transportation systems (ITS). These policies include supporting the use of adaptive signals and improved coordination technologies

where feasible and suitable; and encourage coordination between new development and the City's Transportation and Storm Water Department and Development Services Department to identify opportunities to incorporate ITS technologies. (Refer to ITS-1 and ITS-2). The CPU also includes Implementing Actions that encourage the use of emerging technologies, support innovative transportation technologies, and promote the development of guidelines for shared vehicle operations, among other actions (refer to IA-28 through IA-32).

The CPU identifies transportation demand management (TDM) strategies to encourage use of a range of transportation options to help reduce congestion and parking demand. The CPU includes policies and implementing actions to incorporate mobility hub features, expand the use of community circulators, implement TDM Plans and practices, provide flexible curb space, and encourage participation in regional programs that promote alternative forms of transportation, among other strategies (refer to TDM-1 through TDM-8 and IA-33 through IA-35).

The CPU promotes parking management strategies that support applying parking standards for Transit Priority Areas, unbundling parking, and placing parking areas to the side or rear of buildings and distributing them throughout the project site (refer to PRK-1 through PRK-13, and IA-36 through IA-40).

#### 7. The CPU identifies recreation opportunities and new public open spaces.

The CPU area has approximately 19 useable acres of population-based parkland for its 20,800 residents, translating to a ratio of 1.01 acres per 1,000 residents. Open space areas and resource-based parks in or adjacent to the CPU area include the Mission Valley Preserve, Cottonwood Grove Park, the South Shores area of Mission Bay Park, and the San Diego River Park.

To service the projected household population of 72,400, the CPU area would need a minimum of 203 useable acres of parkland at full community development per the General Plan's Park and Recreation Facilities Guidelines. There are currently approximately 19 acres of population based parkland in the CPU area, and buildout of the proposed CPU would add approximately 75 acres population-based parkland, resulting in a total of approximately 94.15 acres of parkland to serve the community. In addition, toward meeting the General Plan goal of 203 acres, the proposed CPU identifies park equivalencies that would further increase the total park buildout.

Additionally, the CPU provides for additional anticipated opportunities for additional parkland and recreation facilities within the Mission Valley community primarily through the redevelopment of private and public properties and through the application of park equivalencies. While the City's primary goal is to obtain land for population-based parks, where vacant land is limited, unavailable or is cost-prohibitive, the General Plan allows for 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.

Table 5, Existing and Future Parks and Recreation Facilities, in the Parks and Open Space chapter of the CPU summarizes the existing and future parks, park equivalencies, and recreation and aquatic facilities that have been identified in the Mission Valley community to supplement their existing parks and recreation facilities inventory. The CPU also provides a set of Implementing Actions (IA) to be taken by the City related to identifying additional park and



recreation opportunities. These Implementing Actions include developing new parks or park equivalencies through land acquisition, on-site development, joint use agreements, and pocket/non-traditional parks (refer to IA-41 through IA-48); and preserving, expanding, and enhancing existing parks and open space areas (refer to IA-49 through IA-54 and IA-59 through IA-63). The CPU also includes IA-64, which seeks to strengthen the multimodal connections to Mission Bay Park to provide better access for Mission Valley residents.

**8. The CPU contains strategies to protect historical, cultural, and tribal cultural resources.**

The Mission Valley community contains a rich array of historical, cultural, and tribal cultural resources and the CPU includes policies that would identify and preserve these resources. Policies for protecting the community's historical and tribal cultural resources include identifying, designating, preserving, and restoring historical resources in Mission Valley (refer to HSP-5); evaluating properties, and any resource related to Mission Valley's agricultural history to determine their eligibility for designation as a historical resource (refer to HSP-6 and HSP-7); conducting project-specific investigations and Native American Kumeyaay consultations to identify significant resources (refer to HSP-1 and HSP-2); considering eligible for listing any significant archaeological or Native American Kumeyaay cultural sites (refer to HSP-4); and ensuring adequate data recovery and mitigation for adverse impacts to archaeological and tribal cultural resources (refer to HSP-3).

The CPU also includes Implementing Actions that the City would take to raise awareness and help facilitate the protection of the community's historical, cultural, and tribal cultural resources. These implementing actions include creating interpretive programs to educate the public and acknowledge the cultural heritage of Mission Valley (refer to IA-65); acknowledging places and names important to Native Americans who inhabited and utilized Mission Valley (refer to IA-66); conducting a reconnaissance survey of the community to identify potential historical resources (refer to IA-67); and providing support and guidance for community members to nominate historical resources (refer to IA-68).

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

One of the five primary strategies identified in the CAP, Strategy 3: **Bicycling, Walking, Transit & Land Use**, implements bicycling, walking, transit and land use strategies to increase multi-modal opportunities and reduce fuel consumption and vehicle miles traveled. 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). Strategy 3 includes the following community plan-related actions:

- Action 3.1: Implement the General Plan's Mobility Element and the City of Villages Strategy in Transit Priority Areas to increase the use of transit;
- Action 3.2: Implement pedestrian improvements in Transit Priority Areas to increase commuter walking opportunities;
- Action 3.3: Implement the City of San Diego's Bicycle Master Plan to increase commuter bicycling opportunities; and

- Action 3.6: Implement transit-oriented development within Transit Priority Areas.

The CPU complies with the CAP by doing the following: (1) identifying transit design districts in Transit Priority Areas; (2) applying land use designations, residential densities, and implementing zoning to support transit-oriented development; (3) providing policies and planned improvements to support transit operations and access; (4) and designing a planned multi-modal mobility network that includes robust pedestrian and bicycle facilities that connect people to transit.

The CPU directs growth and development into residential and mixed-use areas near transit, with densities ranging from 44 dwelling units per acre to 145 dwelling units per acre within TPAs that are served by existing or planned high frequency transit. The proposed mobility network complements the proposed transit-supportive density with planned pedestrian and bicycle facilities that provide improved connections to transit corridors and stations, and policies that promote and support walking, bicycling, and transit use (refer to policies WLK-1 through WLK-5, BIC-1 through BIC-4, TRN-1 through TRN-3, and TAD-1 through TAD-4). The CPU also includes policies that encourage the incorporation of transportation demand measures for new development. The proposed land use and zoning associated with the CPU would support transit-supportive residential densities along adjacent transit corridors, and would accommodate mixed-use 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 CPU includes some community-specific sustainability policies and design guidelines that promote sustainable development and reduce greenhouse gas emissions consistent with the General Plan and CAP. The CPU policies and design guidelines support implementing Green Building Practices and Green Streets through the use of sustainable materials and landscaping; stormwater capture and treatment; energy generation and conservation; carbon sequestration, and other methods (refer to GBP-1 through GBP-3; DG-16; and DG-62 through DG-70).

The CPU also includes policies and design guidelines related to urban forestry that relate to climate resiliency and encouraging multi-modal transportation. For example, the CPU's design guidelines encourage the incorporation of street trees to promote carbon sequestration, shield pedestrian pathways, reduce urban heat island effect and stormwater runoff, and improve air quality (refer to DG-6 and DG-16); and the CPU's policies encourage the placement of trees near schools and transit areas (refer to WLK-3 and TAD-3).

## I. 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 CPU. Therefore, the City Council adopts this Statement of Overriding Considerations.

Doc. No. 2074909

**EXHIBIT C**

**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**

**FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)**

**FOR THE**

**MISSION VALLEY COMMUNITY PLAN UPDATE**

**PROJECT NUMBER 518009**

**SCH No. 2017071066**

**September 2019**

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**EXHIBIT C**

**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**

MISSION VALLEY COMMUNITY PLAN UPDATE  
CITY OF SAN DIEGO, CALIFORNIA  
PROGRAM ENVIRONMENTAL IMPACT REPORT NO. 518009  
SCH NO. 2017071066

This Mitigation Monitoring and Reporting Program (MMRP) is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. The MMRP for the Mission Valley Community Plan Update (MVCPU) Final Program Environmental Impact Report (PEIR) is under the jurisdiction of the City. This MMRP 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 MMRP will be maintained at the offices of the City of San Diego (City) Planning Department, which is currently located at 9485 Aero Drive, San Diego, CA 92123.

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
<b>AIR QUALITY</b>			
<p><b>Impact 4.1-1:</b> Buildout of the proposed CPU would result in greater density and vehicle miles traveled (VMT), resulting in ozone precursor emissions (ROG and NOx) greater than what is accounted for in the Regional Air Quality Strategy (RAQS); impacts associated with conflicts with air quality plans would be potentially significant.</p>	<p><b>MM-AQ-1:</b> Within six months of the certification of the Final PEIR, the City shall provide a revised land use map for the CPU area to SANDAG to ensure that any revisions to the population and employment projections used by the SDAPCD in updating the RAQS and the SIP will accurately reflect anticipated growth due to the proposed CPU.</p>	<p>Within six months of the certification of the Final PEIR; prior to the update of the RAQS and SIP.</p>	<p>City Planning Department</p>
<p><b>Impact 4.1-2:</b> For construction projects under the proposed CPU, two hypothetical projects were evaluated: a 5-acre mixed-use development and redevelopment of the 233-acre stadium site. In regard to the 5-acre projects, due to the potential for significant growth in the CPU area, future development could exceed the SDAPCD screening thresholds if multiple projects were constructed simultaneously. This impact is significant and unavoidable.</p> <p>For a project that includes demolition of the existing stadium, emissions would exceed the project-level significance thresholds for NO<sub>x</sub> and PM<sub>10</sub>. Emissions</p>	<p><b>MM-AQ-2:</b> Measures to reduce construction emissions shall be included in the specific plan for the stadium site and shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Equipment shall meet USEPA Tier 4 emission standards, as feasibly available.</li> <li>• The construction contractor shall maintain and properly tune all construction equipment in accordance with manufacturer's specifications.</li> <li>• The construction contractors shall minimize idling times either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of</li> </ul>	<p>Prior to approval of the Purchase and Sale Agreement with California State University/San Diego State University for the stadium site, or otherwise prior to the approval of a specific plan.</p>	<p>City Development Services Department (DSD)</p>

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
<p>could be reduced to less than significant through the implementation of standard air quality BMPs included in MM-AQ-2.</p>	<p>Regulations). Clear signage shall be provided for construction workers at all access points.</p> <ul style="list-style-type: none"> <li>• A blasting execution plan shall be developed and approved prior to any implosion event. This blasting execution plan shall evaluate the feasibility of staged implosion to minimize dust generation and exposure.</li> <li>• A public notification program shall be instituted prior to the implosion event, which includes recommendations to minimize exposure to airborne dust.</li> <li>• The implosion shall be scheduled during periods of low/no wind speeds.</li> <li>• A dust control plan shall be developed to identify measures and equipment necessary to minimize dust from windblown storage piles, offsite tracking of dust, debris loading, truck hauling of debris, vehicle speed limits, and to identify other dust suppression measures.</li> <li>• An ambient air quality monitoring program shall be implemented proximate to the stadium to measure</li> </ul>		

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	actual particulate matter concentrations.		
<b>HISTORICAL, CULTURAL, AND TRIBAL CULTURAL RESOURCES</b>			
<p><b>Impact 4.6-1:</b> Future development and related construction activities facilitated by the proposed CPU at the project level could result in the alteration of a historic building, structure, object, or site. Direct impacts of specific projects may include substantial alteration, relocation, or demolition of historic buildings, structures, objects, sites and districts. Indirect impacts may include the introduction of visual, audible, or atmospheric effects that are out of character with a historic property or alter its setting, when the setting contributes to the resource's significance. Thus, potential impacts to individual historic resources could occur where implementation of the CPU would result in increased development potential.</p>	<p><b>MM-CULT-1: Historic Buildings, Structures, and Objects</b>                      Prior to issuance of any permit 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 meets any of the following criteria:                      (1) National Register-Listed or formally determined eligible,                      (2) California Register-Listed or formally determined eligible,                      (3) San Diego Register-Listed or formally determined eligible, or                      (4) meets the CEQA criteria for a historical resource.                      The evaluation of historic architectural resources shall be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity as indicated in the Historical Resources Guidelines and Historic Resources Regulations (SDMC sections 143.0201-143.0280).</p>	<p>Mitigation will be implemented as future projects develop. For future projects, mitigation shall take place prior to issuance of any permit that would directly or indirectly affect a building/structure in excess of 45 years of age.</p>	<p>DSD</p>



<b>Potential Significant Impact</b>	<b>Mitigation Measure</b>	<b>Timeframe of Mitigation</b>	<b>Monitoring, Enforcement, and Reporting Responsibility</b>
	<p>The 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:</p> <ul style="list-style-type: none"> <li>• Preparing a historic resource management plan;</li> <li>• Designing new construction that 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);</li> <li>• Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;</li> <li>• 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;</li> <li>• Specific types of historical resource reports are required to document the</li> </ul>		

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	<p>methods (see Section III of the Historical Resources Guidelines) used to determine the presence or absence of historical resources, to identify potential impacts from a proposed development and evaluate the significance of any identified historical resources. If potentially significant impacts to an identified historical resource are identified, these reports shall also recommend appropriate mitigation to reduce the impacts to below a level of significance. If required, mitigation programs can also be included in the report.</p>		
<p><b>Impact 4.6-2:</b> Because it is not possible to ensure the successful preservation of all prehistoric and historic archaeological resources, implementation of the proposed CPU could adversely impact prehistoric or historic archaeological resources including religious or sacred use sites and human remains.</p>	<p><b>MM-CULT-2: Archaeological and Tribal Cultural Resources</b>                      Prior to issuance of any permit for a future development project implemented in accordance with the CPU 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, privies, trash pits, building foundations, and industrial features</p>	<p>Mitigation will be implemented as future projects develop. The Initial Determination shall take place during the initial planning stages of any project.</p>	<p>DSD</p>

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	<p>representing the contributions of people from diverse socioeconomic and ethnic backgrounds. Resources may also include resources associated with prehistoric Native American activities.</p> <p><u>Initial Determination</u></p> <p>The environmental analyst shall determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information (e.g., Archaeological Sensitivity Maps, the Archaeological Map Book, and the California Historical Resources Inventory System and the City's "Historical Inventory of Important Architects, Structures, and People in San Diego") and may conduct a site visit. A cultural resources sensitivity map was created from the record search data as a management tool to aid in the review of future projects within the CPU area which depicts three levels of sensitivity (Final PEIR Figure 4.6-1). Review of this map shall be done at the initial planning stage of a specific project to ensure that cultural resources are avoided and/or impacts are minimized in accordance with the Historical Resources Guidelines. These levels, which are described</p>		

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	<p>below, are not part of any federal or State law.</p> <ul style="list-style-type: none"> <li>• High Sensitivity: These areas contain known significant cultural resources and have a potential to yield information to address a number of research questions. These areas may have buried deposits, good stratigraphic integrity, and preserved surface and subsurface features. If a project were to impact these areas, a survey and testing program is required to further define resource boundaries subsurface presence or absence and determine level of significance. Mitigation measures such as a Research Design and Archaeological Data Recovery Plan (ADRP) and construction monitoring shall also be required.</li> <li>• Medium Sensitivity: These areas contain recorded cultural resources consisting of more site structure, diversity of feature types, and diversity of artifact types, or have a potential for resources to be encountered. The significance of cultural resources within these areas may be unknown. If a project impacts these areas, a site-specific records search, survey and significance evaluation is</li> </ul>		

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	<p>required if cultural resources were identified during the survey. Mitigation measures may also be required.</p> <ul style="list-style-type: none"> <li>• Low Sensitivity: These areas are described as having a high level of disturbance due to existing development, with few or no previously recorded resources documented within the area or considered during tribal consultation. Resource at this level would not be expected to be complex, with little to no site structure or artifact diversity. If a project impacts these areas, a records search may be required. Areas with steep hillsides generally do not leave an archaeological signature and would not require further evaluation.</li> </ul> <p>If there is any evidence that the project area contains archaeological or tribal cultural resources, then an archaeological evaluation consistent with the City's Guidelines shall be required. All individuals conducting any phase of the archaeological evaluation program shall meet professional qualifications in accordance with the City's Historical Resources Guidelines.</p>		

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	<p><u>Step 1</u>                      Based on the results of the initial determination, if there is evidence that the project area contains archaeological resources, preparation of an evaluation report is required. The evaluation report shall generally include background research, field survey, archaeological testing, and analysis. Before actual field reconnaissance would occur, background research is required that includes a record search at the South Coastal Information Center (SCIC) at San Diego State University. A review of the Sacred Lands File maintained by the NAHC shall also be conducted at this time. Information about existing archaeological collections shall also be obtained from the San Diego Archaeological Center and any tribal repositories or museums.</p> <p>In addition to the records 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</p>		

<b>Potential Significant Impact</b>	<b>Mitigation Measure</b>	<b>Timeframe of Mitigation</b>	<b>Monitoring, Enforcement, and Reporting Responsibility</b>
	<p>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, including consultation with descendant communities. The results of the background information would be included in the evaluation report.</p> <p>Once the background research is complete, a field reconnaissance shall be conducted by individuals whose qualifications meet City standards. Consultants shall employ innovative survey techniques when conducting enhanced reconnaissance including, but not limited to, remote sensing, ground penetrating radar, human remains detection canines, LiDAR, and other soil resistivity techniques as determined on a case-by-case basis by the tribal representative during the project-specific AB 52 consultation process. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or tribal cultural resources. If, through background research and field surveys, resources are identified, then an evaluation</p>		

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	<p>of significance, based on the City's Guidelines, shall be performed by a qualified archaeologist.</p> <p><u>Step 2</u>            Where a recorded archaeological site or tribal cultural resource (as defined in the PRC) is identified, the City shall initiate consultation with identified California Indian tribes pursuant to the provisions in PRC sections 21080.3.1 and 21080.3.2, in accordance with AB 52. It should be noted that during the consultation process, tribal representative(s) will be 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</p>		



<b>Potential Significant Impact</b>	<b>Mitigation Measure</b>	<b>Timeframe of Mitigation</b>	<b>Monitoring, Enforcement, and Reporting Responsibility</b>
	<p>site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A thorough discussion of testing methodologies including surface and subsurface investigations can be found in the City of San Diego's Historical Resources Guidelines. Results of the consultation process will determine the nature and extent of any additional archaeological evaluation or changes to the proposed project.</p> <p>The results from the testing program shall be evaluated against the Significance Thresholds found in the Historical Resources Guidelines. If significant historical resources are identified within the area of potential effects, the site may be eligible for local designation. However, this process will 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. The final testing report shall be submitted to Historical Resources Board (HRB) staff for designation. The final testing report and supporting documentation will be used by HRB staff in</p>		

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	<p>consultation with qualified City staff to ensure that adequate information is available to demonstrate eligibility for designation under the applicable criteria. This process shall be completed prior to distribution of any draft environmental document.</p> <p>An agreement with each consulting tribe 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 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.</p>		

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	<p><u>Step 3</u>                      Preferred mitigation for archaeological 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 Archaeological Data Recovery Program (ADRP) 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 shall be reviewed and approved by the City's Environmental Analyst prior to distribution of any draft environmental document and shall include the results of the tribal consultation process. Archaeological monitoring may be</p>		

<b>Potential Significant Impact</b>	<b>Mitigation Measure</b>	<b>Timeframe of Mitigation</b>	<b>Monitoring, Enforcement, and Reporting Responsibility</b>
	<p>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 existing development or dense vegetation.</p> <p>A Native American observer must be retained for all subsurface investigations on public or private property, including geotechnical testing and other ground disturbing activities whenever a tribal cultural resource or any archaeological site, would be impacted. In the event that human remains are encountered during data recovery and/or a monitoring program, the provisions of California Public Resources Code Section 5097 shall 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 5097.98) and State Health and Safety Code (Section 7050.5), and in the federal, State, and local regulations described above shall be undertaken. These provisions shall be outlined in the Mitigation Monitoring and Reporting Program included in a subsequent project-specific environmental document.</p>		

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	<p>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.</p> <p><u>Step 4</u>                      Archaeological Resource Management reports shall be prepared by qualified professionals as determined by the criteria set forth in Appendix B of the Historical Resources 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 Historical Resources Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from</p>		

<b>Potential Significant Impact</b>	<b>Mitigation Measure</b>	<b>Timeframe of Mitigation</b>	<b>Monitoring, Enforcement, and Reporting Responsibility</b>
	<p>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.</p> <p>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 Historical Resources 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. A confidential appendix must be submitted (under separate cover), along with historical resource reports for archaeological sites and tribal cultural resources, containing the confidential</p>		

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	<p>resource maps and records search information gathered during the background study. In addition, a Collections Management Plan shall be prepared for projects that result in a substantial collection of artifacts, which must address the management and research goals of the project, and the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City of San Diego. Appendix D (Historical Resources Report Form) may be used when no archaeological resources were identified within the project boundaries.</p> <p><u>Step 5</u>                      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 historical deposit is encountered during construction monitoring,</p>		

<b>Potential Significant Impact</b>	<b>Mitigation Measure</b>	<b>Timeframe of Mitigation</b>	<b>Monitoring, Enforcement, and Reporting Responsibility</b>
	<p>a Collections Management Plan shall be required in accordance with the project's Mitigation Monitoring and Reporting Program. The disposition of human remains and burial- related artifacts that cannot be avoided or are inadvertently discovered is governed by State (i.e., AB 2641 [Coto] and California Native American Graves and Repatriation Act of 2001 [Cal NAGPRA] [Health and Safety Code 8010-8011]) and federal (i.e., federal NAGPRA [USC 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.</p> <p>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 are suspected to be recovered, the treatment and disposition of such resources will be determined during the tribal</p>		



<b>Potential Significant Impact</b>	<b>Mitigation Measure</b>	<b>Timeframe of Mitigation</b>	<b>Monitoring, Enforcement, and Reporting Responsibility</b>
	<p>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 Collections (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 Historical Resources Guidelines.</p>		
<p><b>Impact 4.6-3:</b> Because it is not possible to ensure the successful preservation of all tribal cultural resources, impacts to tribal cultural resources would be potentially significant.</p>	<p><b>MM-CULT-2</b>, as described above</p>	<p>Mitigation will be implemented as future projects develop. Prior to issuance of any permit that could directly affect an archaeological or tribal cultural resource based on an initial determination by an environmental analyst.</p>	<p>DSD</p>
<b>NOISE</b>			
<p><b>Impact 4.9-5:</b> Due to the highly developed nature of the CPU area with sensitive receivers potentially located in</p>	<p><b>MM-NOS-1:</b> Future discretionary projects within the CPU area shall implement the following measures to minimize short-term</p>	<p>Mitigation will be implemented as future projects develop.</p>	<p>DSD</p>

<b>Potential Significant Impact</b>	<b>Mitigation Measure</b>	<b>Timeframe of Mitigation</b>	<b>Monitoring, Enforcement, and Reporting Responsibility</b>
<p>proximity to construction sites, there is a potential for the construction of future projects to expose existing sensitive receptors to significant noise levels. Impacts associated with construction noise would be potentially significant.</p>	<p>noise levels caused by construction activities. Measures to reduce construction noise shall be included in the contractor specifications and shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</li> <li>• Locate stationary noise-generating equipment (e.g., compressors) as far as possible from adjacent residential receivers.</li> <li>• Acoustically shield stationary equipment located near residential receivers with temporary noise barriers.</li> <li>• Utilize "quiet" air compressors and other stationary noise sources where technology exists.</li> <li>• 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</li> </ul>	<p>Measures to reduce construction noise shall be approved prior to construction activity.</p>	

Potential Significant Impact	Mitigation Measure	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	<p>can be scheduled to minimize noise disturbance.</p> <ul style="list-style-type: none"> <li>Designate a "disturbance coordinator" who shall 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.</li> </ul>		
<b>TRAFFIC CIRCULATION</b>			
<i>All Transportation Facilities</i>			
<p><b>Impact 4.13-1:</b> Traffic generated from land uses associated with the proposed CPU in addition to regional growth was projected to have a significant cumulative impact on 27 roadway segments, 14 study intersections, 20 freeway segments, and one ramp meter within the study area.</p>	<p><b>MM-TR-63:</b> Future specific plan proposals shall conduct transportation studies and include coordination between the City of San Diego, Caltrans, SANDAG and MTS to identify needed transportation improvements and transportation demand management measures.</p>	<p>Mitigation will be implemented as opportunities arise.</p>	<p>City Planning Department, DSD</p>
	<p><b>MM-TR-64:</b> The City of San Diego shall continue to coordinate with Caltrans and SANDAG on future improvements, as future project-level development proceeds, to potentially develop "fair share" mitigation strategies for freeway impacts, as appropriate.</p>	<p>Mitigation will be implemented as opportunities arise.</p>	<p>City Planning Department, DSD</p>

Passed by the Council of The City of San Diego on SEP 10 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 12 2019.

**(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:

(Seal)

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 312653