

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO CERTIFYING ENVIRONMENTAL IMPACT
REPORT SCH. NO. 2019060003 AND ADOPTING THE
FINDINGS AND STATEMENT OF OVERRIDING
CONSIDERATIONS FOR COMPLETE COMMUNITIES:
HOUSING SOLUTIONS AND MOBILITY CHOICES.

WHEREAS, the City of San Diego analyzed the amendments to the San Diego Municipal Code (SDMC) and Land Development Manual (LDM) to adopt two new ordinances, and associated discretionary actions, collectively referred to as Complete Communities: Housing Solutions and Mobility Choices (Project); and

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

WHEREAS, the matter was heard by the City Council on _____; and

WHEREAS, the City Council considered the issues discussed in the Environmental Impact Report Sch. No. 2019060003 (Report) prepared for this Project; NOW, THEREFORE,

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

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

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

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

APPROVED: MARA W. ELLIOTT, City Attorney

By

Corrine L. Neuffer
Deputy City Attorney

CLN:als
06/05/2020
Or.Dept:Planning
Doc. No.: 2398436

ATTACHMENT(S): Exhibit A, Candidate Findings
Exhibit B, Statement of Overriding Considerations

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

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

DRAFT

EXHIBIT A

CANDIDATE FINDINGS

FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (FINAL PEIR) FOR

COMPLETE COMMUNITIES: HOUSING SOLUTIONS AND MOBILITY CHOICES

SCH No. 2019060003

DRAFT

June 2020

I. INTRODUCTION

A. Findings of Fact

The following Candidate Findings are made for Complete Communities: Housing Solutions and Mobility Choices and associated discretionary actions (hereinafter referred to as the "Project"). The environmental impacts of the Project are addressed in the Final Program Environmental Impact Report ("Final PEIR") dated May 5, 2020 (State Clearinghouse No. 2019060003), 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 effects 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 effect as identified in the final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant

environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

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

These requirements also exist in Section 21081 of the CEQA statute. The "changes or alterations" referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which avoid or substantially lessen the significant environmental 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. Records of Proceedings

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

- The Notice of Preparation (NOP), dated June 5, 2019, and all other public notices issued by the City in conjunction with the Project;
- The Draft PEIR, dated December 13, 2019;
- The Final PEIR, dated May 5, 2020;
- 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 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

The City of San Diego (City) covers approximately 342.5 square miles and stretches nearly 40 miles from north to south. There are 93 miles of shorelines including bays, lagoons, and the Pacific Ocean. Elevations mostly range from sea level to 600 feet above sea level. High points include Mt. Soledad in La Jolla and Cowles Mountain in the eastern part of the City, which is nearly 1,600 feet high.

The proposed Project areas are citywide and are generally developed, urbanized areas with access to high-quality transit. The approximately 20,538 acres of the Complete Communities: Housing Solutions (Housing Program) project areas are located within Transit Priority Areas (TPAs) throughout the City. Areas where improvements under the Complete Communities: Mobility Choices (Mobility Choices Program) could be implemented cover approximately 83,218 acres and are inclusive of Housing Program project areas.

B. Project Description and Objectives

• Project Description

Complete Communities: Housing Solutions

The proposed Project includes amendments to the City's Land Development Code (LDC) to implement Complete Communities: Housing Solutions (Housing Program). Future development projects within TPAs that provide affordable housing and provide or contribute toward neighborhood-serving improvements would be allowed additional square footage and building height, which would allow for additional units beyond what is otherwise allowed in the respective base zone, Planned District Ordinance (PDO), or Community Plan. Existing height restrictions in the Coastal Zone in addition to height restrictions in proximity to airports would continue to apply. Additionally, projects that qualify for participation in the Housing Program could be approved through a ministerial process with certain exceptions unless site-specific conditions warrant a discretionary approval. Discretionary permits would still be required if a project impacts a sensitive resource such as environmentally sensitive lands, a historical resource, or is located within the Coastal Zone.

In exchange for additional density, building square footage, and height, the Housing Program would require all projects to provide new community-serving infrastructure improvements through either payment of a fee into a Neighborhood Enhancement Fund or by providing a public promenade that meets specified standards including minimum street frontage requirements.

Complete Communities: Mobility Choices

The proposed Project includes amendments to the City's LDC and Land Development Manual (LDM) to implement Complete Communities: Mobility Choices (Mobility Choices Program) and support adoption of a new CEQA significance threshold for transportation that implements Senate Bill (SB) 743. The purpose of the Mobility Choices Program is to implement SB 743 by ensuring that new development mitigates transportation impacts based on vehicle miles traveled (VMT) to the extent feasible, while incentivizing development within the City's urban areas (Mobility Zones 1, 2, and 3). The Mobility Choices Program will support investments in active transportation and transit infrastructure – in the areas where that infrastructure is needed most – where the most reductions in overall VMT and greenhouse gas (GHG) emissions reductions can be realized. The Mobility Choices Program would apply citywide to any new development for which a building permit is issued except for:

- Residential development with 10 or fewer dwelling units;
- Any non-residential development less than 10,000 square feet gross floor area;
- Residential development that includes at least 20 percent affordable housing as defined in San Diego Municipal Code (SDMC) Section 143.0730 for the provision of amenities requirement;
- Public projects;
- Development within one-quarter mile of existing passenger rail; or
- Development located in the Downtown Community Plan Area.

For development within Mobility Zone 4 (less VMT efficient areas), payment of a Mobility Choices Fee would be required. The Mobility Choices Fee would be used to fund active transportation and VMT reducing infrastructure projects in Mobility Zones 1, 2, and 3. The Mobility Choices Fee would be used in areas that have the greatest capacity to realize VMT reductions within the City. Deed restricted affordable housing within Mobility Zone 4 that meets specified criteria would be exempt from the payment of the Mobility Choices Fee.

i. **Project Objectives**

The objectives of the Project are as follows:

- Identify and make available for development adequate sites to meet the City's diverse housing needs;
- Incentivize new construction of all types of multi-family housing, with an emphasis on affordable housing units;
- Implement the City's General Plan to achieve planned residential buildout and meet the City's Regional Housing Needs Allocation targets;
- Implement the City's Climate Action Plan to achieve greenhouse gas reductions through a reduction in vehicle miles traveled, and increased active transportation mode shares within TPAs and urban areas (Mobility Zones 1, 2, and 3);
- Incentivize the production of multi-family residential development within TPAs and urban areas (Mobility Zones 2 and 3) to reduce the amount of vehicular miles driven in the City;
- Plan for infrastructure that reduces trips and trip length instead of planning for infrastructure that accommodates additional vehicular traffic, in accordance with Senate Bill 743; and
- Provide public infrastructure that supports a pedestrian-, bike-, and transit-friendly environment to achieve vibrant, active, healthy, and livable communities within TPAs and urban areas (Mobility Zones 1, 2, and 3).

III. **SUMMARY OF IMPACTS**

The Project addressed in these Findings is a set of proposed amendments to the City's Land Development Code (LDC) and Land Development Manual (LDM) that would incentivize housing construction, affordability, and supply to achieve planned densities in the City's General Plan and Community Plans and the City's Regional Housing Needs Allocation (RHNA) goals; reduce citywide per capita vehicle miles traveled (VMT); and provide for the construction of or funding to support the completion of active transportation infrastructure within the City's transit priority areas (TPAs) and urban areas (Mobility Zones 1, 2, and 3), as described in Chapter 3.0 of the Final PEIR.

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 (Direct and Cumulative)
2. Mineral Resources (Direct and Cumulative)
3. Population and Housing (Direct and Cumulative)

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. Land Use
 - Conflict with Applicable Plans and Regulations (Direct and Cumulative)
 - Conversion of Open Space or Farmland (Direct and Cumulative)
 - Conflicts with an Adopted ALUCP (Direct and Cumulative)
2. Air Quality
 - Sensitive Receptors (Cumulative)
 - Odors (Direct and Cumulative)
3. Biological Resources
 - Wildlife Corridors and Nursery Sites (Direct and Cumulative)
 - Multiple Species Conservation Program (Direct and Cumulative)
 - Conflicts with Local Plans and Policies (Direct and Cumulative/C?)
4. Energy
 - Energy Resources (Direct and Cumulative)
 - Conflicts with Plans or Policies (Direct and Cumulative)
5. Geology, Soils, and Seismicity
 - Seismic Hazards (Direct and Cumulative)
 - Erosion or Loss of Topsoil (Direct and Cumulative)
 - Geologic Instability (Direct and Cumulative)
 - Expansive Soils (Direct and Cumulative)
6. Greenhouse Gas Emissions
 - Greenhouse Gas Emissions (Direct and Cumulative)
 - Conflicts with Plans or Policies (Direct and Cumulative)
7. Health and Safety
 - Transport, Use, or Disposal (Direct and Cumulative)
 - Release of Hazardous Materials (Direct and Cumulative)
 - Schools (Direct and Cumulative)
 - Hazardous Materials Sites and Health Hazards (Direct and Cumulative)
 - Aircraft Related Hazards (Direct and Cumulative)
 - Emergency Evacuation and Response Plans (Direct and Cumulative)
8. Hydrology / Water Quality
 - Flooding and Drainage Patterns – Local Surface Runoff, Riverine Flooding, Seiche, Dam Failure, Mudflow (Cumulative)
 - Water Quality (Direct and Cumulative)
 - Groundwater (Direct and Cumulative)
9. Noise
 - Airport Noise (Direct and Cumulative)
10. Paleontological Resources (Direct and Cumulative)
11. Transportation
 - Transportation Policy Consistency (Direct and Cumulative)
 - Design Feature (Direct and Cumulative)
 - Emergency Access (Direct and Cumulative)

12. Public Utilities and Infrastructure
 - Solid Waste and Recycling (Direct and Cumulative)
13. Visual Effects and Neighborhood Character
 - Landform Alteration (Cumulative)
 - Light and Glare (Direct and Cumulative)

Impacts that are Less than Significant with Mitigation

There are no **direct and/or cumulatively significant impacts, which can 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 reduce impacts to less than significant.**

1. Air Quality
 - Conflicts with Air Quality Plans (Direct and Cumulative)
 - Air Quality Standards (Direct and Cumulative)
 - Sensitive Receptors – Localized Carbon Monoxide Hot Spots and Mobile Source Emissions (Direct)
2. Biological Resources
 - Sensitive Species (Direct and Cumulative)
 - Sensitive Habitats (Direct and Cumulative)
 - Wetlands (Direct and Cumulative)
3. Historical, Archaeological, and Tribal Cultural Resources
 - Historic Buildings, Structures, Objects or Sites (Direct and Cumulative)
 - Prehistoric and Historic Archaeological Resources, Sacred Sites and Human Remains (Direct and Cumulative)
 - Tribal Cultural Resources (Direct and Cumulative)
4. Hydrology/Water Quality
 - Flooding and Drainage Patterns – Mudflow, Tsunami, Downstream flooding (Direct)
 - Tsunami Inundation (Direct and Cumulative)
5. Noise
 - Noise Levels - Ambient Noise, Traffic Related Noise, Rail Noise, Noise Ordinance Compliance, Temporary Construction Noise (Direct and Cumulative)
 - Groundborne Vibration (Direct and Cumulative)
6. Public Services and Facilities
 - Public Facilities - Police Protection, Fire-Rescue Services, Schools, Libraries, Parks and Recreation (Direct and Cumulative)
 - Deterioration of Existing Neighborhood parks and Recreational Facilities (Direct and Cumulative)
 - Construction or Expansion of Recreational Facilities (Direct and Cumulative)
7. Transportation
 - Vehicle Miles Traveled (Direct and Cumulative)
8. Public Utilities and Infrastructure

- Water Supply (Direct and Cumulative)
- Utilities (Direct and Cumulative)
- 9. Wildfire
 - Wildfire (Direct and Cumulative)
 - Pollutants from Wildfire (Direct and Cumulative)
 - Infrastructure (Direct and Cumulative)
 - Flooding or Landslides (Direct)
- 10. Visual Effects and Neighborhood Character
 - Scenic Vistas or Views (Direct and Cumulative)
 - Neighborhood Character (Direct and Cumulative)
 - Distinctive or Landmark Trees (Direct and Cumulative)
 - Landform Alteration (Direct)

IV. FINDINGS REGARDING SIGNIFICANT IMPACTS

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

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

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

The City, having independently reviewed and considered the information contained in the Final PEIR and the public record for the Project finds, pursuant to CEQA PRC Section 21081(a)(2) and CEQA Guidelines Section 15091(a)(2), that there are no changes or alterations which would mitigate or avoid the significant effects on the environment that are within the responsibility and jurisdiction of another public agency.

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

The City, having independently reviewed and considered the information contained in the Final PEIR and the public record for the Project finds, pursuant to PRC 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:

1. Air Quality
 - Conflicts with Air Quality Plans (Direct and Cumulative)
 - Air Quality Standards (Direct and Cumulative)
 - Sensitive Receptors – Carbon Monoxide Hot Spots and Mobile Source Emissions (Direct)

2. Biological Resources
 - Sensitive Species (Direct and Cumulative)
 - Sensitive Habitats (Direct and Cumulative)
 - Wetlands (Direct and Cumulative)
3. Historical, Archaeological, and Tribal Cultural Resources
 - Historic Buildings, Structures, Objects or Sites (Direct and Cumulative)
 - Prehistoric and Historic Archaeological Resources, Sacred Sites and Human Remains (Direct and Cumulative)
 - Tribal Cultural Resources (Direct and Cumulative)
4. Hydrology/Water Quality
 - Flooding and Drainage Patterns – Mudflow, Tsunami, Downstream flooding (Direct)
 - Tsunami inundation (Direct and Cumulative)
5. Noise
 - Noise Levels - Ambient Noise, Traffic Related Noise, Rail Noise, Noise Ordinance Compliance, Temporary Construction Noise (Direct and Cumulative)
 - Groundborne Vibration (Direct and Cumulative)
6. Public Services and Facilities
 - Public Facilities - Police Protection, Fire-Rescue Services, Schools, Libraries, Parks and Recreation (Direct and Cumulative)
 - Deterioration of Existing Neighborhood parks and Recreational Facilities (Direct and Cumulative)
 - Construction or Expansion of Recreational Facilities (Direct and Cumulative)
7. Transportation
 - Vehicle Miles Traveled (Direct and Cumulative)
8. Public Utilities and Infrastructure
 - Water Supply (Direct and Cumulative)
 - Utilities (Direct and Cumulative)
9. Wildfire
 - Wildfire (Direct and Cumulative)
 - Pollutants from Wildfire (Direct and Cumulative)
 - Infrastructure (Direct and Cumulative)
 - Flooding or Landslides (Direct)
10. Visual Effects and Neighborhood Character
 - Scenic Vistas or Views (Direct and Cumulative)
 - Neighborhood Character (Direct and Cumulative)
 - Distinctive or Landmark Trees (Direct and Cumulative)
 - Landform Alteration (Direct)

ii. **AIR QUALITY**

iii. **Conflicts with Air Quality Plans (Issue 1)**

1. Significant Impact

Implementation of the Project could conflict with the State Implementation Plan (SIP) and Regional Air Quality Strategy (RAQS).

2. Facts in Support of Finding

The San Diego Air Pollution Control District (SDAPCD) uses approved general plans to forecast, inventory, and allocate regional emissions from land use and development-related sources. These emissions budgets are used in statewide air quality attainment planning efforts. Projects that are consistent with the assumptions and emissions forecasts used in the development of the applicable air quality plans are considered to not conflict with or obstruct attainment of the air quality levels identified in the plans.

The proposed Housing Program could result in a redistribution of the densities that were evaluated within recent community plan update (CPU) Environmental Impact Reports (EIRs) to focus more within Transit Priority Areas (TPAs). However, this shift in density is not anticipated to exceed overall densities that were evaluated within the respective CPU EIR. For Project areas within communities that have not undergone a recent comprehensive CPU, implementation of the Housing Program could result in additional new development that was not previously accounted for in their respective community plan EIRs.

The current SIP and RAQS were last updated in 2016 and are updated on a three-year cycle. Therefore, the planned densities within community plans that were adopted after 2016 would not be reflected in the current SIP and RAQS. Similarly, additional density that could be allowed within communities without a recent comprehensive CPU would not be reflected in the regional air quality plans.

3. Rationale and Conclusion

Impacts associated with conflicts with air quality plans would be significant and unavoidable as the Project would incentivize development within TPAs (for the Housing Program) and within Mobility Zones 1, 2, and 3 (for the Mobility Choices Program), which could result in densities beyond what was assumed in the current SIP and RAQS.

Recent CPU EIRs recognized that as community plans were updated, newly designated land uses would be forwarded to the San Diego Association of Governments (SANDAG) for inclusion in future updates to the air quality plans for the San Diego Air Basin (SDAB). Until the regional air quality plans are updated to reflect any new density within the Project areas, this impact would remain significant and unavoidable. The Project would allow future qualifying projects to be approved through a ministerial process. Thus, there are no feasible mitigation measures to address these significant impacts.

iv. **AIR QUALITY**

v. **Air Quality Standards (Issue 2)**

1. Significant Impact

Construction and operational emissions associated with implementation of the Project could violate federal and/or state ambient air quality standards.

2. Facts in Support of Finding

An analysis of two hypothetical projects (i.e. a 29-unit multi-family structure on a 1.8-acre site, and a 5-acre mixed-use development) that could be developed under the Project found that construction emissions associated with these projects would not exceed the City's significance thresholds. While construction of an individual project would not result in emissions that would exceed the City's significance thresholds, it is possible that the simultaneous construction of multiple projects within the same Project area could exceed the City's emissions thresholds. Thus, impacts associated with construction emissions would be potentially significant.

Implementation of the Housing Program could increase multi-family residential densities within the Housing Program Project areas, which could exceed operational emission levels compared to what was evaluated in their respective community plan EIRs. For Project areas within communities that have undergone a recent comprehensive CPU, the Housing Program could result in a redistribution of the planned densities to focus more within TPAs. The Housing Program could also result in additional new development in communities without a recent comprehensive CPU. Therefore, it is possible that operational air emissions from the Project could exceed what was evaluated in the community plan EIRs completed for all of the Project areas.

3. Rationale and Conclusion

Future development projects and infrastructure improvements implemented under the Project would be required to comply with all federal, state, city, and SDAPCD rules and regulations during construction activities to protect air quality. Nevertheless, as the exact number and timing of future projects that could occur under the Project are unknown at this time, construction-related air quality impacts would remain significant and unavoidable, and there are no feasible mitigation measures to address this significant impact.

The development of active transportation infrastructure and the redistribution of density to focus within TPAs could result in a more efficient land use pattern, which would support a reduction in vehicle miles traveled and associated operational air emissions. Nevertheless, as the Housing Program could increase operational emissions within communities without recently adopted CPUs and would redistribute density within communities with recently adopted CPUs, it is possible that operational air emissions could be in excess of what was evaluated in the community plan EIRs completed for all of the project areas. Thus, impacts related to operational emission would remain significant and unavoidable. The Project would allow future qualifying projects to be approved through a ministerial process. Thus, there no additional feasible mitigation measures beyond what is proposed in the Project to address these significant impacts.

vi. **AIR QUALITY**

vii. **Sensitive Receptors – Localized Carbon Monoxide Hot Spots, and Mobile Source Emissions (Issue 3)**

1. Significant Impact

Implementation of the Project could expose sensitive receptors to substantial pollutant concentrations.

2. Facts in Support of Finding

Implementation of the Housing Program could result in increased density within TPAs for qualifying projects, which could increase intersection volumes beyond what was evaluated in the respective community plan EIR. Although recent CPU EIRs found that projected traffic volumes from buildout of the community plans would not exceed the Sacramento Metropolitan Air Quality Management District's (SMAQMD's) 31,600 vehicle-screening threshold for carbon monoxide impacts, other communities, including communities within the Project areas without a recent CPU, could have intersections with volumes approaching the screening threshold. Improvements under the Mobility Choices Program would not generate increased volumes at intersections; however, over time mobility improvements favoring non-vehicular transportation could result in additional vehicular delay, and housing incentivized by the Mobility Choices Program could contribute trips to local roadways. Thus, implementation of the Project could result in a potentially significant impact related to localized carbon monoxide hot spots.

Development that could occur under the Project could be located within 500 feet of major freeways that run adjacent to and/or through portions of the Project areas, and could potentially expose sensitive receptors to mobile source emissions. Future development that is located within 500 feet of a freeway would be required to incorporate design features that could help minimize pollutant exposure to sensitive receptors. Nevertheless, given the lack of project-specific information, impacts related to the exposure of sensitive receptors to mobile source emissions would be potentially significant as the amount of exposure cannot be determined at this time.

3. Rationale and Conclusion

The Housing Program would support infill, high density multi-family residential development, and transit-oriented development that would benefit regional air quality. Similarly, improvements implemented under the Mobility Choices Program would support a decrease in vehicular mode share, which would also benefit regional air quality. Nevertheless, impacts related to the exposure of sensitive receptors to substantial pollutant concentrations, including localized carbon monoxide hot spots and mobile source emissions, would remain significant and unavoidable as the amount of exposure to pollutant concentrations cannot be determined at this time. The Project would allow future qualifying projects to be approved through a ministerial process. Thus, there are no additional feasible mitigation measures beyond what is proposed in the Project to address these significant impacts.

viii. **BIOLOGICAL RESOURCES**

ix. **Sensitive Species (Issue 1)**

1. Significant Impact

Implementation of the Project could result in a substantial adverse impact on sensitive species located in the Project areas.

2. Facts in Support of Finding

Implementation of Project would affect primarily developed areas; however, some development that could occur under the Project could be located in or adjacent to sensitive habitats that support sensitive species. Approximately 605 acres within the Project areas contain lands designated as Environmentally Sensitive Lands (ESL), including lands within the City's Multi-Habitat Planning Area (MHPA).

Pursuant to the City's ESL Regulations, future projects would be reviewed for the presence of ESL onsite. If the project site does not support ESL, and the development meets the requirements of the proposed Housing Program, the project would be processed ministerially. Future ministerial development that occurs within the project areas adjacent to the City's MHPA and/or Vernal Pool Habitat Conservation Plan (VPHCP) preserve areas would be required to adhere to the Land Use Adjacency Guidelines in Section 1.4.3 of the City's Multiple Species Conservation Program (MSCP) Subarea Plan and/or the Avoidance and Minimization Measures in Section 5.2.1 of the VPHCP to prevent potentially significant impacts to sensitive species. Implementation of these regulatory protections would ensure that impacts to sensitive species resulting from future ministerial development would be less than significant.

If ESL is present on the project site and would be impacted by the proposed development, the project would be required to obtain a Site Development Permit and would be reviewed for consistency with the City's ESL Regulations, the Biology Guidelines, and the MSCP Subarea Plan and VPHCP, as applicable. While the discretionary review process would generally ensure that impacts would be mitigated to a less than significant level, it cannot be guaranteed at this program level of review whether all impacts could be fully mitigated. Thus, impacts to sensitive species associated with future discretionary development would be potentially significant.

3. Rationale and Conclusion

Future ministerial development that occurs adjacent to the City's MHPA and/or VPHCP preserve areas would be required to comply with the City's MSCP Subarea Plan Land Use Adjacency Guidelines and the VPHCP's Avoidance and Minimization Measures, as applicable. Adherence to these regulations would ensure that impacts to sensitive species associated with future ministerial development would be less than significant.

Future developments that contain ESL that would be impacted would be required to obtain a Site Development Permit and undergo a discretionary review process. At this program level of review without project-specific information, it cannot be guaranteed that all impacts could be mitigated to a less than significant level. Thus, impacts associated with future discretionary development would

remain significant and unavoidable, and there are no additional feasible mitigation measures beyond what is proposed in the Project to address this significant impact.

x. **BIOLOGICAL RESOURCES**

xi. **Sensitive Habitats (Issue 2)**

1. Significant Impact

Implementation of the Project could result in a substantial adverse impact on sensitive habitats located in the Project areas.

2. Facts in Support of Finding

Future development under the Project would be primarily focused in developed areas; nevertheless, there could be some development that could adversely impact sensitive habitats. Development that would impact ESL would be required to obtain a Site Development Permit and would undergo a discretionary review in accordance with the City's ESL Regulations, Biology Guidelines, and the MSCP Subarea Plan and VPCHP, as applicable. While the discretionary review process would generally ensure that impacts sensitive habitats would be conserved or mitigated in accordance with the ESL Regulations, Biology Guidelines, and the MSCP Subarea Plan and VPCHP, at this program-level of review it cannot be guaranteed that all impacts would be mitigated to a less than significant level. Thus, impacts to sensitive habitats associated with future discretionary development under the Project would be potentially significant.

Future development under the Project that is eligible to be processed ministerially would be required to comply with the City's MSCP Subarea Plan Land Use Adjacency Guidelines and the VPCHP's Avoidance and Minimization Measures, as applicable. Adherence to these regulations would ensure that impacts to sensitive species associated with future ministerial development would be less than significant.

3. Rationale and Conclusion

Future ministerial development under the Project would be required to comply with the City's MSCP Subarea Plan Land Use Adjacency Guidelines and the VPCHP's Avoidance and Minimization Measures, as applicable. Implementation of these regulatory protections would ensure that impacts to sensitive habitats would be less than significant.

Future developments that contain ESL that would be impacted would be required to obtain a Site Development Permit and undergo a discretionary review process. At this program level of review without project-specific information, it cannot be guaranteed that all impacts could be mitigated to a less than significant level. Thus, impacts associated with future discretionary development would remain significant and unavoidable, and there are no additional feasible mitigation measures beyond what is proposed in the Project to address this significant impact.

xii. **BIOLOGICAL RESOURCES**

xiii. **Wetlands (Issue 3)**

1. Significant Impact

Implementation of the Project could result in a substantial adverse impact on wetlands.

2. Facts in Support of Finding

There are approximately 1,407 acres of riparian and wetland habitat located within the Project areas. Pursuant to the City's ESL Regulations, future development would be reviewed for the presence of wetland habitat on the project site. Future development that has the potential to impact wetland habitat would be required to obtain a Site Development Permit and to undergo a discretionary review that demonstrates compliance with the ESL Regulations, the Biology Guidelines, and the MSCP Subarea Plan. Impacts to wetland habitat are also regulated by the United States Army Corp of Engineers (USACE) pursuant to Section 404 of the Clean Water Act, the Regional Water Quality Control Board (RWQCB) in accordance with Section 401 of the Clean Water Act, and the California Department of Fish and Wildlife under Section 1600 of the California Fish and Game Code. While the discretionary review process would generally ensure that impacts to wetland habitat would be fully mitigated, at this program-level of review it cannot be guaranteed that all impacts would be mitigated to a less than significant level.

3. Rationale and Conclusion

Future development with the potential to impact wetland habitat would be required to obtain a discretionary permit and would be evaluated in accordance with City and wildlife agency regulatory requirements. As future ministerial development would not have the potential to impact wetland habitats, impacts associated with ministerial development would be less than significant. However, for future discretionary development, it cannot be ensured that all impacts would be mitigated to a less than significant level at this program-level of analysis. Thus, impacts would remain significant and unavoidable and there are no additional feasible mitigation measures beyond what is proposed in the Project to address this significant impact.

xiv. **HISTORICAL, ARCHAEOLOGICAL, AND TRIBAL CULTURAL RESOURCES**

xv. **Historic Buildings, Structures, Objects or Sites (Issue 1)**

1. Significant Impact

Implementation of the Project could impact historical buildings, structures, or sites located in the Project areas.

2. Facts in Support of Finding

The proposed Project areas include both known historical resources and potential historical resources. Project areas with a recent comprehensive CPU have conducted an evaluation and survey of known and potential historical resources within those community plan areas as part of their

environmental analysis. However, Project areas that have not undergone a recent CPU do not have an updated comprehensive list of the existing and potential historical resources within their community plan areas. For all Project areas, structures greater than 45 years old that have not been evaluated for their historic significance could be historical resources.

Future development under the Project could result in direct and indirect impacts related to the alteration of a historical resource. Although existing regulations – such as the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties and the City's Land Development Code (LDC) – provide for the regulation and protection of designated and potential historical resources, it is not possible to ensure the successful preservation of all historic buildings, structures, objects or sites within the Project areas. Thus, impacts would be potentially significant.

3. Rationale and Conclusion

Pursuant to the City's Historical Resources Regulations (LDC Section 143.0212), future development that contains structures 45 years or older that could be potentially impacted would be reviewed to determine whether the resource may be eligible for individual listing on the local register. If a historical resource exists, and the project could significantly impact that resource, a site-specific survey would be required and could be forwarded to the City's Historical Resources Board to consider the designation and listing of the resource. Future development that contains individually significant historical resources would be required to comply with the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties, or obtain a Site Development Permit with deviation findings and mitigation before conducting any substantial modification or alteration of the resource. Additionally, the Project restricts development in Project areas that are located in a designated historical district and within the Old Town San Diego Planned District.

While the application of this regulatory framework would ensure that the appropriate measures are applied to the protection of historical resources, it is impossible to guarantee the successful preservation of all historic built environment resources, objects, and sites within the Project areas. Thus, this impact would remain significant and unavoidable, and there are no additional feasible mitigation measures beyond those proposed in the Project to address this significant impact.

xvi. **HISTORICAL, ARCHAEOLOGICAL, AND TRIBAL CULTURAL RESOURCES**

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

1. Significant Impact

Implementation of the Project could impact prehistoric and historic archaeological resources, sacred sites, and human remains located in the Project areas.

2. Facts in Support of Finding

Although there is very little undeveloped land or previously undisturbed soils within the Project areas, future development 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, particularly within proximity to areas where there are known, recorded

archaeological resources. Within the Project areas, there are approximately 373 recorded archaeological sites that were identified with a low sensitivity rating, approximately 870 recorded archaeological sites that were identified within the moderate sensitivity rating, and approximately 269 sites were identified within the high sensitivity rating. Future development within areas with a moderate and high sensitivity could disturb native soils and could potentially impact significant resources. High sensitivity areas – which include village or habitation areas – that could be impacted by the Project include Nipaguay at the location of the San Diego Mission de Alcalá on the north side of the San Diego River, Kosaii (also known as Cosoy or Kosa'aay) located at Old Town on the south side of the San Diego River, and Paulpa located at the mouth of the San Diego River in Ocean Beach. Other villages that could be impacted include Milejo and Chiap in the mouth of the Tijuana and Otay River Valleys, Los Choyas along Chollas Creek, Rinconada (Jamo) along Rose Creek, and Ystagua along Soledad Creek. Although there are no known religious or sacred uses within the Project areas, these site types could potentially be encountered during future construction activities, particularly given the moderate and/or high cultural sensitivity areas identified in many of the recent comprehensive CPUs and within the City's Historical Resources Sensitivity Maps.

Required compliance with all state and local regulations, including the City's Historical Resources Regulations and Guidelines, would provide for the regulation and protection of prehistoric and historic archaeological resources, sacred sites, and human remains. Additionally, the Project would restrict development from occurring in the Old Town San Diego Planned District and other areas that contain a designated historical district. Nevertheless, it is not possible to ensure the successful preservation of all archaeological resources where new development may occur; thus, impacts would be potentially significant.

3. Rationale and Conclusion

Pursuant to the City's Historical Resources Regulations (LDC Section 143.0101), future development would be reviewed against the Historical Resources Sensitivity Maps to determine whether the project has the potential to adversely impact an archaeological resource that may be eligible for individual listing in the local register (LDC Section 143.0212). This review would be supplemented with a project-specific records search of the CHRIS data and Native American Heritage Commission (NAHC) Sacred Lands File by qualified staff, after which a site-specific archaeological survey may be required, when applicable, in accordance with the City's regulations and guidelines. If a site-specific survey is required, adherence to the Historical Resources Regulations and Guidelines would ensure that appropriate measures are applied to the protection of historical resources consistent with City requirements. Native American participation would also be required for all levels of future investigations in any of the Project areas, including those areas that have been previously developed, unless additional information can be provided to demonstrate that the property has been graded to a point where no resources could be impacted.

Additionally, Section 7052 of the California Health and Safety Code requires that in the event human remains are discovered during construction or excavation, all activities must be stopped in the vicinity of the discovered human remains until the coroner can determine whether the remains are those of a Native American. If determined to be Native American, the coroner must contact the NAHC. The California Health and Safety Code provides a process and requirements for the identification and repatriation of collections of human remains or cultural items.

While existing state and local regulations would provide for the regulation and protection of archaeological resources and human remains, impacts may be unavoidable in certain circumstances when resources are discovered during construction. As it cannot be ensured that all potential impacts to archaeological resources would be fully avoided, this impact would remain significant and unavoidable, and there are no additional feasible mitigation measures beyond what is proposed in the Project to address this significant impact.

xviii. **HISTORICAL, ARCHAEOLOGICAL, AND TRIBAL CULTURAL RESOURCES**

xix. **Tribal Cultural Resources (Issue 3)**

1. Significant Impact

Implementation of the Project could impact tribal cultural resources located in the Project areas.

2. Facts in Support of Finding

While much of the Project areas have been developed, the potential for encountering intact cultural deposits at depth is probable at many locations where undocumented fill or alluvial deposition may mask buried resources, or in areas located in proximity to known recorded archaeological resources which are also often tribal cultural resources as defined in CEQA Section 21074.

Based on the archaeological records search results and consultation with tribal entities, several key areas have been identified that may have a high level of interest to the local Native American community located in proximity to many of the project areas. Many of these resources are already listed on the City's Historical Resources Register, the CRHR, and the National Register of Historic Places, or have not been formally recognized or listed on a local, state, or federal register. Compliance with the existing regulatory framework regarding the protection of tribal cultural resources would help avoid or minimize adverse impacts to tribal cultural resources. Nevertheless, this impact would be potentially significant as it is not possible to ensure the successful preservation of all tribal cultural resources.

3. Rationale and Conclusion

Future development would be reviewed against the City's Historical Resources Sensitivity Maps to determine whether the project has the potential to impact tribal cultural resources during construction. The Historical Resources Sensitivity Maps created for the Project took into account areas that were identified to have tribal cultural resource sensitivity by Native American Tribes consulted during the Project. Implementation of the City's Historical Resources Regulations and Historical Resources Guidelines would require site-specific cultural surveys where warranted and implementation of measures to avoid or minimize impacts to the extent feasible. Additionally, the Project would restrict development from occurring in the Old Town San Diego Planned District and other areas that contain a designated historical district. While adherence to the existing regulatory framework would minimize potential impacts, at this program level of analysis it is not possible to ensure that all potential impacts to tribal cultural resources would be fully avoided. Thus, this impact would remain significant and unavoidable, and there are no additional feasible mitigation measures beyond what is proposed in the Project to address this significant impact.

xx. **HYDROLOGY/WATER QUALITY**

xxi. **Flooding and Drainage Patterns – Riverine Flooding, Mudflows, and Tsunamis (Issue 1)**

1. Significant Impact

Implementation of the Project could result in significant impacts related to riverine flooding, mudflows, and tsunami inundation.

2. Facts in Support of Finding

Approximately 3,203 acres of the Project areas are located within the 100-year floodplain. Future development within the Project areas that would impact ESL, including floodplain areas, would be required to obtain a Site Development Permit in accordance with the City's ESL Regulations. While the discretionary review process would generally ensure that potential impacts to floodplains would be avoided or mitigated, at this programmatic level of review it is not possible to ensure that riverine flooding impacts would be mitigated to a less than significant level. Thus, riverine flooding impacts would be potentially significant.

Additionally, as detailed in the Mission Valley CPU PEIR, potentially significant and unavoidable flooding impacts were identified associated with the presence of a Provisionally Accredited Levee (PAL) that protects portions of Mission Valley. A PAL designation means that the levee was recognized on FEMA's previous FIRMs; however, the regulatory requirement for levee accreditation has since changed, and the community or levee owner must provide certain documentation to certify that the levee continues to provide protection from the base flood, and that the levee meets minimum federal requirements. The Mission Valley Community Plan incorporated policies recommending development located behind the PAL consider designing to meet the applicable "with-out levee" flood zone to comply with the floodplain regulations and provide protection up to the 100-year flood, in the event the levees were removed on the next FIRM revision. However, given the level of uncertainty regarding this potential flooding impact and the possibility that the Project could incentivize development within areas protected by the PAL, impacts associated with future development located behind the PAL would be significant and unavoidable.

Portions of the Project areas are bounded by steep slopes such as canyons, thus there is a potential for mud and debris from adjacent canyon walls to impact developed areas, primarily following a wildfire event. Although future development would incorporate adequate design measures to protect development areas from mudflow and debris that could follow a fire event, it cannot be determined at this program-level of review whether all impacts related to mudflow would be fully mitigated. Thus, impacts associated with mudflow and debris would be potentially significant.

The Project areas include approximately 1,757 acres located within a tsunami inundation zone. While adherence to current regulations and emergency management plans would ensure that potential impacts related to tsunamis would not be substantial, the Project would incentivize residential development and could increase densities within TPAs located in tsunami inundation areas. Thus, impacts related to tsunami risk would be potentially significant.

3. Rationale and Conclusion

Potential riverine flooding impacts would largely be avoided through compliance with the ESL Regulations; however, at this program level of analysis it cannot be ensured that future development would be able to fully mitigate potential flooding impacts. Similarly, adherence to the Mission Valley Community Plan's policies related to development behind the PAL would help minimize potential flooding impacts; however, it cannot be guaranteed at this program-level of review that flooding impacts would be mitigated to a less than significant level. Thus, impacts associated with riverine flooding would remain significant and unavoidable.

Impacts related to tsunami inundation would also remain significant and unavoidable despite compliance with current regulations and emergency management plans as the Project could increase densities within TPAs located in tsunami inundation areas.

It is anticipated that future development under the Project would incorporate adequate design measures to protect development areas from potential mudflow and debris that could follow a fire event. Nevertheless, this impact would remain significant and unavoidable as it cannot be ensured at this program-level of review that all impacts related to the potential risk of mudflow would be avoided or fully mitigated.

There are no additional feasible mitigation measures beyond what is proposed in the Project to address these significant impacts.

xxii. **NOISE**

xxiii. **Noise Levels – General Ambient Noise Levels, Traffic Related Noise, Rail Noise, Noise Ordinance Compliance, Temporary Construction Noise (Issue 1)**

1. Significant Impact

Implementation of the Project could generate a substantial temporary or permanent increase in ambient noise levels.

2. Facts in Support of Finding

Implementation of the Project would increase ambient noise levels in the Project areas and could expose existing and future noise-sensitive receptors to ambient noise levels above the General Plan's standards. Future development would be concentrated within TPAs (for the Housing Program) and Mobility Zones 1, 2, and 3 (for the Mobility Choices Program), and it is anticipated that traffic noise within the Project areas would dominate the noise environment. Although it is anticipated that the Project would support a reduction in motor vehicle traffic through the installation of active transportation infrastructure and by encouraging a more efficient land use pattern, the potential increase in density within TPAs attributed to the proposed Housing Program could increase overall vehicle trips and associated traffic noise. The Project includes design requirements to attenuate noise levels in outdoor usable open space areas through project design. While compliance with these requirements would minimize noise impacts, it is anticipated that exterior noise levels and traffic noise levels would nevertheless exceed the City's significance thresholds. Thus, these impacts would be potentially significant.

Future development could also be located in proximity to rail and trolley lines that pass through the Project areas, and could expose sensitive receptors residents to noise levels that exceed the City's noise standards. Therefore, at this programmatic level of review, impacts associated with rail noise would be potentially significant.

The Project areas would contain residential and commercial interfaces. Mixed-use areas where residential uses are located in proximity to commercial sites could expose sensitive receptors to noise above allowable levels. While it is not anticipated that stationary noise sources associated with development under the Project would result in noise exceeding property line limits, at a programmatic level of review it cannot be verified. Although enforcement of the City's Noise Abatement and Control Ordinance would provide for the correction of potential noise exceedances, impacts would remain potentially significant.

Construction activities related to implementation of the Project could potentially generate short-term noise levels in excess of 75 dB(A) Leq at adjacent properties. While the City regulates noise associated with construction equipment and activities through enforcement of its Noise Abatement and Control Ordinance, impacts associated with construction noise would remain potentially significant as it cannot be ensured at this program-level of review that all impacts would be mitigated to a less than significant level.

3. Rationale and Conclusion

Future development under the Project would be required to comply with the interior noise standards of the California Building Code (Title 24, Part 2 of the California Code of Regulations), which would require the submission and approval of a Title 24 Compliance Report. Adherence to these regulations would ensure that interior noise impacts would be less than significant.

Future development would also be required to comply with the City's regulations related to noise levels, including the City's Noise Abatement and Control Ordinance, and the design guidelines of the Project. While adherence to these regulations would minimize noise impacts to sensitive receptors, at this program-level of analysis it cannot be ensured that all noise impacts could be mitigated to a less than significant level. Thus, impacts associated with ambient noise levels, traffic-related noise, rail noise, noise ordinance compliance, and temporary construction noise would remain significant and unavoidable. There are no additional feasible mitigation measures beyond what is proposed in the Project to address these significant impacts.

xxiv. **NOISE**

xxv. **Groundborne Vibration (Issue 2)**

1. Significant Impact

Implementation of the Project could cause the generation of excessive groundborne vibration or groundborne noise levels.

2. Facts in Support of Finding

Groundborne vibration impacts could occur as a result of trolley and train operations where

development is located in proximity to a rail line. The Project would not generate groundborne vibration or noise; however, future development incentivized by the Project that is located in proximity to an existing or planned trolley or rail line could expose residents to excessive groundborne vibration or noise levels.

3. Rationale and Conclusion

Although the Project would not generate groundborne vibration or noise levels, future development permitted under the Project that is located in proximity to a rail line could expose residents to excessive groundborne vibration or noise levels. This impact would remain significant and unavoidable as the specific location and orientation of future development is unknown at this time. The Project would allow future qualifying projects to be approved through a ministerial process. Thus, there are no additional feasible mitigation measures beyond what is proposed in the Project to address these significant impacts.

xxvi. **Public Services and Facilities**

xxvii. **Need for Public Facilities - Police Protection, Fire-Rescue Services, Schools, Libraries, and Parks and Recreation (Issue 1)**

1. Significant Impact

Housing incentivized by the proposed Project would result in the need for additional police, school, parks and recreation, and fire-rescue facilities.

2. Facts in Support of Finding

Construction of additional housing units over time will impact various public services and facilities. Such growth would likely require additional fire-rescue and police personnel, equipment, and facilities to protect and serve the public. Depending on actual demographic shifts and the number of units constructed, additional schools, libraries, and parks and recreation facilities may also be needed to serve the increases in population.

Police Protection

Additional police stations may be required to serve the additional densities anticipated by buildout of the Project, although actual needs and potential locations would be determined in the future as development occurs. Construction of new police facilities in the future could result in environmental impacts, including disturbances or conversion of habitat, water pollution during construction, increased noise levels, and an increase in impermeable surfaces. At the time future police stations are proposed, they would require a separate environmental review and compliance with regulations in existence at that time would address potential environmental impacts related to the construction and operation of new police stations. However, as the location and need for potential future police stations cannot be determined at this time, it is unknown what specific impacts may occur. Thus, as it cannot be ensured that all impacts associated with the construction and operation of potential future police facilities would be mitigated to a less than significant level, and impacts would be potentially significant.

Fire-Rescue Services

Additional fire stations and new fire apparatus may be required to serve the densities and building heights anticipated by buildout of the Project, although actual needs and potential locations would be determined in the future as development occurs. Construction of new fire stations in the future could result in environmental impacts, including disturbances or conversion of habitat, water pollution during construction, increased noise levels, and an increase in impermeable surfaces. At the time future fire stations are proposed, they would require a separate environmental review and regulations in existence at that time would address potential environmental impacts related to the construction and operation of new fire stations. However, as the location and need for potential future fire stations cannot be determined at this time, it is unknown what specific impacts may occur. Thus, as it cannot be ensured that all impacts associated with the construction and operation of potential future fire facilities would be mitigated to less than significant, impacts would be potentially significant.

Schools

Additional schools may be required to serve the buildout population associated with the Project, although actual needs and potential locations would be determined in the future as development occurs. California Government Code Section 65995 and Education Code Section 53080 authorize school districts to impose facility mitigation fees on new development as a method of addressing increasing enrollment resulting from that development. State of California law currently requires a development fee of \$2.04/square foot of assessable area to assist in financing facilities needed to serve growth. Pursuant to Government Code Section 65995, payment of development impact fees would provide for full and complete mitigation of school capacity impacts. While payment of fees would address the funding for school districts to address future school capacity needs, the potential increase in students from implementation of the Housing Program would likely impact district facilities to the point of reaching capacity. While the school district will be responsible for the potential expansion or development of new facilities, potential physical impacts associated with the construction of future school sites are not known at this time. Thus, impacts related to the construction and operation of future schools would be potentially significant.

Libraries

The proposed Project could result in additional residents and associated demand for library services. In the event that implementation of the proposed Project results in the need for new or expanded library facilities, existing development regulations would serve to reduce potential environmental impacts associated with construction. Additionally, future projects would be subject to a separate environmental review at the time design plans are available. Nevertheless, this impact would be potentially significant since impacts associated with the construction and operation of future library facilities are not known at this time.

Parks

Future development implemented under the Housing Program would be required to either pay a Neighborhood Enhancement Fee or provide a neighborhood-serving infrastructure improvement. Similarly, the Mobility Choices Program would require installation of transportation infrastructure and amenities or payment of a Mobility Choices Fee to fund such improvements within the Mobility

Choices improvement areas. Infrastructure amenities would also provide a recreational function, and could include features such as transit, pedestrian, or bicycle transportation improvements, outdoor fitness equipment, and children's play areas. While proposed infrastructure improvements would largely occur within existing urban/developed areas, it is unknown where specific future developments would be proposed and what impacts may be associated with providing future park and recreation facilities, including pedestrian and bicycle facilities. Additionally, for projects that pay a fee to fund park and recreation improvements, it is unknown where those future parks may be located. Future park and recreation improvements could result in environmental impacts, including disturbances or conversion of habitat, water pollution during construction, increased noise levels, and an increase in impermeable surfaces. Regulations in existence at that time would address potential environmental impacts related to the construction and operation of future parks and recreation facilities; however, as specific locations of park facilities are not known at this time, the significance of impacts cannot be determined. Thus, as it cannot be ensured that all impacts associated with the construction and operation of potential future parks and recreation facilities would be mitigated to less than significant, impacts would be potentially significant.

3. Rationale and Conclusion

Implementation of the proposed project could result in the need for additional police, fire-rescue, school, library, and parks and recreation facilities. Additionally, transportation infrastructure and amenities constructed under the Mobility Choices program could result in environmental impacts. As the location and need for potential future facilities cannot be determined at this time, it is unknown what specific impacts may occur associated with the future construction and operation of such facilities. Thus, as it cannot be ensured all impacts associated with the construction and operation of potential future facilities would be mitigated to less than significant, impacts would be significant and unavoidable.

xxviii. **Public Services and Facilities**

xxix. **Deterioration of Existing Neighborhood Parks and Recreational Facilities (Issue 2)**

1. Significant Impact

Implementation of the proposed Project could result in the need for additional police, fire-rescue, school, library, parks and recreation facilities, and transportation infrastructure and amenities that could result in environmental impacts.

2. Facts in Support of Finding

The proposed Project would incentivize multi-family housing development within TPAs (Housing Program) and Mobility Zones 1, 2, and 3 (Mobility Program), and the growth associated with these future developments could result in an increase in the use of existing neighborhood and regional parks or other recreational facilities. Future development under the Housing Program would be required to either pay a Neighborhood Enhancement Fee or provide a neighborhood-serving infrastructure improvement. These infrastructure amenities would also provide a recreational function, and could include features such as a promenade; transit, pedestrian, or bicycle transportation improvements; outdoor fitness equipment; and children's play areas. While the

development of these amenities could offset the potential increased use of existing recreational facilities and their associated physical deterioration, it is unknown where these future improvements will be located, what impacts could result from providing these facilities, and to what extent these future facilities will be able to accommodate increases in demand for recreation facilities.

3. Rationale and Conclusion

Implementation of the proposed Project could result in an increase in the use of existing neighborhood and regional parks or other recreational facilities. While the development of these future recreational amenities under the Housing Program could offset the potential increased use of existing recreational facilities, it is unknown where these future improvements will be located, what impacts could result from providing these facilities, and to what extent these future facilities will be able to accommodate increases in demand for recreational facilities. Thus, as it cannot be ensured that all impacts would be mitigated to a less than significant level, impacts would be significant and unavoidable.

xxx. **Public Services and Facilities**

xxxi. **Construction or Expansion of Recreational Facilities (Issue 3)**

1. Significant Impact

While regulations in existence at that time would address potential environmental impacts related to the construction and operation of future recreational facilities, it is unknown where specific future developments would be located and what environmental impacts may be associated with providing these facilities.

2. Facts in Support of Finding

Existing infrastructure deficiencies exist in various areas throughout the City. As development occurs, public facility improvements will likely be required to serve additional population. Cumulative impacts to public facilities are generally addressed by communitywide Development Impact Fee (DIF) Plans that identify necessary facility improvements and form the basis for development of development impact fees for public facilities addressed in the study. Future development within the project areas would be required to pay applicable development impact fees that could support future facility needs. While future facilities would undergo a separate environmental review and would comply with existing regulations at the time to address potential environmental impacts, impacts related to the construction and operation of public facilities would remain significant and unavoidable due to the inability to ensure each future facility would be able to fully mitigate their potential environmental impacts. Incremental impacts associated with the construction of public facilities are anticipated to be cumulatively considerable.

3. Rationale and Conclusion

While regulations in existence at that time the facilities are developed would address potential environmental impacts related to the construction and operation of future recreational facilities, it is unknown where specific future developments would be located and what environmental impacts

may be associated with providing these facilities. As it cannot be ensured that all impacts associated with the construction and operation of potential future parks and recreational facilities would be mitigated to less than significant, impacts would be significant and unavoidable.

xxxii. **Transportation**

xxxiii. **Vehicle Miles Traveled (Issue 2)**

1. Significant Impact

While vehicle miles traveled (VMT) related impacts in the majority of the Housing Program project areas would result in less than significant impacts where development is located in VMT efficient areas (at or below 85 percent of the regional average), impacts in less efficient VMT per capita areas (greater than 85 percent of the regional average) would remain significant and unavoidable. Although development under the Housing Program combined with improvements resulting from the Mobility Choices Program are anticipated to result in the implementation of infrastructure improvements that could result in reductions in per capita VMT, at a program level, it cannot be determined whether those improvements would sufficiently reduce potentially significant VMT impacts to below the threshold of significance.

2. Facts in Support of Finding

The Housing Program would incentivize the development of multi-family residential units within Transit Priority Areas (TPAs). The Mobility Choices program would also incentivize housing within Mobility Zone 1, 2, and 3. Incentivizing higher density multi-family residential development within TPAs (Housing Program) and Mobility Zones 1, 2, and 3 (Mobility Choices Program) supports the City of Villages strategy and the City's CAP and would support transit and active transportation, which both contribute to VMT reductions. Increasing non-vehicular mode share is anticipated to result in reduced per capita VMT. Additionally, implementation of the Housing Program would promote use of public transit by facilitating the development of high density multi-family residential land uses near existing high frequency transit and increasing other active transportation modes by increasing residential units near other land uses and services.

SANDAG has identified base year (2012) resident VMT per capita and employee VMT per employee by census tract, and mapped locations based on ranges of VMT efficiency compared to the regional average. New development projects that incorporate similar features to existing development in a project area can be assumed to have similar level of VMT. The project areas' VMT efficiency in relation to the regional averages are shown on Figures 4.13-3 (Areas A through D) and 4.13-4 (Areas A through D) of the Final PEIR. These SANDAG VMT maps were used to identify the potential residential and employee VMT per capita that could result from future development under the Housing Program. As shown in these figures, a majority of the Housing Program eligible areas are located within areas with VMT at or below 85 percent of the base year average VMT per capita or VMT per employee, which is below the significance threshold.

Over 50 percent of the Housing Program eligible project areas would be located within VMT efficient areas that fall below the 85 percent of the base year regional average threshold of significance. Thus, for a majority of the project areas, impacts related to VMT would be less than significant. However, future multi-family residential development implemented within areas on the SANDAG

maps that are estimated to generate resident VMT per capita greater than 85 percent of the base year regional average would exceed the VMT threshold and result in a potentially significant impact. Similarly, future multi-family residential developments that include a commercial component located within an area on the SANDAG VMT screening maps estimated to generate employee VMT per capita greater than 85 percent of the base year regional average would result in a potentially significant impact.

Development of the transportation infrastructure and amenities as part of the Mobility Choices Program would not be associated with increases in per capita VMT. Rather, implementation of the Mobility Choices Program is intended to support reductions in per capita VMT by either requiring the construction of, or funding for, transportation infrastructure and amenities within Mobility Zones 1, 2, and 3 that will encourage non-vehicular travel. The Mobility Choices Program also includes the adoption of a new significant threshold for transportation impacts that is consistent with Senate Bill 743. Any new development that occurs in an area that generates resident VMT per capita or VMT per employee that is greater than 85 percent of the base year regional average, absent any mitigation, would result in significant VMT-related impacts. The Mobility Choices Program regulations are intended to serve as mitigation to ensure an overall reduction in Citywide VMT. Compliance with these regulations is mitigation for future development projects.

3. Rationale and Conclusion

While VMT related impacts in the majority of the Housing Program project areas would result in less than significant impacts where development is located in VMT efficient areas (at or below 85 percent of the regional average), impacts in less efficient VMT per capita areas (greater than 85 percent of the regional average) would remain significant and unavoidable. Although development under the proposed project are anticipated to result in the implementation of infrastructure improvements that could result in reductions in per capita VMT, at a program level, it cannot be determined whether those improvements would sufficiently reduce potentially significant VMT impacts to below the threshold of significance. The Mobility Choices Program would provide for additional transportation infrastructure and amenities that would support reductions in per capita VMT. Implementation of such infrastructure and amenities would not be associated with significant VMT related impacts, and impacts would be less than significant. Although the Mobility Choices Program is anticipated to result in the implementation of infrastructure improvements that could result in per capita VMT reductions, at a program level, potentially significant VMT impacts could nonetheless remain significant because it cannot be determined with certainty whether the improvements would be implemented at the time a future development project's VMT impacts could occur and whether those impacts would be mitigated to a less than significant level. VMT impacts associated with development under the Housing Program located in less efficient VMT areas would be significant and unavoidable.

xxxiv. **Public Utilities and Infrastructure**

xxxv. **Water Supply (Issue 1)**

1. Significant Impact

According to Water Supply Assessments prepared for recent CPUs, water demand would not increase within project areas located in communities with a recent CPU. Within project areas that do

not have a recent comprehensive CPU, it is possible that densities could be authorized in excess of what would have been considered in the latest water supply planning document. Thus, at this programmatic level of review, direct and cumulative impacts related to the availability of water supplies based on existing projections would be significant.

2. Facts in Support of Finding

WSAs were prepared for recent CPUs and community plan amendments to assess whether sufficient water supplies are, or will be, available to meet the projected water demands of the proposed land use changes. The WSAs included, among other information, identification of existing water supply entitlements, water rights, water service contracts, or agreements relevant to the identified water supply for the community plan areas; and quantities of water received in prior years pursuant to those entitlement, rights, contracts, and agreements. The WSAs evaluated water supplies that are, or will be, available during a normal, single-dry year, and multiple-dry year (20-year) period, to meet the estimated demands of the changes proposed in the CPUs compared to the existing land use plans.

Recent CPUs plan for anticipated growth in the region by changing land use designations to allow for increased density. The WSAs completed for these recent CPUs demonstrated that the land use changes would be consistent with the water demand assumptions included in the regional water resource planning documents of the SDCWA and MWD and there would be sufficient water planned to supply the CPUs' estimated annual average usages under all scenarios.

Existing regulations also serve to ensure water efficient fixtures are installed with new development. The California Green Building Standards Code requires 20 percent reduction in indoor water use relative to specified baseline levels. SDMC Section 67.0601, Water Submeters, was adopted in April 2010 to encourage water conservation in multi-family residential and mixed-use buildings by requiring the use of water submeters for each individual residential unit. Billing individual residential units based on the actual amount of water consumed in the unit creates a financial incentive for residents of multi-family residential units to conserve water.

Within Project areas that have not undergone a recent comprehensive CPU, it is possible that densities could be permitted in excess of what would have been considered in the latest water supply planning document. As future CPUs are developed within those communities, an applicable WSA would be prepared to evaluate the water supply. Preparation of a WSA for the proposed project would not be feasible at this time because it cannot be known where and how much density will be ultimately proposed under the Project and whether those densities would be greater than the current density allowance. Until those future CPUs occur, for purpose of this EIR, potential impacts related to the availability of water supplies based on existing projections would be significant.

3. Rationale and Conclusion

According to WSAs prepared for recent CPUs, water demand would not increase within project areas located in communities with a recent CPU. Within project areas that do not have a recent comprehensive CPU, it is possible that densities could be authorized in excess of what would have been considered in the latest water supply planning document. While existing building code regulations would serve to ensure water-efficient fixtures are installed with new development and

the California Green Building Standards Code requires 20 percent reduction in indoor water use relative to specified baseline levels, at this programmatic level of review, direct and cumulative impacts related to the availability of water supplies based on existing projections would remain significant and unavoidable due to the potential for increased density not considered in water supply planning documents.

xxxvi. **Public Utilities and Infrastructure**
xxxvii. **Utilities (Issue 2)**

1. Significant Impact

Mandatory compliance with City standards for the design, construction, and operation of storm water, water distribution, wastewater, and communications systems infrastructure would likely minimize significant environmental impacts associated with the future construction of and/or improvements to utility infrastructure. However, at this programmatic level of review and without the benefit of project specific development plans, both direct and cumulative impacts associated with storm water, water distribution, wastewater, and communication systems could be significant.

2. Facts in Support of Finding

The proposed Project would incentivize housing development within TPAs and Mobility Zones 1, 2 and 3 and; therefore, would be associated with growth that could require new utilities. The Project areas are located in existing urban areas and are currently served by existing storm water, sewer, potable water distribution, and communications systems infrastructure. Future development that would occur under the proposed Project could be located within areas with existing infrastructure deficiencies and could require capacity improvements to serve future projects implemented under the proposed project.

Storm Water

Future development projects throughout the Project areas would have the potential to result in urban runoff and associated pollutant discharges. However, as development occurs, it is likely that the volume and rate of runoff could be slightly decreased due to implementation of current City storm water regulations. As new development occurs, implementation of Low Impact Development (LID) practices that help retain storm water on-site for infiltration, re-use, or evaporation would be required by the City's Storm Water Standards.

Future development occurring under the proposed ordinances could result in a need for the installation of new storm water infrastructure. The need for new storm water infrastructure would depend on the condition of existing infrastructure, development patterns, and development standards. The City assesses the condition of its storm water facilities on a continuous basis. Additionally, per Council Policy 800-14, the City's CIP program has established a scoring methodology to prioritize funding for infrastructure projects, including the construction of new storm water infrastructure.

All future projects would be required to adhere to SDMC regulations, including conformance with the City's Storm Water Standards in place at the time future development is proposed. At this level of programmatic review and without project-specific development plans, potential physical impacts

associated with the future construction of storm water facilities required to support future projects are unknown, since the location of specific future development cannot be determined at this time. Therefore, impacts could be significant.

Sewer

Sewer line upgrades are administered by the City's Public Works Department (PWD) and are handled on a project-by-project basis. No new sewer collection or wastewater treatment facilities are proposed in conjunction with the proposed project. Likewise, the location and extent of future facilities would not be established until such time that individual projects are proposed. Future development would be required to follow the City's Sewer Design Guide and to comply with SDMC Chapter 6, Article 4 regulations regarding sewer and wastewater facilities. At this programmatic level of review and without project-specific development plans, potential physical impacts associated with potential sewer facility upgrades required to support future projects are unknown, since the location of specific future development cannot be determined at this time. Therefore, impacts could be significant.

Water Distribution Facilities

No new water distribution or treatment facilities are proposed in conjunction with the proposed Project; however, as future development occurs in the project areas, a need to increase the sizing of existing pipelines and mains may be required. The potable water distribution system is continually upgraded and repaired on an ongoing basis through the City's CIP. These improvements are determined based on continuous monitoring by the PWD Engineering Division to determine remaining levels of capacity. The PWD Engineering Division plans its CIP projects several years prior to pipelines reaching capacity. Such improvements are required of the water system regardless of implementation of the proposed project. However, at this level of programmatic review and without project specific development plans, potential physical impacts associated with future improvements to water lines required to support future projects are unknown, since the location of specific future development cannot be determined at this time. Therefore, impacts could be significant.

Communications Systems

New development occurring under the proposed Project may result in the need for new communications systems; however, no specific systems upgrades are proposed, and the location and extent of future facilities is not known at this time. Future siting of communications infrastructure would be in accordance with SDMC Section 141.0420, which regulates wireless communications facilities, as well as the City's Wireless Communications Facilities Guidelines, which provides guidelines to minimize visual impacts from the installation of wireless communications facilities in accordance with the City's General Plan. Project level review for future communication systems would be required. However, at this programmatic level of review, potential physical impacts associated with the future construction of communication systems required to support future projects are unknown, since the location of specific future development cannot be determined at this time. Therefore, impacts to communications systems could be significant.

3. Rationale and Conclusion

Mandatory compliance with City standards for the design, construction, and operation of storm

water, water distribution, wastewater, and communications systems infrastructure would likely minimize significant environmental impacts associated with the future construction of and/or improvements to utility infrastructure. However, at this programmatic level of review and without the benefit of project-specific development plans, both direct and cumulative impacts associated with the construction of storm water, water distribution, wastewater, and communication systems would remain significant and unavoidable.

xxxviii. **WILDFIRE**

xxxix. **Wildland Fires (Issue 1)**

1. Significant Impact

The proposed Project would incentivize the development of multi-family residential units within TPAs; however, it would not change the allowable land uses within the Project areas. The Housing Program would not expand the locations where multi-family residential development could occur, and thus would not result in new residential areas being exposed to potential wildfire risk. However, due to the allowance for additional height and floor area ratio (FAR), development under the Housing Program could result in additional residents in certain locations compared to what would be allowed without the Housing Program.

2. Facts in Support of Finding

The majority of the Project areas are within Mobility Zones 1 and 2 without associated wildfire risk. The Mobility Choices Program would result in transportation infrastructure improvements within Mobility Zones 1, 2, and 3 and would also incentivize housing development within Mobility Zones 1, 2, and 3. Similarly, the Housing Program would incentivize development within TPAs. Some of the Project areas are located within or adjacent to High and Very High Fire Hazard Severity Zones as they are in proximity to vegetated areas including urban canyons with native vegetation that can pose a wildfire risk. These areas, combined with the limited precipitation within the region, result in the potential for wildland fires. Although some of the Project areas are located within or near areas with a potential wildfire risk, the Housing Program would not change the allowable land uses within the Project areas. However, due to the allowance for additional height and floor area ratio (FAR), development under the Housing Program could result in additional multi-family residential densities in certain locations compared to what would be allowed without participation in the program. By increasing the number of potential residents within areas subject to fire hazards, this could increase the exposure of people and structures to wildfire. While the Project generally incentivizes housing development within urban areas that are generally less prone to wildfire risk than surrounding suburban areas, there would still be wildfire risk and potential increases in exposure to wildfire resulting from the project.

3. Rationale and Conclusion

The proposed Project would incentivize the development of multi-family residential units within TPAs (Housing Program) and Mobility Zones 1, 2, and 3 (Mobility Choices Program); however, it would not change the allowable land uses within the project areas. The Housing Program would not expand the locations where multi-family residential development could occur, and thus would not result in new residential areas being exposed to potential wildfire risk. However, due to the

allowance for additional height and FAR, development under the Housing Program could result in additional residents in certain locations compared to what would be allowed without the Housing Program. Future development under the Housing Program would be required to comply with the City's Fire Code, Building Regulations, and Brush Management Regulations, which would ensure that people and structures are protected from potential wildland fire hazards. While implementation of and adherence to this regulatory framework would reduce potential wildfire impacts, the increase in the number of residents located within areas at risk of wildland fires could increase the exposure of people and structures to wildfires, and impacts would be significant and unavoidable.

xl. **WILDFIRE**

xli. **Pollutants from Wildfire (Issue 2)**

1. Significant Impact

At a programmatic level of environmental review, site-specific factors such as slope and prevailing winds cannot be determined; however, due to the allowance for additional height and FAR, development under the Housing Program could result in additional residents in certain locations compared to what would be allowed without the Housing Program. These additional residents could be exposed to pollutants associated with wildfire. Therefore, impacts related to pollutant concentrations from a wildfire would be significant.

2. Facts in Support of Finding

Some of the project areas are located within or adjacent to High and Very High Fire Hazard Severity Zones. The potential for wildland fires represents a hazard, particularly within areas adjacent to open space or within close proximity to wildland fuels. Future development under the proposed Project would be required to comply with the City's Fire Code, Building Regulations, and Brush Management Regulations to ensure that wildfire risks are not exacerbated. Transportation infrastructure and amenities associated with the Mobility Choices Program would not exacerbate wildfire hazards due to the location of such improvements within existing urban road right-of-ways. However, the Mobility Choices Program would also incentivize housing development within Mobility Zones 1, 2, and 3, and that could be exposed to wildfire risk. Implementation of the existing regulatory framework would help reduce the availability of fuels that could contribute to the spread of potential wildfires. Future development under the proposed Project would be required to address site-specific factors to minimize the risk of fires in accordance with the applicable regulations. Additionally, the proposed Project would not change the allowable land uses within the project areas and it would not expand the potential locations of future multi-family development. However, the proposed Project could increase the number of persons that would be located in areas subject to potential wildfire hazards. While it is not anticipated the proposed Project would exacerbate wildfire risk, residents may be exposed to pollutant concentrations associated with wildfire. Therefore, impacts related to pollutant concentrations from a wildfire would be significant.

3. Rationale and Conclusion

At a programmatic level of environmental review, site-specific factors such as slope and prevailing winds cannot be determined; however, due to the allowance for additional height and FAR, development under the Housing Program could result in additional residents in certain locations

compared to what would be allowed without the Housing Program. Additionally, the Mobility Choices Program is intended to incentivize development. Additional residents could be exposed to pollutants associated with wildfire. Therefore, impacts related to pollutant concentrations from a wildfire would be significant and unavoidable.

xlii. **WILDFIRE**

xliii. **Installation or Maintenance of Associated Infrastructure (Issue 3)**

1. Significant Impact

Future utility and infrastructure improvements resulting from the Project would be focused within existing urban areas and would be required to comply with all applicable City standards; thus, associated utility and infrastructure improvements are not likely to exacerbate fire risk. However, at this programmatic level of review, potential temporary or ongoing impacts to the environment due to the installation or maintenance of infrastructure would be significant.

2. Facts in Support of Finding

The Project areas are located within existing built environments that are served by storm water, sewer, electricity, potable water distribution, and communications systems infrastructure. The Project areas are served by major roadways within Mobility Zones 1, 2, and 3 that would not require fuel breaks or other measures to reduce wildfire risk. There are some areas within the Project areas that may have existing infrastructure deficiencies and may require capacity improvements to serve future projects implemented under the proposed ordinances. Mandatory compliance with City standards would likely preclude significant environmental impacts associated with future construction and/or improvements to the existing utility infrastructure. However, given that future specific development projects are unknown at this time, the analysis concludes that the physical impacts associated with installation of and/or improvements to utilities infrastructure would be significant and unavoidable. Future utility and infrastructure improvements would be focused within existing Mobility Zones 1, 2, and 3 and would be required to comply with all applicable City standards; thus, these improvements are not likely to exacerbate fire risk. However, at this programmatic level of review, potential temporary or ongoing impacts to the environment due to the installation or maintenance of infrastructure would be significant.

3. Rationale and Conclusion

Future utility and infrastructure improvements would be focused within existing Mobility Zones 1, 2, and 3 and would be required to comply with all applicable City standards; thus, associated utility and infrastructure improvements are not likely to exacerbate fire risk. However, at this programmatic level of review, potential temporary or ongoing impacts to the environment due to the installation or maintenance of infrastructure would be significant and unavoidable.

xliv. **WILDFIRE**

xliv. **Flooding or Landslides (Issue 4)**

1. Significant Impact

While the proposed Project areas could be subject to risks associated with downstream flooding or landslides, the existing regulatory framework related to flooding and geologic hazards would minimize potential risks. However, based on the potentially significant flooding risk related to development downstream of a PAL in Mission Valley, potential risks related to flooding would also be significant.

2. Facts in Support of Finding

Impacts related to flooding were found to be significant and unavoidable primarily due to the fact that the proposed Project could facilitate and increase development potential within areas protected by a provisionally accredited levy within Mission Valley. As discussed in the Mission Valley CPU PEIR, approximately 798 acres of the project areas are located on a geologic unit or soil that is at risk of landslides. However, implementation of site-specific recommendations provided within a required geotechnical investigation would reduce impacts associated with landslides, slope instability, and mudflows to less than significant. The proposed Project would not change existing allowable land uses within the project areas and it would not expand the locations where potential multi-family residential housing could be built. While the proposed Project areas could be subject to risks associated with downstream flooding or landslides, the existing regulatory framework related to flooding and geologic hazards would minimize potential risks. However, based on the potentially significant flooding risk identified in the Mission Valley CPU PEIR, potential flooding risks would also be significant.

3. Rationale and Conclusion

While the proposed Project areas could be subject to risks associated with downstream flooding or landslides, the existing regulatory framework related to flooding and geologic hazards would minimize potential risks. However, based on the potentially significant flooding risk related to development downstream of a PAL in Mission Valley, potential risks related to flooding would remain significant and unavoidable.

xlvi. **VISUAL EFFECTS AND NEIGHBORHOOD CHARACTER**

xlvi. **Scenic Vistas or Views (Issue 1)**

1. Significant Impact

Future development under the Housing Program that is located outside of coastal zone could adversely impact public scenic vistas or views due to height incentives that would allow for structure height in excess of existing base zone or Planned District Ordinance (PDO) regulations. Thus, at this programmatic level of review, and without project-specific development plans, impacts associated with scenic vistas and viewsheds would be significant.

2. Facts in Support of Finding

The Mobility Choices Program would result in the construction of transportation infrastructure within Mobility Zones 1, 2, and 3. These improvements would not result in a substantial obstruction of a vista or scenic view, as improvements would be installed on-site for new development or within existing public right-of-ways within TPAs (Housing Program) and Mobility Zones 1, 2, and 3 (Mobility Choices Program). Improvements within public right-of-way would generally be smaller scale than surrounding development and would not substantially block views or vistas along roadway corridors.

The Housing Program would apply citywide within TPAs in zones that allow multi-family housing. In exchange for new development that provides affordable housing units and neighborhood-serving infrastructure improvements, the Housing Program would allow additional building square footage and height beyond what is otherwise allowed in the base zone, PDO, or applicable Community Plan. Height incentives would only apply outside of the City's Coastal Zone. Within the Coastal Zone, the existing 30-foot height limit would continue to apply, which would limit the maximum height and densities that could be accommodated in coastal areas.

Development associated with the Housing Program is not anticipated to affect scenic views or vistas from designated scenic highways in the City. The only state-designated scenic highway in close proximity to the project areas is SR-163. However, the designated scenic portion of SR-163 is located within a canyon and due to topography, surrounding future development would not be visible from this scenic road. Thus, the proposed project would not adversely affect scenic views or vistas from a state-designated scenic highway.

The Housing Program's height incentives would not apply within the Coastal Zone; therefore, impacts to scenic vistas or scenic views from a public viewing area within the Coastal Zone would be minimized as future development would be required to adhere to the 30-foot height limit. However, views toward the coast could be affected by development within TPAs that are located near coastal areas, but outside of the Coastal Zone. For example, development within TPAs along Morena Boulevard could block views toward the coast for residents in Clairemont Mesa. While residential views are not protected views, views toward the coast from public parks within Clairemont Mesa could be affected. Similarly, there are numerous scenic parks and public viewing locations throughout the City. Development under the Housing Program could change scenic views and vistas from public viewing locations where TPAs are visible throughout the City.

As discussed, the 30-foot height limitation would continue to apply within the Coastal Zone. Additionally, airport height restrictions within proximity to public airports (i.e., Brown Field, Montgomery-Gibbs Executive Airport, Marine Corps Air Station Miramar, Naval Outlying Landing Field Imperial Beach, and San Diego International Airport) would continue to apply to future development. In addition, market and construction factors can contribute to height limitations. Notwithstanding these factors, future development under the Housing Program is anticipated to result in areas of increased density and building height that could obstruct scenic views and vistas from public viewing locations. At this programmatic level of review, impacts associated with scenic views and vistas would be significant.

3. Rationale and Conclusion

Transportation infrastructure improvements associated with the Mobility Choices Program would have a less than significant impact related to scenic vistas or views. Development associated with the Housing Program located outside of the Coastal Zone could adversely impact public scenic vistas or views due to height incentives that would allow for structure height in excess of existing base zone, PDO, or applicable Community Plan. Thus, at this programmatic level of review, and without project-specific development plans, impacts associated with scenic vistas and viewsheds would be significant and unavoidable.

xlvi. **VISUAL EFFECTS AND NEIGHBORHOOD CHARACTER**

xlx. **Neighborhood Character (Issue 2)**

1. Significant Impact

The Housing Program would allow for additional building square footage and height beyond the allowance in the applicable base zone or PDO, depending on the amount of affordable units that are provided. With implementation of the proposed regulations, the design of new development would be required to incorporate features that enhance neighborhood character and minimize adverse impacts associated with increased bulk, scale and height. Building materials, style, and architectural features would be reviewed to ensure the character of development meets required development standards. Notwithstanding these requirements, at this programmatic level of review, and without project-specific development plans, impacts associated with neighborhood character would be significant.

2. Facts in Support of Finding

Implementation of the Mobility Choices Program would result in the construction of transportation infrastructure within existing public rights-of-way or within the development footprint of future projects. Infrastructure would support and enhance pedestrian, bicycle, and transit use and accessibility. Development under the Mobility Choices Program would not result in an adverse effect to neighborhood character since it would result in more amenities that would enhance the character of the community.

The Housing Program would allow for additional building square footage and height beyond the allowance in the applicable base zone, PDO, or applicable Community Plan. Height incentives would only apply outside of the City's Coastal Zone. Within the Coastal Zone, the existing 30-foot height limit would continue to apply, which would limit the maximum densities that could be accommodated in coastal areas and reduce the potential for adverse impacts to neighborhood character that could result from structure heights that are greater than what currently exists. Within the Coastal Zone, FAR incentives would still apply; however, the ability to achieve the highest FAR would be limited by the 30-foot height limit. While the 30-foot height limit would restrict building square footage, the FAR incentives within the Coastal Zone could result in development that is inconsistent with the existing neighborhood character. Outside of the Coastal Zone, height restrictions related to development in proximity to airports would continue to apply which could limit the height and intensity of development that could occur within areas proximate to airports. Furthermore, market and construction factors could contribute to height limitations.

Under the Housing Program, development of a certain size would be required to provide public amenities. Future development would also be required to incorporate design features that enhance neighborhood character and minimize adverse impacts associated with increased bulk, scale, and height. Building materials, style, and architectural features would be reviewed to ensure the character of development meets required development standards. Development would also be required to adhere to the City's landscape regulations, which would support neighborhood compatibility. Nevertheless, implementation of the Housing Program could result in development at densities and heights that could substantially alter the existing neighborhood character. While the Housing Program is intended to create a more vibrant, pedestrian-oriented community with transit supportive development, implementation of the proposed ordinance could result in a substantial change to the existing character within the project areas. Thus, at this programmatic level of review, impacts associated with neighborhood character would be significant.

3. Rationale and Conclusion

Development under the Mobility Choices Program would not result in an adverse effect to neighborhood character since it would result in more amenities that would enhance the character of the community. The Housing Program would allow for additional building square footage and height beyond the allowance in the applicable base zone, PDO, or applicable Community Plan. Under the Housing Program, new development would be required to incorporate design features that enhance neighborhood character and minimize adverse impacts associated with increased bulk, scale and height. Building materials, style, and architectural features would be reviewed to ensure the character of development meets required development standards. Nevertheless, at this programmatic level of review, and without project-specific development plans, impacts associated with neighborhood character would be significant and unavoidable.

I. **VISUAL EFFECTS AND NEIGHBORHOOD CHARACTER**

II. **Distinctive or Landmark Trees (Issue 3)**

1. Significant Impact

At this programmatic level of review, and without project-specific development plans, impacts associated with the loss of any distinctive or landmark trees or any stand of mature trees would be significant.

2. Facts in Support of Finding

While the City has policies related to tree preservation in place that are intended to preserve distinctive, landmark, and mature trees to the extent practicable, it is possible that future development could nonetheless adversely impact such trees. At this programmatic level of review, and without project-specific development plans, impacts associated with the loss of any distinctive or landmark trees or any stand of mature trees would be significant.

3. Rationale and Conclusion

At this programmatic level of review, and without project-specific development plans, impacts associated with the loss of any distinctive or landmark trees or any stand of mature trees would be

significant and unavoidable.

iii. **VISUAL EFFECTS AND NEIGHBORHOOD CHARACTER**

liii. **Landform Alteration (Issue 4)**

1. Significant Impact

While existing protections are in place to preserve the City's canyons and steep slopes, specific development proposals and grading quantities are not known at this time. It is possible that future development under the proposed project could result in substantial landform alteration. Even with future discretionary review for projects that impact ESL defined steep slopes, impacts would be significant.

2. Facts in Support of Finding

Transportation infrastructure resulting from implementation of the Mobility Choices Program is not anticipated to result in changes to the existing landform because improvements are anticipated to occur within public rights-of-way, and/or along existing developed streets. Due to the developed nature of such areas, landform alteration is not anticipated. Development associated with the Housing Program could result in changes to existing landforms depending on the constraints and slope associated with a particular project site. While existing canyons and slopes throughout the Project areas are largely protected from development due to their status as Multi-Habitat Planning Areas (MHPA), the Project areas could contain steep slopes or other topographical features that could be impacted by development. The City's ESL Regulations would protect steep hillsides (defined as hillsides at least 50 feet deep with a slope of 25 percent or greater). Should a proposed Project include impacts to ESL-defined steep hillsides, the project would require a site development permit, including subsequent environmental review, in order to address potential impacts to ESL protected slopes. While existing protections are in place to preserve the City's canyons and steep slopes, specific development proposals and grading quantities are not known at this time. It is possible that future development under the Housing Program could result in substantial landform alteration. Even with future discretionary review for projects that impact ESL defined steep slopes, impacts would be significant.

3. Rationale and Conclusion

Transportation infrastructure resulting from implementation of the Mobility Choices Program is not anticipated to result in changes to the existing landform because improvements are anticipated to occur within public right-of-ways, and/or along existing developed streets. While existing protections are in place to preserve the City's canyons and steep slopes, specific development proposals and grading quantities are not known at this time. It is possible that future development under the Housing Program could result in substantial landform alteration. Even with future discretionary review for projects that impact ESL-defined steep slopes, impacts would be significant and unavoidable.

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

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 3.3 of the Final PEIR).

The City, having reviewed and considered the information contained in the Final PEIR and the Record of Proceedings, and pursuant to PRC 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 three Project alternatives:

1. No Project Alternative (Alternative 1);
2. Limited Transit Priority Area Alternative (Alternative 2), which includes the following two scenarios:
 - Limited Transit Priority Area Alternative – within one-quarter of a major transit stop (Alternative 2A)
 - Limited Transit Priority Area Alternative – within one-quarter mile of a trolley station (Alternative 2B); and
3. Incentives Available Citywide Except Height Incentive Alternative (Alternative 3).

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

liv. Alternative 1: No Project Alternative

Description

Under the No Project Alternative, the proposed ordinances would not be adopted and growth would continue to occur in accordance with the adopted General Plan and applicable community plans without the proposed Project incentives for development within TPAs (for the Housing Program) and Mobility Zones 1, 2, and 3 (for the Mobility Choices Program). Development would continue to occur through site-specific rezoning and community plan amendment actions, rather than through a comprehensively planned approach that incentivizes development within TPAs and Mobility Zones 1, 2, and 3 and ensures multi-modal transportation improvements are constructed within appropriate areas. Affordable housing development and development within TPAs and Mobility Zones 1, 2, and 3 would not be incentivized by the proposed project. Without the proposed Project, it is anticipated that new multi-family housing would continue to occur throughout the City, rather than being focused within TPAs and Mobility Zones 1, 2, and 3, since there would be fewer incentives to develop multi-family housing inside TPAs and Mobility Zones 1, 2, and 3. It is also anticipated that the planned densities needed to accommodate the region's housing and provide the required levels of affordability would not occur. Planning for mobility infrastructure would continue as it currently

exists, without a comprehensive mechanism to direct VMT reducing infrastructure in areas with the greatest potential to achieve citywide VMT reductions.

Potentially Significant Impacts

As stated in Chapter 8.0 of the Final PEIR, this alternative may result in significant effects to:

1. Air Quality
 - Sensitive Receptors – Carbon Monoxide Hot Spots (Direct)
2. Biological Resources
 - Sensitive Species (Direct and Cumulative)
 - Sensitive Habitats (Direct and Cumulative)
 - Wetlands (Direct and Cumulative)
3. Greenhouse Gas Emissions
 - Conflicts with Plans or Policies (Direct and Cumulative)
4. Historical and Tribal Cultural Resources
 - Historic Buildings, Structures, Objects or Sites (Direct and Cumulative)
 - Prehistoric and Historic Archaeological Resources, Sacred Sites and Human Remains (Direct and Cumulative)
 - Tribal Cultural Resources (Direct and Cumulative)
5. Hydrology/Water Quality
 - Flooding and Drainage Patterns – Mudflow, Downstream flooding (Direct)
6. Noise
 - Noise Levels - Ambient Noise, Traffic Related Noise, Rail Noise, Noise Ordinance Compliance, Temporary Construction Noise (Direct and Cumulative)
 - Groundborne Vibration (Direct and Cumulative)
7. Public Services and Facilities
 - Public Facilities - Police Protection, Fire-Rescue Services, Schools, Libraries, Parks and Recreation (Direct and Cumulative)
 - Deterioration of Existing Neighborhood Parks and Recreational Facilities (Direct and Cumulative)
 - Construction or Expansion of Recreational Facilities (Direct and Cumulative)
8. Public Utilities and Infrastructure
 - Utilities (Direct and Cumulative)
9. Transportation and Circulation
 - Vehicle Miles Traveled (Direct and Cumulative)
10. Wildfire
 - Wildfire (Direct and Cumulative)
 - Pollutants from Wildfire (Direct and Cumulative)
 - Infrastructure (Direct and Cumulative)
 - Flooding or Landslides (Direct)
11. Visual Effects and Neighborhood Character
 - Scenic Vistas or Views (Direct and Cumulative)
 - Neighborhood Character (Direct and Cumulative)
 - Distinctive or Landmark Trees (Direct and Cumulative)
 - Landform Alteration (Direct)

Finding and Supporting Facts

Development pursuant to the No Project Alternative would reduce impacts compared to the proposed Project for five issue areas when compared to the Proposed Project. However, impacts of the No Project Alternative would be greater than the proposed Project for the issues of land use, energy, GHG emissions, and transportation and circulation.

Compared to the proposed Project, development pursuant to this Alternative would reduce significant and unavoidable air quality impacts, as development pursuant to the No Project Alternative would not conflict with air quality plans or conflict with air quality standards, and would have reduced operational emissions compared with the proposed project. However, there could still be potential impacts to sensitive receptors from construction and operation emissions. Therefore, air quality impacts under this Alternative would remain significant and unavoidable, but to a lesser degree than the proposed Project.

The No Project Alternative would also not result in potential tsunami inundation impacts like the proposed Project. However, this Alternative could still have potential impacts to flooding and drainage patterns, and overall impacts to hydrology and water quality remain significant and unavoidable. With respect to public utilities and infrastructure, this Alternative would have reduced water supply impacts compared to the proposed Project, as it would not result in densities in excess of what has been considered in the latest water supply planning documents. However, the No Project Alternative could still have a significant impact on utilities, so overall impacts to public utilities and infrastructure would still be significant and unavoidable.

This Alternative would slightly reduce impacts related to noise and to visual effects and neighborhood character, as it would have reduced vibration impacts compared to the Proposed Project. However, this Alternative could still result in significant effects with respect to noise levels and groundborne vibration, and impacts would remain significant and unavoidable. Visual effects and neighborhood character impacts would also be slightly less than with the Proposed Project, as impacts related to scenic vistas and views and neighborhood character would be reduced under this Alternative compared to the development anticipated under the Proposed Project. However, overall impacts to visual effects and neighborhood character under this Alternative remain significant and unavoidable. This Alternative would also slightly reduce wildfire risks, due to its reduced densities, but this potential impact would remain significant and unavoidable.

Compared to the proposed Project, the No Project Alternative would have greater transportation impacts. This Alternative would not facilitate the development of high density multi-family residential land uses and mobility enhancements within TPAs and Mobility Zones 1, 2, and 3 in order to mitigate citywide VMT impacts, and therefore it fails to reduce VMT to the same extent as the Proposed Project.

This Alternative also does not provide additional incentives for development near existing transit corridors, which would be necessary to fully achieve the goals of existing City plans or policies such as the CAP and the City of Villages strategy. Therefore, it would have a greater land use impact than the proposed Project, although this impact would remain less than significant. The No Project Alternative would have greater energy impacts than the proposed Project, as it would not support alternative modes of travel to the same degree as the proposed project, and could also result in less

dense housing developments, and accordingly less energy efficient housing. However, this impact would also remain less than significant.

Furthermore, this Alternative would result in one additional impact to greenhouse gas emissions. The No Project Alternative would conflict with local GHG plans and policies by failing to implement the City's vision to increase density near transit to support alternative modes of transportation that can ultimately reduce GHG emissions.

With respect to biological resources, historical and tribal cultural resources, and public services and facilities, the No Project Alternative would have the same significant and unavoidable impact conclusions as the proposed Project.

Rationale and Conclusion

The No Project Alternative is rejected as infeasible as it would not substantially reduce the significant impacts associated with the Project and it does not meet most of the project objectives outlined in Section 3.3 of the Final PEIR. Although it would reduce impacts to air quality, hydrology and water quality, noise, wildfire, and visual effects and neighborhood character, it does not reduce these impacts to less than significant. This Alternative also has an increased impact with respect to transportation and would result in a new significant GHG emissions impact by conflicting with plans and policies that aim to reduce GHG emissions. For the above-described reasons, the No Project Alternative is rejected as infeasible because it would not greatly reduce the significant and unavoidable effects of the Proposed Project and it does not meet most of the project objectives.

iv. Alternative 2: Limited Transit Priority Area Alternative

Alternative 2 includes an option 2A and 2B; both options have the same significance conclusions as compared to the proposed Project.

ivi. Alternative 2A: Limited Transit Priority Area Alternative – within one-quarter mile of a major transit stop

Description

Under this alternative, the Project areas eligible for participation in the Housing Program would be reduced compared to the proposed Project. The incentives provided for the provision of multi-family residential development would not be available in all of the City's TPAs; rather, the incentives would only be available in areas within TPAs that are located within one-quarter mile of a major transit stop that is existing or planned, if the planned major transit stop is scheduled to be completed within the SANDAG Regional Transportation Improvement Program. The incentives would continue to be available only within zones that allow for multi-family residential development. It is anticipated that the planned densities incentivized under this alternative would be somewhat reduced due to the reduced geographical area where the program would apply. Thus, the alternative would likely achieve less units than the proposed Project and would not achieve the same level of housing needed to accommodate the region's housing needs. Under this alternative, the Housing Program incentives would be available in approximately 6 percent of the City's land, compared to approximately 11 percent under the proposed Project. Under this alternative, the Mobility Choices program would be the same as the proposed Project.

Ivii. Alternative 2B: Limited Transit Priority Area Alternative – within one-quarter mile of a trolley station

Description

Under this alternative, the Project areas eligible for participation in the Housing Program would be reduced compared to the proposed Project and would be further reduced compared to Alternative 2A. The incentives provided for the provision of multi-family residential development would not be available in all of the City's TPAs; rather, the incentives would only be available in areas within TPAs that are located within the one-quarter mile of a major trolley station that is existing or planned, if the planned trolley station is scheduled to be completed within the SANDAG Regional Transportation Improvement Program. The incentives would continue to be available only within zones that allow for multi-family residential development. It is anticipated that the planned densities incentivized under this alternative would be somewhat reduced due to the reduced geographical area where the program would apply. Thus, the alternative would likely achieve less units than the proposed Project and would not achieve the same level of housing needed to accommodate the region's housing needs. Under this alternative, the Housing Program incentives would be available in approximately 2 percent of the City's land, compared to approximately 11 percent under the proposed project. Under this alternative, the Mobility Choices program would be the same as the proposed Project.

Potentially Significant Impacts (for both Alternatives 2A and 2B)

As stated in Chapter 8.0 of the Final PEIR, these alternatives may result in significant effects to:

1. Air Quality
 - Conflicts with Air Quality Plans (Direct and Cumulative)
 - Air Quality Standards (Direct and Cumulative)
 - Sensitive Receptors – Carbon Monoxide Hot Spots (Direct)
2. Biological Resources
 - Sensitive Species (Direct and Cumulative)
 - Sensitive Habitats (Direct and Cumulative)
 - Wetlands (Direct and Cumulative)
3. Historical and Tribal Cultural Resources
 - Historic Buildings, Structures, Objects or Sites (Direct and Cumulative)
 - Prehistoric and Historic Archaeological Resources, Sacred Sites and Human Remains (Direct and Cumulative)
 - Tribal Cultural Resources (Direct and Cumulative)
4. Hydrology/Water Quality
 - Flooding and Drainage Patterns – Mudflow, Tsunami, Downstream flooding (Direct)
 - Tsunami inundation (Direct and Cumulative)
5. Noise
 - Noise Levels - Ambient Noise, Traffic Related Noise, Rail Noise, Noise Ordinance Compliance, Temporary Construction Noise (Direct and Cumulative)

- Groundborne Vibration (Direct and Cumulative)
- 6. Public Services and Facilities
 - Public Facilities - Police Protection, Fire-Rescue Services, Schools, Libraries, Parks and Recreation (Direct and Cumulative)
 - Deterioration of Existing Neighborhood Parks and Recreational Facilities (Direct and Cumulative)
 - Construction or Expansion of Recreational Facilities (Direct and Cumulative)
- 7. Public Utilities and Infrastructure
 - Water Supply (Direct and Cumulative)
 - Utilities (Direct and Cumulative)
- 8. Transportation and Circulation
 - Vehicle Miles Traveled (Direct and Cumulative)
- 9. Wildfire
 - Wildfire (Direct and Cumulative)
 - Pollutants from Wildfire (Direct and Cumulative)
 - Infrastructure (Direct and Cumulative)
 - Flooding or Landslides (Direct)
- 10. Visual Effects and Neighborhood Character
 - Scenic Vistas or Views (Direct and Cumulative)
 - Neighborhood Character (Direct and Cumulative)
 - Distinctive or Landmark Trees (Direct and Cumulative)
 - Landform Alteration (Direct)

Finding and Supporting Facts

Development pursuant to Alternative 2A or 2B would reduce impacts within five issue areas. However, these Alternatives would have greater transportation impacts than the proposed Project.

Both Alternatives 2A and 2B would have the same significant and unavoidable air quality impact conclusions as the proposed Project. However, the air quality impacts would be slightly less for both alternatives due to the reduced level of density and trips. (Alternative 2B has slightly reduced impacts compared to Alternative 2A, and both Alternatives have reduced impacts compared to the proposed project.)

While the area for potential historical, archaeological, and tribal cultural resources impacts would be slightly reduced due to the reduced applicability of the Housing Program, Alternatives 2A and 2B would also have the same significant and unavoidable impact conclusions for this issue area as the proposed Project. The same holds true for hydrology/water quality impacts. Both Alternatives 2A and 2B could have significant and unavoidable impacts for this issue area, but the impact to flooding and drainage patterns would be slightly reduced compared to the proposed Project because of the reduced project area size under these Alternatives.

Wildfire impacts could also be significant and unavoidable under Alternatives 2A and 2B, but impacts would be slightly reduced compared to the proposed Project, as these Alternatives would reduce the area where housing incentives that encourage increased density would be provided. Visual effects and neighborhood character impacts would also be slightly less than with the Proposed Project, as impacts related to scenic vistas and views and neighborhood character would be slightly reduced under these Alternatives with the reduced area where housing incentives are applied. However, overall impacts to visual effects and neighborhood character under these Alternatives remain significant and unavoidable.

Alternatives 2A and 2B would result in greater significant and unavoidable transportation impacts than the proposed Project, as both Alternatives would reduce the area where incentives can be used. More development could occur within less efficient VMT areas compared to the proposed Project because of the more limited applicability of the incentives, and transportation impacts would therefore be increased under these Alternatives.

With respect to biological resources, noise, public services and facilities, and utilities and infrastructure, Alternatives 2A and 2B would have the same significant and unavoidable impact conclusions as the proposed Project.

Rationale and Conclusion

Alternatives 2A and 2B are rejected because they would not substantially reduce the significant impacts associated with the Project. Most impact conclusions of these alternatives would be the same as the proposed project, except the significant and unavoidable impacts related to air quality; historical, archaeological, and tribal cultural resources; hydrology and water quality; wildfire; and visual effects and neighborhood character would be slightly reduced compared to the proposed project. However, overall impacts to these issue areas are not reduced to below a level of significance. Alternatives 2A and 2B also have increased transportation impacts compared to the proposed Project, and although these alternatives would meet the project objectives outlined in Section 3.3 of the Final PEIR, they would not achieve them to the same degree as the Proposed Project because they would reduce the Project area where housing incentives are applied.

lviii. Alternative 3: Incentives Available Citywide Except Height Incentive Alternative

Description

Under this Alternative, the Housing Program height incentive would not be available, but all other development incentives under the Housing Program would be available citywide – inside TPAs as well as outside of TPAs – in zones that allow for multi-family residential development. Thus, under this alternative, multi-family housing would be incentivized citywide, rather than focused within TPAs and Mobility Zones 1, 2, and 3. Additionally, active transportation infrastructure investments under both the Housing and Mobility Choices Programs would be spread out citywide rather than being focused within TPAs and Mobility Zones 1, 2, and 3. Under this Alternative, development within Mobility Zone 4 could participate in the Mobility Choices Program in the same manner as projects within Mobility Zones 1, 2, and 3. Under this Alternative, it is anticipated that housing needed to accommodate the region's housing needs would be developed in various areas throughout the City, and would not be concentrated within the TPAs and Mobility Zones 1, 2, and 3, as under the

proposed Project. It is anticipated that fewer residential units would be developed since the amount of dwelling units allowed would be limited due to a reduced height limit.

Potentially Significant Impacts

As stated in Chapter 8.0 of the Final PEIR, this Alternative has the potential to significantly impact:

1. Air Quality
 - Conflicts with Air Quality Plans (Direct and Cumulative)
 - Air Quality Standards (Direct and Cumulative)
 - Sensitive Receptors – Carbon Monoxide Hot Spots (Direct)
2. Biological Resources
 - Sensitive Species (Direct and Cumulative)
 - Sensitive Habitats (Direct and Cumulative)
 - Wetlands (Direct and Cumulative)
3. Historical and Tribal Cultural Resources
 - Historic Buildings, Structures, Objects or Sites (Direct and Cumulative)
 - Prehistoric and Historic Archaeological Resources, Sacred Sites and Human Remains (Direct and Cumulative)
 - Tribal Cultural Resources (Direct and Cumulative)
4. Hydrology/Water Quality
 - Flooding and Drainage Patterns – Mudflow, Tsunami, Downstream flooding (Direct)
 - Tsunami inundation (Direct and Cumulative)
5. Land Use
 - Conflicts with Land Use Plans and Policies (Direct and Cumulative)
6. Noise
 - Noise Levels - Ambient Noise, Traffic Related Noise, Rail Noise, Noise Ordinance Compliance, Temporary Construction Noise (Direct and Cumulative)
 - Groundborne Vibration (Direct and Cumulative)
7. Public Services and Facilities
 - Public Facilities - Police Protection, Fire-Rescue Services, Schools, Libraries, Parks and Recreation (Direct and Cumulative)
 - Deterioration of Existing Neighborhood Parks and Recreational Facilities (Direct and Cumulative)
 - Construction or Expansion of Recreational Facilities (Direct and Cumulative)
8. Public Utilities and Infrastructure
 - Water Supply (Direct and Cumulative)
 - Utilities (Direct and Cumulative)
9. Transportation and Circulation
 - Vehicle Miles Traveled (Direct and Cumulative)
10. Wildfire
 - Wildfire (Direct and Cumulative)
 - Pollutants from Wildfire (Direct and Cumulative)
 - Infrastructure (Direct and Cumulative)
 - Flooding or Landslides (Direct)
11. Visual Effects and Neighborhood Character
 - Neighborhood Character (Direct and Cumulative)

- Distinctive or Landmark Trees (Direct and Cumulative)
- Landform Alteration (Direct)

Finding and Supporting Facts

Development under Alternative 3 would reduce impacts in three issue areas when compared to the proposed Project. However, this Alternative would have greater impacts related to biological resources, historical and tribal cultural resources, transportation, and wildfire; it would also result in an additional significant and unavoidable impact conclusion related to land use.

This Alternative would not incentivize height in excess of the existing base zone, PDO regulations, or Community Plan height limit, so impacts related to scenic vistas and views would be less than significant under this Alternative rather than significant and unavoidable as under the proposed Project. However, while impacts would be reduced compared to the proposed Project, overall impacts to visual effects and neighborhood character under Alternative 3 would remain significant and unavoidable.

Construction emissions and impacts to sensitive receptors under this Alternative would be slightly reduced compared to the proposed Project. The more dispersed project area under Alternative 3 would reduce the concentration of construction projects occurring in one location, and there would be height restrictions and a lesser scale of development that would occur compared to that allowed under the proposed Project. However, impacts to air quality would remain significant and unavoidable for this Alternative.

Under Alternative 3, noise impacts would also be slightly less than under the proposed Project, due to the reduced density and traffic associated with removal of the height incentive under this Alternative. However, overall noise impacts would remain significant and unavoidable for Alternative 3.

Impacts to biological resources would be slightly greater under this Alternative than under the Proposed Project, as development could occur within less urban areas that could impact wildlife corridors. Although this specific impact would still remain less than significant, impacts to sensitive species, habitats, and wetlands would remain potentially significant and unavoidable, and overall impacts would be slightly greater than the Proposed Project.

Impacts to historical and tribal cultural resources would also be slightly greater under Alternative 3 than under the proposed Project. Potential impacts to historical and tribal cultural resources remain significant and unavoidable, as under the proposed Project; additionally, the area of potential impacts under this Alternative would be slightly greater due to the Citywide applicability of the Housing Program.

Alternative 3 would result in greater significant and unavoidable transportation impacts than the proposed Project, as this Alternative would incentivize housing Citywide, which could allow more development to occur within less efficient VMT areas. Height limitations would also limit achieving higher densities near transit compared to the Proposed Project. Therefore, transportation impacts under this Alternative would remain significant and unavoidable and would be greater than under the proposed Project. Wildfire impacts would also be slightly greater under Alternative 3, as under

this Alternative the Housing Program incentives would apply citywide and within more areas subject to wildfire hazards.

Furthermore, this Alternative would result in one additional impact related to land use. As Alternative 3 would provide housing incentives in multi-family areas citywide regardless of VMT efficiency, this would conflict with land use plans and policies that aim to incentivize densification near transit in order to achieve associated VMT efficiencies.

With respect to hydrology/water quality, public services and facilities, and public utilities and infrastructure, Alternative 3 would have the same significant and unavoidable impact conclusions as the proposed Project.

Rationale and Conclusion

Alternative 3 is rejected because it would not substantially reduce the significant impacts associated with the proposed Project. While this Alternative reduces impacts to visual effects and neighborhood character, air quality, and noise, overall impacts to these issue areas are not reduced to below a level of significance. Alternative 3 also has increased impacts related to biological resources, historical and tribal cultural resources, transportation, and wildfire, as well as an additional significant and unavoidable impact related to land use. Furthermore, Alternative 3 would not achieve the project objectives outlined in Section 3.3 of the Final PEIR to the same degree as the proposed Project, because it would conflict with land use plans and policies that incentivize densification near transit.

EXHIBIT B

STATEMENT OF OVERRIDING CONSIDERATIONS

(PUBLIC RESOURCES CODE §21081(b))

**FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (FINAL PEIR) FOR
COMPLETE COMMUNITIES: HOUSING SOLUTIONS AND MOBILITY CHOICES**

SCH No. 2019060003

DRAFT

June 2020

STATEMENT OF OVERRIDING CONSIDERATIONS
FOR COMPLETE COMMUNITIES: HOUSING SOLUTIONS AND MOBILITY CHOICES
(PUBLIC RESOURCES CODE §21081(b))

Pursuant to Section 21081(b) of the California Environmental Quality Act (CEQA) and CEQA Guidelines Sections 15903 and 15043, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks, when determining whether to approve Complete Communities: Housing Solutions and Mobility Choices and associated discretionary actions (hereinafter referred to as the "Proposed Project"), as defined in the Final Program Environmental Impact Report (PEIR). Within this Statement of Overriding Considerations, Complete Communities: Housing Solutions is referred to as the "Housing Solutions Program" while Complete Communities: Mobility Choices is referred to as the "Mobility Choices Program." This Statement of Overriding Considerations is specifically applicable to the significant and unavoidable impacts identified in Chapter 7 of the Final PEIR. As set forth in the Findings, the Proposed Project will result in unavoidable adverse impacts related to air quality; biological resources; historical, archaeological, and tribal cultural resources; hydrology/water quality; noise; public services and facilities; transportation; public utilities and infrastructure; wildfire; and visual effects and neighborhood character.

The 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 Proposed Project to the extent feasible by adopting recommended mitigation measures identified in the Final PEIR; and
- (iii) Balanced the benefits of the Proposed 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 Proposed 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 Proposed 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. Complete Communities: Housing Solutions and Mobility Choices supports the General Plan's City of Villages strategy, Climate Action Plan (CAP), Housing Element, and the SANDAG Regional Plan Sustainable Communities Strategy by encouraging additional housing options and increased density near transit and employment centers. Complete Communities: Housing Solutions and Mobility Choices will incentivize the development of housing units that are needed to address the region's housing shortage, and will encourage growth within TPAs consistent with the City's Climate Action Plan. It will also result in investments in biking, walking, and transit infrastructure where it will be used the most with the greatest return on investment.

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. 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. Its Sustainable Communities Strategy includes a call to focus housing and job growth in urbanized areas where there is existing and planned transportation infrastructure, including transit.

The Proposed Project will further achieve the goals and objectives of both these plans by encouraging higher development intensities within Transit Priority Areas (TPAs), and increasing employment and housing opportunities near transit. The current Regional Housing Needs Assessment (RHNA) cycle target for the City of San Diego (City) is 88,096 new units by 2020, but less than 50% of that production target has been met. By encouraging housing development within TPAs, the Proposed Project will help the City achieve its RHNA target.

Bringing origins and destinations closer together and improving walking and cycling conditions can also reduce automobile trips and associated traffic congestion. Therefore, accommodating new housing within TPAs and the funding of active transportation improvements where they will be used the most, proposed as part of this Project, are anticipated to help stimulate this mode shift and promote transit, walking, and bicycling. In doing so, the Proposed Project will also further implement the goals and strategies of the City's Climate Action Plan (CAP), which is further discussed below in Issue 6.

2. Complete Communities: Housing Solutions and Mobility Choices supports employment and economic growth opportunities.

Future residential development built pursuant to the Proposed Project will be concentrated near other amenities within TPAs, which will promote economic growth opportunities. It will help support new commercial opportunities that will encourage employment and economic growth, and it will enhance commercial and office development opportunities in the vicinity of transit while providing additional commercial and retail services within walking and bicycling distance. Some of the future development under the Proposed Project will also be occurring in community planning areas, which are specifically described as important subregional employment areas in the City's General Plan, such as Mission Valley. The development of housing in proximity to the City's subregional employment areas will support the City's economy and align with the goals of the General Plan. Additionally, by focusing future development within TPAs, the Proposed Project will also increase non-vehicular access to Downtown and to other subregional employment areas throughout the City.

3. Complete Communities: Housing Solutions and Mobility Choices promotes pedestrian scale development and improvements to transform the public realm along local streets.

The Proposed Project would support new community-serving infrastructure improvements by requiring all projects to either provide VMT reduction measures in the form of transportation infrastructure and amenities intended to support transit and active transportation modes, or provide funding to support the development of VMT reduction measures in the form of active transportation infrastructure within Mobility Zones 1, 2, and 3 through payment of a fee.

These proposed public infrastructure improvements include measures that would directly promote and improve the pedestrian experience, including: shade trees adjacent to pedestrian areas; benches; shelters; pedestrian islands; raised crosswalks; curb ramps that are compliant with the Americans with Disabilities Act (ADA); high visibility crosswalks; striped crosswalks; expanded sidewalks; brick sidewalk; concrete sidewalks; patterned concrete sidewalks; stamped concrete sidewalks; sidewalk pavers; high intensity activated crosswalk signals; painted curb/sidewalks; pedestrian crossing pavement markings; wayfinding signage; multi-use trails (paved); and boardwalks.

4. Complete Communities: Housing Solutions and Mobility Choices promotes a Complete Streets strategy by providing a balanced street environment that addresses the needs of all users, including public transit users, pedestrians, bicyclists, and motorists.

The Proposed Project envisions a balanced, multi-modal 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 consistent with the General Plan's multi-modal/complete streets policies. The Proposed Project would support a more balanced mobility network by encouraging the development of VMT reduction measures in the form of active transportation infrastructure within Mobility Zones 1, 2, and 3, which would provide viable options aimed at shifting trips to transit, walking, and bicycling, while also safely accommodating vehicle traffic and minimizing conflicts between travel modes.

The Proposed Project also focuses growth and development within and adjacent to transit corridors. The Proposed Project includes multi-modal goals that support high frequency transit services; transit-oriented villages; and safe and integrated bicycle and pedestrian networks. It also identifies potential pedestrian and bicycle infrastructure to increase and improve connectivity within the community, to transit, and to adjacent communities.

Additionally, the Proposed Project would promote a Complete Streets strategy by requiring certain projects to either provide VMT reduction measures in the form of transportation infrastructure and amenities intended to support transit and active transportation modes, or provide funding to support VMT reduction measures in the form of active transportation infrastructure within Mobility Zones 1, 2, and 3, where the City would realize the greatest return on this investment in terms of greenhouse gas emissions reductions. It would address and fund increased connectivity, amenities, and safety to encourage walking as a viable mode of transportation. The Proposed Project also includes policies that support expanded and enhanced transit services within the community and to adjacent communities. Finally, the Proposed Project would fund active infrastructure amenities that support improving access to and enhancing transit facilities, including providing ADA access, wayfinding signage, public art, landscaping, and other amenities.

5. Complete Communities: Housing Solutions and Mobility Choices supports new recreational opportunities and infrastructure improvements.

In exchange for additional housing units, building square footage, and height, the proposed Housing Solutions Program would require all projects to provide new community-serving infrastructure improvements through payment of a fee into the newly-established Neighborhood Enhancement Fund. Examples of amenities or public infrastructure improvements that could be implemented as a result of this fee include, but are not limited to: shade trees adjacent to pedestrian areas; mobility hubs; benches; special/enhanced striping at stops; shelters; curb extensions/bulb-outs; pedestrian islands; raised crosswalks; mid-block crossing roundabout; expanded sidewalks; sidewalk pavers; pedestrian crossing pavement marking; and shared lane/bicycling pavement marking. Infrastructure amenities would also provide a recreational function, and in addition to including transit, pedestrian, or bicycle transportation improvements, they could include features such as outdoor fitness equipment and children's play areas where people can recreate. The Proposed Project recognizes that certain targeted investments can serve both mobility and recreational needs, and allows those investments with multi-benefits to occur.

Under the Proposed Project, development on premises that are 25,000 square feet or larger in area and with at least 200 linear feet of street frontage have the option to either pay the Neighborhood Enhancement Fee, or construct a public promenade. These promenades would be designed as a public open space adjoining or visible from a public right-of-way, and provide pedestrian circulation, landscaping, lighting, wayfinding signage, and seating, in addition to other transportation and recreational amenities that the public could utilize.

6. Complete Communities: Housing Solutions and Mobility Choices implements trip reduction strategies contained in the Climate Action Plan.

The Proposed Project implements actions identified in the CAP, Strategy 3: Bicycling, Walking, Transit & Land Use, related to 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 development capacity in TPAs. Strategy 3 in the CAP includes the following land use 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 Proposed Project implements the CAP by: (1) encouraging transit-oriented development within TPAs; (2) providing planned improvements to support transit operations and access; (3) planning for a multi-modal mobility network that includes robust pedestrian and bicycle facilities that connect

people to transit while implementing the Bicycle Master Plan; and (4) accommodating new housing units within TPAs.

The proposed Housing Solutions Program encourages growth, development, and redevelopment near transit (consistent with Strategy 3 Action Items 3.1 and 3.6). The proposed Mobility Choices Program reflects the intent of Strategy 3 Action Items 3.2 and 3.3, complementing the transit-supportive density by encouraging investments in active transportation infrastructure such as pedestrian and bicycle facilities that provide improved access/connections to transit corridors and the San Diego Trolley service, improving connections between transit and recreational opportunities/ amenities; supporting higher density/intensity housing and employment development to increase transit ridership; and increasing multi-modal opportunities and reduced reliance on single occupancy vehicles.

Additional strategies within the CAP also relate to efficiency in energy use and climate resiliency. The Proposed Project addresses these strategies by promoting sustainable development and reducing greenhouse gas emissions, consistent with the General Plan and CAP. Concentrating development within TPAs, as proposed within the Housing Solutions Program, would decrease overall GHG emissions within the City. Additionally, providing transportation improvements in Mobility Zones 1, 2, and 3 would also help support the City in achieving the citywide GHG emissions reduction targets set under the CAP.

The Proposed Project also supports urban forestry, which is tied to climate resiliency efforts. The proposed Mobility Choices Program encourages an increase in the City's overall tree canopy by including shade trees adjacent to pedestrian areas in its list of potential amenities or public infrastructure improvements that could be implemented. In addition to creating and enhancing a more pedestrian and bicycle friendly environment, these trees could also provide air quality benefits and urban runoff management, and minimize solar heat gain.

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 Proposed Project. Therefore, the City Council adopts this Statement of Overriding Considerations.