



THE CITY OF SAN DIEGO

# ENVIRONMENTAL IMPACT REPORT

No. 1059329

SCH No. 2022120345

**SUBJECT: 3823 INGRAHAM STREET** (a.k.a. AVA Pacific Beach): A COMMUNITY PLAN AMENDMENT to the Pacific Beach Community Plan to change the existing land use from Multi-family (29-43 dwelling units per acre (du/a) to Residential 15-54 (du/a), REZONE from RM-3-7 to RM-3-8, and a COASTAL DEVELOPMENT PERMIT to construct an additional 138 residential units, including seven affordable units; a surface parking lot; and two new parking structures within an existing multi-family development. The project would also require approval of PUBLIC SERVICE UTILITY EASEMENT modification to allow for re-routing of an existing sewer line and associated easement. The 4.3-acre site is designated residential and zoned residential multiple-unit (RM-3-7) in the Pacific Beach Community Plan. The site is also within the Coastal Overlay Zone, Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone, Parking Standards Transit Priority Area, and the Transit Priority Area. (LEGAL DESCRIPTION: Lots 1, 2, 3, and 4 of Crown Point Country Club Condominiums, in the City of San Diego, County of San Diego, State of California). Applicant: AvalonBay Communities.

## ENVIRONMENTAL DETERMINATION:

This document has been prepared by the City of San Diego's Environmental Analysis Section under the direction of the Development Services Department and is based on the City's independent analysis and conclusions made pursuant to 21082.1 of the California Environmental Quality Act (CEQA) Statutes and Sections 128.0103(a), 128.0103(b) of the San Diego Land Development Code.

Based on the analysis conducted for the project described above, the City of San Diego, as the Lead Agency, has prepared the following Environmental Impact Report (EIR). The analysis addressed the following issue area(s) in detail: **Land Use, Transportation and Circulation, Visual Effects and Neighborhood Character, Air Quality, Greenhouse Gas Emissions, Energy, Noise, Historical Resources, Hydrology, Water Quality, Public Services and Facilities, Public Utilities, and Tribal Cultural Resources.** The EIR concluded that the project would result in significant but mitigated environmental impacts to **Historical Resources and Tribal Cultural Resources.** **Transportation** impacts resulting from the project would remain significant and unmitigated. All other impacts analyzed in the draft EIR were determined to either be less than significant or result in no impacts.



The purpose of this document is to inform decision-makers, agencies, and the public of the significant environmental effects that could result if the project is approved and implemented, identify possible ways to minimize the significant effects and describe reasonable alternatives to the project.

**PUBLIC REVIEW DISTRIBUTION:**

The following agencies, organizations, and individuals were distributed either a Public Notice or a copy of the draft Environmental Impact Report:

State of California

CALTRANS District 11 (31)  
State Clearinghouse (46)  
California Coastal Commission (47)  
California Transportation Commission (51)  
California Department of Transportation (51A)  
California Department of Transportation (51B)  
Native American Heritage Commission (56)

City of San Diego

Central Library (81A)  
Pacific Beach/Taylor Branch Library (81X)  
Mayor's Office (91)  
Council President LaCava, District 1  
Councilmember Campbell, District 2  
Councilmember Whitburn, District 3  
Councilmember Foster, District 4  
Councilmember von Wilpert, District 5  
Councilmember Lee, District 6  
Councilmember Campillo, District 7  
Councilmember Moreno, District 8  
Councilmember Elo-Rivera, District 9  
Development Services Department  
    EAS  
    Transportation  
    Engineering  
    Landscape  
    Fire-Plan  
    LDR Planning

City of San Diego (Continued)

City Planning Department  
    Long-Range  
Parks and Recreation Department



Police Department  
Fire-Rescue Department  
Transportation Development (78)  
Fire and Life Safety (79)  
San Diego Fire – Rescue Department Logistics (80)  
San Diego Housing Commission (88)  
Environmental Services Department (93A)  
City Attorney (93C)

Other Organizations, Groups and Interested Individuals

Richard Drury, Lozeau Drury LLP  
Molly Greene, Lozeau Drury LLP  
Brian Flynn, Lozeau Drury LLP  
Rebecca Davis, Lozeau Drury LLP  
Madeline Dawson, Lozeau Drury LLP  
Leslie Reider, Lozeau Drury LLP  
Chase Preciado, Lozeau Drury LLP  
John Stump  
Kevin Johnston  
Mark Janda, AvalonBay Communities  
Sofia Zamora, AvalonBay Communities  
Albert Kao, AvalonBay Communities  
Karen Ruggels, KLR Planning  
Jeffrey Forrest, Sheppard Mullin  
SANDAG (108)  
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Carmen Lucas (206)  
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Save Out Heritage Organization (214)  
Ron Chirstman (215)  
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Native American Heritage Commission (222)  
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Native American Distribution (225A-S)  
Beach and Bay Press (372)  
Debby Knight (373)  
Pacific Beach Town Council (374)  
Pacific Beach Planning Group (375)  
Crown Point Assn (376)



Pacific Beach Historical Society (377)  
Lisa Cumper, Jamul Indian Village  
Angelina Gutierrez, San Pasqual Tribe  
Clint Linton, Lipay Nation of Santa Ysabel  
Mar Robbart

**RESULTS OF PUBLIC REVIEW:**

- ☐ No comments were received during the public input period.
- ☐ Comments were received but did not address the accuracy or completeness of the draft environmental document. No response is necessary and the letters are incorporated herein.
- ☒ Comments addressing the accuracy or completeness of the draft environmental document were received during the public input period. The letters and responses are incorporated herein.

Copies of the environmental document and associated project-specific technical appendices, if any, may be accessed on the City of San Diego's California Environmental Quality Act (CEQA) webpage at <https://www.sandiego.gov/ceqa>.

Courtney Holowach for  
Elizabeth Shearer-Nguyen  
Program Manager  
Development Services Department

April 2, 2025  
Date of Draft Report

July 31, 2025  
Date of Final Report

Analyst: C. Holowach



# LETTERS OF COMMENTS AND RESPONSES

## **AVA PACIFIC BEACH PROJECT DRAFT EIR COMMENT LETTERS**

The following comment letters were received from agencies, organizations, and individuals during the public review of the Draft Environmental Impact Report (DEIR). A copy of each comment letter along with corresponding staff responses has been included.

Comment letters on the DEIR were received from the following agencies, organizations, and individuals (Table 1). Some of the comments do not pertain to the adequacy of analysis in the Draft EIR or to other aspects pertinent to the potential effects of the proposed project on the environment pursuant to CEQA. However, a good faith effort has been made by the City to respond to the comments submitted. Each comment letter is reproduced alongside the corresponding responses to individual comments.

**Table 1. Comment Letters Received**

| Letter                                 | Author  | Date          | Page Number of Letter |
|--|---|---------------|-----------------------|
| ORGANIZATIONS, GROUPS, AND INDIVIDUALS |   |               |                       |
| A                                      | James W. Royle, Jr.<br>Chairperson, Environmental Review Committee<br>San Diego County Archaeological Society, Inc. | May 1, 2025   | 2                     |
| B                                      | Brian B. Flynn<br>Lozeau Drury LLP<br>Supporters Alliance for Environmental Responsibility (SAFER)                  | April 3, 2025 | 3                     |





## San Diego County Archaeological Society, Inc.

Environmental Review Committee

May 1, 2025

To: Ms. Courtney Holowach  
Development Services Department  
City of San Diego  
1222 First Avenue, Mail Station 501  
San Diego, California 92101

Subject: Draft Environmental Impact Report  
3823 Ingraham Street/AVA Pacific Beach  
Project No. 1059329

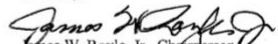
Dear Ms. Holowach:

I have reviewed the cultural resources aspects of the subject DEIR on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in documents posted on the City's website, we agree that the project is unlikely to impact cultural resources. We also agree with the proposed monitoring program for cultural resources.

Thank you for the including SDCAS in the City's environmental review process for this project.

Sincerely,

  
James W. Royle, Jr., Chairperson  
Environmental Review Committee

cc: SDCAS President  
File

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

**A-1:** Comment noted. The comment does not address the adequacy of the Draft EIR. No further response is required.



# LETTERS OF COMMENTS AND RESPONSES



Via Email

April 3, 2025

Courtney Holowach, Senior Planner  
Development Services Department  
City of San Diego  
1222 First Avenue, MS 501  
San Diego, CA 92101  
CHolowach@sandiego.gov

**Re: Comment on Draft Environmental Impact Report, AVA Pacific Beach Project (SCH 2022120345)**

Dear Ms. Holowach:

**B-1** This comment is submitted on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Draft Environmental Impact Report ("DEIR") prepared for the AVA Pacific Beach Project (SCH 2022120345), which proposes the addition of 138 residential units, two parking structures, and a surface parking lot to an existing multi-family development, located at 3823 Ingraham Street in the City of San Diego ("Project").

**B-2** SAFER is concerned that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. SAFER requests that the Development Services Department address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project.

**B-3** SAFER reserves the right to supplement these comments during the administrative process. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

Sincerely,

A handwritten signature in blue ink that reads "Brian B. Flynn".

Brian B. Flynn  
Lozeau Drury LLP

**B-1:** Comment noted.

**B-2:** This comment states the Draft EIR fails as an informational document and does not impose all feasible mitigation measures, and requests that the City revise the Draft EIR and recirculate the Revised Draft EIR. The Project's Draft EIR was prepared in accordance with CEQA (California Public Resources Code (PRC), Section 21000 et seq.), the CEQA Guidelines (14 CCR 15000 et seq.), and the City's EIR Preparation Guidelines. With respect to the requirement for additional mitigation measures, based on the City's established thresholds of significance, the Draft EIR recognizes and implements all feasible mitigation measures. All project significant impacts would be reduced to below a level of significance, except for impacts identified in Section 5.2, *Transportation and Circulation*.

The project was found to have a significant VMT impact, as the residential VMT per capita for the project exceeds the significance threshold of 15 percent below the regional mean VMT per capita. The project would implement mitigation measure TRANS-1 that would provide VMT Reduction Measures totaling five points, as required by SDMC Section 143.1103(b)(1). The VMT Reduction Measures would not reduce the VMT impact to below 15 percent. All feasible mitigation measures were explored, and there are no feasible mitigation measures that would reduce the projects VMT impact to below the 15 percent below the regional mean per capita threshold. No revisions to the Draft EIR are required.

This comment fails to provide any specific comments regarding the information and analysis presented in the Draft EIR to substantiate the inaccurate assertions about the adequacy of the Draft EIR. There were no comments provided in this letter or in other comments received by the City of San Diego on the Draft EIR that necessitate recirculation of the Draft EIR, as set forth in Section 15088.5 of the State CEQA Guidelines.

**B-3:** Comment noted.



# **AVA PACIFIC BEACH PROJECT**

## **Final Environmental Impact Report**

SCH No. 2022120345

PRJ. 1059329

July 2025

*Prepared for:*

City of San Diego  
Development Services Department  
Land Development Review  
1222 First Avenue, MS 501  
San Diego, CA 92101-4155

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## LIST OF ACRONYMS AND ABBREVIATIONS

|                    |   |
|--------------------|---|
| AB                 | Assembly Bill   |
| ACHP               | Advisory Council on Historic Preservation Act                           |
| A.D.               | Anno Domini   |
| ADA                | Americans with Disabilities Act   |
| ADC                | alternative daily cover   |
| ADD                | Assistant Deputy Director   |
| ADRP               | Archaeological Data Recovery Program                                    |
| ADT                | Average Daily Trips   |
| AES                | Advantage Environmental Consultants                                     |
| AEOZ               | Airport Environs Overlay Zone   |
| AFY                | acre-feet per year  |
| AGS                | Advanced Geotechnical Solutions, Inc.                                   |
| AHM                | Acutely Hazardous Material  |
| AIA                | Airport Influence Area  |
| ALUC               | Airport Land Use Commission   |
| Alquist-Priolo Act | Alquist-Priolo Earthquake Fault Zoning Act                              |
| ALUCP              | Airport Land Use Compatibility Plan                                     |
| AM/am              | morning   |
| AME                | Archaeological Monitoring Exhibit                                       |
| AMSL               | above mean sea level  |
| APCD               | Air Pollution Control District  |
| APE                | area of potential effect  |
| ATCM               | Airborne Toxic Control Measure  |
| ATS                | advanced treatments systems   |
| Basin Plan         | water quality control plan for the San Diego Basin                      |
| B.C.               | Before Christ   |
| BI                 | Building Inspector  |
| BMP(s)             | Best Management Practice(s)   |
| BMZ                | brush management zone   |
| B.P.               | before present  |
| BTR                | Biological Technical Report   |
| BTU                | British Thermal Units   |
| CAA                | Federal Clean Air Act   |
| CAAQS              | California Ambient Air Quality Standards                                |
| CAC                | California Administrative Code  |
| CalEPA             | California Environmental Protection Agency                              |
| CAL FIRE           | California Department of Forestry and Fire Protection                   |
| CalGreen           | California's Green Building Standards                                   |
| CALNAGPRA          | California Native American Graves Protection and Reparation Act of 2001 |
| Caltrans           | California Department of Transportation                                 |
| CAP                | Climate Action Plan   |



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|                   |   |
|-------------------|---|
| CARB              | California Air Resources Board                      |
| CASQA             | California Stormwater Quality Association           |
| CBC               | California Building Code                            |
| CCAA              | California Clean Air Act                            |
| CCR               | California Code of Regulations                      |
| CD                | construction documents                              |
| CDFW              | California Department of Fish and Wildlife          |
| CE                | Conservation Element                                |
| CEC               | California Energy Commission                        |
| CEQA              | California Environmental Quality Act                |
| CERCLA            | Comprehensive Environmental Response Compensation   |
| CFR               | Code of Federal Regulations                         |
| CF/cf             | cubic feet  |
| CFC               | California Fire Code                                |
| CGC               | California Government Code                          |
| Checklist         | San Diego Climate Action Plan Consistency Checklist |
| CHRIS             | California Historic Resources Information System    |
| CGC               | California Government Code                          |
| CH <sub>4</sub>   | methane   |
| CHRIS             | California Historic Resources Information System    |
| City              | City of San Diego                                   |
| CLUP              | Comprehensive Land Use Plan                         |
| cm                | centimeters   |
| CM                | Construction Manager                                |
| CMP               | Congestion Management Program                       |
| CMU               | concrete block wall                                 |
| CNEL              | community noise equivalent level                    |
| CNPS              | California Native Plant Society                     |
| CO                | carbon monoxide                                     |
| CO <sub>2</sub>   | carbon dioxide                                      |
| CO <sub>2</sub> e | carbon dioxide equivalents                          |
| COG               | Council of Governments                              |
| CPA               | Community Plan Amendment                            |
| CPTED             | Crime Prevention Through Environmental Design       |
| CPUC              | California Public Utilities Commission              |
| CRA               | California River Aqueduct                           |
| CRHR              | California Register of Historic Resources           |
| CSVR              | Consultant Site Visit Record                        |
| CWA               | Clean Water Act                                     |
| CY                | Calendar Year                                       |
| cy                | cubic yards   |
| dB                | decibel   |
| dBA               | A-weighted decibel                                  |
| DEH               | County Department of Environmental Health           |
| °                 | degrees, as in degrees Fahrenheit                   |
| DIF               | Development Impact Fee                              |

---

|        |  |
|--------|--|
| DNL    | day-night average sound level                |
| DPF    | diesel particulate filter                    |
| DPM    | diesel particulate matter                    |
| DPR    | Department of Recreation                     |
| DSD    | Development Services Department              |
| du/ac  | dwelling units per acre                      |
| du/nra | dwelling unit per net residential acre       |
| DWR    | State Department of Water Resources          |
|        |  |
| EAP    | Energy Action Plan                           |
| EAS    | Environmental Analysis Section               |
| ED     | Environmental Document                       |
| EEP    | Emergency Evacuation Plan                    |
| EIR    | Environmental Impact Report                  |
| EISA   | Energy Independence and Security Act of 2007 |
| EMTs   | emergency medical technicians                |
| EO     | Executive Order                              |
| EOC    | City's Emergency Operations Center           |
| EOP    | Emergency Operations Plan                    |
| EPA    | Environmental Protection Agency              |
| ERIS   | Environmental Risk Information Services      |
| ESA    | Environmental Site Assessment                |
| ESA    | Endangered Species Act                       |
| ESD    | Environmental Services Department            |
| ESL    | Environmentally Sensitive Lands              |
| EV     | Electric Vehicle                             |
|        |  |
| F      | Fahrenheit                                   |
| FAA    | Federal Aviation Administration              |
| FESA   | Federal Endangered Species Act               |
| FHWA   | Federal Highway Administration               |
| FHZA   | Fire Hazard Severity Zones                   |
| FTA    | Federal Transit Administration               |
| FY     | Fiscal Year                                  |
|        |  |
| GCC    | global climate change                        |
| GHG    | greenhouse gas                               |
| gpd    | gallons per day                              |
| GPS    | Global Positioning System                    |
| GWh    | gigawatt hours                               |
| GWP    | global warming potential                     |
|        |  |
| H&SC   | California Health and Safety Code            |
| HAPs   | Hazardous Air Pollutants                     |
| HE     | Housing Element                              |
| HFC(s) | hydrofluorocarbons                           |
| HFE    | hydrofluorinated ethers                      |

|                  |  |
|------------------|--|
| HMMD             | Hazardous Materials Management Division                      |
| hr               | hour   |
| H.R.             | House Resolution   |
| HRAs             | health risk assessments                                      |
| HRG              | Historic Resources Guidelines                                |
| H <sub>2</sub> S | hydrogen sulfide   |
| HU               | hydraulic unit   |
| HVAC             | heating, ventilation, and air conditioning                   |
| Hz               | hertz  |
| I-               | Interstate, as in I-5  |
| IA               | Implementing Agreement                                       |
| IBC              | International Building Code                                  |
| IPCC             | Intergovernmental Panel on Climate Change                    |
| ISO              | California Independent System Operator                       |
| ISTEA            | Intermodal Surface Transportation Efficiency Acts of 1991    |
| kBTU             | thousand British thermal units                               |
| kV               | kilovolt   |
| LCFS             | low carbon fuel standard                                     |
| LDC              | Land Development Code  |
| LDM              | Land Development Manual                                      |
| Ldn              | day-night average level                                      |
| LEED             | Leadership in Energy and Environmental Design                |
| Leq              | equivalent continuous sound level                            |
| LMA              | Local Mobility Analysis                                      |
| LOS              | Level of Service   |
| LTRP             | long-term energy resource plan                               |
| MBTA             | Migratory Bird Treaty Act                                    |
| MEP              | maximum extent practicable                                   |
| mgd              | million gallons per day                                      |
| MHMP             | San Diego County Multi-jurisdictional Hazard Mitigation Plan |
| MHPA             | Multi Habitat Planning Area                                  |
| MLD              | Most Likely Descendent                                       |
| MMC              | Mitigation Monitoring Coordination                           |
| MMR              | Mitigation Monitoring Report                                 |
| MMRP             | Mitigation Monitoring Reporting Program                      |
| MMT              | millions of metric tons                                      |
| MND              | mitigated negative declaration                               |
| MPH              | miles per hour   |
| MRZ              | mineral resources zone                                       |
| MS4s             | municipal separate storm sewer systems                       |
| MSCP             | Multiple Species Conservation Program                        |
| MSE              | mechanically stabilized earth                                |
| MT               | metric tons  |



|                      |   |
|----------------------|---|
| MT CO <sub>2</sub> e | million metric tons equivalent                          |
| MTS                  | Metropolitan Transit System                             |
| MW                   | megawatt  |
| MWD                  | Metropolitan Water District                             |
| MWS                  | Modular Wetland System                                  |
| N <sub>2</sub> O     | nitrous oxide   |
| NAAQS                | National Ambient Air Quality Standards                  |
| NADB                 | National Archaeological Database                        |
| NAGPRA               | California Native American Graves and Reparation Act    |
| NAHC                 | Native American Heritage Commission                     |
| NAS                  | Naval Air Station                                       |
| NDP                  | Neighborhood Development Permit                         |
| NHL                  | National Historic Landmarks                             |
| NHPA                 | National Historic Preservations Act                     |
| NIMS                 | National Incident Command System                        |
| NOC                  | Notice of Completion                                    |
| NOLF                 | Naval Outlying Landing Field                            |
| NOP                  | Notice of Preparation                                   |
| NO <sub>x</sub>      | oxides of nitrogen                                      |
| NO <sub>2</sub>      | nitrogen dioxide  |
| NPDES                | National Pollution Discharge Elimination System         |
| NRHP                 | National Register of Historic Places                    |
| NTP                  | Notice to Proceed                                       |
| O <sub>3</sub>       | ozone   |
| OCA                  | off-site consequence analysis                           |
| OEHHA                | Office of Environmental Health Hazard Assessment        |
| OPR                  | Office of Planning and Research                         |
| OSHA                 | Occupational Safety and Health Administration           |
| OVRP                 | Otay Valley Regional Park                               |
| Pb                   | lead  |
| PFC(s)               | perfluorocarbons  |
| PF-E                 | Public Facilities, Services and Safety Element          |
| PI                   | Principal Investigator                                  |
| PM/pm                | afternoon   |
| PM <sub>2.5</sub>    | particulate matter less than 2.5 microns in diameter    |
| PM <sub>10</sub>     | particulate matter of 10 microns in diameter or smaller |
| PRC                  | Public Resources Code                                   |
| PTS                  | Project Tracking System                                 |
| PUD                  | Public Utilities Department                             |
| RAQS                 | Regional Air Quality Strategy                           |
| RCP                  | Regional Comprehensive Plan                             |
| RE                   | Resident Engineer                                       |
| REC(s)               | Recognized Environmental Condition(s)                   |

|                 |  |
|-----------------|--|
| Regional Plan   | San Diego Forward: The Regional Plan         |
| RFS             | renewable fuels                              |
| RHNA            | regional housing needs assessment            |
| RM              | Residential-Multiple                         |
| RMPP            | Risk Management Prevention Plan              |
| ROG             | Reactive Organic Gas                         |
| RPS             | Renewable Portfolio Standard                 |
| RS              | Residential Single                           |
| RTP             | Regional Transportation Plan                 |
| RWQCB           | Regional Water Quality Control Board         |
| SAFE            | Safer, Affordable, Fuel-Efficient            |
| SANDAG          | San Diego Association of Governments         |
| SARA            | Superfund Amendments and Reauthorization Act |
| SB              | Senate Bill                                  |
| SCIC            | South Coastal Information Center             |
| SCS             | Sustainable Communities Strategy             |
| SD              | San Diego                                    |
| SD&AE           | San Diego & Arizona Eastern                  |
| SDAB            | San Diego Air Basin                          |
| SDAPCD          | San Diego Air Pollution Control District     |
| SDCGHGI         | San Diego Greenhouse Gas Inventory           |
| SDCRAA          | San Diego County Regional Airport Authority  |
| SDCWA           | San Diego County Water Authority             |
| SDFD            | San Diego Fire-Rescue Department             |
| SDG&E           | San Diego Gas and Electric                   |
| SDMC            | San Diego Municipal Code                     |
| SDP             | Site Development Permit                      |
| SDPD            | San Diego Police Department                  |
| SDPL            | San Diego Public Library                     |
| SEL             | sound exposure level                         |
| SEMS            | Standardized Emergency Management System     |
| SF <sub>6</sub> | sulfur hexafluoride                          |
| SHPO            | State Historic Preservation Office           |
| SIP             | State Implementation Plan                    |
| SLCP            | short-lived climate pollutants               |
| SLF             | Sacred Lands File                            |
| SO <sub>2</sub> | sulfur dioxide                               |
| SOI             | Secretary of Interior                        |
| SOV             | single-occupancy vehicle                     |
| SR              | State Route, as in SR 75                     |
| STC             | sound transmission class                     |
| SWIS            | Solid Waste Information Systems              |
| SWP             | State Water Project                          |
| SWPPP           | Storm Water Pollution Prevention Plan        |
| SWQMP           | Storm Water Quality Management Plan          |
| SWRCB           | State Water Resources Control Board          |

---

|          |  |
|----------|--|
| TAC(s)   | Toxic Air Contaminant(s)                                   |
| TCR      | Tribal Cultural Resource                                   |
| TEA-21   | Transportation Equity Act for the 21 <sup>st</sup> Century |
| TERPS    | Terminal Instrument Procedures                             |
| TLV-TWA  | Threshold Limit Value-Time Weighted Average                |
| TLV-STEL | Threshold Limit Value-Short Term Exposure Limit            |
| TOD      | transit oriented development                               |
| TPA      | Transit Priority Area                                      |
| TPQ      | Threshold Planning Quantity                                |
| TSM      | Transportation Study Manual                                |
|          |  |
| UBC      | Uniform Building Code                                      |
| UC       | University of California                                   |
| UFC      | Uniform Fire Code  |
| USACOE   | United States Army Corps of Engineers                      |
| USFWS    | U.S. Fish and Wildlife Service                             |
| USGBC    | United States Green Building Council                       |
| UTC      | University Town Center                                     |
| UWMP     | Urban Water Management Plan                                |
|          |  |
| VCP      | vitricified clay pipe                                      |
| VHFHSZ   | Very High Fire Hazard Severity Zone                        |
| VMT      | vehicle miles traveled                                     |
| VOC      | Volatile Organic Compounds                                 |
| VTM      | Vesting Tentative Map                                      |
|          |  |
| WLAs     | waste load allocations                                     |
| WMP      | Waste Management Plan                                      |
| WMS      | modular wetland systems                                    |
| WQBELs   | water quality based effluent limitations                   |
| WSA      | Water Supply Assessment                                    |
|          |  |
| ZEV      | zero emission vehicles                                     |

## ES EXECUTIVE SUMMARY

This Environmental Impact Report (EIR) has been prepared for the AVA Pacific Beach project (project), a private development located within the Pacific Beach Community Plan area. This document analyzes the potential environmental effects associated with the implementation of the project. The EIR was prepared under the direction of the City of San Diego's (City) Environmental Analysis Section and reflects the independent judgment of the City as lead agency pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code (PRC), Section 21000 et seq.) and the CEQA Guidelines (14 CCR 15000 et seq.).

### ES.1 Purpose and Scope of the EIR

This EIR has been prepared in accordance with, and complies with, all criteria, standards, and procedures of the California Environmental Quality Act (CEQA) of 1970 as amended (PRC 21000 et seq.), State CEQA Guidelines (CAC 15000 et seq.), and City of San Diego's EIR Preparation Guidelines. Per Section 21067 of CEQA and Sections 15367 and 15050 through 15053 of the State CEQA Guidelines, the City of San Diego is the *Lead Agency* under whose authority this document has been prepared. As an informational document, this EIR is intended for use by the City of San Diego decision-makers and members of the general public in evaluating the potential environmental effects of the AVA Pacific Beach project.

This EIR provides decision-makers, public agencies, and the public in general with detailed information about the potential significant adverse environmental impacts of the AVA Pacific Beach project. By recognizing the environmental impacts of the project, decision-makers will have a better understanding of the physical and environmental changes that would accompany the project should it be approved. The EIR includes mitigation measures which, when implemented, would provide ways to substantially lessen or avoid significant effects of the project on the environment, whenever feasible. Alternatives to the project are presented to evaluate alternative development scenarios that can further reduce or avoid significant impacts associated with the project.

Based on the analysis contained in Chapter 5.0, *Environmental Analysis*, of this EIR, the project could result in significant impacts to transportation and circulation, historical resources and tribal cultural resources. Mitigation has been provided for all potentially significant impacts to reduce impacts related to the proposed development component of the project to below a level of significance, except for transportation and circulation that would remain significant and not fully mitigated.

### ES.2 Project Location and Setting

The 12.96-acre AVA Pacific Beach project site is located at 3823, 3863, 3913 Ingraham Street and 3952 Jewell Street. The project site is bordered by Fortuna Avenue to the north, Jewell Street to the east, Ingraham Street to the west, and La Playa Avenue to the south. Surrounding the project site to the west, east, and south are multi- and single-family residential and commercial uses. The Crown



Point Junior Music Academy is located immediately north of the project site, with single- and multi-family residential uses located farther north beyond the school. Regional access to the site is provided by I-5, approximately three miles east of the project site. Local access to the site is via Ingraham Street, Fortuna Avenue, La Playa Avenue, and Jewell Street.

The project site is currently developed as 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking, totaling 765 parking spaces. Landscaping consists of street trees, shrubbery along project street frontage, shade trees in surface parking areas, and accent trees and native plant species along building walkways and sidewalks. Elevations on-site range from 30 feet to 32 feet above mean seal level (AMSL).

### **ES.3 Project Objectives**

The project objectives associated with the AVA Pacific Beach project and related actions are:

1. Redevelop underutilized portions of an existing multi-family residential site where public facilities and amenities are readily available and easily accessed via alternative modes of travel, including transit, bike, and pedestrian.
2. Maximize site efficiency while assisting the City in implementing the General Plan's housing goals by providing rental housing stock with a mix of affordable and market-rate housing on the same site contributing to a range of housing opportunities and affordability.
3. Provide affordable housing on-site in a location proximate to employment uses (including the adjacent Crown Point Music Academy, nearby office, and commercial uses) and multi-modal transportation amenities, thereby reducing reliance on the personal automobile to go about daily life.

### **ES.4 Project Description**

The project involves demolishing surface parking areas and a recreational sports deck. These areas would be redeveloped as multi-family dwelling units in three buildings (Buildings 1, 2, and 3) consisting of 138 units, including seven affordable housing units. Residential units for the project would be provided in one-bedroom and two-bedroom configurations. All units would have private outdoor space in balconies or patios. Buildings would be two levels and three levels and would not exceed the Coastal Zone height limit of 30 feet. Parking would be provided as partially wrapped structures and minimal surface parking. A portion of the proposed project improvements would encroach into the existing 15-foot sewer easement that runs through the site. Where this occurs, the sewer line and associated easement would be re-routed to avoid conflicts with proposed improvements. The project would provide a total of 634 parking spaces, where none are required. The parking spaces would be provided in garages (614 spaces) and surface parking (20 spaces). Parking on site would total 756 spaces (122 existing to remain and 634 new).

Residential vehicular access to the project site currently occurs from driveways on Jewell Street, Fortuna Avenue, and La Playa Avenue. Vehicular access is also provided to the leasing office at the project site from Ingraham Street. The project would consolidate the three existing driveways along Fortuna Avenue to one driveway and the five existing driveways along La Playa Avenue would be consolidated to one driveway. In total the project would have three driveways along Ingraham Street, three driveways along Jewell Street, one driveway along Fortuna Avenue, and one driveway along La Playa Avenue for vehicular access to the main project entrance and parking areas.

Pedestrian movement would be accommodated throughout the project site, allowing pedestrians to easily move between the buildings and recreation areas via accentuated enhanced paving and signage. An accessible pedestrian route is provided along Ingraham Street including access to bus stops along Ingraham Street. The project proposes a new non-contiguous sidewalk along a portion of its Ingraham Street frontage with landscaping and street trees, as well as improvements to the existing bus stop by adding a new concrete pad. Additionally, at the entry to the leasing office on Ingraham Street, the project would provide modifications to meet Americans with Disabilities Act (ADA) requirements. The existing non-contiguous concrete sidewalk along Fortuna Avenue would remain, as well as the existing non-contiguous concrete sidewalk and pedestrian ramps at Fortuna Avenue and the alley along the west side of Building 1. The project proposes a new non-contiguous concrete sidewalk along the length of the east side of Building 1. The existing non-contiguous concrete sidewalk along the south side of Building 1 would remain. For Building 2, the project proposes new non-contiguous concrete sidewalks on the northern and southern boundaries of the building. On the eastern side of the building, along Jewell Street, the existing concrete driveway would remain, and a new vehicular gate would be installed at this project entrance.

The project includes a linear park along Jewell Street at its corner with La Playa Avenue and north of Building 3. The linear park would connect with and expand landscaping proposed along Jewell Street and La Playa Avenue. Enhanced features of the linear park would include a fitness court, bike racks, bicycle repair station, and seating structures with benches.

The project would require an amendment to the Pacific Beach Community Plan to change the existing land use from Residential (29-43 dwelling units/acre) to Residential (15-54 du/ac). The project requires a rezone from Residential Multiple Unit (RM-3-7) to the Residential Multiple (RM-3-8 zone) to provide the additional 138 residential units on 4.35 acres of the 12.96-acre project site resulting in 702 units. The RM-3-8 zone permits a maximum density of one dwelling unit for each 800 square feet of lot area, which would permit up to a maximum density of 54.45 du/ac and would support a maximum density of 705 dwelling units on the project site.

A Coastal Development Permit (CDP) is required to allow for redevelopment of the project site within the Coastal Overlay Zone.

A portion of the proposed project improvements would encroach into the existing 15-foot sewer easement that runs through the site. The project would establish new public sewer easements, which would allow for maintenance vehicle access to all points of the on-site sewer line. In instances where the easement is encroached upon by the existing balconies, special shoring would be required in the event that the sewer line needs to be excavated.

The project would require connection to SDG&E utilities to provide electricity service to the project. Additionally, the project would remove and/or relocate existing SDG&E utilities and easements that occur on-site to better serve the project and SDG&E.

## **ES.5 Summary of Environmental Impacts and Mitigation**

Table ES-1, *Summary of Environmental Impacts and Mitigation Measures*, summarizes the potential environmental impacts of the AVA Pacific Beach project by issue area, as analyzed in Chapter 5.0, *Environmental Analysis*, of this EIR. The table also provides a summary of the mitigation measures proposed to avoid or reduce significant adverse impacts. The significance of environmental impacts after implementation of the recommended mitigation measures is provided in the last column of Table ES-1. Responsibilities for monitoring compliance with each mitigation measure are provided in Chapter 11.0, *Mitigation Monitoring and Reporting Program*, of the EIR. As shown in Table ES-1, impacts related to transportation and circulation, historical resources, and tribal cultural resources would be significant and require mitigation to reduce the proposed development impacts to below a level of significance. However, transportation and circulation impacts would remain significant and not fully mitigated.

## **ES.6 Potential Areas of Controversy**

Pursuant to CEQA Guidelines Section 15123(b)(2), an EIR shall identify areas of controversy known to the Lead Agency, including issues raised by the agencies and the public, and issues to be resolved, including the choice among alternatives and whether and how to mitigate for significant effects. The Notice of Preparation (NOP) for the EIR was distributed on December 15, 2022 for a 30-day public review and comment period.

Issues of controversy raised in response to the NOP prepared and circulated for the Draft EIR focus on the need for California Native American Tribes consultation, a discussion of nearby transit and local mobility opportunities, a description of transportation improvements, and historical resources evaluation in the EIR. The NOP and comment letters are included as Appendix A to this EIR.

## **ES.7 Issues to be Resolved by the Decision-Making Body**

The City Council must review the project and this EIR and determine if the project or one of the alternatives presented in Chapter 10.0, *Alternatives*, should be approved and implemented. If the project is selected for approval, the City Council will be required to certify the Final EIR, determine

whether and how to mitigate significant impacts, and adopt associated Findings pursuant to CEQA Guidelines Section 15091 for the following significant impacts identified in the EIR:

- Transportation and Circulation (Direct and Cumulative)
- Historical Resources (Direct)
- Tribal Cultural Resources (Direct)

## **ES.8 Project Alternatives**

CEQA requires that EIRs contain an analysis of alternatives to the project that would avoid or substantially lessen environmental impacts. Section 15126.6(a) of the CEQA Guidelines states that an EIR should “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives” (14 CCR 15000 et seq.). The selection of alternatives is governed by a “rule of reason” that requires an EIR to evaluate only those alternatives necessary to permit a reasoned choice (Section 15126.6(f)). The EIR should identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons for that determination (Section 15126.6(c)). Additionally, CEQA requires discussion of a No Project Alternative to give decision makers the ability to compare impacts of approving the project with those of not approving the project (Section 15126.6(e)). Pursuant to the CEQA Guidelines, a range of alternatives for AVA Pacific Beach is considered in this EIR, and the alternatives discussion provides a description of alternatives considered and an analysis of whether the alternatives meet most of the objectives of the project.

Per CEQA Guidelines, Sections 15126.6 (b) and (c), the focus of this analysis is to determine (1) whether alternatives are capable of avoiding or substantially lessening the significant environmental effects of the project, (2) the feasibility of alternatives, and (3) whether an alternative meets all or most of the basic project objectives. The analysis also considers alternatives that are capable of reducing or eliminating significant environmental impacts, even if they would impede the attainment of some project objectives or would be more costly. In accordance with Section 15126.6 (f)(1) of the CEQA Guidelines, the factors that may be taken into account when addressing the feasibility of an alternatives are site suitability; economic viability; availability of infrastructure; general plan consistency; other plans or regulatory limitations; jurisdictional boundaries; and whether the project proponent can reasonably acquire, control, or otherwise have access to an alternative site.

### **ES.8.1 *Alternatives Considered but Rejected***

#### **ES.8.1.1 Alternative Location Alternative**

Pacific Beach is a built-out community. The project is an infill project that proposes to redevelop underutilized areas of the project site as 138 new multi-family units, including seven affordable units. There are no other sites under the applicant’s control in this community that could allow for infill development of a residential project that meets the project’s objectives. In accordance with



CEQA Guidelines Section 15126.6(f)(2)(A), alternative locations for the project would be considered if “any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.” If the project were developed on an alternative site in the community or other areas of the City or County, significant environmental impacts could result that would not occur with the proposed development of the project site. There are no native habitats or wildlife resources located on the project site. Thus, impacts to biological resources that could occur at another location are avoided with the project. The project site has access to public streets and freeways; is immediately adjacent to transit [adjacent bus stop for Metropolitan Transit System (MTS) Route 9]; and is already served by existing public facilities, services, and utilities. A similar level of intensity as the project constructed at another site could potentially have increased levels of impacts relative to air quality, traffic, and greenhouse gas emissions (GHG) emissions, as another site may not have the same or similar developed characteristics, walkability, and multi-modal transportation opportunities. Other sites may contain significant sensitive resources, and development on another site could result in significant impacts, which would not occur at the project site.

For these reasons, there are no other alternative locations for the project that would meet the project’s objectives. Therefore, the *Alternative Location* alternative was rejected from further analysis.

### **ES.8.1.2 No Project/Build Under Existing Land Use Designation and Zoning Alternative**

CEQA Guidelines Section 15126.6(e)(3) states: “when the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the ‘no project’ alternative will be the continuation of the existing plan, policy or operation into the future.” The project site is zoned RM-3-7 (Residential Multiple Unit) and allows for residential development up to a maximum density of one dwelling unit for each 1,000 square foot lot area. The project site is designated as Residential [23-43 dwelling units per acre (du/ac)] by the Pacific Beach Community Plan. Therefore, under the No Project/Build Under Existing Land Use Designation and Zoning Alternative, a total of 564 multi-family units could be constructed on the project site.

The project site is currently developed with 564 multi-family residential units. Under the current zoning and land use designation, the project site is fully built out and would not be able to accommodate additional dwelling units without a Community Plan Amendment and rezone, as proposed by the project. Thus, this alternative would not meet the project’s primary objectives of replacing underutilized portions of the project site with infill housing. Because the project site is fully built-out under the land use designation intensity and zone, a project that could buildout under the existing community plan land use designation and zone would be at the same intensity as the current development on site. For these reasons, the *No Project/Build Under Existing Land Use Designation and Zoning Alternative* was rejected from further analysis.

### **ES.8.1.3 Avoidance of Historic (Archaeology) and Tribal Cultural Resources**

In order to avoid the potential for impacts to unknown subsurface archaeological and tribal cultural resources, no grading and excavation could occur. Without grading and excavation, there would be no alternative that could result in adding additional residential units. Thus, none of the project's objectives could be met. For this reason, the *Avoidance of Historic (Archaeology) and Tribal Cultural Resources Impacts Alternative* was rejected from further analysis. [See Section 10.6.2, *Avoidance of Noise Impacts/Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts Alternative*, below, for a discussion of project alternatives that would reduce impacts to historic (archaeology) and tribal cultural resources and still meet some of the project objectives.]

## **ES.8.2 Alternatives Considered**

### **ES.8.2.1 Alternative 1 - No Project/No Build**

CEQA Guidelines Section 15126.6(e) requires that an EIR evaluate a "no project" alternative along with its impacts. The purpose of describing and analyzing a no project alternative is to allow a lead agency to compare the impacts of approving the project to the impacts of not approving it. Specifically, Section 15126.6(e)(3)(B) requires that an EIR for a development project on an identifiable property address the no project alternative as "circumstances under which the project does not proceed." In other words, the no project assumes that the project site would not be developed with the project.

Under the *No Project/No Build* alternative, the project would not be implemented on the site. The existing underutilized portions of the site would not be demolished; the site would be left as it exists today. No redevelopment of the site to include additional residential buildings, amenities, associated landscaping, and other improvements would occur.

### **ES.8.2.2 Alternative 2 - Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources**

A reduced density alternative that eliminates Building 1 was evaluated, which would reduce the potential to encounter subsurface cultural resources (archaeology) and tribal cultural resources. Building 1 fronts on Fortuna Avenue and would include half of the overall new residential units provided by the project. Building 1 involves the construction of 69 units wrapped around a new parking garage that would provide 384 parking spaces.

As identified in Section 5.8, *Historical Resources*, and Section 5.13, *Tribal Cultural Resources*, grading and excavation could affect unknown subsurface resources, resulting in a potentially significant effect to archaeological and tribal cultural resources. Mitigation measure HIST-1 would reduce impacts to below a level of significance. The only way to avoid impacts to archaeological and tribal cultural resources would be to not construct the project – essentially the *No Project/No Build* alternative, addressed as Alternative 1 in subsection 10.6.1 above. To reduce the potential for

impacts associated with archaeological and tribal cultural resources, the area proposed for redevelopment would need to be reduced in size such that the overall area graded would be less.

Therefore, a reduced density alternative that eliminates Building 1 would reduce the potential to encounter subsurface cultural resources (archaeology) and tribal cultural resources, as no grading or excavation would occur in that area.

With the elimination of Building 1, this alternative would provide a total of 69 new residential units in Building 2 (21 units) and Building 3 (48 units) and would include three affordable housing units and a total of 250 parking spaces (20 spaces at Building 2 and 230 spaces at Building 3). Proposed landscape and pedestrian improvements along Fortuna Avenue would not occur, because there would be no new construction along that street to warrant improvements to the existing sidewalk and landscaping. Buildings 2 and 3 would be constructed under this alternative as proposed by the project, as well as project amenities associated with those buildings and proposed landscape and pedestrian improvements along Jewell Street and La Playa Avenue. The architecture and design of Buildings 2 and 3 would be the same as the proposed project.

Because of the height limits restriction of the Coastal Height Limit Overlay Zone, the 69 units contained in Building 1 could not be moved to Buildings 2 and/or 3, as those buildings are at the maximum height allowed in the Coastal Height Overlay Zone. Thus, under this alternative, only 69 new units would be provided on the project site. Similar to the project, the intensity of development resulting from this alternative (48 dwelling units per acre) would exceed the residential land use designation of the Community Plan, as well as the density allowed in the existing zone. Therefore, this alternative would require a Community Plan Amendment and Rezone, as the project does.

When compared to the project, the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would reduce impacts to historic resources (archaeology) and tribal cultural resources. This alternative would result in the same level of impacts to transportation and circulation with regard to VMT, as the project and could implement similar mitigation measures to partially reduce VMT impacts but not to below a level of significant. This alternative would also result in less noise impacts as no grading would occur; however, there are no noise impacts associated with the project. This alternative would have a slight reduction in effects associated with air quality, GHG, energy, and, as less development would occur under this alternative. There would also be a slight reduction in impacts to public services and public utilities, as less residential development would occur. However, based on the analysis in this EIR, none of those effects would be regarded as significant under the project. Impacts relative to visual effects and neighborhood character would be the same as the project and would also not be significant.

The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would meet all of the project objectives, albeit at a much reduced level. This is most evident with

Project Objectives 3 and 4. This alternative does not *maximize site efficiency by providing medium-high density residential uses that contribute to meeting the dual housing affordability/availability needs of the City and does not provide for infill redevelopment of underutilized portions of a site within an urban area, where public facilities and amenities are readily available and easily accessed via alternative modes of travel, including transit, bike, and pedestrian* to the extent that the project does.

### **ES.8.3 Environmentally Superior Alternative**

The environmental analysis of alternatives presented above is summarized in Table 10-1, *Comparison of Alternatives to Proposed Project*. CEQA requires that the EIR identify the environmentally superior alternative among all of the alternatives considered, including the project. If the No Project alternative is selected as environmentally superior, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

For the project, the *No Project/No Build* alternative would be selected as the environmentally superior alternative, as the *No Project/No Build* alternative would result in less environmental effects. However, this alternative would not meet any of the project objectives.

CEQA requires that, if the No Project alternative is selected as environmentally superior, then the EIR shall also identify an environmentally superior alternative among the other alternatives. For the project, the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would be selected as the environmentally superior alternative to the project. The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would reduce, although not avoid, the project's significant impacts. This alternative would not result in an efficient use of an infill site, located proximate to transit and well-served by existing infrastructure, and also would not provide for the amount of market rate and affordable housing as the project would, thereby reducing the effect of redeveloping the project site to create much needed housing opportunities in the Pacific Beach community and the City.

**Table ES-1. Summary of Environmental Impacts and Mitigation Measures**

| Environmental Impacts  | Mitigation Measures  | Level of Significance After Mitigation             |
|--|--|--|
| <p><b>Transportation and Circulation (Direct and Cumulative Impact)</b><br/>The project would result in significant transportation and circulation impacts associated with exceeding the VMT significance threshold for residential projects of 15 percent below the regional mean VMT per capita.</p> | <p><b>MM TRANS-1: Transportation and Circulation</b><br/>In accordance with SDMC Section 143.1103(b)(1), the project shall include VMT Reduction Measures totaling five points. Prior to issuance of the first Certificate of Occupancy, the Owner/Permittee shall provide and maintain the following Vehicle Miles Traveled (VMT) reduction measures totaling five points as shown on Exhibit A, satisfactory to the City Engineer.</p> <ul style="list-style-type: none"> <li>• Pedestrian Measure 8: Install resting area/recreation node on-site, adjacent to public pedestrian walkway (Four Points)</li> <li>• Bicycle Measure 12: Provide on-site bicycle repair station (One Point)</li> </ul>   | <p>Significant and not fully mitigated.</p>        |
| <p><b>Historical Resources (Direct Impact)</b><br/>The project would result in potentially significant impacts to unknown subsurface archaeological resources.</p>   | <p><b>MM HIST-1: Archaeological Resources</b></p> <p><b>I. Prior to Permit Issuance</b></p> <p>A. Entitlements Plan Check</p> <ol style="list-style-type: none"> <li>1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.</li> </ol> <p>B. Letters of Qualification have been submitted to ADD</p> <ol style="list-style-type: none"> <li>1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.</li> <li>2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.</li> </ol> | <p>Mitigated to below a level of significance.</p> |

| Environmental Impacts | Mitigation Measures  | Level of Significance After Mitigation |
|-----------------------|--|--|
|                       | <p>3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.</p> <p><b>II. Prior to Start of Construction</b></p> <p>A. Verification of Records Search</p> <p>1. The PI shall provide verification to MMC that a site-specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.</p> <p>2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.</p> <p>3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.</p> <p>B. PI Shall Attend Precon Meetings</p> <p>1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.</p> <p>a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.</p> <p>2. Identify Areas to be Monitored</p> <p>a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to</p> |  |



| Environmental Impacts | Mitigation Measures  | Level of Significance After Mitigation |
|-----------------------|--|--|
|                       | <p>MMC identifying the areas to be monitored including the delineation of grading/excavation limits.</p> <p>b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).</p> <p>3. When Monitoring Will Occur</p> <p>a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.</p> <p>b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.</p> <p><b>III. During Construction</b></p> <p>A. Monitor(s) Shall be Present During Grading/Excavation/Trenching</p> <p>1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.</p> <p>2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.</p> <p>3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern</p> |  |

| Environmental Impacts | Mitigation Measures  | Level of Significance After Mitigation |
|-----------------------|--|--|
|                       | <p>disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.</p> <ol style="list-style-type: none"> <li>4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.</li> </ol> <p>B. Discovery Notification Process</p> <ol style="list-style-type: none"> <li>1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.</li> <li>2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.</li> <li>3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.</li> <li>4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.</li> </ol> <p>C. Determination of Significance</p> <ol style="list-style-type: none"> <li>1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below. <ol style="list-style-type: none"> <li>a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.</li> <li>b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from</li> </ol> </li> </ol> |  |

| Environmental Impacts | Mitigation Measures   | Level of Significance After Mitigation |
|-----------------------|---|--|
|                       | <p>MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.<br/>Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.</p> <p>c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.</p> <p><b>IV. Discovery of Human Remains</b></p> <p>If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:</p> <p>A. Notification</p> <ol style="list-style-type: none"> <li>1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.</li> <li>2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.</li> </ol> <p>B. Isolate discovery site</p> <ol style="list-style-type: none"> <li>1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.</li> <li>2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.</li> </ol> |  |

| Environmental Impacts | Mitigation Measures  | Level of Significance After Mitigation |
|-----------------------|--|--|
|                       | <ol style="list-style-type: none"> <li>3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.</li> <li>C. If Human Remains ARE determined to be Native American               <ol style="list-style-type: none"> <li>1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.</li> <li>2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.</li> <li>3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health &amp; Safety Codes.</li> <li>4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.</li> <li>5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:                   <ol style="list-style-type: none"> <li>a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR;</li> <li>b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN</li> <li>c. To protect these sites, the landowner shall do one or more of the following:                       <ol style="list-style-type: none"> <li>(1) Record the site with the NAHC;</li> <li>(2) Record an open space or conservation easement; or</li> <li>(3) Record a document with the County. The document shall be titled "Notice of Reinternment of Native American Remains" and shall</li> </ol> </li> </ol> </li> </ol> </li> </ol> |  |

| Environmental Impacts | Mitigation Measures   | Level of Significance After Mitigation |
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|                       | <p>include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.</p> <p><b>V. Night and/or Weekend Work</b></p> <p>A. If night and/or weekend work is included in the contract</p> <ol style="list-style-type: none"> <li>1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.</li> <li>2. The following procedures shall be followed. <ol style="list-style-type: none"> <li>a. No Discoveries<br/>In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8AM of the next business day.</li> <li>b. Discoveries<br/>All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.</li> <li>c. Potentially Significant Discoveries<br/>If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV- Discovery of Human Remains shall be followed.</li> <li>d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.</li> </ol> </li> </ol> <p>B. If night and/or weekend work becomes necessary during the course of construction</p> <ol style="list-style-type: none"> <li>1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.</li> <li>2. The RE, or BI, as appropriate, shall notify MMC immediately.</li> </ol> <p>C. All other procedures described above shall apply, as appropriate.</p> <p><b>VI. Post Construction</b></p> <p>A. Preparation and Submittal of Draft Monitoring Report</p> |  |

| Environmental Impacts | Mitigation Measures   | Level of Significance After Mitigation |
|-----------------------|---|--|
|                       | <ol style="list-style-type: none"> <li>1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.               <ol style="list-style-type: none"> <li>a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.</li> <li>b. Recording Sites with State of California Department of Parks and Recreation<br/>The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.</li> </ol> </li> <li>2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.</li> <li>3. The PI shall submit revised Draft Monitoring Report to MMC for approval.</li> <li>4. MMC shall provide written verification to the PI of the approved report.</li> <li>5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.</li> <li>B. Handling of Artifacts               <ol style="list-style-type: none"> <li>1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued</li> <li>2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal</li> </ol> </li> </ol> |  |



| Environmental Impacts  | Mitigation Measures   | Level of Significance After Mitigation             |
|--|---|--|
|  | <p>material is identified as to species; and that specialty studies are completed, as appropriate.</p> <p>3. The cost for curation is the responsibility of the property owner.</p> <p>C. Curation of artifacts: Accession Agreement and Acceptance Verification</p> <p>1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.</p> <p>2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.</p> <p>3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.</p> <p>D. Final Monitoring Report(s)</p> <p>1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.</p> <p>2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.</p> |  |
| <p><b>Tribal Cultural Resources (Direct and Cumulative Impact)</b></p> <p>The project would result in potentially significant impacts to unknown subsurface tribal cultural resources.</p> | <p><b>See MM HIST-1: Archaeological Resources above</b></p>   | <p>Mitigated to below a level of significance.</p> |

# 1.0 INTRODUCTION

This chapter provides a brief scope of the project, the purpose and legal authority for this Environmental Impact Report (EIR), the EIR scope and process, and an explanation of how the EIR is organized.

## 1.1 EIR Purpose

The purpose of a project EIR is to:

- Inform governmental decision makers and the general public of the potentially significant environmental effects of the project.
- Identify the ways that environmental impacts can be avoided or significantly reduced.
- Reduce environmental impacts by identifying changes in the project through the use of alternatives or mitigation measures.

### 1.1.1 *EIR Legal Authority*

The City of San Diego (City) is the Lead Agency as defined per Section 21067 of the California Environmental Quality Act (CEQA). CEQA is “the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment.” This document complies with the criteria, standards, and procedures of CEQA (California Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.). Further, this document has been prepared as a project EIR pursuant to Section 15161 of the State CEQA Guidelines.

The EIR has been prepared in accordance with the City’s EIR Preparation Guidelines (2005) and the City’s CEQA Significance Determination Thresholds (2022). This document represents the independent judgement of the City as Lead Agency.

### 1.1.2 *Intended Use of the EIR*

The EIR is informational in nature and is intended for use by City decision makers; other responsible, trustee, or interested agencies; and the general public in evaluating the potential environmental effects, mitigation measures, and alternatives of the project. This EIR provides detailed information about the potential significant adverse environmental impacts of the project. By recognizing the environmental impacts of the project, decision makers will have a better understanding of the physical environmental changes that would accompany the approval of the project. The EIR includes recommended mitigation measures which, when implemented, would substantially lessen or avoid significant effects of the project on the environment to the extent feasible. Alternatives to the project are presented to evaluate alternative development scenarios that can further reduce or avoid significant impacts associated with the project.

### **1.1.3      *Responsible and Trustee Agencies***

State law requires that all EIRs be reviewed by responsible and trustee agencies. A Responsible Agency, defined pursuant to State CEQA Guidelines Section 15381, includes all public agencies other than the Lead Agency that have discretionary approval power over the project. A Trustee Agency is defined in Section 15386 of the CEQA Guidelines as a State agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the state of California. Trustee and responsible agencies with an interest in the project include California Public Utilities Commission, Regional Water Quality Control Board, and California Coastal Commission.

## **1.2    EIR Type**

### **1.2.1      *Type of EIR***

This EIR has been prepared as a project EIR, as defined in Section 15161 of the CEQA Guidelines. A project EIR should “focus primarily on the changes in the environment that would result from the development project.” Furthermore, a project EIR should “examine all phases of the project including planning, construction and operation.” Chapter 3.0, *Project Description*, describes the project and other related actions. Where this EIR has determined that certain environmental impacts would be potentially significant, mitigation measures directed at reducing or avoiding significant adverse environmental effects have been identified to the extent feasible. In addition, feasible alternatives to the project have been developed. An analysis of the impacts of project alternatives compared to those of the project provides a basis for consideration by decision-makers.

For purposes of evaluating transportation and circulation impacts relative to vehicle miles traveled (VMT), this EIR also tiers off the Final Environmental Impact Report (SCH No. 2019060003) for Complete Communities: Housing Solutions and Mobility Choices (Complete Communities) certified by the San Diego City Council on Nov. 17, 2020.

Per Section 15152 of the CEQA Guidelines and Public Resources Code Section 21094, the CEQA concept of “tiering” refers to the evaluation of general environmental matters in a broad program-level EIR, with subsequent focused environmental documents for individual projects that implement the program. The CEQA Guidelines encourage tiered environmental documents to streamline the environmental review process. Streamlining is accomplished in tiered documents by eliminating repetitive analyses of issues adequately addressed in the Program EIR and by incorporating those analyses by reference. The Complete Communities: Housing Solutions and Mobility Choices Program EIR was prepared under Section 15168 of the CEQA Guidelines. Complete Communities Mobility Choices (Mobility Choices Program) amended the San Diego Municipal Code (SDMC Chapter 14, Article 3, Division 11) and Land Development Manual to adopt a new CEQA significance threshold for transportation that implements Senate Bill 743 (SB 743), and a program to mitigate VMT impacts from new development. Project adherence to the Mobility Choices regulations ensures that new development mitigates transportation impacts to the extent feasible.

Section 15168(d) of the State CEQA Guidelines provides for simplifying the preparation of environmental documents on individual parts of the program by incorporating by reference analyses and discussions that apply to the program as a whole. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152[d]). This environmental document incorporates by reference the discussions in the Complete Communities: Housing Solutions and Mobility Choices Program EIR and concentrates on the project-specific issue associated with VMT.

The project would be consistent with the program's scope described in the Complete Communities: Housing Solutions and Mobility Choices Program EIR. Accordingly, and for the purpose of evaluating transportation and circulation impacts, pursuant to Section 15152 of the State CEQA Guidelines, it is appropriate to tier this EIR from the Complete Communities: Housing Solutions and Mobility Choices Program EIR and evaluate whether the environmental effects of the project with regard to transportation/circulation were adequately addressed in the Complete Communities: Housing Solutions and Mobility Choices Program EIR. Project-specific mitigation has also been identified, as applicable, to reduce the project's VMT impacts to the extent feasible.

### **1.2.2      *Notice of Preparation/Scoping Meeting***

As lead agency, the City conducted a preliminary review of the AVA Pacific Beach project pursuant to CEQA Guidelines Section 15060. In accordance with CEQA Section 15060(d), the City determined that an EIR would be required for the project, since it could result in potentially significant environmental effects.

As lead agency, the City prepared a Notice of Preparation (NOP) pursuant to CEQA Section 15082 distributed to responsible and trustee agencies and various other governmental agencies, interested organizations, and individuals on December 15, 2022. The purpose of the NOP was to solicit comments on the project's scope and analysis to be included in the EIR. In place of a public scoping meeting held in person, the City made a pre-recorded presentation accessible to the public and available for viewing from December 15, 2022, through January 16, 2023. The NOP was also sent to the State Clearinghouse (SCH) at the California Governor's Office of Planning and Research. The SCH assigned a state identification number (SCH No. 2022120345) to this EIR. The environmental conditions evaluated in this EIR are those that existed at the time the NOP was circulated.

During the public review period of the NOP, the City received a total of three comment letters. Appendix A contains a copy of the NOP and letters received during its review. Comment letters received during public review of the NOP expressed concerns regarding the need for California Native American Tribes consultation, for a discussion of nearby transit and local mobility opportunities, for a description of transportation improvements, and for historical resources

evaluation in the EIR. Accordingly, historical resources and consultation with Native American tribes are addressed in Sections 5.8, *Historical Resources*, and 5.13, *Tribal Cultural Resources*, respectively. Transit and local mobility opportunities are addressed in Section 5.2, *Transportation and Circulation*.

Based on initial review of the project by the City and comments received during review of the NOP and at the public scoping meeting, the City determined that the EIR for the project should address the following environmental issues.

- Land Use
- Transportation and Circulation
- Visual Effects/Neighborhood Character
- Air Quality
- Greenhouse Gas Emissions
- Energy
- Noise
- Historical Resources
- Hydrology
- Water Quality
- Public Services and Facilities
- Public Utilities
- Tribal Cultural Resources
- Cumulative Effect

### 1.2.3 *EIR Organization*

In accordance with Sections 15120 through 15132 of the State CEQA Guidelines, the EIR is formatted to address the required contents of an EIR. Technical studies have been summarized within individual environmental issue sections. The EIR has been organized in the following manner:

- **Executive Summary** is provided at the beginning of this document, which includes the conclusions of the environmental analysis, identifies each significant effect and associated proposed mitigation measure(s), as applicable; and a comparative summary of the project with the alternatives analyzed in the EIR, as well as areas of controversy and any issues to be resolved.
- **Chapter 1.0, Introduction**, introduces the intended uses of the EIR, includes the scope and format of the EIR and provides a discussion of the public review process.
- **Chapter 2.0, Environmental Setting**, provides a description of the project location and the environment of the project site, as well as the vicinity of the project site, as it exists at the time the NOP was published (December 2022).
- **Chapter 3.0, Project Description**, details the physical and operational characteristics of the project, provides the purpose and objectives of the project, and presents the required discretionary actions.
- **Chapter 4.0, History of Project Changes**, chronicles any changes that have been made to the project in response to environmental concerns raised during the City's review of the project.
- **Chapter 5.0, Environmental Analysis**, includes a description of the existing conditions relevant to each environmental topic; presents the threshold(s) of significance, based on the City's CEQA Significance Determination Thresholds (2022), for the particular issue area under

evaluation; identifies an issue statement or issue statements; assesses any impacts associated with implementation of the project; provides a summary of the significance of any project impacts; and presents recommended mitigation measures, as appropriate, for each significant issue area.

- **Chapter 6.0, Cumulative Effects**, addresses the cumulative impacts caused by the project in combination with other past, present, and reasonably foreseeable future development in the area.
- **Chapter 7.0, Effects Found Not to be Significant**, presents a brief discussion of the environmental effects of the project that were evaluated and were found not to be potentially significant.
- **Chapter 8.0, Significant Irreversible Environmental Changes**, discusses any significant irreversible environmental changes that would be caused by the project, should it be implemented.
- **Chapter 9.0, Growth Inducement**, discusses the ways in which the project could foster economic or population growth.
- **Chapter 10.0, Alternatives**, provides a description and evaluation of alternatives to the project that could avoid or reduce potentially significant environmental impacts associated with implementation of the project.
- **Chapter 11.0, Mitigation Monitoring and Reporting Program**, documents the various mitigation measures required as part of the project.
- **Chapter 12.0, References**, includes a list of the reference materials consulted during the EIR's preparation.
- **Chapter 13.0, Individuals and Agencies Consulted**, includes a list of agencies and individuals contacted during preparation of the EIR and lists those persons and agencies responsible for the preparation of the EIR.

Tables and figures are provided as necessary to illustrate and support text within this EIR. All tables and figures are located at the end of the chapter or section in which they are introduced, with tables followed by figures, as applicable.

## Technical Appendices

Technical reports have been used as a basis for much of the environmental analysis in the EIR in accordance with Section 15147 of the CEQA Guidelines and are included as appendices to this EIR. The technical reports prepared for the project and their location in the EIR are listed in the table of contents.

## Incorporation by Reference

As permitted by CEQA Guidelines Section 15150, this EIR references several technical studies and reports. Information from these documents is briefly summarized in this EIR, and their relationship



to this EIR is described in the respective chapters. All reference materials are included in Chapter 12, *References*, and are hereby incorporated by reference.

### **1.3 Availability and Review of the Draft EIR**

The Draft EIR has been made available for review to members of the public and public agencies for 45 calendar days (from April 2, 2025, to May 18, 2025) to provide comments “on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated” (14 California Code of Regulations [CCR] 15204). The Draft EIR and associated technical appendices were placed on the City’s CEQA webpage:

<https://www.sandiego.gov/ceqa/draft>

The City, as lead agency, will consider the written comments received on the Draft EIR following the end of the public review period. Responses to the public review comments relevant to the adequacy and completeness of the Draft EIR are prepared and compiled into the Final EIR. In addition, any changes to the Draft EIR that result from comments will be incorporated into the Final EIR. All persons who comment on the Draft EIR will be notified of the availability of the Final EIR and the date of the public hearing before the decision-maker.

## 2.0 ENVIRONMENTAL SETTING

This section describes the existing physical conditions for the AVA Pacific Beach project site and an overview of the local and regional environmental setting per Section 15125 of the California Environmental Quality Act (CEQA) Guidelines. Also provided in this section is a general discussion of public services serving the project site and the planning context within which the project is evaluated. Greater details relative to the setting of each environmental issue area addressed in this Environmental Impact Report (EIR) are provided at the beginning of each impact area discussion presented in the various sections of Chapter 5.0, *Environmental Analysis*, of this EIR.

CEQA Guidelines Section 15125(a) guides the discussion of the project's environmental setting and advises on establishing the project baseline. According to CEQA, an EIR must describe the physical environmental conditions near the project. This requirement is intended to give the public and decision-makers the most accurate and understandable picture of the project's likely near- and long-term impacts.

### 2.1 Project Location

#### 2.1.1 Regional Setting

The project site is located in the Pacific Beach community of the City of San Diego, within San Diego County (see Figure 2-1, *Regional Map*). The City of San Diego covers approximately 206,989 acres in the southwestern section of San Diego County, in Southern California. The Pacific Beach community is in the mid-coastal region of the City of San Diego, south of La Jolla, west of Interstate 5 (I-5), and north of Mission Bay Park. The Pacific Ocean forms the western boundary of the Pacific Beach community. The project site is identified as within the Crown Point neighborhood of Pacific Beach.

#### 2.1.2 Project Location

The 12.96-acre AVA Pacific Beach project site is located at 3823, 3863, 3913 Ingraham Street and 3952 Jewell Street. As shown in Figure 2-2, *Project Location Map*, the project site is bordered by Fortuna Avenue to the north, Jewell Street to the east, Ingraham Street to the west, and La Playa Avenue to the south. Surrounding the project site to the west, east, and south are multi- and single-family residential and commercial uses. The Crown Point Junior Music Academy is located immediately north of the project site, with single- and multi-family residential uses located farther north beyond the school. Regional access to the site is provided by I-5, approximately three miles east of the project site. Local access to the site is via Ingraham Street, Fortuna Avenue, La Playa Avenue, and Jewell Street.

### 2.2 Environmental Setting

#### 2.2.1 Project Site

The AVA Pacific Beach project site occupies approximately 12.96 acres. The site is currently developed as 564 multi-family apartment units, associated resident amenities, and approximately

five acres of surface parking, totaling 765 parking spaces. Landscaping consists of street trees, shrubbery along project street frontage, shade trees in surface parking areas, and accent trees and native plant species along building walkways and sidewalks. Elevations on-site range from 30 feet to 32 feet above mean seal level (AMSL). Figure 2-3, *Existing Site Conditions*, depicts the current condition of the project site.

### **2.2.2 Surrounding Environment**

The project site is located within an urban community in the City of San Diego. The Crown Point Junior Music Academy lies directly north of the project site across Fortuna Avenue. Abutting the project site at the northwest corner is a series of one- and two-story single-family homes fronting Ingraham Street. Further west across Ingraham Street are several multi-family developments ranging from one to three stories. Along Ingraham Street and La Playa Avenue, adjoining the project site is a three-story mixed-use development with a restaurant, parking at the ground level, and multi-family dwelling units on the upper stories. South of the project site along La Playa Avenue is a multi-family three-story development and a one-story commercial building. Further along La Playa Avenue are single-family homes. The eastern side of the project site is surrounded by multi-family developments along Jewell Street, which generally two-story developments. (See Figure 2-3, *Existing Site Conditions*).

## **2.3 Public Services**

### **2.3.1 Police**

The Pacific Beach community is served by Beat 122 of the Northern Division facility of the San Diego Police Department, located at 4275 Eastgate Mall, approximately eight miles north from the project site. The Northern Division serves the communities and neighborhoods of La Jolla, Mission Bay, Mission Beach, Pacific Beach, Torrey Pines, Bay Ho, Bay Park, Clairemont Mesa East, Clairemont Mesa West, North Clairemont, and University City. In addition, a San Diego Police Department Community relations office is located at 4439 Olney Street, approximately one mile northwest of the project site.

### **2.3.2 Fire Safety**

The project site is served by Fire Station 21 of the San Diego Fire-Rescue Department. Fire Station 21 is located at 750 Grand Avenue, approximately 1.5 miles west of the project site.

### **2.3.3 Library Services**

The project site is within the service area of the City of San Diego Public Library System. The nearest library to the project site is the Pacific Beach/Taylor Library Branch located at 4275 Cass Street, approximately one mile northwest of the project site. The library is 12,484 square feet in size and provides library materials, large meeting room, projection screen, grand piano, nineteen public computers, outdoor space, language collections, and special collections.

### **2.3.4 School Services**

Public school service would be provided by San Diego Unified School District. Specifically, public schools serving the project area are Crown Point Junior Music Academy, located at 4033 Ingraham Street; Pacific Beach Middle School, located at 4676 Ingraham Street; and Mission Bay High School, located at 2475 Grand Avenue.

### **2.3.5 Recreation**

The General Plan's Recreation Element addresses the preservation, protection, acquisition, development, operation, maintenance, and enhancement of public recreation opportunities and facilities throughout the City of San Diego for all users. The Pacific Beach community contains multiple public recreational amenities, the largest of which is 79-acre Kate Sessions Park, located approximately 1.5 miles north of the project site. Kate Sessions Park includes two separate park areas; a gentle grassy slope area with picnic tables, barbecues, restrooms, and paved walking path; and a natural habitat area that includes scrub covered open space for hiking and exploring nature. Crown Point Park is located one-half mile to the east the project site and contains open grassy areas, boat launches, bonfire rings, picnic tables grills and playgrounds. Fanuel Street Park is located less than one mile west of the project site and contains a playground, barbeque grills, beach access, bathroom and shower facilities, and open green space. Mission Bay Park is located approximately 1.5 miles south of the project site and contains 27 miles of shoreline (19 beach, eight official swimming area), boat docks, sailboat and motorboat rentals, 14 miles of bike paths, basketball courts and playgrounds.

## **2.4 Planning Context**

This section provides a brief overview of the planning context relevant to the project.

### **2.4.1 City of San Diego General Plan**

The City's General Plan sets forth a comprehensive, long-term plan that prescribes overall goals and policies for development within the City of San Diego. The General Plan contains the following Elements: Land Use and Community Planning; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services, and Safety; Recreation; Conservation; Noise; and Historic Preservation. While the Housing Element is an element of the City's General Plan, it is provided under separate cover from the rest of the General Plan due to the need for frequent Housing Element updates to facilitate compliance with the State reporting requirements. The project site is designated as a Residential land use category (see Figure 2-4, *City of San Diego General Plan Land Use Map*). For a detailed discussion of land use, zoning, and planning policies and regulations that apply to the project site, see Section 5.1, *Land Use*.

### **2.4.2 Pacific Beach Community Plan and Local Coastal Program Land Use Plan**

The Pacific Beach Community Plan and Local Coastal Program Land Use Plan (Pacific Beach Community Plan), adopted in 1995, provides land use policy and guidance. The Pacific Beach

Community Plan area is located along the western edge of the mid-coastal region bounded by La Jolla on the north, I-5 and Clairemont Mesa on the east, Mission Bay Park and Mission Beach on the south, and the Pacific Ocean on the west. The community is an urbanized area primarily developed with residential land uses. According to the adopted Pacific Beach Community Plan, the project site is designated as multi-family [29-43 dwelling units/acre (du/ac)] (see Figure 2-5, *Pacific Beach Community Plan Land Use Map*).

### **2.4.3 Zoning**

Zoning for the site is governed by the City's Land Development Code (LDC) component of the San Diego Municipal Code (SDMC). The base zone on the site is RM-3-7 (Residential-Multiple Unit), which provides for a density of one dwelling unit for each 1,000 square feet of lot area (see Figure 2-6, *Existing Zoning*).

The project site is in the Coastal Overlay Zone and Coastal Height Limit Overlay Zone. The Coastal Overlay Zone aims to protect and enhance the quality of public access and coastal resources. The Coastal Height Limit Overlay Zone restricts building heights to 30 feet.

The project site is also within a Transit Priority Area (TPA) and Parking Standards TPA, as shown in Figure 2-7, *Transit Priority Area Map*. See Section 5.2, *Transportation and Circulation*, for a discussion of the project's relationship with the TPA and these related overlay zones.

### **2.4.4 San Diego Regional Air Quality Strategy**

The San Diego Regional Air Quality Strategy (RAQS) was developed to identify feasible emission control measures and provide expeditious progress toward attaining the State ozone standards. The two pollutants addressed in the RAQS are volatile organic compounds (VOC) and oxides of nitrogen (NOx), which are precursors to ozone formation. The San Diego County Air Pollution Control District (SDAPCD) is responsible for RAQS development and implementation. See Section 5.4, *Air Quality*, for a complete analysis of project compliance with the RAQS.

### **2.4.5 San Diego Forward: The Regional Plan**

Every four years, San Diego Association of Governments (SANDAG) prepares and updates a Regional Plan in collaboration with the 18 cities of San Diego County and the County of San Diego, along with regional, State, and Federal partners. San Diego Forward: The Regional Plan (Regional Plan) was adopted by SANDAG on December 10, 2021. This plan is intended to guide development in the region through 2050 and was developed through a new data-driven process to transform how people and goods move. The Regional Plan serves as a blueprint for how the San Diego region will grow and how SANDAG will invest in transportation infrastructure to provide more transportation choices, strengthen the economy, promote a healthy environment, and support thriving communities. The transportation decisions detailed in the Regional Plan serve an overarching goal to create more transportation choices, ultimately leading to healthier communities, healthier people,

and a healthier environment. The Regional Plan envisions a transportation system that does not rely on any single mode of transportation but offers a complete and integrated system to ensure that all San Diego County residents have access to safe transportation choices that protect the environment and support the regional economy. SANDAG is developing the 2025 Regional Plan and plans to have a draft ready in the winter of 2025.

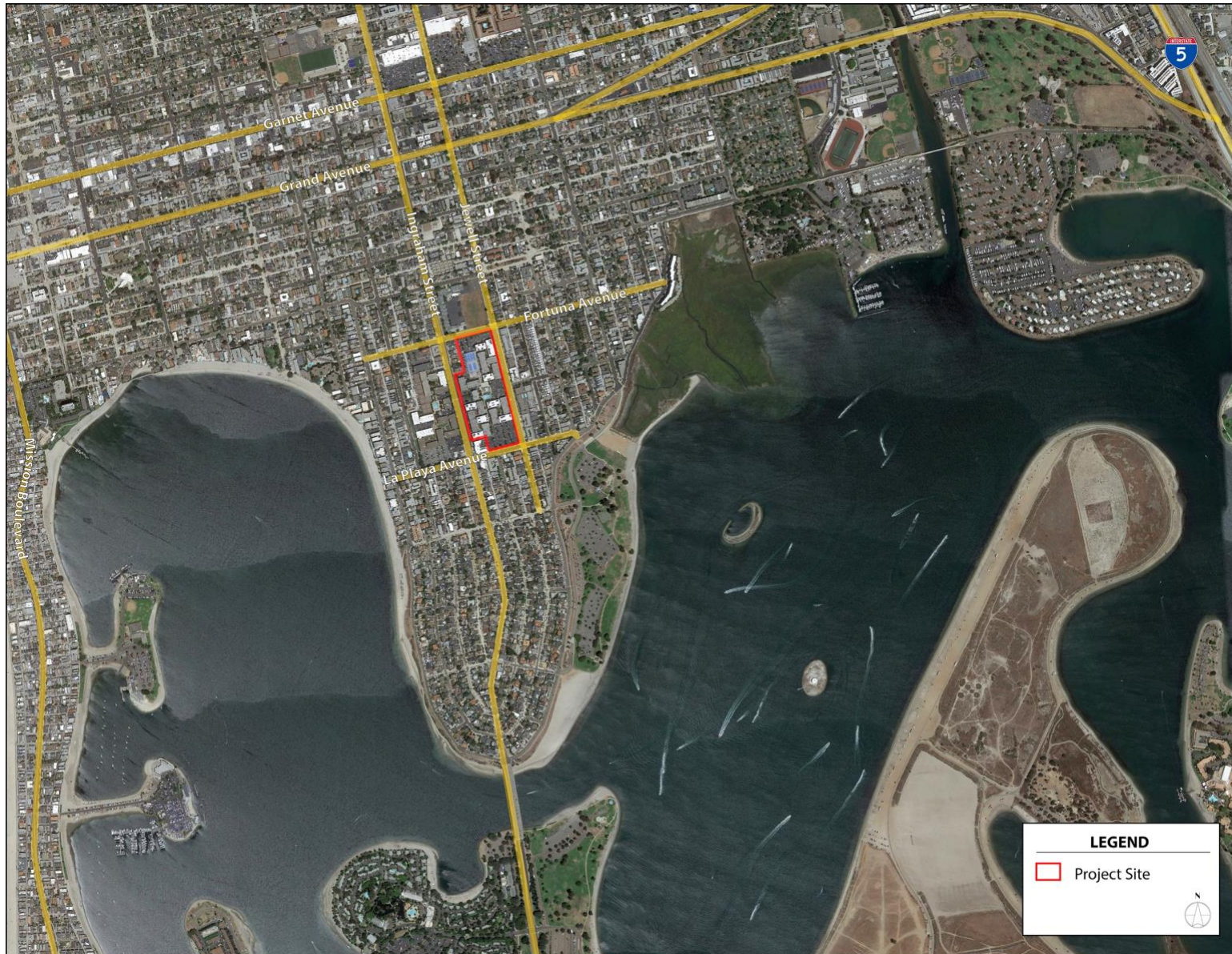
#### **2.4.6      *Water Quality Control Plan for the San Diego Basin***

The San Diego Regional Water Quality Control Board's Water Quality Control Plan for the San Diego Basin (Basin Plan) is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan: (1) designates beneficial uses for surface and ground waters; (2) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State's anti-degradation policy; (3) describes implementation programs to protect the beneficial uses of all waters in the region; and (4) describes surveillance and monitoring activities to evaluate the effectiveness of the Basin Plan. Additionally, the Basin Plan incorporates by reference all applicable State and Regional Board plans and policies. See Section 5.10, *Water Quality*, for a complete analysis of project compatibility with the applicable water quality control regulations.



**Figure 2-1. Regional Map**





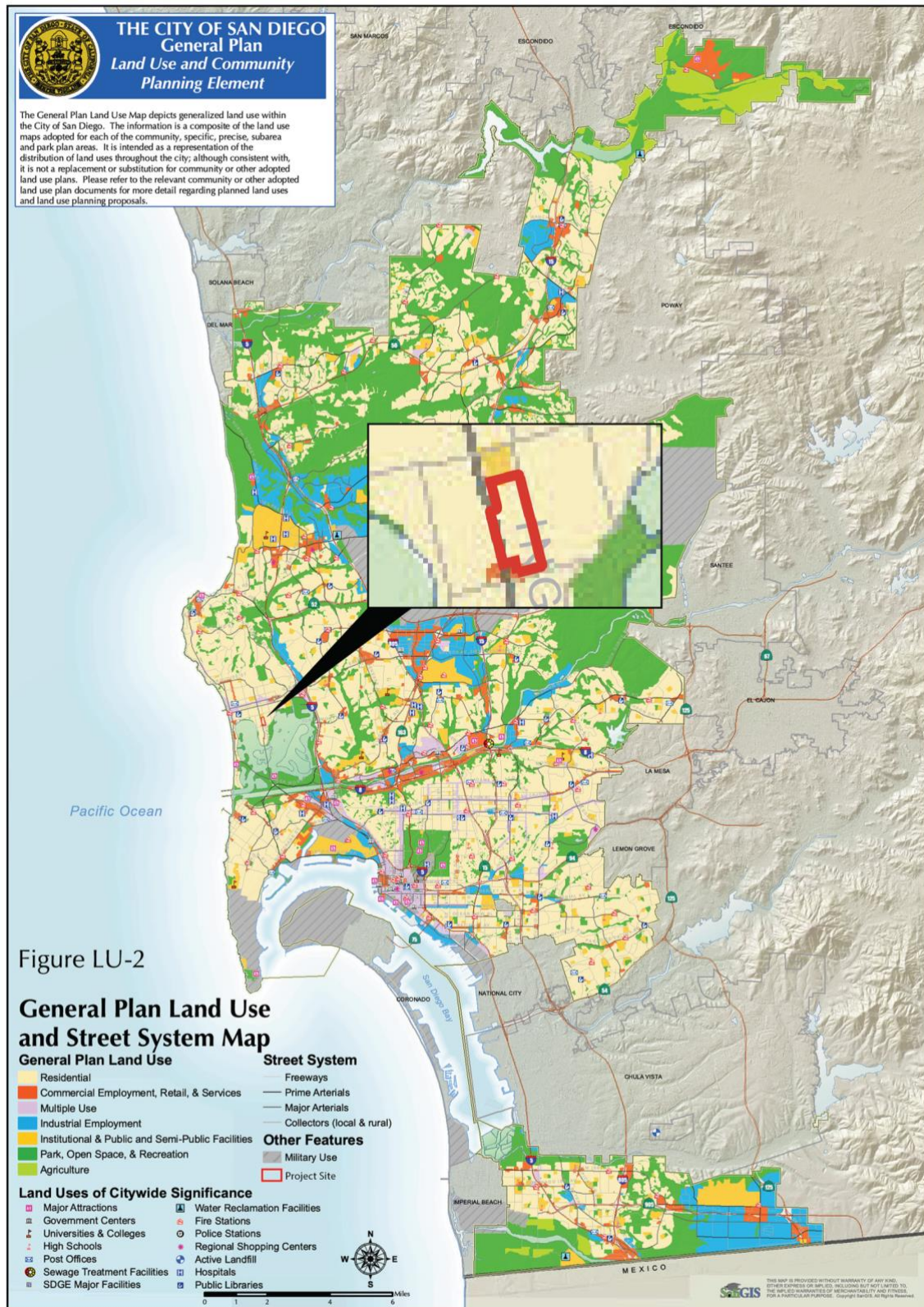
**Figure 2-2. Project Location Map**



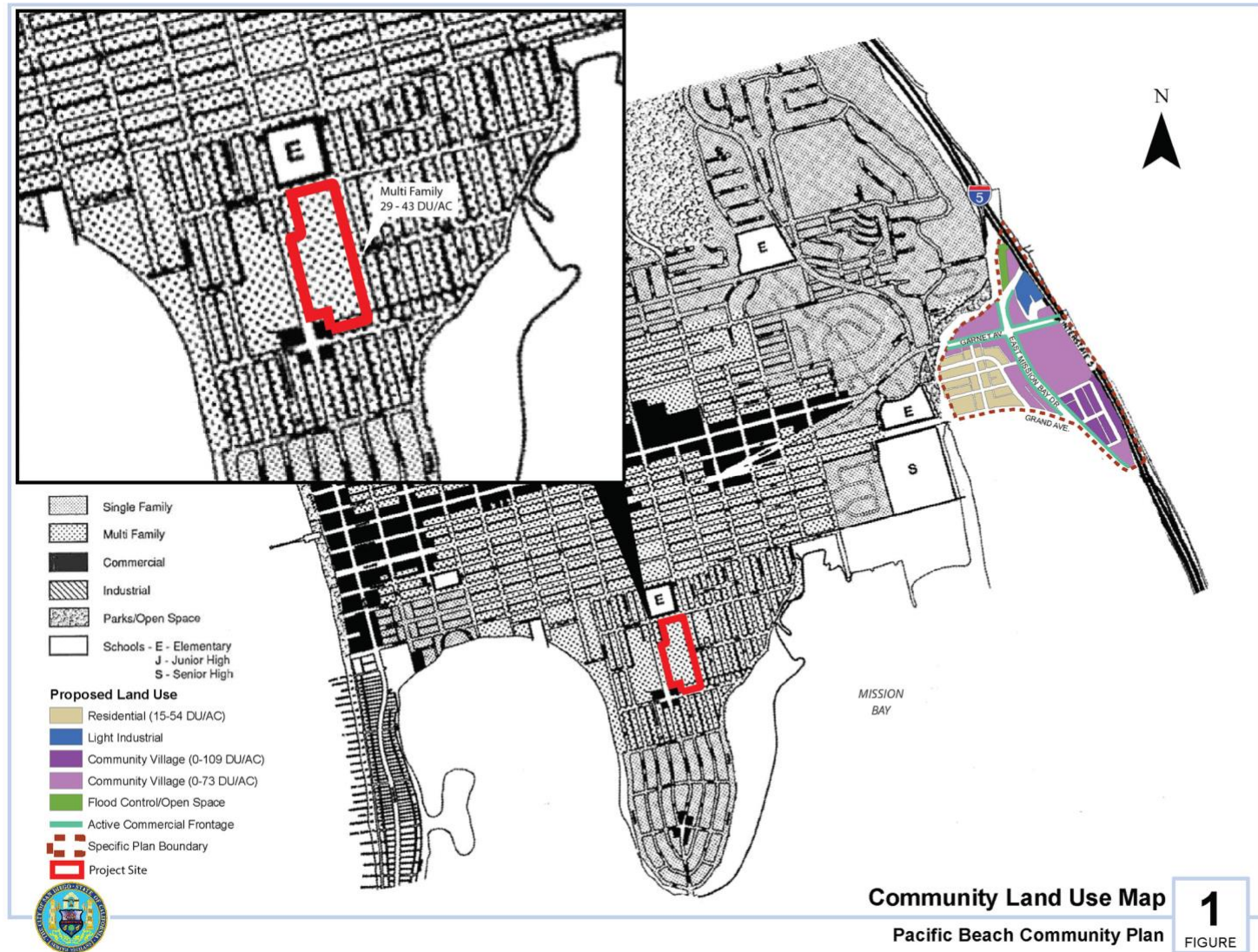


**Figure 2-3. Existing Site Conditions**



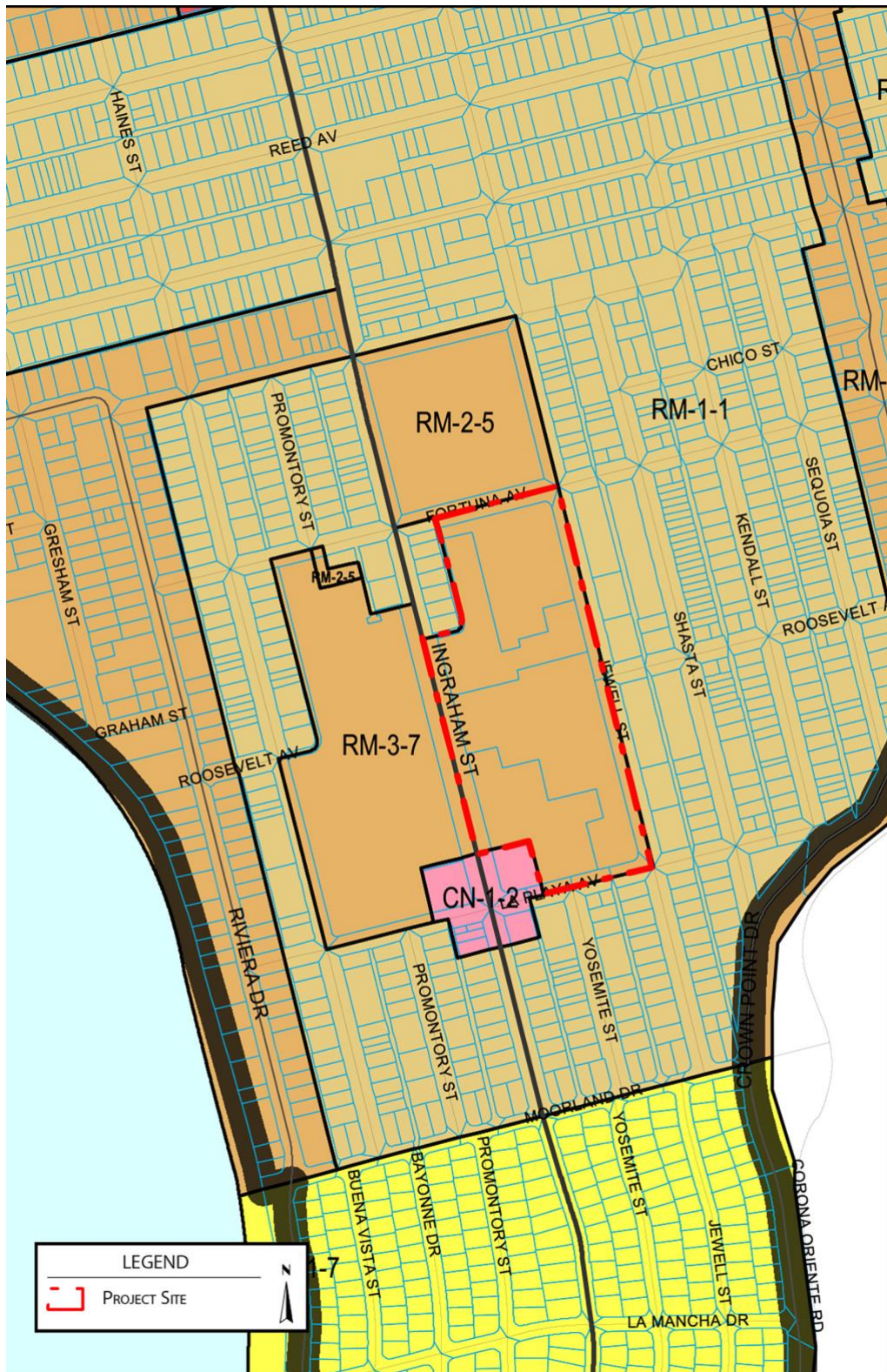






**Figure 2-5. Pacific Beach Community Land Use Map**





**Figure 2-6. Existing Zoning**



**Figure 2-7. Transit Priority Area Map**

## 3.0 PROJECT DESCRIPTION

This Environmental Impact Report (EIR) analyzes potential environmental effects associated with the proposed AVA Pacific Beach project, located on 4.35 acres to be redeveloped within the 12.96-acre site at 3823, 3863, 3913 Ingraham Street and 3952 Jewell Street in the Pacific Beach community, San Diego, California. The project site is developed as 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking totaling 765 parking spaces. Figure 2-3, *Existing Site Conditions*, shows the existing conditions for the project site.

### 3.1 Purpose and Objectives of the Project

California Environmental Quality Act (CEQA) Guidelines require that the Project Description include a statement of the objectives sought by the project. A clearly defined written statement of the objectives helps the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR. It aids decision-makers in preparing findings and overriding considerations as necessary. The statement of objectives also needs to include the project's underlying purpose [CEQA Guidelines Section 15124(b)].

#### 3.1.1 Project Purpose

The purpose of the project is to redevelop underutilized portions of the project site to increase the number of multi-family residential units on the site, provide affordable housing units to help the City meet its housing goals, and to accommodate the emerging trends in the Pacific Beach community. Specifically, the additional housing would assist the City in meeting its critical housing needs, support Pacific Beach's current and future employment centers, and provide ridership for the adjacent bus stop. The project's location within a Parking Standards Transit Priority Area (TPA) and proposed use provides residential development in a location where all utilities and public services, including transit, are readily available.

#### 3.1.2 Project Objectives

- Redevelop underutilized portions of an existing multi-family residential site where public facilities and amenities are readily available and easily accessed via alternative modes of travel, including transit, bike, and pedestrian.
- Maximize site efficiency while assisting the City in implementing the General Plan's housing goals by providing rental housing stock with a mix of affordable and market-rate housing on the same site contributing to a range of housing opportunities and affordability.
- Provide affordable housing on-site in a location proximate to employment uses (including the adjacent Crown Point Music Academy, nearby office, and commercial uses) and multi-modal and transportation amenities, thereby reducing reliance on the personal automobile to go about daily life.



## 3.2 Project Characteristics

### 3.2.1 Site Plan

The project involves demolishing surface parking areas and a recreational sports deck. These areas would be redeveloped as multi-family dwelling units in three buildings (Buildings 1, 2, and 3) consisting of 138 units, including seven affordable housing units. Table 3-1, *Description of Project Buildings*, provides a tabulation of units and parking for each building. Building 1, located in the northwest corner of the project site along Fortuna Avenue, would provide 69 units and 384 parking spaces in a parking garage. Building 2 would provide 21 units and 20 surface parking spaces and is located along the western portion of the project site fronting Jewell Street. Building 3 is located in the southeast portion of the project site at the corner of Jewell Street and La Playa Avenue and would provide 48 units and 230 parking spaces in a parking garage. Residential units for the project would be provided in one-bedroom and two-bedroom configurations. All units would have private outdoor space in balconies or patios. Buildings would be two levels and three levels and would not exceed the Coastal Zone height limit of 30 feet. Parking would be provided as partially wrapped structures and minimal surface parking. A portion of the proposed project improvements would encroach into the existing 15-foot sewer easement that runs through the site. Where this occurs, the sewer line and associated easement would be re-routed to avoid conflicts with proposed improvements. (See Figure 3-1, *AVA Pacific Beach Site Plan*).

**Table 3-1. Description of Project Buildings**

| Building   | Number of Units | Parking                 |
|------------|-----------------|-------------------------|
| Building 1 | 69 units        | 384 spaces in structure |
| Building 2 | 21 units        | 20 surface spaces       |
| Building 3 | 48 units        | 230 spaces in structure |

The project would provide a total of 634 parking spaces, where none are required. The parking spaces would be provided in garages (614 spaces) and surface parking (20 spaces). Parking on site would total 756 spaces (122 existing to remain and 634 new).

### 3.2.2 Architectural Design

As shown in Figures 3-2a through 3-2e, *Project Elevations*, the project would feature architectural elements that are intended to provide identifiable features, such as varying building heights and setbacks, which provide relief to building façades and create focal points around the project. Architectural features include varied building materials and finishes. Exterior materials of light and dark stucco, wood-look metal siding, metal stair and guardrails, steel frames, and mural elements on Buildings 1 and 3 allow for visual interest on the site with pops of color to accentuate project design elements and minimize bulk and scale of buildings. Neutral shades of white, gray, black, and brown allow for definition of the project while complementing and blending with project surroundings. The project would additionally include vinyl windows and perforated metal deck railings on balconies to punctuate the elevation façades.



### **3.2.3      *Vehicular and Pedestrian Access***

Residential vehicular access to the project site currently occurs from driveways on Jewell Street, Fortuna Avenue, and La Playa Avenue. Vehicular access is also provided to the leasing office at the project site from Ingraham Street. The project would consolidate the three existing driveways along Fortuna Avenue to one driveway, the five existing driveways along La Playa Avenue would be consolidated to one driveway. In total the project proposes three driveways along Ingraham Street, three driveways along Jewell Street, one driveway along Fortuna Avenue, and one driveway along La Playa Avenue for vehicular access to the main project entrance and parking lots.

Pedestrian movement would be accommodated throughout the project site, allowing pedestrians to easily move between the buildings and recreation areas via accentuated enhanced paving and signage. An accessible pedestrian route is provided along Ingraham Street including access to bus stops along Ingraham Street. The project proposes a new non-contiguous sidewalk along Ingraham Street with landscaping and street trees, as well as improvements to the existing bus stop by adding a new concrete pad. Additionally, at the entry to the leasing office on Ingraham Street, the project is proposing modifications to meet Americans with Disabilities Act (ADA) requirements. (See Figure 3-3, *Access Plan*.) The existing non-contiguous concrete sidewalk along Fortuna Avenue would remain, as well as the existing non-contiguous concrete sidewalk and pedestrian ramps at Fortuna Avenue and the alley along the west side of Building 1. The project proposes a new non-contiguous concrete sidewalk along the length of the east side of Building 1. The existing non-contiguous concrete sidewalk along the south side of Building 1 would remain. For Building 2, the project proposes new non-contiguous concrete sidewalks on the northern and southern boundaries of the building. On the eastern side of the building, along Jewell Street, the existing concrete driveway would remain, and a new vehicular gate would be installed at this project entrance.

The project includes a linear park along Jewell Street at its corner with La Playa Avenue and north of Building 3. The linear park would connect with and expand landscaping proposed along Jewell Street and La Playa Avenue. Enhanced features of the linear park would include a fitness court, bike racks, bicycle repair station, and seating structures with benches. (See Figure 3-4, *Proposed Linear Park*.)

### **3.2.4      *Landscape Concept Plan***

The proposed landscape plan (see Figures 3-5, *Landscape Development Plan*) includes the use of low water use plant materials and meets all current codes and requirements. The landscape plan has been designed to accentuate and complement existing landscaped areas, be aesthetically pleasing and welcoming to all residents and guests, to provide a variety of experiences through multiple recreation areas, and to provide softness and scale to the architecture.

Landscaping proposed for throughout the project site is characterized by a diverse array of trees, shrubs, and accent planting. Trees would be utilized to define spaces and create a sense of place. Street trees such as the swan hill olive tree would line Fortuna Avenue, Jewell Street, and La Playa

Avenue. Accent trees such as windmill palm would be located throughout the project. The use of shrubs such as lantana, hopseed bush, and canary island rose for screening and demarcation would be utilized, as well as succulents and grasses such as agave, jade plants, cape reed, and dwarf flax lily for groundcover.

### **3.2.5 Grading Plan**

The *Grading Plan* for the project is shown in Figure 3-6. The project site is relatively flat and currently developed with an apartment complex, resident amenities, landscaping, and surface and structured parking. The project would demolish underutilized areas of the project site to include surface parking areas and recreational sports deck. The project would grade approximately 4.1 acres of the 4.35 acres to be redeveloped, involving 3,460 cubic yards of cut and 4,547 cubic yards of fill; approximately 1,087 cubic yards of material would be imported for the grading operation. Maximum depth of cut would be 15 feet. Maximum depth of fill would be 1.5 feet.

## **3.3 Discretionary Actions**

This EIR is intended to provide environmental documentation pursuant to CEQA to evaluate the potential environmental effects associated with the project. As such, it covers all discretionary permits proposed as part of the project. The discretionary approvals are summarized below.

### **3.3.1 Community Plan/General Plan Amendment**

The project would require an amendment to the Pacific Beach Community Plan to change the existing land use from Residential (29-43 dwelling units/acre) to Residential (15-54 du/ac). (See figure 3-7, *Proposed Land Use Plan Amendment*.) The Residential (15-54 du/ac) land use designation would allow between 194 and 700 units on the project site. The proposed 138 additional units plus the existing 564 units would result in a total of 702 units on-site resulting in a density of 54.16 du/ac and is consistent with the proposed Residential (15-54 du/ac) land use designation due to density allowance (54.45 du/ac) in the proposed zone.

The project site has a General Plan land use designation of Residential. The project is consistent with this land use designation. However, the project requires a Community Plan Amendment to modify the land use designation to reflect the proposed density. Because the Community Plans are essentially community-specific components of the City's General Plan, a Community Plan Amendment inherently triggers a General Plan Amendment. The project includes a General Plan Amendment in name only, as the land use designation and associated text and graphics of the General Plan are consistent with the project.

### **3.3.2 Rezone**

The project site is zoned Residential Multiple Unit (RM-3-7). The project requires a rezone to the Residential Multiple (RM-3-8 zone) to provide the additional 138 residential units on 4.35 acres of the 12.96-acre project site resulting in 702 units. The RM-3-8 zone permits a maximum density of one

dwelling unit for each 800 square feet of lot area, which would permit up to a maximum density of 54.45 du/ac and would support a maximum density of 705 dwelling units on the project site. See Figure 3-8, *Proposed Rezone*.

### **3.3.3 Coastal Development Permit**

A Coastal Development Permit (CDP) is required to allow for redevelopment of the project site within the Coastal Overlay Zone.

### **3.3.4 Utility Easements**

As part of the project, the exiting on-site sewer easement would be affected, requiring City approval of the Public Service Utility Easement modification. Specifically, a portion of the proposed project improvements would encroach into the existing 15-foot sewer easement that runs through the site. The project would maintain the general sewer alignment that currently exists. However, where encroachment into the existing easement occurs, the sewer line and associated easement would be re-routed to avoid proposed improvements. In order to ensure adequate access to the sewer lines, the project would establish new public sewer easements, which would allow for vehicle access to all points of the on-site sewer line. In instances where the easement is encroached upon by the existing balconies, special shoring would be required in the event that the sewer line needs to be excavated.

The project would require connection to SDG&E utilities to provide electricity service to the project. Additionally, the project would remove and/or relocate existing SDG&E utilities and easements that occur on-site to better serve the project and SDG&E. Public Utilities Code Sections 851-857 requires SDG&E to seek California Public Utilities Commission (CPUC) approval prior to disposing of SDG&E property or allowing encroachments within SDG&E easements. Because the project would require modification to SDG&E facilities and easements, the CPUC will make a determination regarding such modifications.

### **3.3.5 Incentives and Waivers**

The project is proposing a density bonus and shall be entitled to incentives and waivers pursuant to Land Development Code Section 143.0740 and State Housing Law. The project requests an incentive relative to SDMC's 142.0407(e). The SDMC requires solar mounted shade structures within vehicular use areas shall cover a minimum of 50 percent of the exposed parking space. The project does not propose solar mounted shade structures. The project site is located within the Coastal Height Limit Overlay Zone, which has a strict height limit for structures of 30 feet. In order to provide vitally necessary affordable and market-rate housing at a scale and density consistent with the project site and surroundings, it is not possible to provide solar mounted shade structures without exceeding the Coastal Height Limit Overlay Zone height limit. This incentive allows for the project to not meet the requirements for solar.

The project would require a waiver from SDMC Table 142-10B, which requires off-street loading spaces. The project proposes 149,682 square feet of multi-family residential use. Per Table 142-10B, the project would be required to provide one off-street loading space. The project does not propose any new loading spaces. The project site represents an in-fill development constrained by existing site parameters, height limitations due to location in the Coastal Height Limit Overlay Zone, and surrounding development. Project implementation requires not only awareness of existing residential buildings and resident amenities on-site, but also requirements relative to utilities and fire safety access to the site. The provision of an additional off-street loading space is not able to be provided taking into account the various physical and regulatory constraints on the site. Loading is currently provided and actively managed by the on-site management company; this active management would be maintained with project implementation. This waiver results in a superior project design, greater provision of housing, and better responsiveness to access requirements than what may be accomplished with strict compliance with the off-street loading space requirement.

SDMC Section 131.0443(f)(3)(A) provides that the minimum street side setback is 10 feet or 10 percent of the premises width, whichever is greater. The project would require a waiver to allow for encroachment into the street side setback. The premises of the project site is approximately 340 feet wide, which makes the required street side setback along Jewell Street 34 feet. SDMC Section 131.0443(f)(3)(B) allows for up to 50 percent of the building façade to encroach up to five feet into the required street side setback. For the project, 65 percent of the façades along Jewell Street encroach more than five feet into the required street side setback. The amount of encroachment ranges from approximately 11 feet to approximately 19.5 feet. The building frontage along Jewell Street represents existing and proposed buildings. Of the 65 percent total frontage encroachment along Jewell Street, existing building comprise encroachment along 51 percent of the frontage (representing approximately 80 percent of the total encroachment), while proposed buildings make up 14 percent of the frontage encroachment (or approximately 20 percent of the total encroachment). The new building encroachment into the street side setback would be 12 feet, three inches. This encroachment is reflective of the overall development pattern and rhythm along the project frontage of Jewell Street and maintains a consistent street wall, which encroaching within the minimal end of the existing encroachment range. The project design results in a cohesive appearance along Jewell Street between the existing and proposed buildings and allows for buildings to better address Jewell Street, thereby creating interest and activity for the pedestrian along Jewell Street.

SDMC Section 131.0455(c) allows for private exterior open space to be located within the required front yard, but no closer than nine feet from the front property line. The project would require a waiver to allow balconies to encroach into the front yard setback. One of the balconies of proposed Building 3 is approximately seven feet from the property line along La Playa Avenue. This balcony encroaches into the required front yard setback due to the specific layout and design of the unit type to which it is attached. The one balcony that would minimally encroach into the required

setback allows for unit variety without unduly hindering the pedestrian realm along La Playa Avenue.



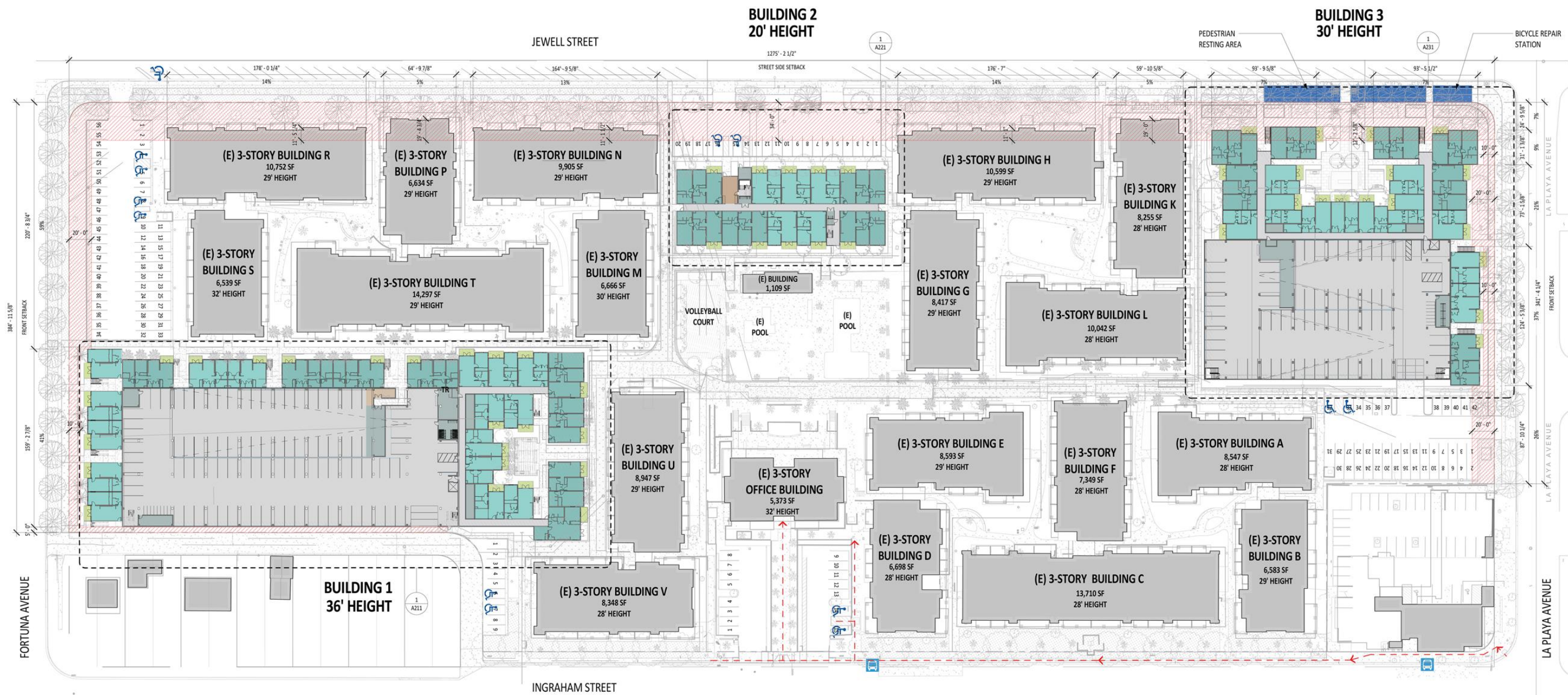


Figure 3-1. AVA Pacific Beach Site Plan







**Figure 3-2b. Project Elevations – Building 1 Elevations**

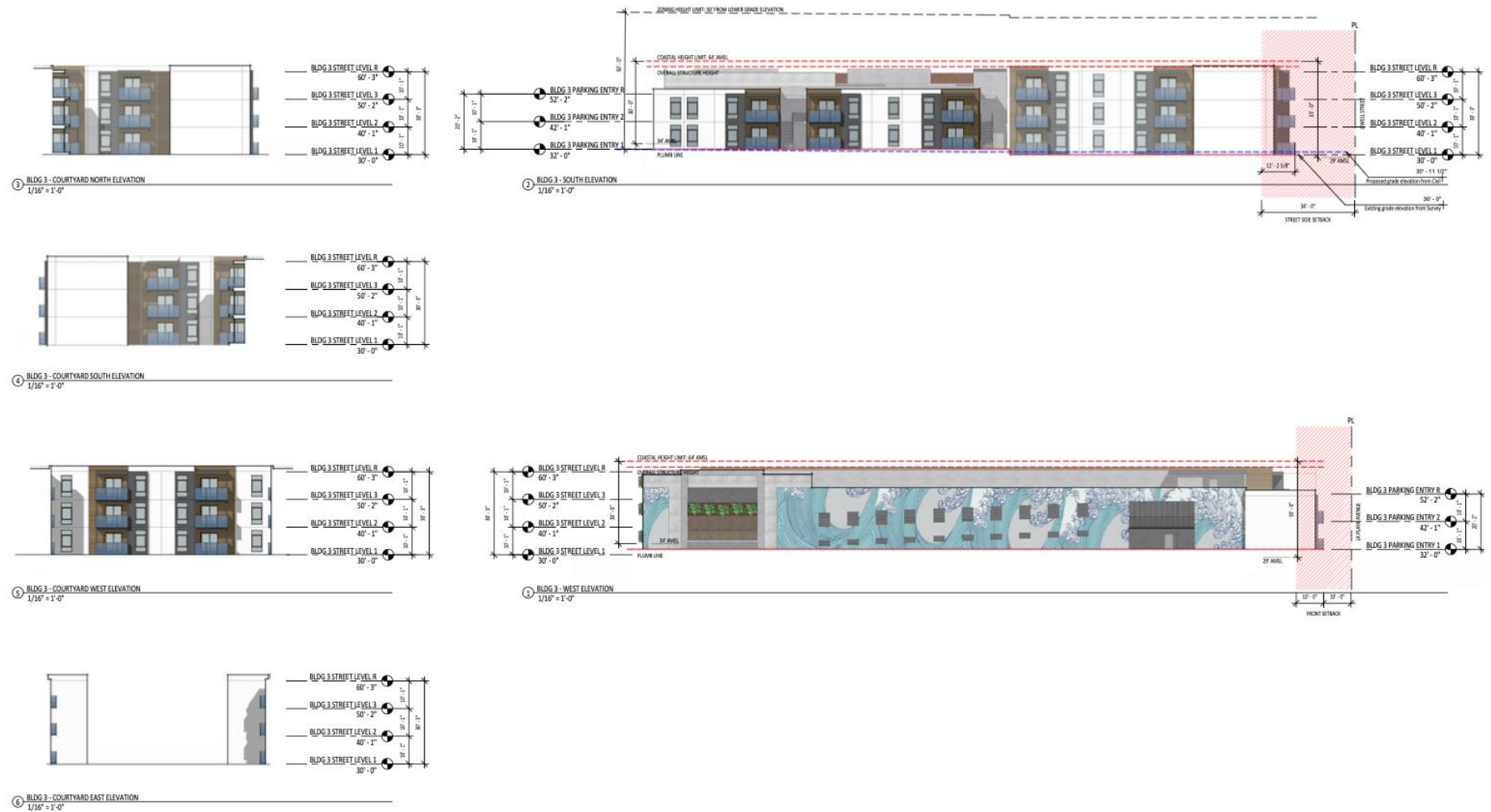




**Figure 3-2c. Project Elevations – Building 2 Elevations**

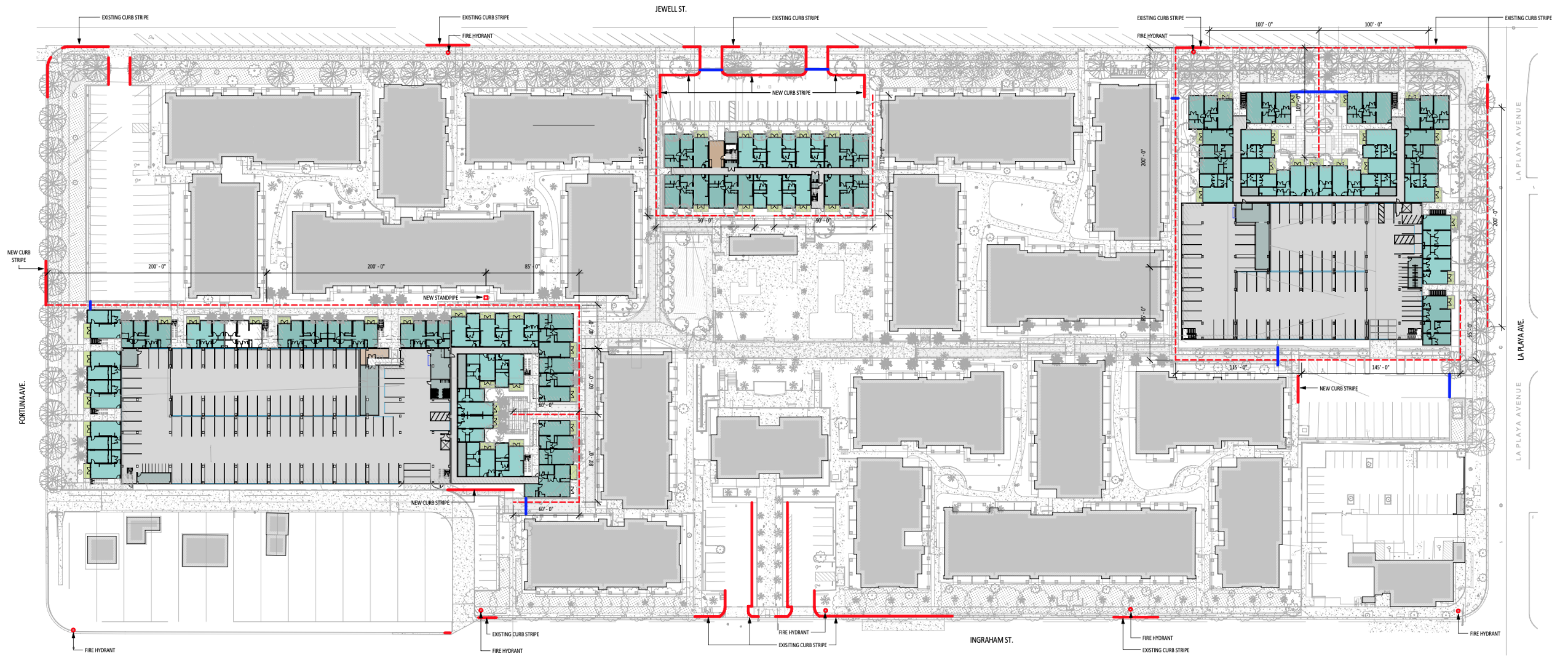


**Figure 3-2d. Project Elevations –Building 3 Elevations**

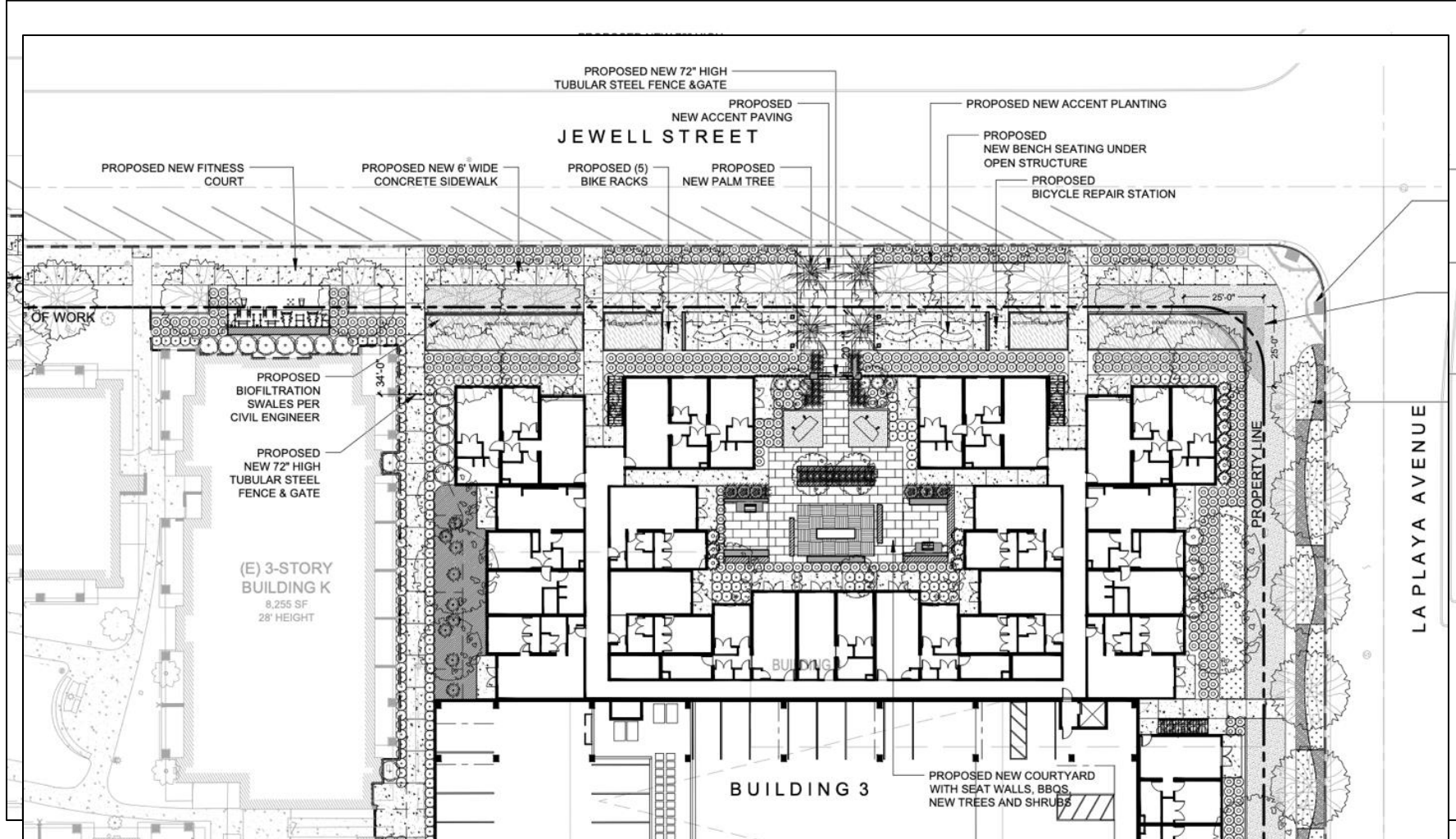


**Figure 3-2e. Project Elevations – Building 3 Elevations**





**Figure 3-3. Access Plan**



**Figure 3-4. Proposed Linear Park**



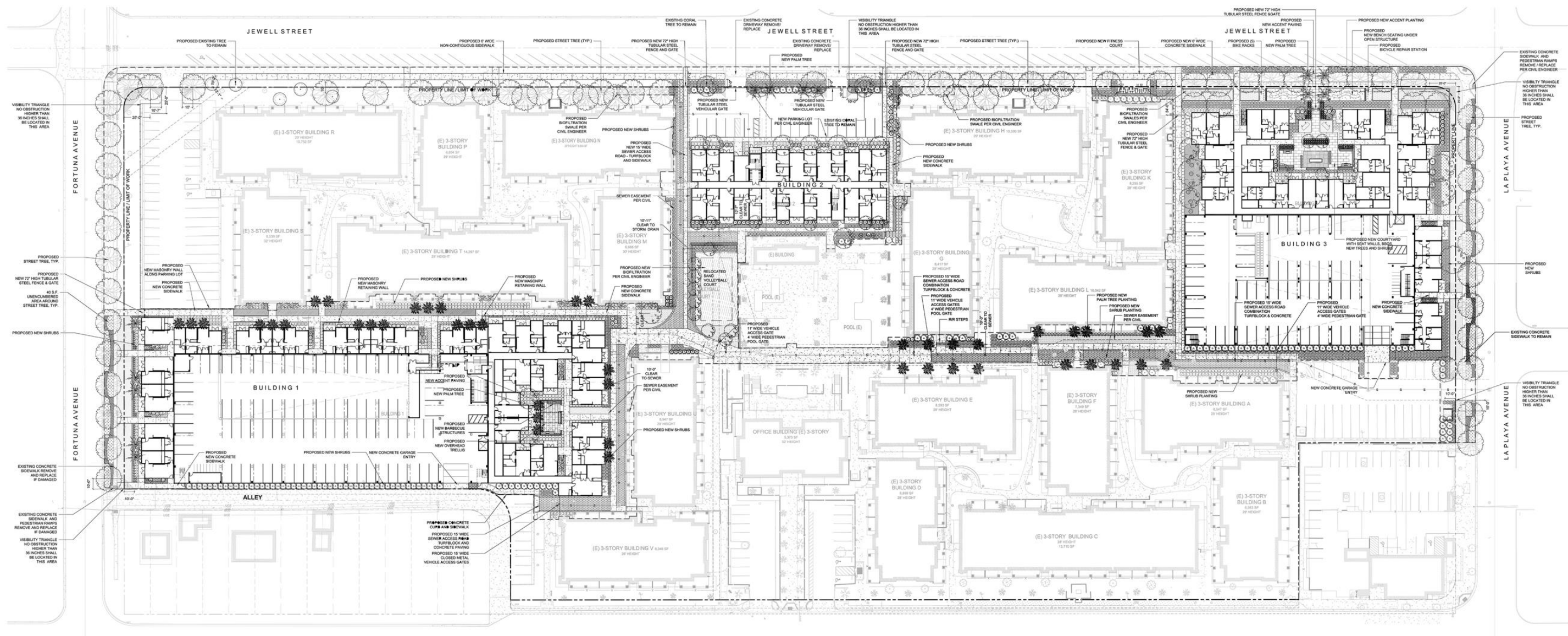


Figure 3-5. Landscape Development Plan

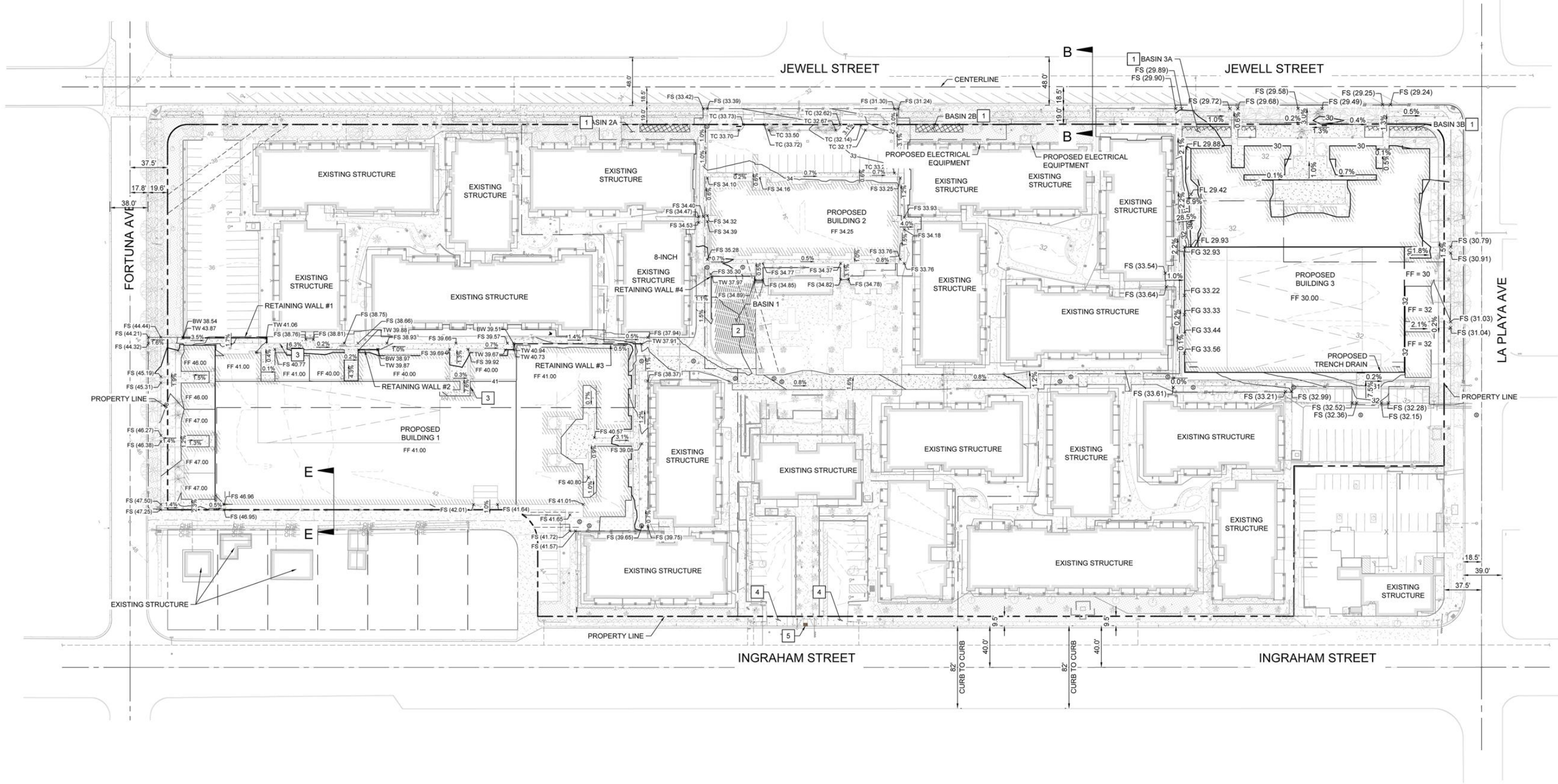
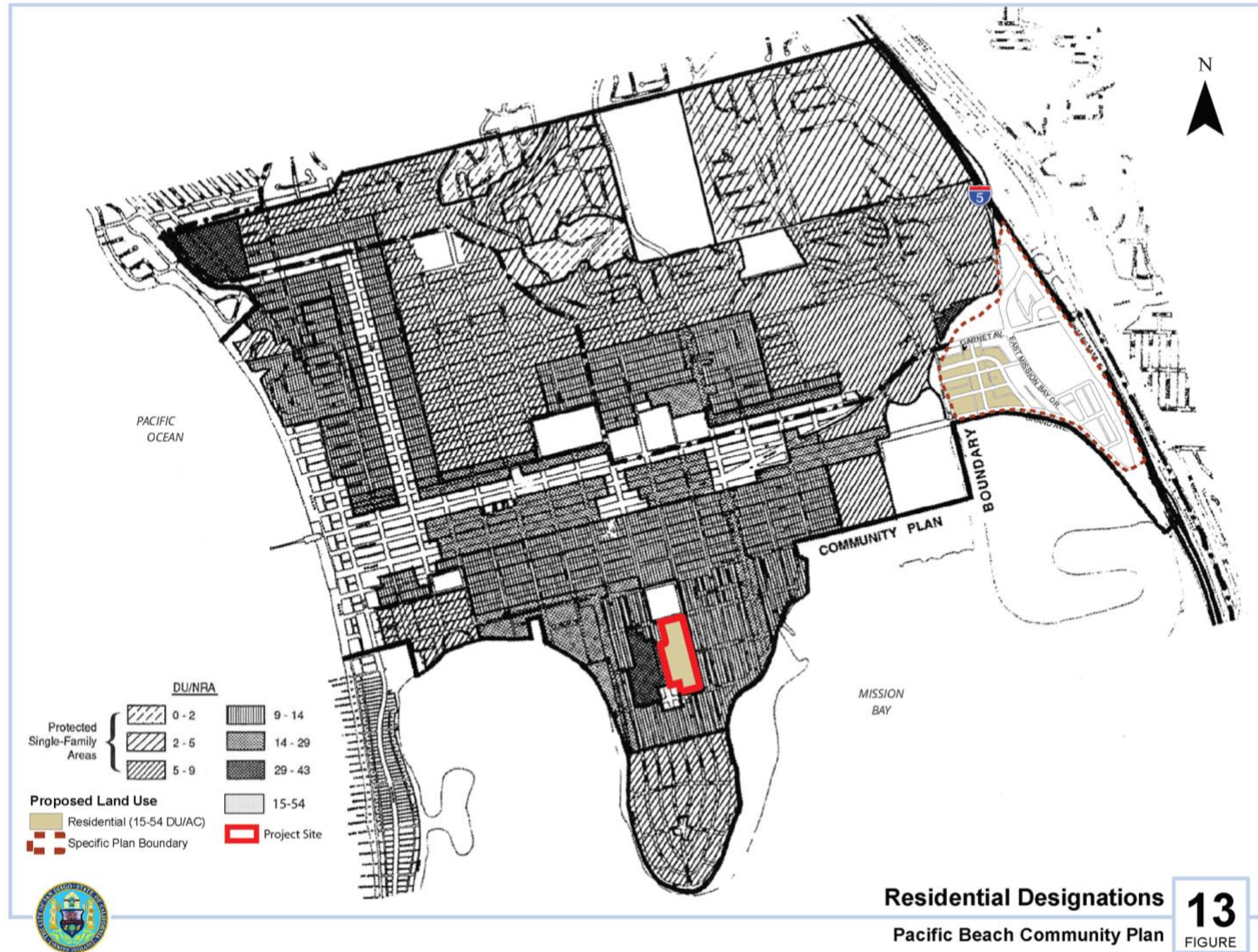


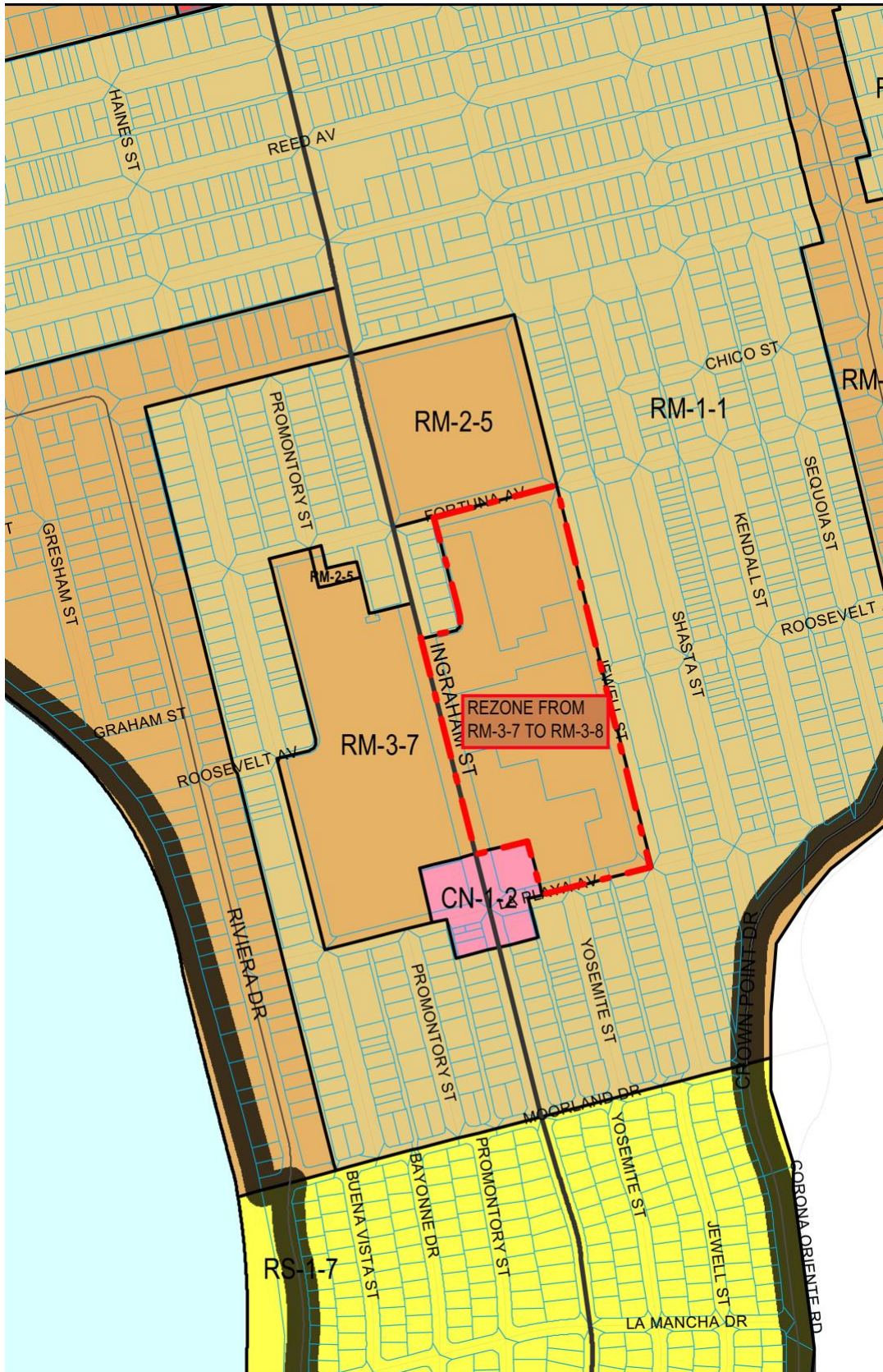
Figure 3-6. Grading Plan





**Figure 3-7. Proposed Land Use Amendment**





**Figure 3-8. Proposed Rezone**

## 4.0 HISTORY OF PROJECT CHANGES

This section chronicles the physical changes that have been made to the project in response to revisions requested by City staff, as well as through the project review and refinement process. These changes are described below.

- The project added a six-foot non-contiguous sidewalk along the entire project frontage of Jewell Street. Parkway landscaping, to include street trees, would occur between the sidewalk and Jewell Street. The non-contiguous sidewalk allows for an extension of pedestrian improvements from the proposed linear park at Jewell Street and La Playa Avenue northward to Fortuna Avenue. This improvement supports walkability and contributes to a safe route to the Crown Point Junior Music Academy.
- The project would maintain the general sewer alignment that currently exists. However, in order to ensure adequate access to the sewer lines, the project added dedication of sewer easements to the City, which would provide maintenance vehicle access to all points of the on-site sewer line. In instances where the easement is encroached upon by the existing balconies, special shoring would be required in the event that the sewer line needs to be excavated.
- The project would improve pedestrian access on a portion of its Ingraham Street frontage by providing a non-contiguous sidewalk and landscaping and will add a concrete bus pad at the existing bus stop. These improvements occur in a location where otherwise no construction was anticipated.
- The project would modify the leasing office entry off Ingraham Street with improvements that meet the Americans with Disabilities Act (ADA) requirements.

## 5.0 ENVIRONMENTAL ANALYSIS

The following sections analyze the potential environmental impacts that may occur as a result of project implementation. Issue areas subject to detailed analysis include those that were identified by the City of San Diego as potentially causing significant environmental impacts through the initial study and scoping process and issues which were identified in response to the Notice of Preparation (NOP) and the public scoping presentation as having potentially significant impacts. The NOP and letters submitted in response to the NOP are included in Appendix A. The following environmental issues are addressed in this Section:

- Land Use
- Transportation/Circulation
- Visual Effects/Neighborhood Character
- Air Quality
- Greenhouse Gas Emissions
- Energy
- Noise
- Historical Resources
- Hydrology
- Water Quality
- Public Services and Facilities
- Public Utilities
- Tribal Cultural Resources

## 5.1 Land Use

The following section discusses land uses and policies that are applicable to the project. The discussion references planning and environmental information contained in other sections of this Environmental Impact Report (EIR), as applicable.

### 5.1.1 *Existing Conditions*

#### **Physical Conditions**

The project site is located in the Crown Point neighborhood of the Pacific Beach Community in the City of San Diego. Situated south of Fortuna Avenue, east of Ingraham Street, west of Jewell Street, and north of Playa Avenue, the approximately 12.96-acre project site is developed as 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking. (See Figure 2-3, *Existing Site Conditions*.) The project would redevelop approximately 4.35 acres within the larger project site. Building 1 is proposed in the northwest portion of the project site, fronting Fortuna Avenue and replacing a surface parking lot. Building 2 is proposed in the eastern portion of the project site, fronting Jewell Street and replacing a surface parking lot and volleyball court and Building 3 is proposed in the southeast portion of the project site at the corner of Jewell Street and La Playa Avenue, replacing a surface parking lot.

Regional access to the project area is provided by I-5, which is approximately three miles east of the project area and allows for access to the greater San Diego region and the United States/Mexico border crossing to the south. Local access to the site is via Ingraham Street, Fortuna Avenue, La Playa Avenue, and Jewell Street.

#### **Surrounding Land Uses**

The Crown Point Junior Music Academy lies directly north of the project site across Fortuna Avenue. Abutting the project site at the northwest corner is a series of one- and two-story single-family homes fronting Ingraham Street. Further west across Ingraham Street are several multi-family developments ranging from one to three stories. Along Ingraham Street and La Playa Avenue, adjoining the project site is a three-story mixed-use development with a restaurant and parking at the ground level and multi-family dwelling units on the other stories. A three-story multi-family development and a one-story commercial building are South of the project site along La Playa Avenue. Further along La Playa Avenue are single-family homes. The eastern side of the project site is surrounded by multi-family developments along Jewell Street, which generally consist of two-story developments.

#### **Site Land Use and Zoning**

The General Plan designates the project site as Residential. (See Figure 2-4, *City of San Diego General Plan Land Use and Street System Map*.) The project site is located in the Pacific Beach Community Plan

area. The Community Plan designates the project site as multi-family [29-43 dwelling units/acre (du/ac)]. (See Figure 2-5, *Pacific Beach Community Plan Land Use Map*).

The project site is zoned RM-3-7 (Residential – Multiple Unit). The RM-3-7 zone allows for residential development of up to a maximum density of one dwelling unit for each 1,000 square foot lot area. (See Figure 2-6, *Existing Zoning*).

## **5.1.2 Regulatory Framework**

This section addresses the adopted plans with goals, objectives, and/or guidelines used to make land use decisions in the City that are specific to the project. For that reason, it addresses City land use planning documents (e.g., the General Plan and Community Plan), as well as relevant regional plans addressing focused environmental issues (e.g., habitat planning and conservation, regional transit planning, regional air quality and water quality planning, regional airport planning, etc.) that affect the project.

### **5.1.2.1 State**

#### **California Building Code Title 24**

California Building Code (CBC) Title 24, also known as the California Building Standards Code, establishes building standards applicable to all occupancies throughout the state. Title 24's regulations regarding energy use and noise are particularly pertinent to the project. Specifically, Title 24 acoustical regulations for exterior-to-interior sound insulation and sound and impact isolation between adjacent spaces of various occupied units. Title 24 regulations state that interior noise levels generated by exterior noise sources shall not exceed 45 a-weighted decibel (dBA) community noise equivalent level (CNEL)/day-night average noise level (Ldn) with windows closed in any habitable room for general residential use.

#### **California's Energy Efficiency Standards for Residential and Nonresidential Buildings**

Located in CCR Title 24, Part 6, and commonly referred to as Title 24, these energy efficiency standards were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The goal of Title 24 energy standards is the reduction of energy use. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. On Aug. 11, 2021, the CEC adopted the 2022 Building and Energy Efficiency Standards with the effective date of the 2022 Standards beginning Jan. 1, 2023.

The 2022 Building Energy Efficiency Standards build on California's technology innovations, encouraging energy-efficient approaches to encourage building decarbonization. They emphasize heat pumps for space heating and water heating, and also strengthens ventilation standards to

improve indoor air quality. This update provides crucial steps in the State's progress toward 100 percent clean carbon neutrality by midcentury.

Title 24 also includes Part 11, known as California's Green Building Standards (CALGreen). The CALGreen standard took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up new construction of commercial, low-rise residential, and State-owned buildings, as well as schools and hospitals. The 2022 CALGreen standards became effective on Jan. 1, 2023.

## **Native American Coordination**

Native American involvement in the development review process is addressed by several State laws. Senate Bill (SB) 18 includes detailed requirements for local agencies to consult with identified California Native American Tribes early in the planning and/or development process. The California Native American Graves Protection and Repatriation Act (2001) ensures that Native American human remains and cultural items are treated with respect and dignity during all phases of the archaeological evaluation process in accordance with California Environmental Quality Act (CEQA) and any applicable local regulations.

Assembly Bill (AB) 52, the Native American Historic Resource Protection Act, sets forth a proactive approach intended to reduce the potential for delay and conflicts between Native American and development interests. Projects subject to AB 52 are those that file a notice of preparation for an Environmental Impact Report (EIR) or notice of intent to adopt a negative or mitigated negative declaration on or after July 1, 2016. AB 52 adds tribal cultural resources (TCR) to the specific cultural resources protected under CEQA. Under AB 52, a TCR is defined as a site, feature, place, cultural landscape (must be geographically defined in terms of size and scope), sacred place, or object with cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register, or included in a local register of historical resources. A Native American tribe or the lead agency, supported by substantial evidence, may choose at its discretion to treat a resource as a TCR. AB 52 also mandates lead agencies to consult with tribes, if requested by the tribe, and sets the principles for conducting and concluding consultation.

### **5.1.2.2 Local**

#### **San Diego Forward: The Regional Plan**

San Diego Association of Government's (SANDAG's) San Diego Forward: The Regional Plan (Regional Plan) (2021) is a regional transportation and sustainability plan that aims to provide a blueprint for a more livable, equitable, and innovative future. It combines and updates two previous plans, the Regional Comprehensive Plan and the Regional Transportation Plan/Sustainable Communities Strategy, into one document that looks toward 2050. The Regional Plan covers a broad range of topics, including air quality, borders and tribal nations, climate change, economic prosperity,

emerging technologies, energy and fuels, habitat preservation, healthy communities, public facilities, shoreline preservation, transportation, and water quality.

The Regional Plan emphasizes the importance of choice of transportation in the future, such as biking, skateboarding, walking, riding a wheeled device, trolley, Sprinter, COASTER, bus, or driving. Special emphasis is placed on active transportation, such as walking and biking, and reducing car use in order to minimize greenhouse gas (GHG) emissions, diminish air pollution, and maximize public health. The Regional Plan also includes a Sustainable Communities Strategy, which identifies five main strategies to complement the goal of sustainability. The strategies are to focus on job growth and housing in urbanized areas with existing public transportation options, preserve open space, invest in a transit network that caters to everyone and includes many options, reduce GHG emissions, address housing needs for all economic segments of the population, and implement the Regional Plan through incentives and collaboration.

Every four years, SANDAG updates the Regional Plan in collaboration with the 18 cities of San Diego County and the County of San Diego, along with other regional, State, and Federal partners. SANDAG has prepared San Diego Forward: The 2021 Regional Plan. This plan will guide the region through 2050 and is being developed through a new data-driven process to transform how people and goods move. This transformation aims to provide people with more travel choices, protect the environment, create healthy communities, and stimulate economic growth for the benefit of all San Diegans. SANDAG is developing the 2025 Regional Plan and plans to have a draft ready in the winter of 2025.

## **Regional Air Quality Strategy**

The San Diego Air Pollution Control District (SDAPCD) and SANDAG are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the San Diego Air Basin (SDAB). The Regional Air Quality Strategy (RAQS) was updated most recently in 2022. The RAQS outlines SDAPCD's plans and control measures designed to attain the State air quality standards for ozone. The SDAPCD has also developed the air basin's input to the State Implementation Plan (SIP), which is required under the Federal Clean Air Act (CAA) for areas that are out of attainment of air quality standards. The SIP, approved by the United States Environmental Protection Agency (EPA) in 1996, includes the SDAPCD's plans and control measures for attaining the ozone national standard.

The RAQS relies on information from California Air Resources Board (CARB) and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in the County, to project future emissions and then determine from that the strategies necessary for the reduction of emissions through regulatory controls. The SIP relies on the same information from SANDAG to develop emission inventories and emission reduction strategies that are included in the attainment demonstration for the air basin. The SIP also includes rules and regulations that have been adopted



by the SDAPCD to control emissions from stationary sources. These SIP-approved rules may be used as a guideline to determine whether a project's emissions would have the potential to conflict with the SIP and thereby hinder attainment of the national air quality standard for ozone. (Project impacts relative to implementing the RAQS are discussed in Section 5.4, *Air Quality*.)

## **Water Quality Control Plan for the San Diego Basin**

The Regional Water Quality Control Board (RWQCB) adopted the San Diego Basin Plan (Basin Plan) in 1994 (updated in September 2021) that recognizes and reflects regional differences in existing water quality, the beneficial uses of the region's ground and surface waters, and local water quality conditions and problems. The Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. (Project impacts relative to the RWQCB and San Diego Basin Plan are discussed in Section 5.10, *Water Quality*.)

## **City of San Diego General Plan**

The City's General Plan is a comprehensive, long-range vision document that sets forth the policy framework for how the City should plan for projected growth and development. The City's General Plan emphasizes the need to maintain its communities' character, preserve its natural resources and amenities, and provide adequate public services. It underscores the implementation of the City of Villages Strategy, which focuses on growing mixed-use activity centers that are pedestrian-friendly, centers of community that are multi-modal, and linked to the regional transit system. The strategy draws upon the character and strengths of the City's natural environment, neighborhoods, commercial centers, institutions, and employment centers. The strategy is designed to sustain the long-term economic, environmental, and social health of the City and its many communities. It recognizes the value of the City's distinctive neighborhoods and open spaces that together form the City as a whole. The General Plan comprises a Strategic Framework section and the following 10 elements, each with citywide policies: Land Use and Community Planning; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services and Safety; Recreation; Conservation; Historic Preservation; Noise; and Housing. These elements are summarized below.

- **Land Use and Community Planning Element (Updated July 29, 2024)** – The Land Use and Community Planning Element (Land Use Element) of the General Plan guides future growth and development into a sustainable citywide development pattern, while maintaining or enhancing the quality of life. This element provides policies to implement the City of Villages strategy and establishes a framework to guide and govern the preparation of community plans tailored to each community.

One major component of the Land Use Element that guides not only land use goals and policies, but also provides the overall vision for the General Plan is the *City of Villages Strategy*. The City of Villages Strategy recognizes the value of San Diego's distinctive neighborhoods and open spaces that together form the City as a whole. Implementation of



the City of Villages strategy is an important component of the City's strategy to reduce local contributions to GHG emissions, because the strategy makes it possible for larger numbers of people to make fewer and shorter automobile trips.

- **Mobility Element (Updated July 29, 2024)** – The Mobility Element of the General Plan provides the framework to improve mobility through development of a balanced, multi-modal transportation network that is efficient and minimizes environmental and neighborhood impacts. It is closely linked to the Land Use Element and the City of Villages Strategy. Project-relevant policies contained within the Mobility Element address the need to improve walkability and the bicycle network, increase transit use, improve performance and efficiency of the street and freeway system, and provide sufficient parking facilities.
- **Urban Design Element (Updated July 29, 2024)** – The General Plan's Urban Design Element addresses the integration of new development into the natural landscape and/or existing community. Its purpose is to guide physical development toward a desired scale and character that is consistent with the social, economic and aesthetic values of the City.
- **Economic Prosperity Element (Updated July 29, 2024)** – The Economic Prosperity Element of the General Plan links economic prosperity goals with land use distribution and employment land use policies. Its purpose is to increase wealth and the standard of living of all San Diegans with policies that support a diverse, innovative, competitive, entrepreneurial, and sustainable local economy. This element primarily deals with various industrial, commercial, and other employment uses within the City.
- **Public Facilities, Service, and Safety Element (Updated July 29, 2024)** – The General Plan's Public Facilities, Services, and Safety Element addresses facilities and services that are publicly managed, and have a direct influence on the location of land uses. The purpose of this element is to provide public facilities and service needed to serve the existing population and new growth. These include Fire-Rescue, Police, Wastewater, Storm Water, Water infrastructure, Waste Management, Libraries, Schools, Information Infrastructure, Disaster Preparedness, and Seismic Safety.
- **Recreation Element (Updated July 29, 2024)** – The General Plan's Recreation Element addresses the preservation, protection, acquisition, development, operation, maintenance, and enhancement of public recreation opportunities and facilities throughout the City for all users. The goals and policies of the Recreation Element have been developed to take advantage of the City's natural environment and resources, to build upon existing recreation facilities and services, to help achieve an equitable balance of recreational resources, and to adapt to future recreation needs.

- **Conservation Element (Updated July 29, 2024)** – The Conservation Element of the General Plan contains policies to guide the conservation of resources that are fundamental components of San Diego’s environment, that help define the City’s identity, and that are relied upon for continued economic prosperity. The Conservation Element sets forth a citywide vision that ties these various natural resource-based plans and programs together using a village strategy of growth and development. It contains policies for sustainable development, preservation of open space and wildlife, management of resources, and other initiatives to protect the public health, safety and welfare.
- **Noise Element (Updated July 29, 2024)** – The Noise Element of the General Plan is intended to protect people living and working in the City of San Diego from excessive noise. The most prevalent noise source in the City is motor vehicle traffic. Goals and policies provided in the Noise Element guide compatible land uses and the incorporation of noise attenuation measures for new uses to protect people from an excessive noise environment. Included in the Noise Element are the City’s Land Use Noise Compatibility Guidelines (Table NE-3) for evaluation Land use noise compatibility when reviewing proposed land use development projects. Specific goals and policies of the Noise Element applicable to the project include noise and land use compatibility, motor vehicle traffic noise, trolley and train noise, commercial and mixed-use activity noise, construction and public activity noise, and noise attenuating measures are provided to guide development.
- **Historic Preservation Element (Dated March 10, 2008)** – The Historic Preservation Element guides the preservation, protection, restoration, and rehabilitation of historical and cultural resources. This element seeks to improve the quality of the built environment, encourage appreciation of the City’s history and culture, maintain the character and identity of communities, and contribute to the City’s economic vitality through historic preservation.
- **Housing Element (Updated June 16, 2020)** – The General Plan’s Housing Element is the City of San Diego’s housing plan. The City, along with all California cities and counties, is required to adequately plan to meet the housing needs of everyone in the community, and to update its plan every eight years. The Housing Element provides a coordinated strategy for producing needed housing and meets a variety of State and local transportation, energy, and community development requirements.

The General Plan’s elements each contain a variety of goals and policies that address numerous environmental issues. The relevant goals and policies of the General Plan to the project are included in Table 5.1-1, *City of San Diego General Plan Consistency*.

## City of San Diego Climate Action Plan

The City adopted its initial Climate Action Plan (CAP) in December 2015 to outline the actions to be taken by the City to achieve its proportional share of State GHG emission reductions, consistent with CARB requirements associated with Executive Order (EO) S-3-05, Assembly Bill (AB) 32, EO B-30-15, SB 32, AB 197, AB 1493, EO S-01-07, and SB 375.

In 2016, the City adopted a CAP Consistency Checklist to be contained within, and used in conjunction with, the CAP. The checklist provides a streamlined review process for proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to the CEQA. The CAP Consistency Checklist contains measures to be implemented on a project-by-project basis to ensure that the CAP-specified emissions targets are achieved, thus simplifying project-level analysis within a CEQA document. Implementation of the identified measures would ensure that new development is consistent with the relevant CAP strategies meant to achieve identified GHG reduction targets. Projects that are consistent with the CAP as determined through the use of the CAP Consistency Checklist may rely on the CAP to analyze the cumulative impacts associated with the project's GHG emissions. Conversely, projects that are found to be not consistent with the CAP must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and incorporation of the measures in the CAP Consistency Checklist to the extent feasible. Finally, any project that is not consistent with the CAP would result in cumulatively significant GHG impacts. (Project impacts relative to the CAP are discussed in Section 5.5, *Greenhouse Gas Emissions*.)

In August 2022, the City Council approved an update to the CAP to expand its approach and strategies for achieving the goal of net zero emissions by 2035 (City of San Diego 2022). As such, the 2022 CAP establishes a new goal, targets, and actions that go beyond the 2015 CAP goal. The five strategies include: decarbonization of the built environment; access to clean and renewable energy; mobility and land use; circular economy and clean communities; resilient infrastructure and healthy ecosystems; and emerging climate actions. Also in 2022, the City adopted Climate Action Plan Consistency Regulations added to the City's Municipal Code as Chapter 14, Article 3, Division 14. The Climate Action Plan Consistency Regulations replace the previous CAP Consistency Checklist and are intended to ensure that new development is consistent with the City's Climate Action Plan. The CAP Consistency Regulations contain measures – such as enhancing tree coverage and ensuring that development contributes to an active and healthy transportation environment to create a more sustainable future for all San Diegans – that are required to be implemented on a project-by-project basis to ensure that the specified emissions targets identified in the CAP are achieved. Projects for new development that are consistent with the CAP, as determined through compliance with the CAP Consistency Regulations and well as land use consistency analysis, may rely on the CAP for the cumulative impacts analysis of GHG emissions. Projects for new development that are not consistent with the CAP and land use analysis must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and

incorporation of the measures in the CAP Consistency Regulations to the extent feasible. Cumulative GHG emissions impacts would be significant for any project that is not consistent with the CAP.

The project is subject to the CAP. Because the project was deemed complete prior to adoption of the CAP Consistency Regulations, a CAP Consistency Checklist was prepared for the project, which demonstrates the project's consistency with the CAP, and is included in Appendix F. Project impacts relative to the CAP are discussed in Section 5.5, *Greenhouse Gas Emissions*.)

### **Pacific Beach Community Plan and Local Coastal Program Land Use Plan**

The Pacific Beach Community Plan and Local Coastal Program Land Use Plan (Pacific Beach Community Plan) was adopted in 1995 and most recently amended on August 1, 2019. The Pacific Beach Community Plan includes goals, policies and recommended actions, and land use maps that illustrate plan recommendations. The Pacific Beach Community Plan discusses seven plan elements: Circulation, Commercial Land Use, Industrial Land Use, Residential Land Use, Parks and Open Space, Community Facilities and Services, and Heritage Resources. The land use goals of the Community Plan include to create safe and pleasant pedestrian linkages among residential neighborhoods, commercial facilities and other neighborhood destinations, enhance commercial areas and residential neighborhoods by establishing street tree patterns and promoting general maintenance and improvement of residential and commercial properties and implement design standards for single-family and multifamily development to ensure that redeveloped properties reflect the scale and character of the neighborhood.

As shown in Figure 2-5, *Pacific Beach Community Plan Land Use Map*, the project site is designated as Residential [23-43 dwelling units per acre (du/ac)]. Table 5.1-2, *Pacific Beach Community Plan Consistency*, includes the goals and policies relevant to the project.

### **San Diego Municipal Code**

The San Diego Municipal Code (SDMC) contains many of the City's ordinances. Chapters 11, 12, 13, and 14 of the SDMC are known collectively, and may be referred to in this EIR, as the Land Development Code (LDC). The LDC sets forth the procedures used in the application of land use regulations, the types of review of development, and the regulations that apply to the use and development of land in the City of San Diego. The intent of these procedures and regulations is to facilitate fair and effective decision-making and to encourage public participation.

The underlying base zone for the project site is RM-3-7 (See Figure 2-7, *Existing Zoning*.) The purpose of the RM zones is to provide for multiple dwelling unit development at varying densities. The intent of the RM-3-7 zone is to permit medium density multiple dwelling units with limited commercial uses. The RM-3-7 zone allows for a residential density up to 43.56 du/ac.

The project site is located in the Coastal Overlay Zone and Coastal Height Limit Overlay Zone. The purpose of the Coastal Overlay Zone is to protect and enhance the quality of public access and coastal resources. The Coastal Height Limit Overlay Zone restricts building heights to 30 feet.

### **5.1.3 Impact Analysis**

#### **5.1.3.1 Issue 1**

*Would the project result in a conflict with the environmental goals, objectives, or recommendations of the General/ Community Plan in which it is located?*

### **Impact Threshold**

According to the City of San Diego's CEQA Significance Determination Thresholds, an inconsistency with a plan is not by itself a significant impact; the inconsistency would have to relate to an environmental issue (i.e., cause a direct or indirect physical and adverse change in the environment) to be considered significant under CEQA. Land use policy impacts may be significant if a project would be:

- Inconsistent or conflict with the environmental goals and/or objectives of a community or general plan

### **Analysis**

As described above, the project site is designated as Residential in the General Plan, designated as multi-family residential (23-43 du/ac) in the Community Plan, and zoned as RM-3-7. The project is concurrently processing a Community Plan Amendment (CPA), as well as a Rezone, which would increase the intensity of use and allow for the proposed increase in residential development on-site.

The project is intended to implement overarching General Plan policies through site-specific implementation of citywide goals and policies, as detailed in the Pacific Beach Community Plan. The project has been evaluated with regard to the proposed rezone of the project site from RM-3-7 to RM-3-8 and regulations of the City's LDC. As documented below, the project would be consistent with the applicable planning documents. Additionally, the project would require waivers and incentives, as described below. The project's waivers and incentives would not result in substantial adverse impacts upon the environment.

### **General Plan Consistency**

Table 5.1-1, *City of San Diego General Plan Consistency*, provides an in-depth evaluation of the project's consistency with applicable goals and policies of the General Plan. Below is a summarization of the General Plan consistency evaluation.

The project would be consistent with the General Plan's Land Use and Community Planning Element as the project proposes a CPA that would implement General Plan policies related to increasing much needed housing in the General Plan area. Additionally, the project would contribute to making

Pacific Beach a balanced community by providing for a variety of housing types and sizes in the same development within walking distance to multiple MTS bus stops.

Relative to the Mobility Element, and discussed in Section 5.2, *Transportation and Circulation*, the project would increase safety and comfort for pedestrians by providing non-contiguous sidewalks with landscaping that meet all SDMC code requirements to ensure accessibility to pedestrians of all abilities. The project site supports alternative transportation modes, emphasizes pedestrian accessibility, and provides bicycle facilities.

As discussed in Section 5.3, *Visual Effects and Neighborhood Quality*, the project would be consistent with the Urban Design Element goal and policies as the project's design guidelines would result in a project that is architecturally and visually similar to the existing development on-site and in the surrounding neighborhood. The project would include native, drought-tolerant landscaping that would enhance project structures. As discussed below, the project would employ sustainable building methods consistent with the sustainable development policies in the Conservation Element.

Relative to the Public Facilities, Services, and Safety Element, as discussed in Section 5.11, *Public Services*, implementation of the project would increase the demand for public services and facilities including police and fire protection services, schools, and libraries. However, the project would be adequately served by existing fire and police protection services; and there would be no need to expand or build new facilities. In addition, the project would be consistent with the Public Facilities, Services, and Safety Element by providing a residential development within easy walking, bicycling, and transit distance for its residents to area and regional employment, commercial, recreation, and entertainment opportunities.

Relative to the Recreation Element and discussed in Section 5.11, *Public Services*, the project would provide recreational amenity areas for its residents on-site, as well as areas for use by the public within the proposed linear park. The project's linear park along Jewel Street and La Playa Avenue would be enhanced with benches as a pedestrian resting area, a bicycle repair station, and bicycle racks.

Relative to the Conservation Element, and discussed in Section 5.12, *Public Utilities*, the project would utilize recycled content where possible during construction and on-going maintenance, would reduce its construction and demolition waste, and would adhere to all Citywide recycling regulations. The project would implement sustainable landscape design and maintenance including a centralized irrigation system and irrigation monitoring technology to provide water efficiency; use of native and naturalized drought tolerant plant palettes; use of light in determining appropriate plant materials; use of bio-filtration retention basins that allow for storm water capture and treatment; use of trees and planting to provide shade; and use of recycled materials for hardscape, landscape, and site furnishing materials.

As discussed in Section 5.7, *Noise*, and relative to the Noise Element, a noise study (dBF Associates, 2025) has been prepared that indicated noise from demolition and construction of the project would not exceed the applicable limit of 75 dBA. The study also found that future exterior noise levels would exceed 60 dBA CNEL at some building façades and interior noise levels in occupied areas could exceed 45 dBA CNEL in residences. As a condition of approval, an interior noise analysis would be required to demonstrate that interior noise levels in the proposed residential buildings would not exceed 45 dBA CNEL.

The Housing Element is provided under separate cover from the General Plan. This element focuses on implementing the City of Villages Strategy and directs development patterns, programs, and concepts citywide. The project furthers the City's ability to meet its housing needs in a manner that provides transit-oriented housing. The project provides a range of affordability by providing housing in a variety of forms and by including affordable units.

Other elements of the General Plan do not have direct applicability to the project. For example, the Economic Prosperity Element of the General Plan addresses employment land use policies. While the project would provide housing that can serve the City's workforce, the project would not provide an employment land use. The Historic Preservation Element guides the preservation, protection, restoration, and rehabilitation of historical and cultural resources. There are no historic resources on the project site, and no artifacts or other cultural features were observed during the cultural resources survey conducted for the project. However, as presented in Section 5.8, *Historic Resources*, the possibility remains that intact cultural deposits may exist subsurface of the project site and could be encountered during grading and excavation activities and requires implementation of mitigation measures to reduce potential impacts to below a level of significance.

As demonstrated in Table 5.1-1, *City of San Diego General Plan Consistency*, the project would be consistent with the applicable goals and policies of the City of San Diego General Plan. As discussed above, the project would include features and strategies that are compatible with the Land Use; Mobility; Urban Design; Public Facilities, Services and Safety; Recreation; Conservation; Noise; and Housing Elements of the General Plan. As such, impacts relative to consistency with the General Plan would be less than significant.

### **Community Plan Consistency**

The project site is designated Multi-Family Residential (23-43 du/ac) in the Pacific Beach Community Plan. The project proposes a CPA to redesignate the project site as Multi-Family Residential (15 - 54 du/ac). The change in residential density would be consistent with the Community Plan as the Pacific Beach Community is predominantly residential and most new development within the Community Plan would consist of infill or redevelopment projects that are at least in part residential. The project's consistency with the Community Plan is demonstrated in Table 5.1-2, *Pacific Beach Community Plan Consistency*.

The Community Plan highlights key community issues in residential areas including the lack of affordable housing opportunities and lack of neighborhood identity. The project would provide affordable housing formally through seven deed-restricted affordable units and organically through the provision of residential units in a range of sizes and bedroom configurations. The project would also contribute to the identity of the neighborhood by creating a distinct design style consistent with the multi-family development on the project site. The project would redevelop underutilized surface parking portions of the project site with multi-family dwelling units. This would be consistent with the goal of developing a variety of housing types and styles to provide a greater opportunity for housing that is both affordable and accessible to everyone. The Community Plan's residential land use policies indicate that residential neighborhoods should be enhanced by establishing and maintaining street tree patterns, implementing design standards for multi-family development, enforcing the bulk and scale standards, and creating safe and pleasant pedestrian linkages between residential neighborhood and commercial areas. The project would be consistent with these goals, as it would include new street trees along La Playa Avenue, Jewell Street, and Fortuna Avenue; would implement community design standards; and would be of bulk and scale that is compatible with surrounding development. The project would also enhance pedestrian circulation by installing a new non-contiguous sidewalk with landscaped parkway along Jewell Street.

As shown in Table 5.1-2, the project would be consistent with the applicable goals and policies of the Pacific Beach Community Plan. The project complies with all applicable policies and goals of the Pacific Beach Community Plan. As such, impacts relative to consistency with the Pacific Beach Community Plan are less than significant.

### **Climate Action Plan**

As discussed in Section 5.5, *Greenhouse Gas Emissions*, the project would be consistent with the CAP. As mentioned above, because the project was deemed complete on June 15, 2022, prior to adoption of the CAP Consistency Regulations September 21, 2022, a CAP Consistency Checklist was prepared for the project. The project requires a CPA; however, because the project would result in an increased density within a TPA and implement CAP Strategy 3 actions, the project would be consistent with the existing land use designation. The project would comply with all applicable strategies listed in Step 2 of the CAP Consistency Checklist. The project would also be consistent with all questions in Step 3, as the project would provide transit-supportive residential densities within a TPA, support the increased use of transit in a TPA, implement features that support and improve walkability and bicycle use, contribute to the City's urban canopy tree coverage goal, and function overall as a Transit Oriented Development.

In 2022, the City adopted CAP Consistency Regulations added to the City's Municipal Code as Chapter 14, Article 3, Division 14. Because the project was deemed complete prior to adoption of the CAP Consistency Regulations, the CAP Consistency Checklist included in Appendix F and presented and summarized above demonstrates the project's consistency with the CAP. The project was also



considered for consistency with the adopted Climate Action Plan Consistency Regulations. The project would also meet those regulations.

## Significance of Impacts

The project would be consistent with all policies and elements of the City of San Diego General Plan. Impacts would be less than significant.

### 5.1.3.2 Issue 2

*Would the project require a deviation or variance, and the deviation or variance would in turn result in a physical impact on the environment?*

## Impact Threshold

According to the City of San Diego's CEQA Significance Determination Thresholds, an inconsistency with a plan is not by itself a significant impact; the inconsistency would have to relate to an environmental issue (i.e., cause a direct or indirect physical and adverse change in the environment) to be considered significant under CEQA. Land use policy impacts may be significant if a project would be:

- Inconsistent or conflict with an adopted land use designation or intensity and result in indirect or secondary environmental impacts.

## Analysis

The project site is zoned RM-3-7. The project proposes a rezone to RM-3-8 to accommodate the increased density of an additional 138 units to be constructed by the project. As described below, waivers and incentives would be applied to the project for Municipal Code 142.0407 (e), *Additional Vehicular Use Area Solar Requirements*; Municipal Code Table 142.10B, *Required Off-Street Loading Spaces*; Municipal Code 131.0443(f)(3) *Street Side Setback*; and Municipal Code 131.0455 *Private Exterior Open Space*.

### Solar Mounted Shade Structures

The project requests an incentive relative to SDMC's 142.0407(e). The SDMC requires solar mounted shade structures within vehicular use areas shall cover a minimum of 50 percent of the exposed parking space. The project does not propose solar mounted shade structures. The project site is located within the Coastal Height Limit Overlay Zone, which has a strict height limit for structures of 30 feet. In order to provide vitally necessary affordable and market-rate housing at a scale and density consistent with the project site and surroundings, it is not possible to provide solar mounted shade structures without exceeding the Coastal Height Limit Overlay Zone height limit. This incentive allows for the project to not meet the requirements for solar.

However, the project would include roofing materials with a minimum three-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values

specified in the voluntary measures under California Green Building Standards Code or the project roof construction have a thermal mass over the roof membrane, including areas of vegetated (green) roofs, weighing at least 25 pounds per square foot as specified in the voluntary measures under California Green Building Standards Code or a combination of the two. The Solar Mounted Shade Structures requirement exists to provide less heat escape and the project would achieve this through the roofing materials described. No significant impacts would result.

### **Off-Street Loading**

Table 142.10B states that for multiple unit residential use category, the project should provide one off-street loading space for gross floor area between 100,001 and 200,00 square feet. The project would result in a total residential building area of 149,682 square feet (requiring one loading space) and does not propose any new loading spaces. The project would apply a waiver to allow deviation from this code requirement.

The project site represents an in-fill development constrained by existing site parameters, height limitations due to location in the Coastal Height Limit Overlay Zone, and surrounding development. Project implementation requires not only awareness of existing residential buildings and resident amenities on-site, but also requirements relative to utilities and fire safety access to the site. The provision of an additional off-street loading space is not able to be provided taking into account the various physical and regulatory constraints on the site. The project would develop as a fully managed apartment community. Move-in/move-out and deliveries requiring a loading space would be scheduled to ensure the provided loading space is available for use when needed without unduly allocating underutilized space that can otherwise be used for housing and amenity space. Management of the loading space would ensure no issues result from the deviation. This waiver results in a superior project design, greater provision of housing, and better responsiveness to access requirements than what may be accomplished with strict compliance with the off-street loading space requirements. Moreover, the waiver does not relate to an environmental issue that would result in a direct or indirect impact. No significant impacts would result.

### **Setbacks**

SDMC Section 131.0443(f)(3)(A) provides that the minimum street side setback is 10 feet or 10 percent of the premises width, whichever is greater. The project would require a waiver to allow for encroachment into the street side setback, where Building 3 of the project encroaches into the setback more than five feet along Jewell Street. The premises of the project site is approximately 340 feet wide, which makes the required street side setback along Jewell Street 34 feet. SDMC Section 131.0443(f)(3)(B) allows for up to 50 percent of the building façade to encroach up to five feet into the required street side setback. For the project, 65 percent of the façades along Jewell Street encroach more than five feet into the required street side setback. The amount of encroachment ranges from approximately 11 feet to approximately 19.5 feet.

The building frontage along Jewell Street represents existing and proposed buildings. Of the 65 percent total frontage encroachment along Jewell Street, existing buildings comprise encroachment along 51 percent of the frontage (representing approximately 80 percent of the total encroachment), while proposed buildings make up 14 percent of the frontage encroachment (or approximately 20 percent of the total encroachment). The new building encroachment into the street side setback would be 12 feet, three inches. This encroachment is reflective of the overall development pattern and rhythm along the project frontage of Jewell Street and maintains a consistent street wall, which encroaching within the minimal end of the existing encroachment range. The project design results in a cohesive appearance along Jewell Street between the existing and proposed buildings and allows for buildings to better address Jewell Street, thereby creating interest and activity for the pedestrian along Jewell Street. Moreover, the waiver does not relate to an environmental issue that would have direct or indirect impacts. Design concerns are addressed by compliance with other applicable design standards. Impacts would be less than significant.

### **Private Exterior Open Space**

Section 131.0455 states that in the RM-3-7, RM-3-8, and RM-3-9 zones, at least 75 percent of the dwelling units shall be provided with at least 60 square feet of usable, private, exterior open space abutting the unit with a minimum dimension of six feet. The open space may be located in the required front yard but shall be no closer than nine feet to the front property line. Building 3 balcony stack encroaches into setback less than nine feet away from property line along La Playa Avenue. In order for the project to provide the required exterior open space for 75 percent of the units, balconies for Building 3 need to be located the units facing La Playa Avenue. Due to the infill nature of the project and layout of the existing buildings the balcony stack encroaches into the setback. The project would require a waiver to allow balconies to encroach into the front yard setback. Impacts would be less than significant.

The project, with the allowable incentive and waivers, would comply with the applicable regulations of the Land Development Code. Application of the incentive and waivers would not result in significant environmental impacts.

### **Significance of Impacts**

The project would be consistent with the City of San Diego General Plan and Pacific Beach Community Plan. The project would require deviations to and waivers from the City's LDC; however, requested incentives and waivers would not result in a significant physical impact on the environment. Impacts would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

### 5.1.3.3 Issue 3

*Would the project physically divide an established community?*

#### Impact Threshold

Based on the City's CEQA Significance Determination Thresholds, a project could have a significant land use impact if it would:

- Physically divide an established community.

#### Analysis

The project site is currently developed with 564 multi-family apartment units, associated resident amenities, landscape areas, and approximately five acres of surface parking totaling 765 parking spaces. The project proposes redevelopment of underutilized surface parking and recreation amenity portions of the 12.96-acre project site with 138 multi-family residential units and parking. The project would not construct structures that have the potential to physically divide an established community, as the project represents an infill project on a currently developed site within the community. The site is privately-owned and public access through the site is not provided. The development of the project would not physically divide an established community.

#### Significance of Impacts

The project would not divide an established community and therefore no impacts would occur.

#### Mitigation Measures

No mitigation measures would be required.

### 5.1.3.4 Issue 4

*Would the project result in land uses which are not compatible with an adopted Airport Land Use Compatibility Plan (ALUCP) including aircraft noise levels as defined by the plan?*

#### Impact Threshold

Based on the City's CEQA Significance Determination Thresholds a project could have a significant land use compatibility impact if the project results in:

- Incompatible uses as defined in the airport land use plan or an inconsistency with an airport's land use compatibility plan as adopted by the Airport Land Use Commission to the extent that the inconsistency is based on valid data.
- If the project is proposed within the Airport Environs Overlay Zone (AEOZ) as defined in Chapter 13, Article 2, Division 3 of the San Diego Municipal Code, the potential exterior noise impacts from aircraft noise would not constitute a significant environmental impact.

## Analysis

The project site is not located within an Airport Influence Area for any local airport. The closest airport to the project site is the San Diego International Airport, located approximately five miles to the south. The project site is outside of the Airport Influence Area of the San Diego International Airport. The project would not result in land uses that are incompatible with an ALUCP.

## Significance of Impacts

The project would not result in a land use that would be incompatible with the ALUCPS of any local airports. Therefore, impacts would be less than significant.

## Mitigation Measures

No mitigation would be required.

### 5.1.3.5 Issue 5

*Would the project result in the exposure of people to noise levels which exceed the City's adopted noise ordinance or are incompatible with the Noise compatibility Guidelines (Table NE-3) in the Noise Element of the General Plan?*

## Impact Threshold

A significant land use impact would occur if a project would expose new development to noise levels at exterior use areas or interior areas greater than the noise compatibility guidelines established in the City General Plan Noise Element (Table 5.1-3, *City of San Diego Noise Compatibility Guidelines*). As shown in Table 5.1-3, the conditionally compatible exterior noise level for multi-family residential land uses is 70 dBA CNEL, provided that interior noise levels of 45 dBA CNEL or below can be achieved and outdoor use areas are attenuated to acceptable levels. If a noise land use incompatibility leads to the requirement for physical improvements, and those physical improvements result in significant environmental impacts, then the project would be considered to have a significant land use compatibility impact.

## Analysis

An *Exterior Noise Analysis Report* (Noise Report) was prepared by dBF Associates, Inc. (March 7, 2025) for the project and is included as Appendix B to this EIR. The Noise Report included an evaluation of the project's land use compatibility relative to primary noise sources affecting the project site including vehicular traffic in surrounding streets. CEQA Section 21085 states "for residential projects, the effects of noise generated by project occupants and their guests on human beings is not a significant effect on the environment" Thus these noise impacts were not evaluated as part of project analysis in the EIR.

The project proposes residential uses. Multi-family residential uses are compatible with noise levels up to 60 dBA CNEL and conditionally compatible with noise levels up to 70 dBA CNEL per the General Plan Noise Element. (See Table 5.1-3, *City of San Diego Noise Compatibility Guidelines*.)

Future exterior roadway noise levels at the proposed buildings would reach up to approximately 61 dBA CNEL at the northwest façade corner of Building 1, as show on Figure 5.7-2, *Future Exterior Noise Levels*. These noise levels would be considered conditionally compatible according to the City's Noise Compatibility Guidelines.

The project includes the following common outdoor usable areas: a courtyard on the south side of Building 1, and a courtyard on the central east side of Building 3. These areas would be shielded from roadway traffic by the project buildings and existing buildings to remain. A linear park is proposed along Jewell Street at its corner with La Playa Avenue and north of Building 3. The informal public use area would be exposed to noise levels of 58-59 dBA CNEL. Passive recreation uses are compatible with noise levels up to 70 dBA CNEL. Thus, future exterior noise levels would be considered compatible with the City's noise compatibility guidelines for outdoor useable areas.

Because future exterior noise levels would exceed 60 dBA CNEL at some building façades, interior noise levels in habitable rooms may exceed the City of San Diego General Plan Noise Compatibility Guidelines requirement of 45 dBA CNEL in residences and the CBC Section 1206.4 requirement of 45 dBA CNEL in residences. To comply with this requirement, upgraded building façade elements (windows, walls, doors, and/or exterior wall assemblies) with Sound Transmission Class (STC) ratings of 35 or higher may be necessary. If the interior noise limit can be achieved only with the windows closed, the building design shall include mechanical ventilation that meets CBC requirements. A condition of approval would be required to ensure the building design incorporates these requirements to meet the General Plan Noise Compatibility Guidelines.

Implementation of these design features would ensure that interior noise levels would be 45 dBA CNEL or below in residences, and the project would comply with the City of San Diego General Plan Noise Compatibility Guidelines requirement and CBC Section 1206.4 requirement. As a condition of approval, these design features would be required to be implemented as part of the project to ensure interior noise levels would be 45 dBA or below, and an interior noise analysis would be required to demonstrate that interior noise levels in the residential buildings would not exceed 45 dBA CNEL. Impacts would be less than significant.

## Significance of Impacts

The project may result in interior noise levels greater than the City's Noise Compatibility Guidelines requirements. With implementation of design features to meet the General Plan Noise Compatibility Guidelines and the condition of approval requiring an interior noise analysis, impacts would be less than significant.



**Table 5.1-1. City of San Diego General Plan Consistency**

| General Plan Components   | Project Consistency   |
|---|---|
| <b>Land Use and Community Planning Element</b>  |   |
| <i>City of Villages Strategy</i>  |   |
| Policy LU-A.4. Locate village sites where they can be served by existing or planned public facilities and services, including transit services.   | The project site is immediately adjacent to four transit stops along Ingraham Street, which all serve MTS Route 9, including a stop for northbound Route 9 service along the project frontage. Additionally, the project site is within a half-mile of two transit stops servicing Route 8 and 30 along Grand Avenue. The project would allow for additional residential development to support transit within proximity to the project.  |
| Policy LU-A.9.b. Achieve transit-supportive density and design, where such density can be adequately served by public facilities and services.  |   |
| Policy LU-A.12. Design infill projects along transit corridors to enhance or maintain a “Main Street” character through attention to site and building design, land use mix, housing opportunities, and streetscape improvements. | The project is an infill development location within walking distance to multiple MTS transit stops. The project would provide housing opportunities, as it would redevelop underutilized portions of the site with 138 residential dwelling units designed in a manner that would enhance the existing character and neighborhood feel of the project site and in the project area.  |
| <b>Balanced Communities and Equitable Development</b>   |   |
| Goal: Ensure diverse and balanced neighborhoods and communities with housing available for households of all income levels.   | The project contributes to making Pacific Beach a balanced community by providing for a variety of housing types and sizes within the same development. By providing a mix of one-bedroom and two-bedroom units, the project contributes to the existing variety of housing in the area and provides for a range of affordability based on unit type and size. The project would also include seven deed-restricted affordable units, which would provide affordable housing opportunities in the community. The unit mix also accommodates the needs of a variety of potential residents, as they can select a unit that meets their size and budgetary needs. |
| Policy LU-H.1.d. Ensure that neighborhood development and redevelopment addresses the needs of older people, particularly those disadvantaged by age, disability, or poverty, and children and young adults.                      |   |
| Policy LU-H.1.e. Provide affordable housing opportunities within the community to help offset the displacement of the existing population.  |   |
| Policy LU-H.2. Provide affordable housing throughout the City, especially in high resource areas and in proximity to transit and walking/rolling and biking infrastructure.   | The project includes seven deed-restricted affordable housing units, which would provide affordable housing within walking distance of multiple stops for MTS bus transit.  |
| Policy LU-H.3. Provide a variety of housing types and sizes with varying levels of affordability in residential and village developments.   | The project would provide a mix of one-bedroom and two-bedroom units contributing to the existing variety of housing in the area and provides for a range of affordability by including various unit sizes and seven deed-restricted affordable units.  |
| Policy LU-H.6. Provide linkages among employment sites, housing, and villages via an integrated transit system and a well-defined pedestrian and bicycle network.   | The project would provide housing within walking distance of multiple stops for the MTS bus transit system. The project would install a linear park with pedestrian resting area/recreation node adjacent to  |

| General Plan Components  | Project Consistency  |
|--|--|
|  | the public pedestrian walkway on Jewell Street near La Playa Avenue. The project would additionally construct a non-contiguous sidewalk along the project frontage of Jewell Street. The project would add a new non-contiguous sidewalk along Ingraham Street as well as a concrete bus pad to the existing bus stop. The project is located along Ingraham Street, which has an existing Class III bike route. To support bicycle transit, the project would install an on-site bicycle repair station near the linear park on Jewell Street that would be available for the public. |
| <b>Mobility Element</b>  |  |
| <i>Walkable Communities</i>  |  |
| Goal. A safe and comfortable environment for people that walk/roll.  | The project would improve pedestrian connectivity through the construction of a non-contiguous sidewalk along the project frontage on Jewell Street. Additionally, the project would add a new non-contiguous sidewalk along a portion of Ingraham Street. Project improvements to the pedestrian network would increase comfort for the users.  |
| Goal. A complete, functional, and interconnected pedestrian network, that is accessible to pedestrians of all ages and abilities.                                    | Pedestrian improvements would be constructed to meet all SDMC requirements to ensure accessibility to pedestrians of all abilities.  |
| Goal. Greater walkability/rollability achieved through pedestrian-friendly street, site and building design.   | The project would improve pedestrian connectivity through the provision of a non-contiguous sidewalk along the project frontage on Jewell Street where one does not currently exist. Additionally, the project would add a new non-contiguous sidewalk along a portion of Ingraham Street.   |
| Policy ME-A.2.d. Implement Crime Prevention Through Environmental Design (CPTED) measures to reduce the threat and incidence of crime in the pedestrian environment. | The addition of residential units on underutilized portions of the project site would ensure greater “eyes on the street,” acting as passive threat reduction and crime deterrent.   |
| Policy ME-A.2.f. Provide adequate levels of lighting for pedestrian safety and comfort.  | The project would provide lighting in accordance with SDMC regulations to ensure pedestrian safety in the evening hours. Lighting would be hierarchical, with pedestrian-level lighting provided along pedestrian travel ways and crossings. Lighting would be provided at all pedestrian access points.   |
| Policy ME-A.6.e. Routinely accommodate pedestrian facilities and amenities into private and public plans and projects.   | The project would provide new pedestrian facilities in the form of a non-contiguous sidewalk along a portion of Ingraham Street, a non-contiguous sidewalk along Jewell Street and a linear park amenitized with pedestrian resting area/recreation node adjacent to the public pedestrian walkway on Jewell Street near La Playa Avenue.  |

| General Plan Components   | Project Consistency   |
|---|---|
| <b>Walkability</b>  |   |
| <p>Policy ME-A.7 Improve walkability through the pedestrian-oriented design of public and private projects in areas where higher levels of pedestrian activity are present or desired.</p> <ol style="list-style-type: none"> <li>Enhance streets and other public rights-of-way with amenities such as street trees, wayfinding, benches, plazas, play spaces, public art or other measures including, but not limited to those described in the Pedestrian Improvement Toolbox, Table ME-1 (see also Urban Design Element, Policy UD-A.10)</li> <li>Design site plans and structures with pedestrian-oriented features (see also Urban Design, Policies UD-A.6, UD-B.4, and UD-C.6).</li> </ol> | <p>The project would provide new pedestrian facilities in the form of a non-contiguous sidewalk along a portion of Ingraham Street, a non-contiguous sidewalk along Jewell Street and a linear park amenitized with pedestrian resting area/recreation node adjacent to Jewell Street near La Playa Avenue. The linear park on Jewell Street would additionally include an on-site bicycle repair station that would be available for the public.</p> |
| <b>Bicycling</b>  |   |
| <p>Policy ME-B.4. Provide safe, convenient, and adequate short- and long-term bicycle parking facilities and other bicycle amenities for employment, retail, multifamily housing, schools and colleges, and transit facility uses.</p> <ol style="list-style-type: none"> <li>Continue to require bicycle parking in commercial and multiple unit residential zones.</li> <li>Provide bicycle facilities and amenities to help reduce the number of vehicle trips.</li> </ol>   | <p>The project would provide 70 bicycle parking spaces in compliance with the City's CAP Consistency Checklist and SDMC requirements. The project also includes an on-site bicycle repair station within the linear park on Jewell Street that would be available for the public.</p>   |
| <b>Urban Design Element</b>   |   |
| <b>General Urban Design</b>   |   |
| <p>Goal: A pattern and scale of development that provides visual diversity, choice of lifestyle, opportunities for social intersection, and that respects and enhances community character and context. Attractive and functional corridors which link communities to transit, walking/rolling and biking infrastructure and provide access to goods and services.</p>  | <p>Project design would provide visual diversity that is articulated 360 degrees with features that include varying building heights, recessed/protruding design elements, and diverse finish materials and color palette. Opportunities for social interaction would be provided for project residents and their guests in the project recreation/amenity areas, existing and proposed.</p>  |
| <p>Policy UD-A.4. Use sustainable building methods in accordance with the sustainable development policies in the Conservation Element.</p>   | <p>The project would employ sustainable building methods consistent with Title 24, the City's CAP, and waste management requirements. (See Section 5.5 for a discussion of the project's CAP Consistency Checklist and Section 5.12 for a discussion of the project's Waste Management Plan.)</p>   |
| <p>Policy UD-A.7. Design buildings that contribute to a positive neighborhood character and relate to neighborhood and community context.</p> <ol style="list-style-type: none"> <li>Encourage designs that are sensitive to the scale, form, rhythm, proportions, and materials and</li> </ol>   | <p>The project proposes development that would vary in height from two to three stories in three buildings. Project design would provide visual diversity that is articulated 360 degrees and includes varying building heights, recessed/protruding design</p>   |

| General Plan Components  | Project Consistency  |
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| <p>create transitions between older and newer buildings.</p> <ul style="list-style-type: none"> <li>c. Provide architectural features that establish and define a building's appeal and contribute to placemaking within the community.</li> <li>d. Encourage the use of materials and finishes that reinforce a sense of quality and permanence.</li> <li>e. Design buildings to provide design variation that avoid blank walls fronting streets, paths, and public spaces. This would include not only building walls, but fencing.</li> <li>f. Design buildings frontages to add interest to the streetscape and enhance the pedestrian experience. For example, walls could protrude, recess, or change in color, height or texture to provide visual interest.</li> <li>g. Design building wall planes to have shadow relief, where pop-outs, offsetting planes, overhangs and recessed doorways are used to provide visual interest at the pedestrian level.</li> <li>i. Maximize natural ventilation, sunlight, and views.</li> <li>k. Provide convenient, safe, well-marked, and attractive pedestrian connections from the public street to building entrances.</li> </ul> | <p>elements, and finish materials and color palette. The project would feature architectural elements such as window and balconies; varied building mass and rooflines; and varied finishes and materials including smooth concrete, form liner concrete, metal screens, metal guardrail, dark and light plaster, wood-look metal cladding and public art mural on Buildings 1 and 3. The project's architectural elements are intended to provide interesting and identifiable features, which would allow pedestrians and the motoring public to easily find their destination. Architectural features such as varied building material, heights, and setbacks would provide vertical relief to the façades and would create focal points around the project for both pedestrians and passing vehicles. The project's massing, colors, and materials have been selected to complement the adjacent developments.</p> <p>The project proposes three separate buildings that would allow for natural ventilation and sunlight through the project site. The project also includes courtyards that create areas for ventilation and light to flow through the project and provides views to and from the project. Additionally, the project's varied building heights and setbacks would further maximize ventilation, sunlight, and views.</p> |
| <p>Policy UD-A.8. Create street frontages with architectural and landscape interest to provide visual appeal to the streetscape and enhance the pedestrian experience.</p> <ul style="list-style-type: none"> <li>a. Locate buildings on the site so that they reinforce street frontages.</li> <li>b. Relate buildings to existing and planned adjacent uses.</li> <li>c. Ensure that building entries are prominent, visible, and well-located.</li> <li>d. Maintain existing setback patterns, except where community plans call for a change to the existing pattern.</li> <li>e. Minimize the visual impact of garages, parking and parking portals to the pedestrian and street façades.</li> </ul>  | <p>The project would be designed to so that buildings reinforce street frontages and provide visual appeal through architectural elements. Building entries would be prominent and visible to the pedestrian. The project would maintain existing setback patterns and would minimize the visual impact of parking garages by wrapping in them by the buildings on most sides. Metal screening and shelving with plants would add architectural interest to the sides or the garage that are exposed. Project landscaping would include street trees and low shrubs/groundcover along sidewalks.</p>   |
| <p>Policy UD-A.10. Landscape materials and design should enhance structures, create and define public and private spaces, and provide shade, aesthetic appeal, and environmental benefits.</p>   | <p>The project's landscape plan includes the planting of approximately 63 street trees throughout the project site. The landscaping plan includes the planting of large accent trees, as well as evergreen and small flowering accent trees, to reinforce a unique aesthetic on the project site and define project</p>  |

| General Plan Components  | Project Consistency   |
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| <ul style="list-style-type: none"> <li>a. Maximize the planting of new trees, street trees and other plants for their shading, air quality, and livability benefits. (See also Conversation Element, Policies CE-A.11, CE-A.12, and Section J).</li> <li>b. Use water conservation through the use of drought-tolerant landscape, porous materials, and reclaimed water where available.</li> <li>c. Use landscape to support storm water management goals for filtration, percolation and erosion control.</li> <li>e. Landscape materials and design should complement and build upon the existing character of the neighborhood.</li> <li>h. Shade paved areas, especially parking lots.</li> <li>i. Demarcate public, semi-public/private, and private spaces clearly through the use of landscape, walls, fences, gates, pavement treatment, signs, and other methods to denote boundaries and/or buffers.</li> <li>j. Use landscaped walkways to direct people to proper entrances and away from private areas.</li> </ul> | <p>entries; demarcate public, semi-public, and private spaces; and identify public access points.</p> <p>Landscaping would include native, native-friendly, drought-tolerant, and low water demand plant material. Porous materials and biofiltration would be provided within the landscape plan, which support storm water management goals.</p> <p>Surface parking would be appropriately shaded. Surface parking adjacent to Building 2 would include palms and trees for shading at regular intervals consistent with SDMC requirements.</p> |
| <p>Policy UD-A.15. Provide lighting from a variety of sources at appropriate intensities and qualities for safety.</p> <ul style="list-style-type: none"> <li>a. Provide pedestrian-scaled lighting for pedestrian circulation and visibility.</li> <li>b. Use effective lighting for vehicular traffic while not overwhelming the quality of pedestrian lighting.</li> <li>c. Use lighting to convey a sense of safety while minimizing glare and contrast.</li> <li>d. Use vandal-resistant light fixtures that complement the neighborhood and character.</li> <li>e. Focus lighting to eliminate spill-over so that lighting is directed, and only the intended use is illuminated.</li> </ul>   | <p>Any new lighting would be placed in a manner that reduces the illumination standard and provides appropriate levels of illumination. Lighting would be provided at the appropriate scale for the intended user (pedestrian-scaled lighting in pedestrian areas versus vehicular-focused lighting in vehicle circulation areas).</p>  |
| <p>Policy UD-A.19. Incorporate Crime Prevention Through Environmental Design (CPTED) measures, as necessary, to reduce incidences of fear and crime, and design safer environments.</p> <ul style="list-style-type: none"> <li>a. Design projects to encourage visible space and “eyes on the street” security that will serve as a means to discourage and deter crime through the location of physical features, activities and people to maximize visibility.</li> <li>b. Define clear boundaries between public, semi-public/private, and private spaces.</li> <li>c. Promote regulations, programs, and practices that result in the proper maintenance of the</li> </ul>   | <p>The project’s provision of residential units ensures greater “eyes on the street,” acting as passive threat reduction and crime deterrents. The project would provide lighting in accordance with SDMC regulations to ensure pedestrian safety in the evening hours. Lighting would be hierarchical, with pedestrian-level lighting provided along pedestrian travel ways and crossings. Lighting would be provided at all pedestrian access points to ensure safety.</p>  |

| General Plan Components   | Project Consistency  |
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| <p>measures employed for CPTED surveillance, access control, and territoriality.</p> <p>d. Consider pedestrian scale lighting and indirect techniques to provide adequate security but not glare and flood-light conditions.</p>  |  |
| <i>Distinctive &amp; Inclusive Neighborhoods and Residential Design</i>   |  |
| <p>Policy UD-C.1.a. Design new construction to respect the pedestrian orientation of neighborhoods.</p>   | <p>The project provides for in-fill redevelopment of underutilized portions of the project site. The project proposes development that would vary in height from two to three stories. The existing development on the project site contains buildings of three stories in height. The project would be designed to be consistent with current development on the project site. The project would maintain the pedestrian orientation of the site and neighborhood.</p>  |
| <p>Policy UD-C.2. Achieve a mix of housing types within developments.</p>   | <p>The project contributes to making Pacific Beach a balanced community by providing for a variety of housing types and sizes within the same development. By providing a mix of, one-bedroom and two-bedroom units, including seven deed-restricted affordable units, the project contributes to the existing variety of housing in the area and provides for a range of affordability.</p>   |
| <p>Policy UD-B.4. Create street frontages with building and landscape interest that promote walkability</p> <p>a. Locate buildings on the site so that they reinforce street frontages.</p> <p>b. Relate buildings to existing and planned adjacent uses.</p> <p>c. Provide ground level entries and ensure that building entries are prominent and visible.</p> <p>d. Maintain existing setback patterns, except where community plans call for redevelopment to change the existing pattern.</p> <p>e. Locate transparent features such as porches, stoops, balconies, and windows facing the street to promote a sense of community.</p> <p>f. Encourage side- and rear-loaded garages. Where not possible, reduce the prominence of the garage through architectural features and varying planes.</p> <p>g. Minimize the number of curb-cuts along residential streets.</p> | <p>The project would be designed so that buildings reinforce street frontages and provide visual appeal through architectural elements. Building entries would be prominent and visible to the pedestrian.</p> <p>The project would maintain existing setback patterns and would minimize the visual impact of parking garages by wrapping in them with the buildings on most sides. Metal screening and planters with vegetation would add architectural interest to the sides or the garage that are exposed. Project landscaping would include street trees and low shrubs/groundcover along sidewalks.</p> |
| <p>Policy UD-C.8. Provide useable open space for play, recreation, and social or cultural activities in multiple home as well as single-family projects.</p> <p>a. Design attractive recreational facilities, common facilities, and open space that can be</p>   | <p>The project includes a number of useable open space elements. The project site currently includes a pool, spa, sand volleyball court, firepit, barbecues, outdoor fitness area, and large grass area that would all remain. The project would add a linear park along Jewell Street and La Playa Avenue that includes</p>   |



| General Plan Components  | Project Consistency   |
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| <p>easily accessed by everyone in the development it services.</p> <p>b. Design outdoor space as “outdoor rooms” and avoid undifferentiated, empty spaces.</p> <p>c. Locate small parks and play areas in central accessible locations.</p>  | <p>bench seating areas and recreational node, as well as new internal courtyards.</p>   |
| <b>Public Facilities, Services, and Safety Element</b>   |   |
| <i>Public Facilities Financing and Evaluation of Growth, Facilities and Services</i>   |   |
| <p>Policy PF-B.4. Require development proposals to fully address impacts to public facilities and services:</p> <p>a. Identify the demand for public facilities and services resulting from New development.</p> <p>b. Identify specific improvements and financing which would be provided by the project, including but not limited to sewer, water, storm drain, solid waste, fire, police, libraries, parks, open space, and transportation projects.</p> <p>c. Subject projects, to exactions that are reasonably related and in rough proportionality to the impacts resulting from the proposed development.</p> <p>d. Provide public facilities and services to assure that current levels of service are maintained or improved by new development within a reasonable time period.</p> | <p>As discussed in Section 5.11, <i>Public Services and Facilities</i>, implementation of the project would increase the demand for public services and facilities including police and fire protection services, parks and recreation facilities, schools, and libraries. However, the project would be adequately served by existing fire and police protection services and there would be no need to expand or build new police or fire facilities as a result of the project. In addition, the project would not require the need to additional school, library, or recreational facilities.</p> |
| <b>Storm Water Infrastructure</b>  |   |
| <p>Policy PF-G.1. Ensure that all storm water conveyance systems, structures, and maintenance practices are consistent with Federal Clean Water Act and California Regional Water Quality Control Board NPDES Permit standards.</p>  | <p>The project would ensure compliance with applicable standards through permit conditions and would adhere to the City's Stormwater Standards Manual, as well as the NPDES permit standards through the City's Grading Ordinance and NPDES Construction General Permit.</p>  |
| <p>Policy PF-G.2. Install infrastructure that, where feasible, includes components to capture, minimize, and prevent pollutants in urban runoff from reaching receiving waters and our potable water supplies.</p>   | <p>The project would implement five infiltration BMPs that would be used to treat the storm water runoff from the disturbed area of the site. The five total proposed infiltration BMPs would mitigate pollution from the storm water flowing on-site before entering the existing storm drain system and draining into Mission Bay. Runoff flow from the project site would generally match or decrease that of the existing development on-site. As such, there are no anticipated negative impacts to the existing on-site or off-site storm drain infrastructure.</p>                             |
| <p>Policy PF-G.5. Identify and implement BMPs for projects that repair, replace, extend, or otherwise affect the stormwater conveyance system. These projects should also include design considerations</p>  | <p>The project would implement five infiltration BMPs that would be used to treat the storm water runoff from the disturbed area of the site. The five total proposed infiltration BMPs would mitigate pollution</p>  |

| General Plan Components  | Project Consistency  |
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| for maintenance, inspection, and, as applicable, water quality monitoring.   | from the storm water flowing on-site before entering the existing storm drain system and draining into Mission Bay. Runoff flow from the project site would generally match or decrease that of the existing development on-site. As such, there are no anticipated negative impacts to the existing on-site or off-site storm drain infrastructure.   |
| <b>Waste Management</b>  |  |
| <p>Policy PF-I.2. Maximize waste reduction and diversion (see also Conservation Element, Policy CE-A.9).</p> <ul style="list-style-type: none"> <li>a. Conveniently locate facilities and informational guidelines to encourage waste reduction, diversion, and recycling practices.</li> <li>f. Reduce and recycle construction and demolition (C&amp;D) debris to the extent feasible.</li> </ul>  | <p>A Waste Management Plan was prepared for the project. The project has been designed to implement and adhere to all city ordinance and regulations with regards to waste management.</p> <p>In addition to refuse and recycling bins, the project would provide green organic waste bins in support of State and City waste diversion targets. Information, including the types of recyclable and/or organic materials accepted, the location of recycling containers, and the occupants' responsibility to recycle shall be distributed to all occupants annually. All new occupants would be given information and instructions upon occupancy.</p> <p>The project would be implemented in accordance with State and City diversion targets for project-specific waste management plans, in that a minimum of 75 percent of construction waste would be diverted from disposal in landfills.</p> |
| <b>Seismic Safety</b>  |  |
| <p>Policy PF-Q.1. Protect public health and safety through the application of effective seismic, geologic, and structural considerations.</p> <ul style="list-style-type: none"> <li>a. Ensure that current and future community planning and other specific land use planning studies continue to include consideration of seismic and other geologic hazards. This information should be disclosed, when applicable, in the CEQA document accompanying a discretionary action.</li> <li>c. Require the submission of geologic and seismic reports, as well as soils engineering reports, in relation to applications for land development permits whenever seismic or geologic problems are suspected.</li> <li>g. Adhere to state laws pertaining to seismic and geologic hazards.</li> </ul> | <p>Health, safety, and seismic hazards are discussed in Chapter 7.0, <i>Effects Found Not to be Significant</i>. As determined therein, the project would not result in the exposure of people or structures to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards.</p>   |
| <b>Recreation Element</b>  |  |
| Policy RE.A.10. Encourage private development to include recreation facilities, such as children's play  | The project includes several useable open space elements. The project site currently includes a pool,  |

| General Plan Components   | Project Consistency  |
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| <p>areas, rooftop parks and courts, useable public plazas, and mini-parks (See Also Urban Design Policies, UD-B.8 and UD-C.5).</p>  | <p>spa, sand volleyball court, firepit, barbecues, outdoor fitness area, and large grass area that would all remain. The project would add a linear park along Jewell Street and La Playa Avenue, as well as internal courtyards.</p>  |
| <b>Conservation Element</b>   |  |
| <b>Climate Change and Sustainable Development</b>   |  |
| <p>Policy CE-A.5. Employ sustainable or “green” building techniques for the construction and operation of buildings.</p> <p>a. Develop and implement sustainable building standards for new and significant remodels of residential and commercial buildings to maximize energy efficiency, and to achieve overall net zero energy consumption for new residential buildings and new commercial buildings consistent with the Climate Action Plan. This can be accomplished through factors including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Designing mechanical and electrical systems that achieve greater energy efficiency with currently available technology;</li> <li>• Minimizing energy use through innovative site design and building orientation that addresses factors such as sun-shade patterns, prevailing winds, landscape, and sun-screens;</li> <li>• Employing self-generation of energy using renewable technologies;</li> <li>• Combining energy efficient measures that have longer payback periods with measures that have shorter payback periods;</li> <li>• Reducing levels of non-essential lighting, heating and cooling; and</li> <li>• Using energy efficient appliances and lighting</li> </ul> | <p>The project would be designed to meet Title 24 and CAP Consistency Checklist requirements, which address sustainable development. The project would also incorporate sustainable building and site design by designing buildings that meet CALGreen, California Green Building Standards Code; reduce energy use through building orientation; construct and operate buildings using materials and methods that promote healthful indoor air quality; consider re-use of building materials; install low wattage and/or LED light features; and use of low flow shower heads, faucets, and toilets. As previously mentioned, in 2022, the City adopted CAP Consistency Regulations added to the City’s Municipal Code as Chapter 14, Article 3, Division 14. Because the project was deemed complete prior to adoption of the CAP Consistency Regulations, the CAP Consistency Checklist included in Appendix F demonstrates the project’s consistency with the CAP. The project was also considered for consistency with the adopted Climate Action Plan Consistency Regulations. The project would also meet those regulations.</p> |
| <p>Policy CE-A.9. Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible, through factors including:</p> <ul style="list-style-type: none"> <li>• Scheduling time of deconstruction and recycling activities to take place during project demolition and construction phases;</li> <li>• Using life cycle costing in decision-making for materials and construction techniques. Life cycle costing analyses the costs and benefits over the life of a particular product, technology, or system.</li> </ul>   | <p>A Waste Management Plan has been approved for the project. Per the project’s approved Waste Management Plan, the project would divert 95 percent of the demolition materials. The project would achieve 81 percent landfill diversion for construction materials. Additionally, the project would implement a target of 20 percent recycled materials. The project would provide required refuse and recyclable material storage space, as well as recyclable collection areas, in all project components.</p>  |

| General Plan Components  | Project Consistency   |
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| <ul style="list-style-type: none"> <li>Removing code obstacles to using recycled materials in buildings and for construction; and</li> <li>Implementing effective economic incentives to recycle construction and demolition debris (see also Public Facilities Element, Policy PF-I.2).</li> </ul>  |   |
| <p>Policy CE-A.10. include features in buildings to facilitate recycling of waste generated by building occupants and associated refuse storage areas.</p> <ol style="list-style-type: none"> <li>Provide permanent, adequate, and convenient space for individual building occupants to collect refuse and recyclable material.</li> <li>Provide a recyclables collection area that serves the entire building or project. The space should allow for the separation, collection and storage of paper, glass, plastic, metals, yard waste and other materials as needed.</li> </ol> | <p>Consistent with the regulations of SDMC Chapter 14, Article 2, Division 8, <i>Refuse, Organic Waste, and Recyclable Materials Storage Regulations</i>, the project would provide storage area on-site for refuse, recyclable, and organic materials.</p>   |
| <p>Policy CE-A.11. Implement sustainable landscape design and maintenance.</p>   | <p>Landscaping would include native, native-friendly, drought-tolerant, and low water demand plant material. Porous materials and biofiltration would be provided within the landscape plan, which support storm water management goals.</p>  |
| <b>Air Quality</b>   |   |
| <p>Goal: Regional air quality which meets state and federal standards.</p>   | <p>As discussed in Section 5.4, <i>Air Quality</i>, emissions associated with the project would meet Regional Air Quality Standards.</p>  |
| <p>Goal: Reduction in greenhouse gas emissions effecting climate change.</p>   | <p>As discussed in Section 5.5, <i>Greenhouse Gas Emissions</i>, a CAP Consistency Checklist has been completed for the project and the project was found to be in compliance.</p>  |
| <p>CE-F.4. Preserve and plant trees, and plants that are consistent with habitat and water conservation policies and that absorb carbon dioxide and pollutants.</p>  | <p>The project provides a varied landscape palette that includes an array of drought-tolerant plants, including native and native-friendly trees. Vegetation would be consistent with water conservation policies and absorb carbon dioxide and pollutants.</p>   |
| <b>Noise Element</b>   |   |
| <b>Noise and Land Use Compatibility</b>  |   |
| <p>Policy NE-A.2. Assure the appropriateness of proposed developments relative to existing and future noise levels by consulting the guidelines for noise-compatible land use (shown on Table NE-3) to minimize the effects on noise-sensitive land uses.</p>  | <p>As discussed in Section 5.7, <i>Noise</i>, the project would not result in significant impacts from demolition and construction. The project would implement measures as conditions of approval to reduce annoyance from vibration during construction. Future exterior roadway noise levels at the proposed building would range up to approximately 61 dBA CNEL at the northwest façade corner of Building 1. As a condition of approval project design features ensuring the project would meet Noise Compatibility Guidelines and an interior noise analysis would be required. With these conditions of approval, the project would be in compliance with table NE-3.</p> |

| General Plan Components   | Project Consistency   |
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| Policy NE-A.3. Limit future residential and other noise-sensitive land uses in areas exposed to high levels of noise.   | As discussed in Section 5.7, <i>Noise</i> , the project would not result in significant noise impacts. In order to avoid annoyance from vibration when grading occurs within 52 feet of a residence only use of a small bulldozer shall be allowed and when soil compaction occurs within 75 feet of a residence only use of a hand-operated tamper, walk behind compacter, or non-vibratory compaction shall be used.  |
| Policy NE-A.4. Require an acoustical study consistent with Acoustical Study Guidelines (Table NE-4) for proposed developments in areas where the existing or future noise level exceeds or would exceed the “compatible” noise level thresholds as indicated on the Land Use-- Noise Compatibility Guidelines (Table NE-3), so that noise mitigation measures can be included in the project design to meet the noise guidelines. | As discussed in Section 5.7, <i>Noise</i> , the project would not result in significant noise impacts. Future exterior roadway noise levels at the proposed building would range up to approximately 61 dBA CNEL at the northwest façade corner of Building 1. As a condition of approval project design features would be required to be implemented to ensure interior noise levels would be 45 dBA or below, and an interior noise analysis would be required to demonstrate that interior noise levels in the residential buildings would not exceed 45 dBA CNEL. |
| <b>Motor Vehicle Traffic Noise</b>  |   |
| Goal: Minimal excessive motor vehicle traffic noise on residential and other noise-sensitive land uses.   | As discussed in Section 5.7, <i>Noise</i> , the project would avoid noise impacts to the extent practicable, and would minimize unavoidable impacts through conditions of approval such that no significant impacts occur. In order to avoid annoyance from vibration when grading occurs within 52 feet of a residence only use of a small bulldozer shall be allowed and, when soil compaction occurs within 75 feet of a residence a hand-operated tamper, walk behind compacter, or non-vibratory compaction shall be used.                                       |
| <b>Construction, Refuse Vehicles, Parking Lot Sweepers, and Public Activity Noise</b>   |   |
| Goal: Minimal exposure of residential and other noise-sensitive land uses to excessive construction refuse vehicles, parking lot sweeper-related noise and public noise.  | As discussed in Section 5.7, <i>Noise</i> , the project’s construction activities would occur during allowable times and generate sound levels below 75 dBA Leq (12 hours), in compliance with Section 59.5.404 of the SDMC.  |
| Policy NE-G.1. Implement limits on the hours of operation for non-emergency construction and refuse vehicle and parking lot sweeper activity in residential area and areas abutting residential areas.  |   |
| Policy NE-G.2. Implement limits on excessive public noises that a person could reasonably consider disturbing and/or annoying in residential areas and areas abutting residential areas.  |   |
| <b>Typical Noise Attenuation Methods</b>  |   |
| Goal: Attenuate the effect of noise on future residential and other noise-sensitive land uses by applying feasible noise mitigation measures.   | As discussed in Section 5.7, <i>Noise</i> , the project would comply with Title 24 noise attenuation measures. Additionally, the project site is not located within an  |

| General Plan Components  | Project Consistency  |
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| Policy NE-I.1. Require noise attenuation measures to reduce the noise to an acceptable noise level for proposed developments to ensure an acceptable interior noise level, as appropriate, in accordance with California’s noise insulation standards (CCR Title 24) and Airport Land Use Compatibility Plans.   | Airport Influence Area for any of the local airports. The project site is located approximately five miles north of the San Diego International Airport. The project would not result in land uses that are incompatible with an ALUCP.  |
| Policy NE-I.2. Apply CCR Title 24 noise attenuation measures requirements to reduce the noise to an acceptable noise level for proposed single-family, mobile homes, senior housing, and all other types of residential uses not addressed by CCR Title 24 to ensure an acceptable interior noise level, as appropriate.   |  |
| <b>Housing Element</b>   |  |
| Goal: Ensure the provision of sufficient housing for all income groups to accommodate San Diego’s anticipated share of regional growth over the next housing element cycle, 2013-2020, in a manner consistent with the development pattern of the Sustainable Communities Strategy (SCS), that will help meet regional GHG targets by improving transportation and land use coordination and jobs/housing balance, creating more transit-oriented, compact and walkable communities, providing more housing capacity for all income levels, and protecting resource areas. | The project furthers the City’s ability to meet its housing needs in a manner that provides for housing that is transit oriented. By providing housing in a variety of forms, including one-bedroom and two-bedroom and seven deed-restricted affordable units, the project provides a range of affordability within its housing capacity. The project would promote the reduction of GHG emissions through project location (close to bus transit and pedestrian and bicycle facilities) and would be consistent with Sustainable Communities Strategy. |
| Goal: Cultivate the City as a sustainable model of development.  |  |
| Objective: Promote the reduction of GHG in accordance with SB 375 and the California Long-Term Energy Efficiency Strategic Plan; and promote consistency with the General Plan’s City of Villages Strategy and other Citywide planning efforts.  |  |
| Policy HE-J.3. Seek to locate higher-density housing principally along transit corridors, near employment opportunities, and in proximity to village areas identified elsewhere in community plans.  |  |



**Table 5.1-2. Pacific Beach Community Plan Consistency**

| Community Plan Components  | Project Consistency  |
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| <b>Overall Goals</b>   |  |
| Create safe and pleasant pedestrian linkages among residential neighborhoods, commercial facilities and other neighborhood destinations.   | The project would improve pedestrian connectivity through the provision of construction of non-contiguous sidewalks along the project frontage on Jewell Street and Ingraham Street. The project would also install a linear park with pedestrian resting area and recreation node along Jewell Street near La Playa Avenue.   |
| Enhance commercial areas and residential neighborhoods by establishing street tree patterns and promoting general maintenance and improvement of residential and commercial properties | <p>The project's landscape plan includes the planting of approximately 63 street trees throughout the project site. The landscaping plan includes the planting of large accent trees, as well as evergreen and small flowering accent trees, to create a unique aesthetic on the project site and define project entries; demarcate public, semi-public, and private spaces; and identify public access points.</p> <p>Landscaping would include native, native-friendly, drought-tolerant, and low water demand plant material. Porous materials and biofiltration would be provided within the landscape plan, which support storm water management goals.</p> |
| Implement design standards for single-family and multifamily development to ensure that redeveloped properties reflect the scale and character of the neighborhood.                    | The project provides for in-fill redevelopment of underutilized portions of the project site. The project proposes development that would vary in height from two to three stories. The existing development on the project site contains buildings of three stories in height. The project would be designed to be consistent with current development on the project site. The project would consist of low-scale buildings that would not cast substantial shading.   |
| <b>Circulation Element</b>   |  |
| Policy: New development shall be designed to promote transit, bicycle and pedestrian use   | <p>The project site is immediately adjacent to four transit stops along Ingraham Street, which all serve MTS Bus Route 9, including a stop for northbound Route 9 service along the project frontage. Additionally, the project site is within a half-mile of two transit stops service Route 8 and 30 along Grand Avenue.</p> <p>The project would provide 74 bicycle parking spaces in compliance with the City's CAP Consistency Checklist and SDMC requirements. The project also includes an on-site bicycle repair station within the linear park on Jewell Street that would be available for the public.</p>   |

| Community Plan Components   | Project Consistency  |
|---|--|
|   | <p>The project site is currently bordered by existing non-contiguous sidewalks on Fortuna Avenue and La Playa Avenue. The project would improve pedestrian connectivity through the provision construction of non-contiguous sidewalks along the project frontage on Jewell Street and along Ingraham Street. The project would also install pedestrian resting area and recreation node within the linear park on Jewell Street near La Playa Avenue.</p>   |
| <b>Residential Land Use Element</b>   |  |
| <p>Goal: Promote the development of a variety of housing types and styles in Pacific Beach to provide a greater opportunity for housing that is both affordable and accessible by everyone.</p> | <p>The project would provide a mix of one-bedroom and two-bedroom units contributing to the existing variety of housing in the area. The project also provides for a range of affordability, both by the provision of a variety of unit sizes and by including seven deed-restricted affordable units.</p>   |
| <p>Goal: Create safe and pleasant pedestrian linkages between residential neighborhoods and commercial areas and community facilities, such as schools, parks and the library.</p>              | <p>The project would provide new pedestrian facilities in the form of a non-contiguous sidewalk along Ingraham Street, a non-contiguous sidewalk along Jewell Street and a linear park amenitized with pedestrian resting area/recreation node adjacent to Jewell Street near La Playa Avenue. The linear park on Jewell Street would additionally include an on-site bicycle repair station that would be available for the public.</p>   |
| <p>Goal: Enhance residential neighborhoods by establishing and maintaining street tree patterns and promoting general maintenance and improvement of residential properties.</p>                | <p>The project's landscape plan includes the planting of approximately 63 street trees throughout the project site. The landscaping plan includes the planting of large accent trees, as well as evergreen and small flowering accent trees, to create a unique aesthetic on the project site and define project entries; demarcate public, semi-public, and private spaces; and identify public access points.</p>  |
| <p>Goal: Implement design standards for multi- and single-family development to ensure that properties reflect the scale and character of the established neighborhood.</p>                     | <p>The project provides for in-fill redevelopment of underutilized portions of the project site. The project proposes development that would vary in height from two to three stories. The existing development on the project site contains buildings of three stories in height. The project would be designed to be consistent with current development on the project site. The project would also be consistent with the scale and character of the established neighborhood. Surrounding land uses include one- and two-story single-family homes, several multi-family developments ranging from one to three stories, and one-story commercial developments. The project would consist of low-scale buildings that would not cast substantial shading.</p> |

| Community Plan Components  | Project Consistency   |
|--|---|
| Goal: Enforce bulk and scale standards in established neighborhoods.   | The project proposes development that would vary in height from two to three stories. The existing development on the project site contains buildings of three stories in height. The project would be of bulk and scale of surrounding development.  |
| Policy: Maintain the residential scale of Pacific Beach and encourage development of residential units within transit corridors, especially along Garnet Avenue.   | The project site is located in a transit priority area and would include the development of 138 residential units.  |
| Policy: Analyze existing multifamily development standards focusing on building size and parking requirements, particularly in transit corridors, to provide incentives, for encouraging affordable housing in the form of smaller (1-2 bedroom) units. Further consider options for allowing higher densities in transit corridors while maintaining the intensity of the underlying zone (e.g., by regulating the number of bedrooms). | The project would provide a mix of one-bedroom and two-bedroom units contributing to the existing variety of housing in the area and provides for a range of affordability by including various unit sizes and seven deed-restricted affordable units.  |
| Policy: Require new development to conform to area-specific streetscape recommendations for landscape, lighting, sidewalk treatment and signage (identified in Appendix D) and to be implemented through the citywide landscape ordinance.   | <p>The project would implement city landscape ordinances and would conform to all area-specific streetscape recommendations.</p> <p>The project's landscape plan includes the planting of approximately 63 street trees throughout the project site. The landscaping plan includes the planting of large accent trees, as well as evergreen and small flowering accent trees, to create a unique aesthetic on the project site and define project entries; demarcate public, semi-public, and private spaces; and identify public access points.</p> <p>Landscaping would include native, native-friendly, drought-tolerant, and low water demand plant material. Porous materials and biofiltration would be provided within the landscape plan, which support storm water management goals.</p> |
| Policy: The City shall ensure that new residential structures are designed to maintain public views of the beaches and bay.  | The project would construct three buildings ranging from two to three stories in height. The project would not interfere with public views of the beaches or bay.   |

**Table 5.1-3. City of San Diego Noise Compatibility Guidelines**

| Land Use Category   | Exterior Noise Exposure (dBA CNEL) |    |     |    |
|---|------------------------------------|----|-----|----|
|   | 60                                 | 65 | 70  | 75 |
| <i>Parks and Recreational</i>   |                                    |    |     |    |
| Parks, Active and Passive Recreation  |                                    |    |     |    |
| Outdoor Spectator Sports, Golf Courses; Water Recreational Facilities; Indoor Recreation Facilities   |                                    |    |     |    |
| <i>Agricultural</i>   |                                    |    |     |    |
| Crop Raising & Farming; Community Gardens, Aquaculture, Dairies; Horticulture Nurseries & Greenhouses; Animal Raising, Maintain & Keeping; Commercial Stables   |                                    |    |     |    |
| <i>Residential</i>  |                                    |    |     |    |
| Single Dwelling Units; Mobile Homes   |                                    | 45 |     |    |
| Multiple Dwelling Units *For uses affected by aircraft noise, refer to Policies NE-D.2. & NE-D.3. For uses affected by motor vehicle traffic noise, refer to Policy NE-B.10.  |                                    | 45 | 45* |    |
| <i>Institutional</i>  |                                    |    |     |    |
| Hospitals; Nursing Facilities; Intermediate Care Facilities; Kindergarten through Grade 12 Educational Facilities; Libraries; Museums; Child Care Facilities  |                                    | 45 |     |    |
| Other Educational Facilities including Vocational/Trade Schools and Colleges and Universities   |                                    | 45 | 45  |    |
| Cemetaries  |                                    |    |     |    |
| <i>Retail Sales</i>   |                                    |    |     |    |
| Building Supplies/Equipment; Food, Beverages & Groceries; Pets & Pet Supplies; Sundries Pharmaceutical, & Convenience Sales; Wearing Apparel & Accessories  |                                    |    | 50  | 50 |
| <i>Commercial Services</i>  |                                    |    |     |    |
| Building Services; Business Support; Eating & Drinking; Financial Institutions; Maintenance & Repair; Personal Services; Assembly & Entertainment (includes public and religious assembly); Radio & Television Studios; Golf Course Support |                                    |    | 50  | 50 |
| Visitor Accommodations  |                                    | 45 | 45  | 45 |
| <i>Offices</i>  |                                    |    |     |    |
| Business & Professional; Government; Medical, Dental & Health Practitioner; Regional & Corporate Headquarters   |                                    |    | 50  | 50 |
| <i>Vehicle and Vehicular Equipment Sales and Services Use</i>   |                                    |    |     |    |
| Commercial or Personal Vehicle Repair & Maintenance; Commercial or Personal Vehicle Sales & Rentals; Vehicle Equipment & Supplies Sales & Rentals; Vehicle Parking  |                                    |    |     | 50 |
| <i>Wholesale, Distribution, Storage Use Capacity</i>  |                                    |    |     |    |
| Equipment & Materials Storage Yards; Moving & Storage Facilities; Warehouse; Wholesale Distribution   |                                    |    |     | 50 |
| <i>Industrial</i>   |                                    |    |     |    |
| Heavy Manufacturing; Light Manufacturing; Marine Industry; Trucking & Transportation Terminals; Mining & Extractive Industries  |                                    |    |     | 50 |
| Research & Development  |                                    |    | 50  | 50 |

|        |                          |              |   |
|--------|--------------------------|--------------|---|
|        | Compatible               | Indoor Uses  | Standard construction methods should attenuate exterior noise to an acceptable indoor noise level. Refer to Section I.  |
|        |                          | Outdoor Uses | Activities associated with the land use may be carried out.   |
| 45, 50 | Conditionally Compatible | Indoor Uses  | Building structure must attenuate exterior noise to the indoor noise level indicated by the number (45 or 50) for occupied areas, including residential habitable areas, commercial work/ shopping areas, and office areas associated with industrial uses. Refer to Section I. |
|        |                          | Outdoor Uses | Feasible noise mitigation techniques should be analyzed and incorporated to make the outdoor activities acceptable. Refer to Section I.   |
|        | Incompatible             | Indoor Uses  | New construction should not be undertaken.  |
|        |                          | Outdoor Uses | Severe noise interference makes outdoor activities unacceptable.  |

## 5.2 Transportation and Circulation

The following section describes the existing transportation conditions, identifies policies and regulatory requirements applicable to the project, evaluates potential impacts, and identifies mitigation measures, if applicable, related to project implementation. The discussion is based on a *Vehicle Miles Traveled Analysis* (July 12, 2024), and a *Local Mobility Analysis* (LMA) (July 2024) prepared by Kimley Horn, which are included as Appendices C and D, respectively.

### 5.2.1 Existing Conditions

The project involves redevelopment of a 4.35-acre area within a fully developed 12.96-acre site within the Pacific Beach community, situated south of Fortuna Avenue, east of Ingraham Street, north of La Playa Avenue, and west of Jewell Street. The project site is currently developed with 564 multi-family dwelling units, associated amenities, landscaping and 765 surface parking spaces.

#### 5.2.1.1 Roadway Network

The project site is located in the urban and built-out community of Pacific Beach. The following provides a description of the existing street system within the vicinity of the project site. These streets form the borders of the project site.

#### Ingraham Street

Ingraham Street functions as a north-south, four-lane collector with two-way left-turn lane along the project site between La Playa Avenue and 1,000 feet north of Loring Street, and classified as a four-lane major in the Pacific Beach Community Plan. South of La Playa Avenue, Ingraham Street functions as a two-lane major roadway. Ingraham Street has sidewalks and curbs on both sides of the street within the vicinity of the project study area. Parallel parking is available on all roadways within the vicinity of the project study area. The posted speed limit between Fortuna Avenue and La Playa Avenue is 35 mph. Ingraham Street additionally serves Route 9 of the San Diego Metropolitan Transit System (MTS) and includes two bus stops along the project frontage. The City of San Diego Bicycle Master Plan (2013) proposes Class II or III bicycle facilities along Ingraham Street within the study area, but no bicycle facilities currently exist.

#### Fortuna Avenue

Fortuna Avenue functions as an east-west, two-lane local road east of Ingraham Street. There are currently no bike facilities present along Fortuna Avenue. The approximate curb-to-curb width is 38 feet and the posted speed limit is 25 mph. Parallel parking is allowed on both sides of the roadway. This roadway is unclassified within the Pacific Beach Community Plan.

#### Jewell Street

Jewell Street functions as a north-south, two-lane collector roadway north of La Playa Avenue. There are currently no bike facilities present along Jewell Street. The approximate curb-to-curb width is 48

feet and the posted speed limit is 25 mph. Angle parking is allowed along the west side of the roadway. The City of San Diego Bicycle Master Plan (2013) includes a bicycle boulevard along Jewell Street between Beryl Street and Moorland Drive. The Pacific Beach Community Plan classifies Jewell Street as a two-lane collector.

## **La Playa Avenue**

La Playa Avenue functions as an east-west, two-lane local road east of Ingraham Street. There are currently no bike facilities present along La Playa Avenue. The approximate curb-to-curb width is 38 feet. Parallel parking is allowed on both sides of the roadway. This roadway is classified as a local street in the Pacific Beach Community Plan.

### **5.2.1.2 Bicycle Network**

Within the study area, Ingraham Street is an existing Class III bike route. Additionally, a bicycle boulevard is planned for Jewell Street as per the City of San Diego Bicycle Master Plan (2013). Bicycle boulevards are local roads or residential streets that have been enhanced with traffic calming and other treatments such as signage, pavement markings, intersection treatments, to facilitate safe and convenient bicycle travel. They accommodate bicyclist and motorists in the same travel lanes, without specific vehicle or bicycle lane delineation.

### **5.2.1.3 Pedestrian Network**

The project site generally has good pedestrian accessibility and connectivity to the surrounding community. Contiguous sidewalks are currently provided on Jewell Street and Ingraham Street; non-contiguous sidewalks are currently provided on La Playa Avenue and Fortuna Avenue. The intersection of Ingraham Street and La Playa Avenue is a signalized with crosswalks. Additionally, there is a mid-block crossing with pedestrian-activated Rectangular Rapid Flashing Beacons (RRFBs) along Ingraham Street adjacent to project leasing office.

### **5.2.1.4 Transit**

The existing public transit network within the project vicinity consists of bus service provided by the MTS. The project site is immediately adjacent to two bus stops along Ingraham Avenue, which all serve MTS Bus Route 9. Additionally, the site is within one-half-mile of two transit stops both serving Bus Routes 8 and 30 along Grand Avenue. See Figure 5.2-1, *Existing Transit Stops*, for the existing transit network within the project vicinity.

## **Bus Route 8**

Bus Route 8 provides connections between Balboa Avenue Transit Center and Old Town Transit Center with destinations to Belmont Park, Mission Bay, and Pechanga Arena (Sports Arena). On weekdays, this route operates with 20-minute headways from 5:42 a.m. to 5:31 p.m. and with 30-minute headways from 5:31 p.m. to 12:27 a.m. On weekends, Bus Route 8 runs from 5:42 a.m. to 12:27 a.m. on Saturdays and 6:12 a.m. to 9:57 p.m. on Sundays with 30-minute headways.



## **Bus Route 9**

Bus Route 9 provides connections between the Old Town Transit Center and Jewell Street & Garnet Avenue, with such destinations as Crown Point, Mission Bay, Pechanga Arena (Sports Arena), and SeaWorld. On weekdays, this route operates with 20-minute headways from 11:02 a.m. to 6:42 p.m. and 30-minute headways from 6:13 a.m. to 11:02 a.m. and 6:42 p.m. to 8:43 p.m. On Saturdays, Bus Route 9 runs from 6:27 a.m. to 8:43 p.m. with 30-minute headways. On Sundays, this route does not serve the site, ending its northbound route at SeaWorld without continuing along Ingraham Street to Garnet Avenue.

## **Bus Route 30**

Bus Route 30 provides connections between University Towne Centre (UTC) Transit Center and Old Town Transit Center, with such destinations as Birch Aquarium, Mission Bay High School, University of California San Diego, VA Medical Center, and Westfield UTC. On weekdays, this route operates with 20-minute headways from 5:27 a.m. to 7:43 p.m. and 30-minute headways from 7:43 p.m. to 12:17 a.m. On weekends, it runs from 5:42 a.m. to 12:17 a.m. on Saturdays and from 5:42 a.m. and 11:13 p.m. on Sundays with 30-minute headways.

### **5.2.1.5 Existing Intersection and Segment Traffic Volumes and Levels of Service**

The study area includes signalized and unsignalized intersections that meet the following criteria for projects that generate fewer than 2,400 daily final driveway trips:

- All signalized intersections and signalized driveways within 0.5 mile of any Project driveway that also generate 50 or more peak hour trips to any turning movement
- All unsignalized intersections and unsignalized driveways located within 0.5 mile of any Project driveway that also generate 50 or more peak hour trips in either direction
- All freeway ramp terminal intersections where a Project adds 50 or more peak hour trips in either direction regardless of distance from the Project

The City of San Diego's TSM determines the extents for pedestrian and bicycle modes based on facilities within a half-mile of the project site. Pedestrian facilities, bicycle facilities, as well as transit stops within a half-mile of each pedestrian access point are documented and their amenities evaluated. As such, the following 11 intersections in the vicinity of the project site were evaluated during the a.m. and p.m. peak hours:

1. Ingraham Street and Fortuna Avenue
2. Jewell Street and Fortuna Avenue
3. Ingraham Street and La Playa Avenue
4. Fortuna Avenue and Consolidated Driveway
5. Jewell Street and Lot H Driveway
6. Jewell Street and Lot G Driveway
7. Jewell Street and Lot F Driveway

8. La Playa Avenue and Consolidated Driveway
9. Ingraham Street and Visitor 2 Driveway
10. Ingraham Street and Visitor 1 Driveway
11. Ingraham Street and Consolidated Driveway

Figure 5.2-2, *Existing Traffic Volumes*, shows the existing peak hour volumes in the project study area. Table 5.2-1, *Existing Conditions Intersection Level of Service Summary*, summarizes existing conditions AM/PM peak hour level of service for all study intersections.

**Table 5.2-1 Existing Conditions Intersection Level of Service Summary**

| Intersection |   | Traffic Control | Peak Hour | Existing Conditions |         |
|--------------|---|-----------------|-----------|---------------------|---------|
|              |   |                 |           | Delay (a)           | LOS (b) |
| 1            | Ingraham Street & Fortuna Avenue                | Two-Way Stop    | AM        | 13.0                | B       |
|              |   |                 | PM        | 28.5                | D       |
| 2            | Jewell Street & Fortuna Avenue                  | Two-Way Stop    | AM        | 11.8                | B       |
|              |   |                 | PM        | 11.6                | B       |
| 3            | Ingraham Street & La Paya Avenue                | Signal          | AM        | 18.6                | B       |
|              |   |                 | PM        | 19.1                | B       |
| 4            | Fortuna Avenue & Consolidated Driveway          | Two-Way Stop    | AM        | 9.1                 | A       |
|              |   |                 | PM        | 8.8                 | A       |
| 5            | Jewell Street & Lot H Driveway                  | Two-Way Stop    | AM        | 9.1                 | A       |
|              |   |                 | PM        | 9.5                 | A       |
| 6            | Jewell Street & Lot G Driveway/Roosevelt Avenue | Two-Way Stop    | AM        | 9.2                 | A       |
|              |   |                 | PM        | 9.1                 | A       |
| 7            | Jewell Street & Lot F Driveway                  | Two-Way Stop    | AM        | 9.1                 | A       |
|              |   |                 | PM        | 9.5                 | A       |
| 8            | La Playa Avenue & Consolidated Driveway         | Two-Way Stop    | AM        | 9.2                 | A       |
|              |   |                 | PM        | 9.6                 | A       |
| 9            | Ingraham Street & Visitor 2 Driveway            | Two-Way Stop    | AM        | 12.5                | B       |
|              |   |                 | PM        | 13.2                | B       |
| 10           | Ingraham Street & Visitor 1 Driveway            | Two-Way Stop    | AM        | 13.7                | B       |
|              |   |                 | PM        | 13.8                | B       |
| 11           | Ingraham Street & Consolidated Driveway         | Two-Way Stop    | AM        | 13.6                | B       |
|              |   |                 | PM        | 14.5                | B       |

Notes: Bold values indicate intersections operating at LOS E or F. ECL = Exceeds Calculable Limit. Reported when delay exceeds 180 seconds.

(a) Delay refers to the average control delay for the entire intersection, measured in seconds per vehicle. At a two-way stop-controlled intersection, delay refers to the worst movement.

(b) LOS calculations are based on the methodology outlined in the Highway Capacity Manual 6th Edition and performed using Synchro 11.

Per the TSM, roadway segment analysis should be evaluated for any roadway segment that has identified improvements in the Community Plan and where the project is expected to add 500 or more daily final primary trips (cumulative trips) if inconsistent with the Community Plan. The project

would not be expected to add more than 500 additional daily trips on any individual roadway segment. Therefore, no roadway segments were analyzed.

## **Existing Intersection Levels of Service**

As shown in Table 5.2-1, the intersections within the project area are currently operating at Level of Service (LOS) D or better. (LOS D is considered acceptable intersection operations for intersections within the City of San Diego, and LOS E and F are considered deficient intersection operating conditions.)

### **5.2.2 Regulatory Framework**

#### **5.2.2.1 Regional**

##### **SANDAG San Diego Forward: The Regional Plan**

The Regional Plan (RP) is an update of the Regional Comprehensive Plan (RCP) for the San Diego Region and the 2050 RP/Sustainable Communities Strategy (SCS), combined into one document. The RP provides a blueprint for San Diego's regional transportation system in order to effectively serve existing and projected workers and residents within the San Diego region. In addition to long-term projections, the RP includes an SCS, in compliance with SB 375. The SCS aims to create sustainable, mixed-use communities conducive to public transit, walking, and biking by focusing future growth in the previously developed, western portion of the region along the major existing transit and transportation corridors. The current 2021 RP has a horizon year of 2050, projects regional growth, and contains recommended transportation projects over this time period.

##### **SANDAG Regional Bike Plan**

The SANDAG Regional Bike Plan, Riding to 2050, provides a regional strategy to make riding a bike a useful form of transportation for everyday travel. The Regional Bike Plan will help San Diego meet its goals to reduce GHG emissions and improve mobility. Goals of the Regional Bike Plan include increasing levels of bicycling, improving bicycling safety, encouraging Complete Streets, supporting reductions in emissions, and increasing community support. In September 2013, the SANDAG Board of Directors approved funding to implement the Regional Bike Plan Early Action Program, which focuses on the region's highest-priority projects. Priority is chosen in part based on proximity to smart growth areas, considering that bikeways would be used more often if they connect high-density activity hubs within a short distance of each other, and on whether a project would fill key gaps in the regional bike networks.

## **Emergency Evacuation**

To establish a framework for implementing well-coordinated evacuations, the City, like most California emergency operations agencies, has adopted evacuation procedures in accordance with the State of California's Standardized Emergency Management System (SEMS) and the National Incident Command System (NIMS). Large-scale evacuations are complex, multi-jurisdictional efforts

that require coordination between many agencies and organizations. Emergency services and other public safety organizations play key roles in ensuring that an evacuation is effective, efficient, and safe. Evacuation is a process by which people are moved from a place where there is immediate or anticipated danger, to a safer place, and offered temporary shelter facilities. When the threat passes, evacuees are able to return to their normal activities, or to make suitable alternative arrangements. Evacuation during a wildfire is not necessarily directed by the fire agency, except in specific areas where fire personnel may enact evacuations on-scene. The City's Police Department or Fire Rescue Department have primary responsibility for emergency evacuations. These agencies work closely within the Unified Incident Command System, with the City's Emergency Operations Center (EOC) and County Office of Emergency Services. To that end, the San Diego Fire-Rescue Department (SDFRD), Police Department, Public Works, Planning, Emergency Services Departments, and California Department of Transportation (Caltrans), amongst others, have worked as part of a Pre-Fire Mitigation Task Force to address wildland fire evacuation planning for City of San Diego.

### **5.2.2.2 Local**

#### **City of San Diego General Plan**

The General Plan's Mobility Element identifies the proposed transportation network and strategies needed to support the anticipated General Plan land uses. The Mobility Element's policies promote a balanced, multi-modal transportation network that gets people where they want to go while minimizing environmental and neighborhood impacts. The Mobility Element contains policies that address walking, streets, transit, regional collaboration, bicycling, parking, the movement of goods, and other components of a transportation system. Together, these policies advance a strategy for relieving congestion and increasing transportation choices.

#### **City of San Diego Bicycle Master Plan**

The 2013 City of San Diego Bicycle Master Plan, which updated the City's 2002 plan, presents a bicycle network, projects, policies, and programs for improving bicycling through 2030 and beyond, consistent with the City's 2008 General Plan mobility, sustainability, health, economic, and social goals. The goals of the Bicycle Master Plan are to create: a city where bicycling is a viable travel choice, particularly for trips of less than five miles; a safe and comprehensive local and regional bikeway network; and environmental quality, public health, recreation and mobility benefits through increased bicycling. These goals are supported by twelve key policies to help bicycling become a more viable transportation mode for trips of less than five miles, to connect to transit, and for recreation. The Bicycle Master Plan addresses existing bicycling conditions, the relationship of the Plan to other plans and policies, a bicycle needs analysis, bicycle facility recommendations, bicycle program recommendations, and implementation and funding issues.

#### **City of San Diego Pedestrian Master Plan**

The City of San Diego has developed a Pedestrian Master Plan (2013) to guide the planning and implementation of pedestrian improvement projects in the City. The Pedestrian Master Plan helps

the City enhance neighborhood quality and mobility options by facilitating pedestrian improvement projects and identifies and prioritizes improvement projects based on technical analysis and community input, as well as improve the City's ability to receive grant funding for implementation of pedestrian projects. The City developed the Pedestrian Master Plan Citywide Framework Report, which provides a foundation for identifying and prioritizing projects in each community and inventoried communities in the city to understand pedestrian needs, identify problems, and create a prioritized list of pedestrian projects specific to each community.

## **Transportation Study Manual**

In 2020, the City adopted the TSM to implement Senate Bill 743 that requires the shift from LOS analysis to VMT CEQA analysis and to better address all transportation modes (City of San Diego current version dated September 2022). The purpose of the TSM is to provide guidance on how to prepare transportation studies in the City of San Diego and to ensure consistency among consultants, predictability in preparation, consistency among reviewers, and conformance with all applicable City and State regulations, including CEQA. Specifically, the TSM provides guidance for the City's CEQA Significance Threshold and screening criteria and methodology for conducting VMT analysis and preparation of LMAs.

### **5.2.3 Impact Analysis**

#### **5.2.3.1 Issue 1**

*Issue 1: Would the project conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities?*

### **Impact Threshold**

According to the City's Significance Determination Thresholds (2022), transportation impacts may be significant if a project would conflict with adopted policies, plans, or programs supporting alternative transportation modes (e.g., bus turnouts, bicycle racks). A significant transportation impact could occur if the proposed project would conflict with the General Plan Mobility Element or other adopted transportation programs, plans, ordinances, or policies, such as the City's Bicycle Master Plan.

### **Analysis**

The project would be consistent with the Mobility Element of the General Plan (as previously demonstrated in Table 5.1-1, *City of San Diego General Plan Consistency*) and other adopted policies and plans (including the Pacific Beach Community Plan, as previously demonstrated in Table 5.1-2, *Pacific Beach Community Plan Consistency*). The project strives to improve mobility through a balanced, multi-modal transportation network by proposing improvements to pedestrian and bicycle facilities.

## ***Active Transportation Improvements***

Active transportation relates to human-powered, multi-modal transportation solutions that connect people of all ages and abilities to where they need to go using active modes, primarily walking and bicycling. The term “active transportation” highlights the connection between our transportation choices and healthy and active living. An active transportation network usually includes a combination of on-street and off-street facilities that work together to help move pedestrians and bicyclists throughout a community safely and conveniently, and connect to other travel modes such as public transit. Investing in pedestrian and bicycle facilities, as well as public transportation, creates opportunities for people to exercise.

### **Pedestrian Facilities**

A walkshed analysis was performed as part of the LMA to identify any pedestrian barriers and walkability of the project study area. The purpose of this evaluation is to provide a complete network of pedestrian-friendly multi-modal facilities throughout the community to create a comfortable pedestrian experience and meet consistency with the City of San Diego Pedestrian Master Plan and the Pacific Beach Community Plan pedestrian policies. No pedestrian environmental deficiencies were identified in the walkshed analysis. Non-contiguous sidewalks are currently provided on La Playa Avenue, Jewell Street, and Fortuna Avenue and contiguous sidewalks are currently provided on Ingraham Street. Marked pedestrian crosswalks and American’s with Disabilities Act (ADA) compliant curb ramps are provided at the Ingraham Street/La Playa Avenue intersection.

To improve walkability near the project site, the following improvements are proposed by the project:

- Installation of pedestrian resting areas and/or recreation nodes on-site adjacent to the public pedestrian walkway on Jewell Street near La Playa Avenue.
- Construct non-contiguous sidewalk along the project frontage along Jewell Street.
- Construct non-contiguous sidewalk along a portion of project frontage of Ingraham Street for approximately 300 feet.
- Installation of new ADA compliant entry drive to parking at the leasing office.

### **Bicycle Facilities**

Ingraham Street is an existing Class III bike route. Additionally, a bicycle boulevard is planned on Jewell Street as part of the City of San Diego Bicycle Master Plan (2013).

To improve bicycle facilities near the project site, the following improvement is proposed by the project:

- Install an onsite bicycle repair station near the pedestrian resting area on Jewell Street that would be available for the public.



### Transit Facilities

Transit service in this area is operated and maintained by MTS. The project is currently served by MTS Route 9 along the project frontage on Ingraham Street. It is not anticipated that the project would significantly increase the travel time for buses because of intersection or corridor delay based on queueing analysis. No conflicts are present involving bus stops and nearby driveways.

There is an existing bus stop for northbound service on Bus Route 9 at the northeast corner of Ingraham Street and La Playa Avenue. This bus stop is along the project frontage and is accessible via sidewalk from the project site. Bus Route 9 has a corresponding bus stop across the street from the previously mentioned stop serving the southbound direction. This bus stop is accessible via sidewalk and a crosswalk along the north leg of the intersection of Ingraham Street and La Playa Avenue. Bus Route 9 additionally has two stops along the midblock crossing on Ingraham Street, serving northbound and southbound directions. These two bus stops are easily accessible from the project site. The project would install a 15-foot concrete bus pad within Ingraham Street at the bus stop.

### Significance of Impacts

The project would be consistent with the Mobility Element of the General Plan and other adopted policies, plans (including the Pacific Beach Community Plan, Bicycle Master Plan, and Pedestrian Master Plan), and programs supporting the transportation system, including pedestrian and bicycle facilities. The project design includes improvements that would encourage access to existing transit and improve bicycle and pedestrian transportation facilities. As a result, the project would not conflict with any adopted program, plan, ordinance, or policy addressing the transportation system. No significant impacts would occur.

### Mitigation Measures

Mitigation would not be required.

#### 5.2.3.2 Issue 2

*Issue 2: Would the project result in VMT exceeding thresholds identified in the City of San Diego Transportation Study Manual?*

### Impact Threshold

According to the TSM (City of San Diego current version dated September 2022), a project that meets at least one of the following screening criteria would be presumed to have a less than significant VMT impact due to the project characteristics and/or location:

- 1. Resident or Commercial Project Located in a VMT-Efficient Area:** The project is a residential or commercial employment project located in a VMT-efficient area (15 percent or more below the regional average household VMT/capita or VMT/employee) based on the applicable location-based screening map produced by SANDAG.

- 2. Industrial Project Located in a VMT-Efficient Area:** The project is an industrial employment project located in a VMT-efficient area (in an area with average or below average base year VMT/employee) based on the applicable location-based screening map produced by SANDAG.
- 3. Small Project:** The project is a small project defined as generating less than 300 daily unadjusted driveway trips using the City of San Diego trip generation rates/procedures.
- 4. Locally Serving Retail/Recreational Project:** The project is a locally serving retail/recreational project defined as having 100,000 square feet gross floor area or less **and** demonstrates through a market area study that the market capture area for the project is approximately three miles (or less) and serves a population of roughly 25,000 people or less. Locally serving retail is consistent with the definitions of Neighborhood Shopping Center in the SDMC LDC Trip Generation Manual. Locally serving recreation is consistent with the land uses listed in Appendix B of the draft TSM, given that it meets the square footage and market capture area above. Adding retail/recreation square footage (even if it is 100,000 square feet gross floor area or less) to an existing regional retail shopping area is **not** screened out.
- 5. Locally Serving Public Facility:** The project is a locally serving public facility defined as a public facility that serves the surrounding community or a public facility that is a passive use. The following are considered locally serving public facilities: transit centers, public schools, libraries, post offices, park-and-ride lots, police and fire facilities, and government offices. Passive public uses include communication and utility buildings, water sanitation, and waste management.
- 6. Affordable housing:** The project has access to transit and is wholly or has a portion that meets one of the following criteria: is affordable to persons with a household income equal to or less than 50 percent of the area median income (as defined by California Health and Safety Code Section 50093), housing for senior citizens, housing for transitional foster youth, disabled veterans, or homeless persons. The units shall remain deed restricted for a period of at least 55 years. The project shall provide no more than the minimum amount of parking per unit, per SDMC Section 143.0744. Only the portion of the project that meets the above criteria is screened out.
- 7. Mixed-Use Project Screening Considerations:** The project's individual land uses should be compared to the screening criteria above. It is possible for some of the mixed-use project's land uses to be screened out and some to require further analysis. For purposes of applying the small project screening criteria, the applicant would only include the trip generation for portions of the project that are not screened out based on other screening criteria.
- 8. Redevelopment Project Screening Considerations:** The project is a redevelopment project that demonstrates that the project's total VMT is less than the existing land use's total VMT. Exception: if a project replaces affordable housing with a smaller number of moderate-income or high-income residential units, the project is not screened out and must analyze VMT impacts.

If a project is not screened out based on the above, additional criteria is used to determine the methodology for completing a VMT analysis. Per the TSM, transportation VMT analysis for CEQA shall be conducted using SANDAG Regional Travel Demand Model, which provides base year VMT data. By utilizing the SANDAG screening maps, the Resident VMT per Capita can be estimated. Definition of this metric is described below per the TSM:

**Resident VMT per Capita:** Includes all vehicle-based resident trips grouped and summed to the home location of individuals on the trip. It includes all trips: home-based and non-home-based trips. The VMT for each home is then summed for all homes in a particular census tract and divided by the population of that census tract to arrive at Resident VMT per Capita.

## Analysis

The project proposes the demolition of existing underutilized surface parking areas and recreational sports deck and the construction of three multi-family residential buildings totaling 138 dwelling units and two new parking structures. The trip generation rates for the project were based on the City of *San Diego Trip Generation Manual* (May 2003). The driveway trip generation rate of six trips per dwelling unit for Multiple Dwelling Unit – Over 20 dwelling units/acre was used to estimate trips for the project. A 10 percent daily trip reduction, 14 percent AM peak hour trip reduction, and 14 percent PM peak hour trip reduction were then applied to account for the project's proximity to transit per the TSM (Bus Routes 8 and 11), located at Ingraham Street and Grand Avenue. The net trip generation with the transit reductions is 787 daily trips with 61 morning peak-hour trips (13 in, 48 out) and 68 afternoon peak-hour trips (48 in, 20 out). The total unadjusted driveway trip generation is 828 daily trips, with 66 morning peak hour trips (14 in, 52 out), and 74 afternoon peak-hour trips (52 in, 22 out).

In conformance with SB 743, the project's vehicular impacts were evaluated using a VMT metric, pursuant to the latest direction from the OPR Technical Advisory and consistent with the City's TSM. As described in Table 5.2-2, *VMT Screening Assessment*, none of the screening criteria apply to the project, and additional VMT analysis is required.

The project is located within Census Tract 77.02 with 17.4 VMT per resident, which is 91.9 percent of the regional mean. The significance threshold for a residential project is 15 percent or more below the regional mean VMT per capita. This residential project generates 828 unadjusted daily trips, which is under the 2,400-trip threshold, indicating that the project's residential VMT per capita can be considered the same as the residential VMT per capita of the census tract in which it is located.

**Table 5.2-2. VMT Screening Assessment**

| Screening Criterion               | Project Analysis   | Does the Project Screen Out? |
|-----------------------------------|--|------------------------------|
| VMT Efficient Location            | <p>Based on the SANDAG Series 14 (ABM 2+ Base Year 2016) Regional VMT screening map, the census tract that contains the project site (Census Tract 77.02) is not a VMT efficient area, with over 85 percent of the regional residential mean VMT per capita:</p> <ul style="list-style-type: none"> <li>· SANDAG Series 14 (ABM 2+ Base Year 2016) Regional Residential VMT per Capita: <b>18.9</b></li> <li>· Project Site Census Tract Residential VMT per Capita: <b>17.4</b></li> <li>· Percent of Regional Residential Mean VMT per Capita: <b>91.9%</b></li> </ul> <p>Because the census tract residential VMT per capita is 91.9 percent of the residential mean VMT per capita of 18.9, it is more than the 85% threshold and does not pass the screening.</p> | No                           |
| Small Project                     | The project generates less than 300 daily unadjusted driveway trips.   | No                           |
| Locally Serving Retail            | Not Applicable; project is not a locally serving retail project.   | N/A                          |
| Locally Serving Public Facilities | Not Applicable; project is not a locally serving public facility.  | N/A                          |
| Affordable Housing Project        | This project provides seven units of affordable housing that are below market rate between 30-60 percent Area Median income (AMI). However, this does not screen the project out of VMT analysis.  | No                           |
| Mixed-Use Project                 | Not Applicable; project is not a mixed-use project.  | N/A                          |
| Redevelopment Project             | This project would not result in a net decrease in total project VMT.  | No                           |

As shown in Figure 5.2-3, *SANDAG VMT Screening Tool Project Census Tract Location*, the SANDAG Series 14 (ABM 2+ base Year 2016) Regional VMT screening map at the project site shows that the census tract that contains the project is not a VMT efficient area with over 85 percent of the regional residential mean VMT per capita. Because the census tract residential VMT per capita is 91.9 percent of the residential mean VMT per capita of 18.9, it is more than the 85 percent threshold and does not pass the screening.

San Diego Municipal Code (SDMC) Ordinance Number O-21274 was adopted on December 9, 2020, and describes the regulations for the Mobility Choices portion of the Complete Communities Program. One purpose of the Mobility Choices Regulations is to assist the City in determining the feasible level of VMT reductions that developments can implement to address environmental

impacts from developments on the City's VMT, while still providing other benefits from the development that the City finds desirable.

The project is subject to Mobility Choices Regulations. A portion of the site is located within Mobility Zone 2, meaning it is partially or entirely within a Transit Priority Area (TPA). The VMT reduction measures for all developments within Mobility Zone 2 are outlined in San Diego Municipal Code Section 143.1103(b). These VMT reduction measures are in accordance with the City of San Diego's Land Development Manual Appendix T, which provides the list of VMT reduction measures that are compartmentalized into categories including Pedestrian Measures, Bicycle Supportive Measures, Transit Supportive Measures, and Other Measures. Each unique measure is assigned a point value per unit of that measure.

According to the SDMC Section 143.1103(b)(1), development in Mobility Zone 2 shall include VMT Reduction Measures totaling at least five points, unless the project exceeds the parking requirements. If the development results in exceeding the parking requirements, then the development must provide eight points of VMT reduction measures. According to SDMC Section 143.1103(b)(6), the Parking Standards TPA regulations shall not apply for the minimum required parking; Basic parking ratios apply. The parking for the project, including existing parking for the project site, does not exceed the Basic parking requirement (1,140 spaces); therefore, the project must and shall include VMT Reduction Measures totaling at least five points. As noted above, the City of San Diego's and Development Manual Appendix T outline how developments can reach the five-point threshold. If a development does not reach at least five points of VMT Reduction, SDMC Section 143.1103(b)(5) indicates that the applicant may pay the Active Transportation In Lieu Fee, as referenced in Section 143.1103(c).

## Significance of Impacts

The residential VMT per capita for the project exceeds the significance threshold for residential projects of 15 percent below the regional mean VMT per capita. Therefore, the project would result in a significant transportation impact relative to VMT.

## Mitigation Measures

**TRANS-1:** In accordance with SDMC Section 143.1103(b)(1), the project shall include VMT Reduction Measures totaling five points. Prior to issuance of the first Certificate of Occupancy, the Owner/Permittee shall provide and maintain the following Vehicle Miles Traveled (VMT) reduction measures totaling five points as shown on Exhibit A, satisfactory to the City Engineer.

- Pedestrian Measure 8: Install resting area/recreation node on-site, adjacent to public pedestrian walkway (Four Points)
- Bicycle Measure 12: Provide on-site bicycle repair station ( One Point)

## Significance of Impacts Following Implementation of Mitigation Measures

The project would meet the minimum five points required by the Mobility Choices Regulations. However, the VMT reduction measures would not result in reducing the project's VMT impact to below 15 percent. Therefore, the project's VMT impacts would remain significant and less than fully mitigated.

### 5.2.3.3 Issue 3

*Issue 3: Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

### Impact Threshold

According to the City's Thresholds, transportation impacts may be significant if a project would increase traffic hazards to motor vehicles, bicyclists, or pedestrians due to proposed non-standard design features.

### Analysis

The project site is served by fourteen unsignalized driveways, which would be consolidated to eight unsignalized driveways with implementation of the project. Three existing driveways along Fortuna Avenue would be consolidated to one driveway serving the Building 1 parking lot. Five existing driveways along La Playa Avenue would be consolidated to one driveway serving the Building 3 parking lot. In total, with project implementation, the project site would have three driveways along Ingraham Street, three driveways along Jewell Street, one driveway along Fortuna Avenue, and one driveway along La Playa Avenue. These driveways would provide access to the main entrance and parking lots. The driveways would be designed in accordance with City requirements to ensure safe ingress and egress to the project site and would not create an obstruction for pedestrians or cyclists.

The project would include pedestrian improvements. The project would install pedestrian resting areas and/or recreation nodes on-site adjacent to the public pedestrian walkway on Jewell Street near La Playa Avenue, and would construct a new non-contiguous six-foot-wide sidewalk along the Jewell Street project frontage.

The project would install new ADA curb ramps at the entrance drives to parking that serves the leasing office and also residents when the leasing office is closed. These improvements would bring the entrance drives up-to-date with regard to ADA accessibility.

Per the City's TSM, a Systemic Safety Review is required to determine if the study intersections meet the criteria to be identified as a systemic hotspot for vehicles, bicycles, or pedestrians. A review of the City of San Diego Systemic Safety, The Data-Driven Path to Vision Zero dates April 2019 was used to identify hotspot locations within the project study area.



Based on the intersection control, roadway cross-section, and ADT, the following intersection was identified as a vehicular safety and pedestrian safety hotspot.

- Intersection 3 – Ingraham Street & La Playa Avenue

Development of the project would include installation of backplates with retroreflective borders on all signal heads at this intersection to address the vehicle safety concern. The project would include an Intersection Control Awareness Campaign in a communal space on the site to address the pedestrian safety concern. The information distributed for the campaign would provide statistics about pedestrian injury crashes and provide safe behaviors for vehicles making permissive left runs and pedestrians crossing in a crosswalk at signalized intersections.

Based on the intersection control, roadway cross-section, and ADT, the following intersections were identified as bicycle safety hotspots:

- Intersection 2 – Fortuna Avenue and Jewell Street
- Intersection 3 – Ingraham Street & La Playa Avenue

Development of the project would include a Public Safety Messaging Campaign in a communal space on the site to address the bicycle safety concern. The information distributed for the campaign would provide collision statistics, safe behaviors for bicyclists at intersections, and safe behaviors for drivers when bikes are present at an intersection.

All transportation facilities would be designed in accordance with applicable City standards, satisfactory to the City Engineer. The project does not propose non-standard design features and is not expected to increase traffic hazards to motor vehicles, bicyclists, or pedestrians.

## Significance of Impacts

The project does not propose non-standard design features and would not substantially increase hazards due to design features or incompatible uses. Impacts related to the increase of traffic hazards as a result of the project would be less than significant.

## Mitigation Measures

Mitigation would not be required.

### 5.2.3.4 Issue 4

*Issue 4: Would the project result in inadequate emergency access?*

## Impact Threshold

According to Appendix G of the CEQA Guidelines, transportation impacts may be significant if a project would result in inadequate emergency access.

## **Analysis**

The project site has been designed with adequate emergency access. The project would consolidate project access driveways by eliminating four driveways on La Playa Avenue and two driveways on Fortuna Avenue to create clearly identifiable access to the project site for emergency vehicles. The project would add new red curb striping to aid emergency vehicles in accessing the project site. Additionally, according to information provided by the City's Police Department and the Fire-Rescue Department (Appendix G), emergency response times to all portions of the site are adequate under existing conditions. Additional emergency requirements, such as fire hydrants, fire hydrant markers (i.e., blue reflectors installed in the roadway), adequate vertical clearances, adequate turning radii, and fire ladder clearances, would be provided in accordance with City requirements.

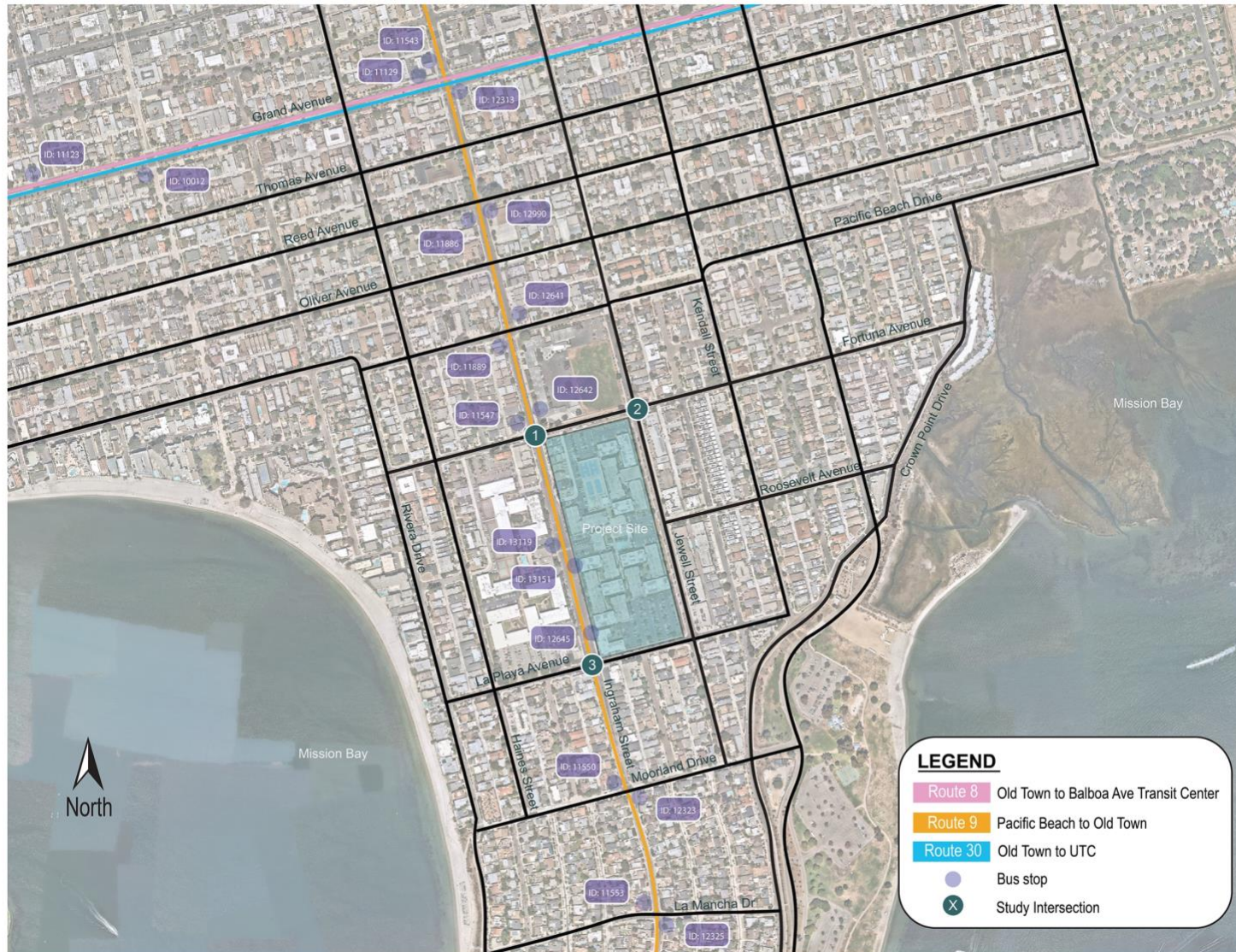
The project has been designed to meet the emergency, safety, and evacuation policies of the surrounding community and would not interfere with emergency access in the area. The project would not result in inadequate emergency access. Impacts would be less than significant.

## **Significance of Impacts**

The project would be designed in accordance with applicable safety standards. The project would not result in inadequate emergency access. Impacts would be less than significant.

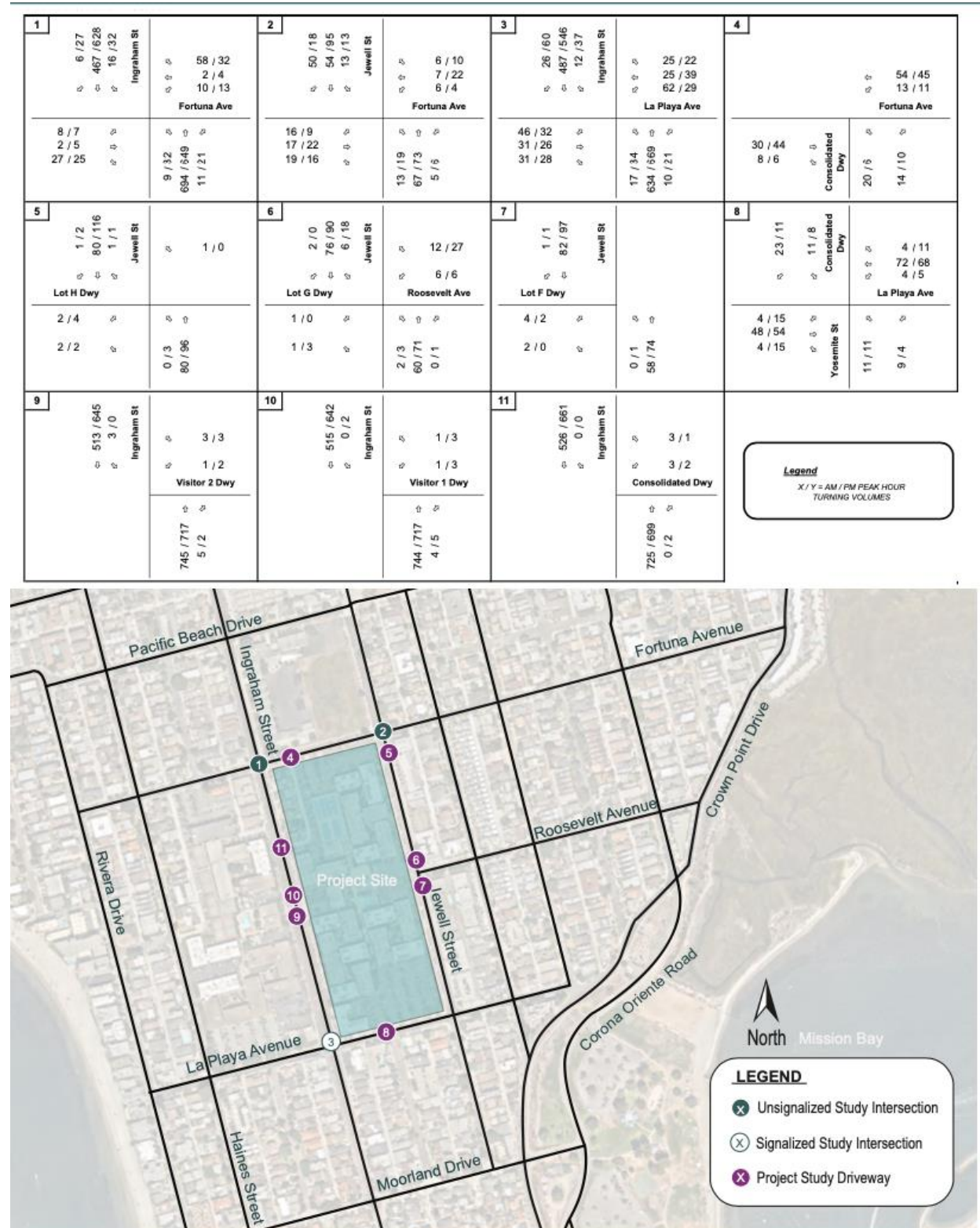
## **Mitigation Measures**

Mitigation would not be required.

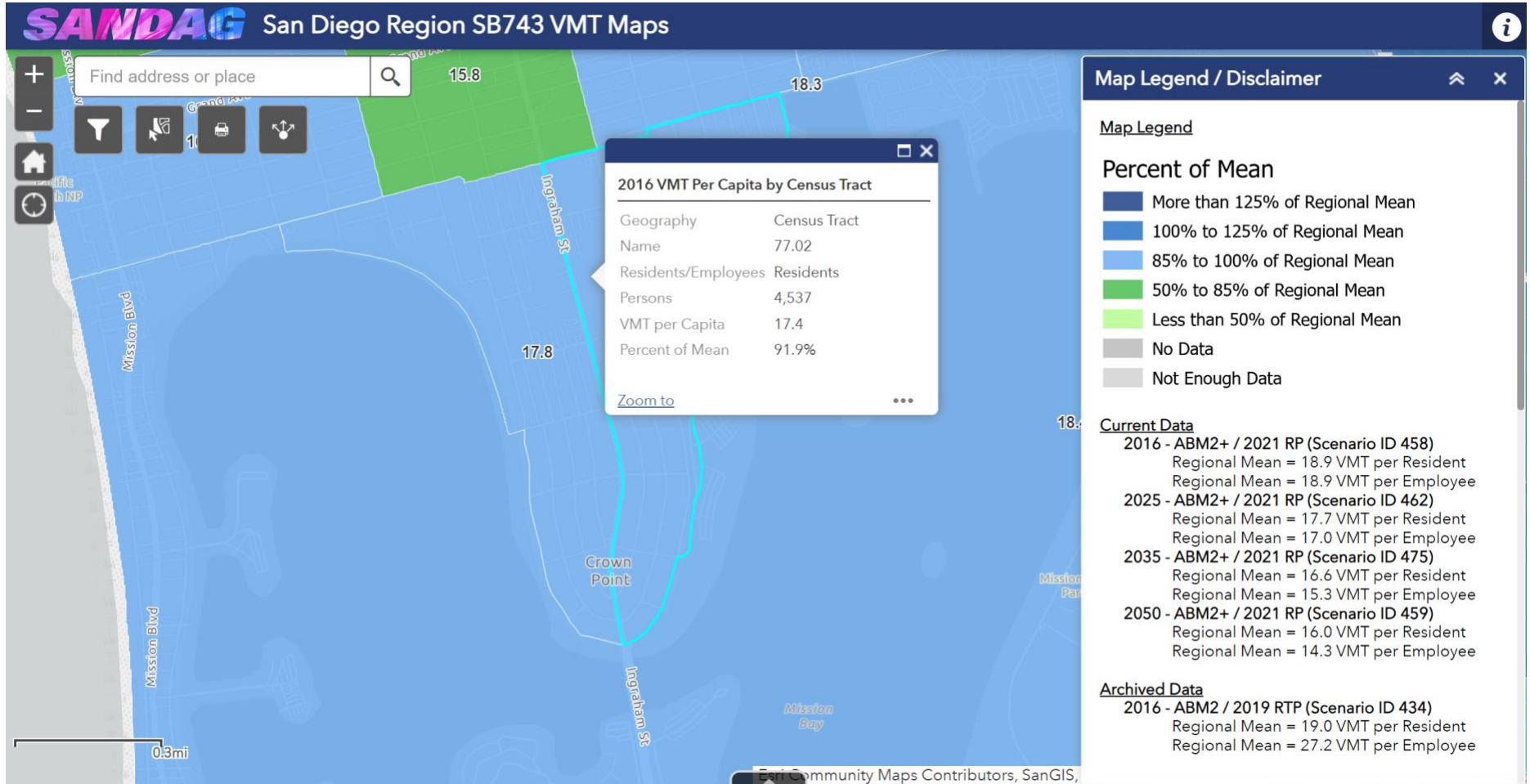


**Figure 5.2-1. Existing Transit Stops**





**Figure 5.2-2. Existing Traffic Volumes**



**Figure 5.2-3. SANDAG VMT Screening Tool Project Census Tract Location**

## 5.3 Visual Quality/Neighborhood Character

This section describes the project's and vicinity's existing visual setting within the context of the surrounding community. Additionally, it identifies applicable guidelines and regulations related to visual resources and evaluates potential visual impacts related to the project's implementation.

### 5.3.1 *Existing Conditions*

#### 5.3.1.1 Views of the On-Site Development

The project site is situated in the Crown Point neighborhood of the Pacific Beach community. The project site is currently developed as 564 multi-family apartment units in multiple three-story structures, associated resident amenities, and approximately five acres of surface parking, totaling 765 parking spaces (see Section 2.3, *Existing Site Conditions*). The site is generally level and landscaping consists of street trees and shrubbery along project street frontage, as well as shade trees in surface parking areas and accent trees and native plant species along building walkways and sidewalks. Views of the on-site development are of the outward-facing residential buildings and balconies, the leasing office entry off Ingraham Street, perimeter landscaping, surface parking, and an outdoor sports court over surface parking.

#### 5.3.1.2 Views from the Project Site to Off-site Development

Views from the project site are of the surrounding urban development. Views to the north of the project site are of the sports field of Crown Point Junior Music Academy. Views to the south are of single- and multi-family residential buildings that range from one to three stories in height with surface and ground-level garage parking, as well as a three-story mixed-use development with ground-level garage parking immediately southwest of the site at the corner of La Playa Avenue and Ingraham Street. Views to the east are of multi-family residences that range from two to three stories in height with surface and carport parking. Views to the west are of a three-story multi-family residential development with surface parking and a gas station. Views to the north and west also include the existing residential uses that range from one to three stories abutting the northwest corner of the project site.

#### 5.3.1.3 Neighborhood Character

The project proposes redevelopment of approximately 4.35 acres within the approximately 12.96-acre site located within the Crown Point neighborhood of the Pacific Beach community. Historically, the Crown Point neighborhood is characterized by a mix of neighborhood-serving commercial uses and residential uses with varying styles and architecture built over the past decades. Some lots have been re-developed in recent years, introducing more modern architecture. Land use designations, zones, and existing uses within the Crown Point neighborhood are single-family and multi-family with neighborhood commercial uses and a school (Crown Point Junior Music Academy), consistent with existing development. The quality of existing development is well maintained. The

neighborhood is walkable and well-served by transit, including Metropolitan Transit System (MTS) Bus Routes 9, 8, and 30.

#### **5.3.1.4 Light/Glare/Shading**

Lighting from single-family and multi-family residential development, commercial uses, and the school, as well as street lighting on public streets, predominates the area. Because most of the development in the project area is comprised of one- to three-story residential developments and one-story commercial developments, glare from an expanse of windows is minimal. Relative to shading, there are no buildings in the immediate project area that are tall enough to cast substantial shadows on the project site for extended periods of time.

### **5.3.2 Regulatory Framework**

#### **5.3.2.1 State**

##### **California Public Resources Code Section 20199 and Senate Bill 743**

In September 2013, the governor signed Senate Bill 743, which became effective on January 1, 2014. Among other provisions, Senate Bill 743 adds California Public Resources Code Section 21099. California Public Resources Code Section 20199(d)(1) stipulates that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.”

#### **5.3.2.2 Local**

##### **City of San Diego General Plan**

Table 5.1-1, *City of San Diego General Plan Consistency Analysis*, in Section 5.1, *Land Use*, describes the Urban Design Element of the General Plan and contains the goals, recommendations, and urban design objectives that relate to visual issues and community and neighborhood character pertaining to the project. Project consistency with these goals and policies is described in detail in Table 5.1-1, *City of San Diego General Plan Consistency Analysis*. Relevant to the discussion of Visual Effects and Neighborhood Character are the General Urban Design goals and policies, as well as the Distinctive Neighborhoods and Residential Design goals and policies.

General Urban Design goals address the pattern and scale of development, as well as the creation of distinctive districts, communities, neighborhoods, and village centers within the City. Policies address sustainability (including conservation and passive temperature regulation) and sustainable building methods, contribution of new development to existing community contexts, architectural features and finishes, and articulated buildings elevations. Demarcation of public and private space is included within these policies, as well as placement of development elements, such as parking, pedestrian entrances, and walkways.



The Distinctive Neighborhoods and Residential Design goals and policies address the desire for in-fill housing to be sensitive to the character and quality of existing neighborhoods. This is addressed through policies aimed at integrating new construction into the existing community fabric, providing transitions in scale between higher-density development and lower-density neighborhoods, incorporating a variety of unit types in multi-family projects, and providing usable open space.

## **San Diego Municipal Code**

Chapters 11 through 15 of the San Diego Municipal Code (SDMC) are referred to as the Land Development Code (LDC), as they contain the City's Land Development Regulations that dictate how land is to be developed and used within the City.

### **Lighting Regulations**

Outdoor lighting is regulated by Section 142.0740 of the LDC. The purpose of the City's outdoor lighting regulations is to minimize negative impacts from light pollution, including light trespass, glare, and urban sky glow, in order to preserve the enjoyment of the night sky and minimize conflict caused by unnecessary illumination. Regulation of outdoor lighting is also intended to promote lighting design that provides for public safety and conserves electrical energy. New outdoor lighting fixtures must minimize light trespass in accordance with the California Green Building regulations of Title 24 where applicable or otherwise shall direct, shield, and control light to keep it from falling onto surrounding properties. No direct-beam illumination is permitted to leave the premises. The City's lighting regulations require that most outdoor lighting be turned off between 11:00 p.m. and 6:00 a.m. with some exceptions (such as lighting provided for commercial uses that continue to be fully operational after 11:00 p.m., adequate lighting for public safety, etc.).

### **Glare Regulations**

Glare within the City is controlled by LDC Section 142.0730 (Glare Regulations). The City's Glare Regulations include the following:

- A maximum of 50 percent of the exterior of a building may be comprised of reflective material that has a light-reflectivity factor greater than 30 percent (Section 142.0730 (a)).
- Reflective building materials shall not be permitted where the City Manager determines that their use would contribute to potential traffic hazards, diminished quality of riparian habitat, or reduced enjoyment of public open space (Section 142.0730 (b)).

### **5.3.2.3 Pacific Beach Community Plan and Local Coastal Program Land Use Plan**

The Residential Land Use Element of the Pacific Beach Community Plan and Local Coastal Program Land Use Plan (Pacific Beach Community Plan) contains goals and policies relative to the neighborhood character of Pacific Beach and its neighborhoods. Relevant strategies and guidelines of the Residential Land Use Element topic of the Pacific Beach Community Plan are included in Table 5.1-2, *Pacific Beach Community Plan Consistency*.

### 5.3.3 **Impact Analysis**

As mentioned above under *Regulatory Setting*, California Public Resources Code Section 21099 (d)(1) states that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” According to Section 21099 (a)(4) an “infill site” is defined as “a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.” The project site is located on a lot that is currently developed with a multi-family residential development and at least 75 percent of the project boundary is adjacent to qualified urban uses (i.e., residential and commercial) per California Public Resources Code Section 21072.

The project site is located within a “transit priority area” according to California Public Resources Code Section 21099. A “transit priority area” is defined as “an area within one-half mile of a major transit stop that is existing or planned.” Per California Public Resources Code Section 21064.3, a major transit stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. The site is immediately adjacent to four transit stops along Ingraham Avenue, which serve MTS Bus Route 9. Additionally, the site is within one-half miles of two transit stops both serving Bus Routes 8 and 30 along Grand Avenue. Thus, the proposed project would be considered a residential project on an infill site within a transit priority area per California Public Resources Code 21099. Therefore, aesthetic impacts shall not be considered significant impacts on the environment.

#### 5.3.3.1 **Issue 1**

*Issue 1    Would the project result in a substantial obstruction of any vista or scenic view from a public viewing area as identified in the community plan?*

### **Impact Thresholds**

The City’s Thresholds establish thresholds for potential impacts to public views from designated open space areas, roads, or parks, and for project impacts to visual landmarks or scenic vistas. In order for a project to result in a significant impact, one or more of the following conditions must apply:

- The project would substantially block a view through a designated public view corridor as shown in an adopted community plan, the General Plan, or the Local Coastal Program;
- The project would cause substantial view blockage from a public viewing area of a public resource (such as the ocean) that is considered significant by the applicable community plan; or

- The project exceeds the allowed height or bulk regulations, and this excess results in a substantial view blockage from a public viewing area.

## Analysis

The Pacific Beach Community Plan includes a discussion of views and includes locations of view corridors in Figure 4, *Opportunities and Constraints Map*, of the Pacific Beach Community Plan. According to Figure 4, the project site is not located in a view corridor. Additionally, according to Figure 16, *Coastal Views*, of the Pacific Beach Community Plan, the project site is not located on a road with public views of the water.

The project proposes construction of three buildings ranging from two- to three-stories in height (which is within the Coastal height limit) within the heart of the community, a distance from Mission Bay, the Pacific Ocean, and public parks. The project would not create a substantial obstruction of any view corridor or any vista or scenic view from a public viewing area as identified in the community plan.

## Significance of Impact

The Pacific Beach Community Plan does not identify any vista, scenic views, or view corridor from a public viewing area in the vicinity of the project site. The project would not create a substantial obstruction of any of these view and access areas or anything other view corridors listed in the Community Plan. Lastly, as previously noted, aesthetic impacts of the proposed project, which is an infill residential project within a transit priority area, cannot be considered a significant impact under California Public Resources Code Section 21099. Thus, impacts would be less than significant.

## Mitigation Measures

Impacts are less than significant, and mitigation would not be required.

### 5.3.3.2 Issue 2, Issue 3, and Issue 4

*Issue 2 Would the project result in the creation of a negative aesthetic site or project?*

*Issue 3 Would the project's bulk, scale, materials, or style be incompatible with surrounding development?*

*Issue 4 Would the project result in substantial alteration to the existing or planned character of the area, such as could occur with the construction of a subdivision in a previously underdeveloped area? Note: for substantial alteration to occur, new development would have to be of a size scale or design that would markedly contrast with the character of the surrounding area?*

## Impact Thresholds

Based on the City's Thresholds, a project could result in a significant impact associated with visual quality and neighborhood compatibility if it would:

- Exceed the allowable height or bulk regulations and the height and bulk of the existing patterns of development in the vicinity of the project by a substantial margin.
- Include crib, retaining, or noise walls greater than six feet in height and 50 feet in length with minimal landscape screening or berming where the walls would be visible to the public.
- Have an architectural style or use building materials in stark contrast to adjacent development where the adjacent development follows a single or common architectural theme (e.g., Gaslamp Quarter, Old Town).
- Be located in a highly visible area (e.g., on a canyon edge, hilltop, or adjacent to an interstate highway) and would strongly contrast with the surrounding development or natural topography through excessive height, bulk, signage, or architectural projections.
- Result in the physical loss, isolation or degradation of a community identification symbol or landmark (e.g., a stand of trees, coastal bluff, historic landmark) which is identified in the General Plan, applicable community plan or local coastal program.

## Analysis

The character of the area surrounding the project is a mix single- and multi-family residential and neighborhood serving commercial retail uses. These developments range in height from one to three stories. No single architectural theme is present within the Crown Point neighborhood. The project would involve redevelopment of underutilized portions of the site with an additional 138 residential units, resident amenities, and parking, as described in Chapter 3.0 *Project Description* of this Environmental Impact Report (EIR). The project would require a rezone to the RM-3-8 zone to allow for the additional 138 residential units proposed by the project.

Views of the project would be primarily from streets surrounding the project site. Building heights would not exceed the allowable height of the proposed zone or the Coastal Height Limit Overlay. Specifically, the project proposes building heights of 30 feet or less, where the proposed zone for the project allows maximum building heights of 50 feet but the Coastal Overlay Zone limits building height to 30 feet. In addition, the project would not result in substantial visual impacts due to building height, as the project would be consistent with the existing patterns of development in the project vicinity. The project development would increase the development intensity on-site, but this increase in development intensity would not result in a significant visual effect due to the compatibility with existing uses and the surroundings, the project's scale, the in-fill nature of the development, and substantial landscaping elements.

The project's architectural elements are intended to provide interesting and identifiable features, which would allow pedestrians and motorists to easily find their destinations. The project's buildings would be constructed with the use of a variety of building materials and finishes that are compatible

with surrounding development to articulate buildings façades and architectural features. An exterior materials palette of light and dark stucco, wood-look metal siding, metal stair and guardrails, steel frames, and mural elements on Buildings 1 and 3 allow for visual interest on the site with pops of color to accentuate project design elements and minimize bulk and scale of buildings. Neutral shades of white, gray, black, and brown allow for definition of the project while complementing and blending with project surroundings. The project would additionally include vinyl windows and perforated metal deck railings on balconies to punctuate the elevation façade. Architectural features such as varied building material, heights, and stepbacks would provide vertical relief to the façades and would create focal points around the project for both pedestrians and passing vehicles. The project would not create a negative aesthetic site or property, nor would it create a disorganized appearance.

The project includes extensive landscaping. Plant materials would be used at the ground level to not only create interest, but also integrate architectural forms within the site. Paths, walkways, and buildings would include a variety of materials and colors to create visual interest and encourage a higher level of use. Project landscaping would be designed to be aesthetically pleasing as well as welcoming to residents and guests. Low water use plant material would be utilized to meet all current codes and requirements.

The project would not degrade the visual character of the project site or its surrounding. The project would also not result in creating a negative aesthetic site or property. As described above, bulk and scale would be compatible with what exists within the surrounding community. The project would not contrast with the surrounding development or natural topography. Impacts would be less than significant.

Lastly, as previously noted, aesthetic impacts of the proposed project, which is an infill residential project within a transit priority area, cannot be considered a significant impact under California Public Resources Code Section 21099.

### **Significance of Impacts**

The project would not result in substantial alteration to the existing or planned character of the area, contrast with existing surrounding development through excessive height or bulk, or result in an architectural style or building materials in contrast with surrounding development. Furthermore, the aesthetic impacts of the project, which is an infill residential project within a transit priority area, cannot be considered a significant impact under California Public Resources Code Section 21099. Therefore, impacts would be less than significant.

### **Mitigation Measures**

Impacts are less than significant, and mitigation would not be required.

### **5.3.3.3 Issue 5**

*Issue 5 Would the project result in the loss of any distinctive or landmark tree(s), or stand of mature trees as identified in a community plan?*

#### **Impact Thresholds**

According to the City's Thresholds, a project is considered to have a significant impact if the project would result in the physical loss, isolation, or degradation of a community identification symbol or landmark (e.g., a stand of trees, coastal bluff, historic landmark) that is identified in the General Plan, applicable community plan, or local coastal program. Further, as previously noted, aesthetic impacts of the proposed project, which is an infill residential project within a transit priority area, cannot be considered a significant impact under California Public Resources Code Section 21099. Thus, the Project would not result in a significant impact related to a loss of any distinctive or landmark tree(s) or stand of mature trees as identified in the community plan.

#### **Analysis**

The Pacific Beach Community Plan and the City's General Plan do not identify any distinctive or landmark tree(s) or any stand of mature trees on, near, or adjacent to the project site. Vegetation on-site is ornamental and includes some mature trees that the project would remove. Mature trees located on the project site are not designated as distinctive, landmark, or a mature stand in a local planning document. In addition, project landscaping includes an extensive palette of interior and street trees to be provided with development, including the planting of 63 new trees. Therefore, implementing the project and developing the site as proposed would not result in the loss of any distinctive or landmark trees. No impact related to a loss of any distinctive or landmark tree(s) or stand of mature trees as identified in the Community Plan would occur.

#### **Significance of Impact**

No distinctive, landmark, or stand of mature trees is identified on the project site. No impacts would occur.

#### **Mitigation Measures**

Impacts are less than significant, and mitigation would not be required.

### **5.3.3.4 Issue 6**

*Issue 6 Would the project result in a substantial change in the existing landform?*

#### **Impact Threshold**

According to the City's Thresholds, a project is considered to have a significant impact if a project would result in more than 2,000 cubic yards of earth per graded acre by either excavation or fill. In



addition, one or more of the following conditions (1 through 4) must apply to meet this significance threshold:

1. The project would disturb steep hillsides in excess of the encroachment allowances of the Environmentally Sensitive Lands regulations (LDC Chapter 14, Article 3, Division 1). In evaluating this issue, environmental staff should consult with permit staff.
2. The project would create manufactured slopes higher than ten feet or steeper than 2:1 (50 percent).
3. The project would result in a change in elevation of steep hillsides as defined by the SDMC Section 113.0103 from existing grade to proposed grade of more than 5 feet by either excavation or fill, unless the area over which excavation or fill would exceed 5 feet is only at isolated points on the site. (A continuous elevation change of 5 feet may be noticeable in relation to surrounding areas. In addition, such a change may require retaining walls and other features to stabilize slopes, potentially resulting in a manufactured appearance.)
4. The project design includes mass terracing of natural slopes with cut or fill slopes in order to construct flat-pad structures.

However, the above conditions may not be considered significant if one or more of the following apply:

1. The grading plans clearly demonstrate, with both spot elevations and contours, that the proposed landforms will very closely imitate the existing on-site landform and/or the undisturbed, pre-existing surrounding neighborhood landforms. This may be achieved through “naturalized” variable slopes.
2. The grading plans clearly demonstrate, with both spot elevations and contours, that the proposed slopes follow the natural existing landform and at no point vary substantially from the natural landform elevations.
3. The proposed excavation or fill is necessary to permit installation of alternative design features such as step-down or detached buildings, non-typical roadway or parking lot designs, and alternative retaining wall designs which reduce the project’s overall grading requirements.

## Analysis

The AVA Pacific Beach project site is a relatively flat parcel that is currently developed with multi-family residential units, resident amenities, landscaping, and parking. Elevations on-site range from 31 feet to 49 feet above mean sea level (AMSL).

Redevelopment of the project site would be on underutilized areas that have already been graded and developed with recreational deck and surface parking. Grading of the project site would require a cut amount of 3,460 cubic yards (cy) at a maximum depth of 15 feet and 4,547 cy of fill at a depth of 1.5 feet. The manufactured slopes would be constructed at a 2:1 slope ratio. (See Figure 3-5, *Grading Plan*). Grading would not substantially alter the existing landform.

None of the conditions identified above in the Impact Thresholds would apply to the project. The project would not disturb steep hillsides, as none are located on or near the project site and, thus, would not exceed the encroachment allowances of the Environmentally Sensitive Lands regulations (LDC Chapter 14, Article 3, Division 1). The project would not create manufactured slopes steeper than 2:1 (50 percent). The project would not result in a change in elevation of steep hillsides as defined by the SDMC Section 113.0103. The project design does not include mass terracing of natural slopes with cut or fill slopes to construct flat-pad structures, as no natural slopes are present on-site. Since the project would not meet any of the primary conditions, the secondary criteria delineated above does not apply. Further, as previously noted, aesthetic impacts of the project, which is an infill residential project within a transit priority area, cannot be considered a significant impact under California Public Resources Code Section 21099.

### **Significance of Impact**

The development area of the project site does not contain steep hillsides and would not involve grading that exceeds the secondary significance thresholds relative to grading. Impacts to landform alteration would be less than significant.

### **Mitigation Measures**

Impacts are less than significant, and mitigation would not be required.

#### **5.3.3.5 Issue 7**

*Issue 7 Would the project create substantial light or glare that would adversely affect daytime or nighttime views in the area?*

### **Impact Thresholds**

Based on the City's Thresholds, a project could result in a significant impact associated with light and glare if it would:

- Be moderate to large in scale, more than 50 percent of any single elevation of a building's exterior is built with a material with a light reflectivity greater than 30 percent, and the project is adjacent to a major public roadway or public area.
- Shed substantial light onto adjacent, light-sensitive property or land use, or would emit a substantial amount of ambient light into the nighttime sky. Uses considered sensitive to nighttime light include, but are not limited to, residential, some commercial and industrial uses, and natural areas.

### **Analysis**

#### ***Lighting***

The project site is in an urbanized area that contains existing lighting sources from streetlights along roadways, surrounding developments, and associated parking lighting. The project's development

would introduce additional lighting to a site that is currently developed and contains existing lighting for wayfinding and parking. New lighting at the project site would include additional lighting for parking areas, residential amenity areas, and internal walkways. In addition, the project would introduce interior and exterior lighting within proposed residential units and proposed signage.

The project would not create a new source of substantial light that would adversely affect daytime or nighttime views in the area. Outdoor lighting would be regulated by compliance with Section 142.0740 of the LDC and would not trespass onto adjacent properties or into the nighttime sky. Impacts relative to lighting would be less than significant.

### ***Glare***

Glare within the project would be regulated by the LDC to ensure no impact would occur relative to glare. Glare would be avoided in accordance with Section 142.0730 of the LDC. Less than 50 percent of building façades would incorporate glass or other reflective material that would cause glare effects on surrounding roadways and properties. Where glass is incorporated, it would be non-reflective in nature and meet the 30 percent reflectivity factor requirement. Impacts relative to glare would be less than significant.

### **Significance of Impacts**

The project would not have significant lighting, glare, or shading impacts. The project is not anticipated to create a new source of substantial light that would adversely affect daytime or nighttime views in the area, as the project lighting would conform with the City's outdoor lighting regulations. Glare impacts would not occur because the project would consist of less than 50 percent reflective materials in compliance with the City's glare regulations. The impact of shadows cast by the project would not be considered significant. As previously noted, aesthetic impacts of the project, which is an infill residential project within a transit priority area, cannot be considered a significant impact under California Public Resources Code Section 21099. Thus, the project would not result in a significant impact to light and glare. Therefore, no impact to would occur as a result of the project.

### **Mitigation Measures**

Impacts would be less than significant, and mitigation would not be required.

## 5.4 Air Quality

This section discusses air quality polices that are applicable to the project, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. Potential short-term (construction) and long-term (operational) air quality and odor impacts associated with the project are evaluated below. The following discussion is based on the *Air Quality Technical Report* prepared for the project by BlueScape Environmental, dated August 25, 2023, included as Appendix E.

### 5.4.1 Existing Conditions

The project site is within the Pacific Beach community in the City of San Diego, which is located within the San Diego Air Basin (SDAB). The 12.96-acre project site is currently occupied by 564 multi-family apartment units, associated resident amenities, landscaping, and approximately five acres of surface parking lots. Elevations within the area of the parcel range from approximately 31 feet Above Mean Sea Level (AMSL) at the southwest end of the project site to approximately 49 feet above AMSL at the northwest end.

#### 5.4.1.1 Regional Climate and Meteorology

The Pacific Beach community planning area, like the rest of San Diego County's coastal areas, has a Mediterranean climate characterized by warm, dry summers and mild, wet winters. The mean annual temperature for the project area is 62 degrees Fahrenheit (°F). The average annual precipitation is 12 inches, falling primarily from November to April. Winter low temperatures in the project area average about 41°F, and summer high temperatures average about 78°F.

The dominant meteorological feature affecting the region is the Pacific High-Pressure Zone, which produces the prevailing westerly to northwesterly winds. These winds tend to blow pollutants away from the coast toward the inland areas. Consequently, air quality near the coast is generally better than that which occurs inland.

Fluctuations in the strength and pattern of winds from the Pacific High-Pressure Zone interacting with the daily local cycle produce periodic temperature inversions that influence the dispersal or containment of air pollutants in the SDAB. Beneath the inversion layer pollutants become “trapped” as their ability to disperse diminishes. The mixing depth is the area under the inversion layer. Generally, the morning inversion layer is lower than the afternoon inversion layer. The greater the change between the morning and afternoon mixing depths, the greater the ability of the atmosphere to disperse pollutants.

The prevailing westerly wind pattern is sometimes interrupted by regional “Santa Ana” conditions. A Santa Ana occurs when a strong high-pressure system develops over the Nevada-Utah area and overcomes the prevailing westerly coastal winds, sending strong, steady, hot, dry northeasterly winds from the east over the mountains and out to sea.

Strong Santa Anas tend to blow pollutants out over the ocean, producing clear days. However, at the onset or during breakdown of these conditions, or if the Santa Ana is weak, local air quality may be adversely affected. In these cases, emissions from the South Coast Air Basin (including Los Angeles) to the north are blown out over the ocean, and low pressure over Baja California draws this pollutant-laden air mass southward. As the high pressure weakens, prevailing northwesterly winds reassert themselves and send this cloud of contamination ashore in the SDAB. When this event does occur, the combination of transported contaminants from Los Angeles and Mexico, in addition to locally produced contaminants, produces the worst air quality measurements recorded in the basin.

#### **5.4.1.2 Pollutants of Concern**

Criteria air pollutants are defined as pollutants for which the federal and state governments have established ambient air quality standards (criteria) for outdoor concentrations to protect public health. The seven criteria air pollutants defined by State and Federal law as a risk to the health and welfare of the general public are as follows: ozone (O<sub>3</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), respirable particulate matter (or particulate matter with an aerodynamic diameter of 10 microns or less, PM<sub>10</sub>), fine particulate matter (or particulate matter with an aerodynamic diameter of 2.5 microns or less, PM<sub>2.5</sub>), sulfur dioxide (SO<sub>2</sub>), and lead. Criteria pollutants can be emitted directly from sources (primary pollutants such as CO, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and lead) or they may be formed through chemical and photochemical reactions of precursor pollutants in the atmosphere (secondary pollutants such as O<sub>3</sub>, NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>). PM<sub>10</sub> and PM<sub>2.5</sub> can be both primary and secondary pollutants. The principal precursor pollutants of concern are reactive organic gases (ROG), also known as volatile organic compounds (VOC), and nitrogen oxides (NO<sub>x</sub>). The Federal standards are known as the National Ambient Air Quality Standards (NAAQS).

The California Air Resources Board (CARB) sets the laws and regulations for air quality on the State level. The California Ambient Air Quality Standards (CAAQS) are either the same as or more restrictive than the NAAQS and also set limits for four additional contaminants: Visibility Reducing Particles, sulfates, hydrogen sulfide (H<sub>2</sub>S), and vinyl chloride.

#### **Toxic Air Contaminants**

A substance is considered toxic if it has the potential to cause adverse health effects in humans, including increasing the risk of cancer upon exposure, or acute and/or chronic non-cancer health effects. A toxic substance released into the air is considered a Toxic Air Contaminant (TAC). TACs are identified by federal and state agencies based on a review of available scientific evidence. In the State of California, TACs are identified through a two-step process that was established in 1983 under the Toxic Air Contaminant Identification and Control Act. This two-step process of risk identification and risk management and reduction was designed to protect residents from the health effects of toxic substances in the air.

In addition, the California Air Toxics “Hot Spots” Information and Assessment Act, Assembly Bill (AB) 2588, was enacted by the legislature in 1987 to address public concern over the release of TACs into the atmosphere. The law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over five years. Examples include certain aromatic and chlorinated hydrocarbons, certain metals, and asbestos. TACs are generated by several sources, including stationary sources, such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources, such as automobiles; and area sources, such as landfills.

Adverse health effects associated with exposure to TACs may include carcinogenic (i.e., cancer-causing) and noncarcinogenic effects. Noncarcinogenic effects typically affect one or more target organ systems and may be experienced on either short-term (acute) or long-term (chronic) exposure to a given TAC.

### **Diesel Particulate Matter**

Diesel Particulate Matter (DPM) is part of a complex mixture that makes up diesel exhaust. Diesel exhaust is composed of two phases – gas and particle – both of which contribute to health risks. More than 90 percent of DPM is less than one micrometer in diameter (about 1/70<sup>th</sup> the diameter of a human hair) and, thus, is a subset of PM<sub>2.5</sub> (Appendix E). DPM is typically composed of carbon particles (“soot,” also called black carbon) and numerous organic compounds, including over 40 known cancer-causing organic substances. Examples of these chemicals include polycyclic aromatic hydrocarbons, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene (Appendix E). On August 27, 1998, CARB and Office of Environmental Health Hazard Assessment (OEHHA) identified “particulate emissions from diesel-fueled engines” (i.e., DPM) as a TAC, based on data linking diesel particulate emissions to increased risks of lung cancer and respiratory disease (Appendix E).

DPM is emitted from a broad range of diesel engines, including on-road diesel engines from trucks, buses, and cars, and off-road diesel engines from locomotives, marine vessels, and heavy-duty construction equipment, among others. Approximately 70 percent of all airborne cancer risk in California is associated with DPM (Appendix E). To reduce the cancer risk associated with DPM, CARB adopted a diesel risk reduction plan in 2000 (Appendix E). Because it is part of PM<sub>2.5</sub>, DPM also contributes to the same non-cancer health effects as PM<sub>2.5</sub> exposure. These effects include premature death; hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma; increased respiratory symptoms; and decreased lung function in children. Several studies suggest that exposure to DPM may also facilitate development of new allergies (Appendix E). Those most vulnerable to non-cancer health effects are children whose lungs are still developing and the elderly who often have chronic health problems.

## **Odorous Compounds**

Odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The ability to detect odors varies considerably among the population and, overall, is quite subjective. People may have different reactions to the same odor. An odor that is offensive to one person may be perfectly acceptable to another (e.g., coffee roaster). An unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. In a phenomenon known as odor fatigue, a person can become desensitized to almost any odor, and recognition may only occur with an alteration in the intensity. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receptors.

### **5.4.2      *Regulatory Framework***

#### **5.4.2.1    Federal**

##### **Criteria Air Pollutants**

The Federal air quality standards were developed per the requirements of the Clean Air Act (CAA), which is a Federal law that was passed in 1970 and further amended in 1990. This law provides the basis for the national air pollution control effort. An important element of the act included the development of NAAQS for major air pollutants.

The CAA established two types of air quality standards known as primary and secondary standards for the following criteria air pollutants: O<sub>3</sub>, CO, NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and lead. Primary standards set limits for the intention of protecting public health, which includes sensitive populations such as people with asthma, children, and elderly. Secondary standards set limits to protect public welfare to include the protection against decreased visibility, damage to animals, crops, vegetation, and buildings. Areas that do not meet the NAAQS for a particular pollutant are "non-attainment areas" for that pollutant. States that have these non-attainment areas must prepare a State Implementation Plan (SIP) that demonstrates how those areas will attain the standards within mandated time frames.

##### **Hazardous Air Pollutants**

The 1977 Federal CAA amendments required the United States Environmental Protection Agency (EPA) to identify national emission standards for hazardous air pollutants to protect public health and welfare. Hazardous air pollutants include certain VOCs, pesticides, herbicides, and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals. Under the 1990 CAA amendments, which expanded the control program for hazardous air pollutants, 189 substances and chemical families were identified as hazardous air pollutants.



### 5.4.2.2 State

#### Criteria Air Pollutants

The Federal CAA delegates the regulation of air pollution control and the enforcement of the NAAQS to the states. In California, the task of air quality management and regulation has been legislatively granted to CARB, with subsidiary responsibilities assigned to air quality management districts and air pollution control districts at the regional and county levels. CARB, which became part of the California Environmental Protection Agency (CalEPA) in 1991, is responsible for ensuring implementation of the California CAA of 1988, responding to the Federal CAA and regulating emissions from motor vehicles and consumer products. CARB has established the CAAQS, which are generally more restrictive than the NAAQS. The CAAQS describe adverse conditions; that is, pollution levels must be below these standards before a basin can attain the standard. Air quality is considered “in attainment” if pollutant levels are continuously below the CAAQS and violate the standards no more than once each year. The CAAQS for O<sub>3</sub>, CO, SO<sub>2</sub> (1-hour and 24-hour), NO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded. Table 5.4-1, *National and State Ambient Air Quality Standards*, shows the ambient air quality standards for NAAQS and CAAQS.

In addition to the above responsibilities, CARB assembles the State Implementation Plan (SIP) for areas that are out of attainment of the NAAQS; this planning document satisfies Federal CAA requirement. Since the San Diego area is out of attainment of the Federal O<sub>3</sub> standard, the Air Pollution Control District (APCD) must submit input to the SIP in the form of O<sub>3</sub>-related plans and control measures for bringing the area into attainment. The SIP is typically updated on a triennial basis. CARB adopted its most recent SIP update on September 22, 2022 and was submitted to the EPA in February 2023. The latest APCD revisions to the SIP were submitted in 2020: October 2020 “2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County”.

#### Toxic Air Contaminants

A TAC is defined by California law as an air pollutant that may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazards to human health. Federal laws use the hazardous air pollutants to refer to the same types of compounds that are referred to as TACs under State laws. California regulates TACs primarily through the Tanner Toxics Act (AB 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588). AB 1807 sets forth a formal procedure for CARB to designate substances as TACs. This includes research, public participation, and scientific peer review before CARB can designate a substance as TAC. Pursuant to AB 2588, existing facilities that emit air pollutants above specified levels are required to (1) prepare a TAC emission inventory plan and report; (2) prepare a risk assessment if TAC emissions were significant; (3) notify the public of significant risk levels; and (4) if health impacts were above specified levels, prepare and implement risk reduction measures.

**Idling of Commercial Heavy-Duty Trucks (13 CCR 2485).** In July 2004, CARB adopted an Airborne Toxic Control Measure (ATCM) to control emissions from idling trucks. The ATCM prohibits idling for more than five minutes for all commercial trucks with a gross vehicle weight rating over 10,000 pounds. The ATCM contains an exception that allows trucks to idle while queuing or involved in operational activities.

**In-Use Off-Road Diesel-Fueled Fleets (13 CCR 2449 et seq.).** In July 2007, CARB adopted an ATCM for in-use off-road diesel vehicles. This regulation requires that specific fleet average requirements are met for NO<sub>x</sub> emissions and for particulate matter emissions. Where average requirements cannot be met, best available control technology requirements apply. The regulation also includes several recordkeeping and reporting requirements.

In response to AB 8 2X, which was signed into law to provide economic relief and to preserve jobs in the construction industry, the regulations were revised in July 2009 (effective December 3, 2009) to allow a partial postponement of the compliance schedule in 2011 and 2012 for existing fleets. On December 17, 2010, CARB adopted additional revisions to further delay the deadlines reflecting reductions in diesel emissions due to the poor economy and overestimates of diesel emissions in California. The revisions delayed the first compliance date until no earlier than January 1, 2014, for large fleets, with final compliance by January 1, 2023. The compliance dates for medium fleets were delayed until an initial date of January 1, 2017, and final compliance date of January 1, 2023. The compliance dates for small fleets were delayed until an initial date of January 1, 2019, and final compliance date of January 1, 2028. Correspondingly, the fleet average targets were made more stringent in future compliance years. The revisions also accelerated the phaseout of older equipment with newer equipment added to existing large and medium fleets over time, requiring the addition of Tier 2 or higher engines starting on March 1, 2011, with some exceptions: Tier 2 or higher engines on January 1, 2013, without exception; and Tier 3 or higher engines on January 1, 2018 (January 1, 2023, for small fleets).

On October 28, 2011 (effective December 14, 2011), the Executive Officer approved amendments to the regulation. The amendments included revisions to the applicability section and additions and revisions to the definition. The initial date for requiring the addition of Tier 2 or higher engines for large and medium fleets, with some exceptions, was revised to January 1, 2012. New provisions also allow for the removal of emission control devices for safety or visibility purposes. The regulation also was amended to combine the particulate matter and NO<sub>x</sub> fleet average targets under one, instead of two, sections. The amended fleet average targets are based on the fleet's NO<sub>x</sub> fleet average, and the previous section regarding particulate matter performance requirements was deleted completely. The best available control technology requirements, if a fleet cannot comply with the fleet average requirements, were restructured and clarified. Other amendments to the regulations included minor administrative changes to the regulatory text.

**In-Use On-Road Diesel-Fueled Vehicles (13 CCR 2025).** On December 12, 2008, CARB adopted an ATCM to reduce NO<sub>x</sub> and particulate matter emissions from most in-use on-road diesel trucks and buses with a gross vehicle weight rating greater than 14,000 pounds. The original ATCM regulation required fleets of on-road trucks to limit their NO<sub>x</sub> and particulate matter emissions through a combination of exhaust retrofit equipment and new vehicles. The regulation limited particulate matter emissions for most fleets by 2011, and limited NO<sub>x</sub> emissions for most fleets by 2013. The regulation did not require any vehicle to be replaced before 2012 and never required all vehicles in a fleet be replaced.

In December 2009, the CARB Governing Board directed staff to evaluate amendments that would provide additional flexibility for fleets adversely affected by the struggling California economy. On December 17, 2010, CARB revised this ATCM to delay its implementation along with limited relaxation of its requirements. Starting on January 1, 2015, lighter trucks with a gross vehicle weight rating of 14,001 to 26,000 pounds with 20-year-old or older engines need to be replaced with newer trucks (2010 model year emissions equivalent as defined in the regulation). Trucks with a gross vehicle weight rating greater than 26,000 pounds with 1995 model year or older engines needed to be replaced as of January 1, 2015. Trucks with 1996 to 2006 model year engines must install a Level 3 (85 percent control) diesel particulate filter starting on January 1, 2012, to January 1, 2014, depending on the model year, and then must be replaced after eight years. Trucks with 2007 to 2009 model year engines have no requirements until 2023, at which time they must be replaced with 2010 model year emissions-equivalent engines, as defined in the regulation. Trucks with 2010 model year engines would meet the final compliance requirements. The ATCM provides a phase-in option under which a fleet operator would equip a percentage of trucks in the fleet with diesel particulate filters, starting at 30 percent as of January 1, 2012, with 100 percent by January 1, 2016. Under each option, delayed compliance is granted to fleet operators who have or will comply with requirements before the required deadlines.

On September 19, 2011 (effective December 14, 2011), the Executive Officer approved amendments to the regulations, including revisions to the compliance schedule for vehicles with a gross vehicle weight rating of 26,000 pounds or less to clarify that all vehicles must be equipped with 2010 model year emissions equivalent engines by 2023. The amendments included revised and additional credits for fleets that have downsized; implement early particulate matter retrofits; incorporate hybrid vehicles, alternative-fueled vehicles, and vehicles with heavy-duty pilot ignition engines; and implement early addition of newer vehicles. The amendments included provisions for additional flexibility, such as for low-usage construction trucks, and revisions to previous exemptions, delays, and extensions. Other amendments to the regulations included minor administrative changes to the regulatory text, such as recordkeeping and reporting requirements related to other revisions.

**California Health and Safety Code Section 41700.** Section 41700 of the California Health and Safety Code states that a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any

considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. This section also applies to sources of objectionable odors.

### 5.4.2.3 Local

#### San Diego County Air Pollution Control District

While CARB is responsible for the regulation of mobile emission sources within the State, local air quality management districts and air pollution control districts are responsible for enforcing standards and regulating stationary sources. The project site is located within the SDAB and is subject to the guidelines and regulations of the San Diego APCD (SDAPCD).

In San Diego County (County), O<sub>3</sub> and particulate matter are the pollutants of main concern, since exceedances of State ambient air quality standards for those pollutants have been observed in most years. For this reason, the SDAB has been designated as a non-attainment area for the State PM<sub>10</sub>, PM<sub>2.5</sub>, and O<sub>3</sub> standards. The SDAB is also a Federal O<sub>3</sub> attainment (maintenance) area for the 1997 8-hour O<sub>3</sub> standard, an O<sub>3</sub> non-attainment area for the 2008 8-hour O<sub>3</sub> standard, and a CO maintenance area (western and central part of the SDAB only, including the project site area).

**Federal Attainment Plans.** In October 2020, the SDAPCD adopted an update to the Eight-Hour O<sub>3</sub> Attainment Plan for San Diego County (2008 O<sub>3</sub> NAAQS), which indicated that local controls and State programs would allow the region to reach attainment of the Federal eight-hour O<sub>3</sub> standard (2015 O<sub>3</sub> NAAQS) by August 2024. In this plan, SDAPCD relies on the Regional Air Quality Strategy (RAQS) to demonstrate how the region will comply with the Federal O<sub>3</sub> standard. The RAQS details how the region will manage and reduce O<sub>3</sub> precursors (NO<sub>x</sub> and VOC) by identifying measures and regulations intended to reduce these pollutants. The control measures identified in the RAQS generally focus on stationary sources; however, the emissions inventories and projections in the RAQS address all potential sources, including those under the authority of CARB and the EPA. Incentive programs for reduction of emissions from heavy duty diesel vehicles, off-road equipment, and school buses are also established in the RAQS.

Currently, the County is designated as serious non-attainment for the 2008 NAAQS and moderate non-attainment for the 2015 NAAQS. As documented in the 2020 Plan, the County needs to demonstrate how the region will further reduce air pollutant emissions to attain the current NAAQS for O<sub>3</sub> by specified dates. Although total regionwide NO<sub>x</sub> and VOC emissions (precursors for O<sub>3</sub> formation) were reduced by over 60 percent and 50 percent, respectively, during the 2000-2018 time period, and large portions of the region meet both Federal O<sub>3</sub> standards, there are a few areas of the County that do not. These region-wide air quality improvements are the result of increasingly stringent air pollution regulations over the years that address issues such as the transition to low-emission cars, stricter new source review rules, and continuing the requirement of general

conformity for military growth and the San Diego International Airport. The County will continue emission control measures, including ongoing implementation of existing regulations in O<sub>3</sub> precursor reduction to stationary and area-wide sources, subsequent inspections of facilities and sources, and the adoption of laws requiring best available retrofit control technology for control of emissions. Nevertheless, to attain the Federal O<sub>3</sub> standards, the region still requires further reductions of air pollutants, especially from mobile sources as they contribute 65 percent of all O<sub>3</sub>-forming pollutants emitted in San Diego County in 2020.

Air pollution is largely a cumulative impact. The non-attainment status of regional pollutants is a result of past and present development, and the SDAPCD develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality.

The SDAB is designated under the CAAQS and NAAQS as non-attainment for O<sub>3</sub> and under the CAAQS as non-attainment for PM<sub>10</sub> and PM<sub>2.5</sub>. The poor air quality in the SDAB is the result of cumulative emissions from motor vehicles, off-road equipment, commercial and industrial facilities, and other emission sources. Projects that emit these pollutants or their precursors (i.e., VOCs and NO<sub>x</sub> for O<sub>3</sub>) potentially contribute to poor air quality. In analyzing cumulative impacts from a project, the analysis must specifically evaluate the project's contribution to the cumulative increase in pollutants for which the SDAB is designated as non-attainment for the CAAQS and NAAQS. If the project does not exceed thresholds and is determined to have less-than-significant project-specific impacts, it may still contribute to a significant cumulative impact on air quality if the emissions from the project, in combination with the emissions from other proposed or reasonably foreseeable future projects, exceed established thresholds. However, a project would only be considered to have a significant cumulative impact if the project's contribution accounts for a significant proportion of the cumulative total emissions (i.e., it represents a "cumulatively considerable contribution" to the cumulative air quality impact).

**State Attainment Plans.** The SDAPCD and the San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the SDAB. The RAQS for the SDAB was initially adopted in 1991 and is updated on a triennial basis, most recently in 2020. The RAQS outlines SDAPCD's plans and control measures designed to attain the state air quality standards for O<sub>3</sub>. The RAQS relies on information from CARB and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in the County and the cities in the County, to forecast future emissions and then determine from that the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by the County and the cities in the County as part of the development of their general plans.

In December 2016, the SDAPCD adopted the revised RAQS for the County. The SDAPCD expects to continue reductions of O<sub>3</sub> precursors through 2035. Past reductions have been achieved through implementation of six VOC control measures and three NO<sub>x</sub> control measures adopted in the SDAPCD's 2009 RAQS. The SDAPCD is considering additional measures, including three VOC measures and four control measures to reduce 0.3 daily tons of VOC and 1.2 daily tons of NO<sub>x</sub>, provided they are found to be feasible region-wide. In addition, SDAPCD has implemented nine incentive-based programs, has worked with SANDAG to implement regional transportation control measures, and has reaffirmed the State emission offset repeal.

In December 2005, the SDAPCD prepared a report titled "Measures to Reduce Particulate Matter in San Diego County" to address implementation of SB 656 in the County (SB 656 required additional controls to reduce ambient concentrations of PM<sub>10</sub> and PM<sub>2.5</sub>). In the report, SDAPCD evaluated implementation of source-control measures that would reduce particulate matter emissions associated with residential wood combustion; various construction activities including earthmoving, demolition, and grading; bulk material storage and handling; carry-out and track-out removal and cleanup methods; inactive disturbed land; disturbed open areas; unpaved parking lots/staging areas; unpaved roads; and windblown dust.

The RAQS outlines SDAPCD's plans and control measures designed to attain the CAAQS for O<sub>3</sub>. In addition, the SDAPCD relies on the SIP, which includes the SDAPCD's plans and control measures for attaining the O<sub>3</sub> NAAQS. These plans accommodate emissions from all sources, including natural sources, through implementation of control measures, where feasible, on stationary sources to attain the standards. Mobile sources are regulated by the CalEPA and the CARB, and the emission and reduction strategies related to mobile sources are considered in the RAQS and SIP.

The RAQS relies on information from CARB and SANDAG, including projected growth in the County, and mobile, area, and all other source emissions to project future emissions and determine from that the strategies necessary for the reduction of stationary source emissions through regulatory controls. The CARB's mobile source emission projections and SANDAG's growth projections are based on population and vehicle trends, and land use plans developed by the cities and by the County. As such, projects that propose development that is consistent with the growth anticipated by these land use plans would be consistent with the RAQS. If a project proposes development that is less dense than anticipated within the adopted land use plans, the project would likewise be consistent with the RAQS. If a project proposes development that is greater than that anticipated in the adopted land use plans and SANDAG's growth projections upon which the RAQS is based, the project would conflict with the RAQS and SIP and could have a potentially significant impact on air quality. This situation would warrant further analysis to determine if the proposed project and the surrounding projects would exceed the growth projections used in the RAQS for the specific subregional area.

**SDAPCD Rules and Regulations.** As stated above, the SDAPCD is responsible for planning, implementing, and enforcing Federal and State ambient standards in the SDAB. The following rules and regulations apply to all sources in the jurisdiction of SDAPCD and would apply to any proposed projects on the project site.

SDAPCD Regulation IV: Prohibitions; Rule 51: Nuisance: This rule prohibits the discharge, from any source, of such quantities of air contaminants or other materials that cause or have a tendency to cause injury, detriment, nuisance, annoyance to people and/or the public, or damage to any business or property. Any criteria air pollutant emissions, TAC emissions, or odors that would be generated during construction or operation of any development project in the parcel area would be subject to SDAPCD Rule 51. Violations can be reported to the SDAPCD in the form of an air quality complaint by telephone, email, and online form. Complaints are investigated by the SDAPCD as soon as possible.

SDAPCD Regulation IV: Prohibitions; Rule 55: Fugitive Dust: This rule regulates fugitive dust emissions from any commercial construction or demolition activity capable of generating fugitive dust emissions, including active operations, open storage piles, and inactive disturbed areas, as well as track-out and carry-out onto paved roads beyond a project area. Construction activities, primarily during earth-disturbing activities, may result in fugitive dust emissions that would be subject to SDAPCD Rule 55. Fugitive dust emissions are not anticipated during onsite operation of the development.

SDAPCD Regulation IV: Prohibitions; Rule 67.0.1: Architectural Coatings: This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories. Construction and operation activities would include application of architectural coatings (e.g., paint and other finishes), which are subject to SDAPCD Rule 67.0.1. Architectural coatings used in the reapplication of coatings during operation of the development would be subject to the VOC content limits identified in SDAPCD Rule 67.0.1, which applies to coatings manufactured, sold, or distributed within the County.

SDAPCD Regulation XII: Toxic Air Contaminants; Rule 1206: Asbestos Removal: This rule requires owners and operators of any renovation or demolition operation (with a few exceptions) to perform a facility survey to determine the presence or absence of Asbestos Containing Material (ACM), regardless of the age of the facility, prior to the renovation or demolition of the building(s). Owners or operators are required to notify the SDAPCD prior to the demolition and removal of ACM, and to hire a trained ACM removal firm to remove and dispose of any ACM per the rule. This rule is applicable to the project.



## **San Diego Association of Governments**

SANDAG is the regional planning agency for the County and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. SANDAG serves as the federally designated metropolitan planning organization for the County. With respect to air quality planning and other regional issues, SANDAG has prepared San Diego Forward: The Regional Plan (RP) for the San Diego Region. The Regional Plan combines the big-picture vision for how the region will grow over the next 30 years with an implementation program to help make that vision a reality. The Regional Plan, including its Sustainable Communities Strategy (SCS), is built on an integrated set of public policies, strategies, and investments to maintain, manage, and improve the transportation system so that it meets the diverse needs of the San Diego region through 2050.

In regard to air quality, the Regional Plan sets the policy context in which SANDAG participates in and responds to the air district's air quality plans and builds off the air district's air quality plan processes that are designed to meet health-based criteria pollutant standards in several ways. First, it complements air quality plans by providing guidance and incentives for public agencies to consider best practices that support the technology-based control measures in air quality plans. Second, the Regional Plan emphasizes the need for better coordination of land use and transportation planning, which heavily influences the emissions inventory from the transportation sectors of the economy. This also minimizes land use conflicts, such as residential development near freeways, industrial areas, or other sources of air pollution.

On February 26, 2021, SANDAG's Board of Directors adopted the final 2021 Regional Transportation Improvement Program, which is a multibillion-dollar, multiyear program of proposed major transportation projects in the San Diego region. Transportation projects funded with Federal, State, and TransNet (the San Diego transportation sales tax program) must be included in an approved Regional Transportation Improvement Program. The programming of locally funded projects also may be programmed at the discretion of the agency. The 2021 Regional Transportation Improvement Program covers five fiscal years and incrementally implements the Regional Plan.

## **City of San Diego**

The San Diego Municipal Code (SDMC) addresses air quality and odor impacts in Section 142.0710, "Air Contaminant Regulations," which states that air contaminants including smoke, charred paper, dust, soot, grime, carbon, noxious acids, toxic fumes, gases, odors, and particulate matter, or any emissions that endanger human health, cause damage to vegetation or property, or cause soiling shall not be permitted to emanate beyond the boundaries of the premises upon which the use emitting the contaminants is located.

The SDMC also addresses the hazards of lead-based paint in Chapter 5, Article 4, Division 10, which states that any disturbance or removal of paint from any surface on the interior or exterior of a building constructed prior to January 1, 1979, or from any surface on a steel structure, shall use

lead-safe work practice standards, unless a Certified Lead Inspector/Assessor determines, prior to paint removal or disturbance, that the lead concentration in the paint is below 1000 parts per million (ppm) or 0.5 milligram per square centimeter. This rule may apply to the project, if any of the paint in the volleyball court area to be demolished contains lead.

The City of San Diego's General Plan is comprised of 10 elements that provide a comprehensive slate of citywide policies and further the City of Villages smart growth strategy for growth and development. The General Plan was comprehensively updated by unanimous vote of the City Council in 2008. The City Council also certified the General Plan Program Environmental Impact Report (EIR) and adopted associated amendments to the Land Development Code (LDC). Various updates to the General Plan have occurred since 2008. The General Plan update did not include land use designation or zoning changes, which is the purview of the City's community plans.

Community plans, such as the Pacific Beach Community Plan and Local Coastal Program and Use plan (Pacific Beach Community Plan), work together with the General Plan to provide location-based policies and recommendations in the City's fifty-plus community planning areas. Community plans are written to refine the General Plan's citywide policies, designate land uses and housing densities, and provide additional site-specific recommendations as needed. Showing the project's consistency with both the City's General Plan and Pacific Beach Community Plan is an important aspect of this air quality analysis. The Community Plan designates the project site as Residential multi-family [29-43 dwelling units/acre (du/ac)].

#### **5.4.2.4 Regional and Local Air Quality Conditions**

##### **San Diego Air Basin Attainment Designation**

Pursuant to the 1990 Federal CAA amendments, the Federal EPA classifies air basins (or portions thereof) as "attainment" or "non-attainment" for each criteria air pollutant, based on whether the NAAQS have been achieved. Generally, if the recorded concentrations of a pollutant are lower than the standard, the area is classified as "attainment" for that pollutant. If an area exceeds the standard, the area is classified as "non-attainment" for that pollutant. If there is not enough data available to determine whether the standard is exceeded in an area, the area is designated as "unclassified" or "unclassifiable." The designation of "unclassifiable/attainment" means that the area meets the standard or is expected to be meet the standard despite a lack of monitoring data. Areas that achieve the standards after a non-attainment designation are redesignated as maintenance areas and must have approved maintenance plans to ensure continued attainment of the standards. The California CAA, like its federal counterpart, calls for the designation of areas as "attainment" or "non-attainment," but based on the CAAQS rather than the NAAQS.

A complete listing of the current attainment status with respect to both federal and state non-attainment status by pollutants for the SDAB is shown in Table 5.4-2, *San Diego County Federal and State Attainment Status*.

**Table 5.4-2. San Diego County Federal and State Attainment Status**

| Criteria Pollutant            | Federal Designation | State Designation |
|-------------------------------|---------------------|-------------------|
| <b>O<sub>3</sub> (1-hour)</b> | Attainment*         | Non-Attainment    |
| <b>O<sub>3</sub> (8-hour)</b> | Non-Attainment      | Non-Attainment    |
| <b>Carbon Monoxide</b>        | Attainment          | Attainment        |
| <b>PM<sub>10</sub></b>        | Unclassifiable**    | Non-Attainment    |
| <b>PM<sub>2.5</sub></b>       | Attainment          | Non-Attainment    |
| <b>Nitrogen Dioxide</b>       | Attainment          | Attainment        |
| <b>Sulfur Dioxide</b>         | Attainment          | Attainment        |
| <b>Lead</b>                   | Attainment          | Attainment        |
| <b>Sulfates</b>               | No Federal Standard | Attainment        |
| <b>Hydrogen Sulfide</b>       | No Federal Standard | Unclassified      |
| <b>Visibility</b>             | No Federal Standard | Unclassified      |

\*The Federal 1-hour standard of 12 ppm was in effect from 1979 through June 1, 2005. The revoked standard is referenced here because it was used for such a long period and because this benchmark is addressed in SIPs.

\*\*At the time of designation, if the available data does not support a designation of attainment or non-attainment, the area is designated as unclassifiable.

## Local Ambient Air Quality

The SDAPCD monitors air quality conditions at locations throughout the SDAB. The purpose of the monitoring stations is to measure ambient concentrations of pollutants, including criteria pollutants, O<sub>3</sub> precursors and TACs, and to determine whether the CAAQS and the NAAQS are met. The monitor closest to the project site is the San Diego-Kearny Villa Road monitoring station, located approximately 7.38 miles northeast of the project site. The San Diego-Kearny Villa Road monitoring station does not measure PM<sub>10</sub>, so the data reported in Table 5.4-3, *Ambient Air Background Pollutant Concentrations*, are from the next closest monitoring station with PM<sub>10</sub> data: the Chula Vista monitoring station, located approximately 15.2 miles southeast of the project site. A summary of the data recorded at these monitoring stations from 2019 through 2021 is presented in Table 5.4-3.

### 5.4.3 Impact Analysis

#### 5.4.3.1 Issue 1

*Issue 1 Would the project result in a conflict with or obstruct implementation of the applicable air quality plan?*

### Impact Threshold

The SDAPCD is required, pursuant to the Federal CAA, to reduce emissions of criteria pollutants for which the SDAB is in nonattainment. Strategies to achieve these emissions reductions are developed in the RAQS and SIP, prepared by the APCD for the region.

The CARB mobile source emission projections and SANDAG growth projections that are used to develop the RAQS and SIP are based on population and vehicle trends and land use plans developed by the cities and by the County. As such, projects that propose development that is consistent with

or propose less density than the growth anticipated by local community or general plans would be consistent with the RAQS. If a project proposes development that is greater than that anticipated in the local plan and SANDAG's growth projections upon which the RAQS is based, the project would conflict with the RAQS and SIP and may have a potentially significant impact on air quality. This situation would warrant further analysis to determine if the project and the surrounding projects exceed the growth projections used in the RAQS for the specific subregional area.

## Analysis

Conformance with the RAQS and SIP determines whether a project would conflict with or obstruct implementation of the applicable air quality plans. The RAQS relies on information from CARB and SANDAG, including projected growth in the County, mobile, area, and all other source emissions to project future emissions and determine from that the strategies necessary for the reduction of stationary source emissions through regulatory controls. Projects that propose development that is consistent with the growth anticipated by the General Plan are consistent with the SIP, AQMP, and RAQS.

The project involves demolition of surface parking areas and recreational deck (which includes tennis courts) and redevelopment of these areas as multi-family dwelling units in three buildings consisting of 138 units, including seven affordable housing units, and structured and surface parking in the Pacific Beach community of the City of San Diego. The project site is located in the Pacific Beach Community Plan area and is designated Residential multi-family [29-43 dwelling units/acre (du/ac)]. in the Community Plan. The site is designated Residential in the General Plan.

The project requires an amendment to the Pacific Beach Community Plan to change the existing land use from Residential [29-43 dwelling units/acre (du/ac)] to Residential (15-54 du/ac). The proposed 138 additional units, plus the existing 564 units, would result in a total of 702 units on-site. The corresponding density would be 54.16 du/ac (which rounds down to 54 du/ac) and is consistent with the proposed Residential (15-54 du/ac) land use designation. The project also proposes a rezone from the Residential Multiple (RM)-3-7 zone to the RM-3-8 zone to provide the additional 138 residential units on the 12.96-acre project site.

SANDAG's 2050 Regional Growth Forecast, adopted in December 2021, estimates that the City will have 592,143 housing units in 2025 and 676,236 units in 2035, an increase of 84,093 units or about 8,409 units added per year. The proposed project growth of 138 units is a small fraction of the projected increase in units in the region, and therefore is expected to be consistent with the regional growth plans.

The Pacific Beach Community Plan is a community plan that covers a few distinct neighborhoods in the City of San Diego, though much of the residential portion of Pacific Beach lacks neighborhood identity (Appendix E). The project site is located in a multi-family residential area east of the Sail Bay

neighborhood and west of the Mission Bay neighborhood within the Crown Point neighborhood, which is the southernmost neighborhood within the Pacific Beach Community Plan. The project would add a higher-density residential land use with development of smaller units (1,088 square foot average for two-bedroom units, and 718 square foot average for one-bedroom units), including affordable units. These in-fill units are designed at the 30-foot height limit for Coastal Height Limit Overlay Zone. The project would also provide parking structures and bicycle parking. With adoption of the CPA and Rezone, the project would be consistent with the Community Plan.

Site development would support the overall projected increase in the development potential within the Community Plan area, consistent with SANDAG regional growth projections and in-fill with more affordable housing in the Community Plan area, with the applicable environmental goals and objectives contained in the General Plan and the Pacific Beach Community Plan. Any development at the project site is expected to be required to implement policies, actions, and design guidelines that support General Plan concepts, such as increased walkability, enhanced pedestrian and bicycle networks, improved connections to transit, and sustainable development and green building practices. Any development would be consistent with the SDAPCD's regional goals of improving the balance between jobs and housing, and integrating land uses near major transportation corridors such as the Interstate 5 (I-5) and I-8 freeways. Therefore, the project would be consistent with the RAQS and SIP.

### Significance of Impacts

Because the project is consistent with the projected growth in the Pacific Beach Community Plan and the growth anticipated by the General Plan, the project would be consistent with the SIP, air quality management plan, and RAQS. Therefore, the project would not conflict with or obstruct implementation of any applicable air quality plans. Impacts would be less than significant.

### Mitigation Measures

Impacts are less than significant, and mitigation would not be required.

#### 5.4.3.2 Issue 2 and Issue 5

*Issue 2      Would the project result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation?*

*Issue 5      Would the project exceed 100 pounds per day of Particulate Matter (PM) dust?*

### Impact Threshold

A significant adverse air quality impact may occur when a project individually or cumulatively interferes with progress toward the attainment of the O<sub>3</sub> standard by generating emissions that equal or exceed the established long-term quantitative thresholds for pollutants or exceed a Federal or State ambient air quality standard for any criteria pollutant.

The SDAPCD has established thresholds in Rule 20.2 for new or modified stationary sources. For CEQA purposes, these screening criteria can be used as numeric methods to demonstrate that a project's total emissions would not result in a significant impact to air quality. The screening thresholds from SDAPCD Rule 20.2, except for ROG, are included in the Table 5.4-4, *Significant Criteria for Air Quality Impacts* below. The thresholds for ROG are from the City's CEQA guidelines (2022).

#### 5.4-4. *Significance Criteria for Air Quality Impacts*

| Pollutant   | Daily Threshold (Lb/Day) | Annual Threshold (Tons/Year) |
|---|--------------------------|------------------------------|
| Respirable Particulate Matter (PM <sub>10</sub> ) | 100                      | 15                           |
| Fine Particulate Matter (PM <sub>2.5</sub> )      | 67                       | 10                           |
| Oxides of Nitrogen (NO <sub>x</sub> )             | 250                      | 40                           |
| Oxides of Sulfur (SO <sub>x</sub> )               | 250                      | 40                           |
| Carbon Monoxide (CO)                              | 550                      | 100                          |
| Reactive Organic Gases (ROG) <sup>1</sup>         | 137                      | 15                           |
| <b>Toxic Air Contaminants</b>                     |                          |                              |
| Cancer Risk Threshold                             | 10 in one million        |                              |
| Non-cancer Chronic and Acute Risk Threshold       | 1.0 HHI                  |                              |

Sources: SDAPCD Rule 20.2; City of San Diego CEQA Thresholds (City of SD 2022); SDAPCD 2022.

1. For purpose of this analysis, Reactive Organic Gases (ROGs) are considered to be equivalent to Volatile Organic Compounds (VOCs).

## Analysis

### **Construction Emissions**

Construction of the development would generate temporary air pollutant emissions. These impacts are associated with fugitive dust (PM<sub>10</sub> and PM<sub>2.5</sub>) from soil disturbance and exhaust emissions (NO<sub>x</sub>, CO, and SO<sub>2</sub>) from heavy construction vehicles. To estimate emissions, it was assumed that the entire 4.35-acre parcel would be disturbed and developed for overall construction. As noted, construction would generally consist of demolition, site preparation, grading, building construction, paving, and application of architectural coatings (painting).

Site preparation, and grading would involve the greatest concentration of heavy equipment use and the highest potential for fugitive dust emissions. Soil needed for cut and fill activities on the site due to site preparation and grading would require import of 1,087 cubic yards of soil. The project would be required to comply with SDAPCD Rule 55, which identifies fugitive dust standards and is required to be implemented at all construction sites located within the SDAB. Therefore, the following standard conditions, which are required to reduce fugitive dust emissions, were included in emissions modeling for site preparation and grading phases of construction:

1. **Minimization of Disturbance.** Construction contractors should minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.

- 2. Soil Treatment.** Construction contractors should treat all graded and excavated material, exposed soil areas and active portions of the construction site, including unpaved on-site roadways to minimize fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll compaction as appropriate. Watering shall be done as often as necessary, and at least three times daily, preferably at the start of each morning and after work is done for the day. For modeling purposes, it was assumed that watering would occur three times daily, during the construction of this development.
- 3. Soil Stabilization.** Construction contractors should monitor all graded and/or excavated inactive areas of the construction site at least weekly for dust stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials shall be applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area shall be seeded and watered until landscape growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.
- 4. No Grading During High Winds.** Construction contractors should stop all clearing, grading, earth moving, and excavation operations during periods of high winds.
- 5. Street Sweeping.** Construction contractors should sweep all on-site driveways and adjacent streets and roads at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.
- 6. Architectural Coatings.** Construction contractors shall use low-VOC paint (50 grams per liter) for interior and exterior coatings for residential and non-residential buildings, and 100 g/l for parking lot paint) as required by SDAPCD Rule 67.0.1, which became effective on January 1, 2022.

Construction is assumed to be completed by late-2027. Tables 5.4-5, *Maximum Daily Construction Emissions*, shows modeled maximum daily emissions occurring during the construction period at the site, with a comparison of daily impacts to the City of San Diego CEQA screening level thresholds.

**Table 5.4-5. Maximum Daily Construction Emissions**

| Year                                    | ROG        | NOx        | CO         | SO <sub>2</sub> | PM <sub>10</sub> | PM <sub>2.5</sub> |
|---|------------|------------|------------|-----------------|------------------|-------------------|
|   | lb/day     |            |            |                 |                  |                   |
| 2024                                    | 0.32       | 3.74       | 15.7       | 0.03            | 2.00             | 0.97              |
| 2025                                    | 1.21       | 7.12       | 23.5       | 0.03            | 2.15             | 0.97              |
| 2026                                    | 1.12       | 6.97       | 22.9       | 0.03            | 2.15             | 0.59              |
| 2027                                    | 70.6       | 6.88       | 22.4       | 0.03            | 2.15             | 0.58              |
| <b>Screening Threshold (lb/day)</b>     | <b>137</b> | <b>250</b> | <b>550</b> | <b>250</b>      | <b>100</b>       | <b>67</b>         |
| <b>Exceeds Threshold?<br/>(Yes/No)?</b> | <b>No</b>  | <b>No</b>  | <b>No</b>  | <b>No</b>       | <b>No</b>        | <b>No</b>         |

See Appendix B for CalEEMod ver. 2022.1.1.17 computer model output for the daily emissions shown. The higher lb/day value between Winter and Summer results is shown for each pollutant.

Source: Appendix E.



Table 5.4-6, *Maximum Annual Construction Emissions*, shows modeled maximum annual impacts of criteria pollutants at the Project site by year throughout the assumed construction period, with a comparison of each year's annual impacts to the City of San Diego CEQA screening level thresholds.

**Table 5.4-6. Maximum Annual Construction Emissions**

| Year                                    | ROG       | NOx       | CO         | SO <sub>2</sub> | PM <sub>10</sub> | PM <sub>2.5</sub> |
|---|-----------|-----------|------------|-----------------|------------------|-------------------|
|   | tons/year |           |            |                 |                  |                   |
| 2024                                    | 0.02      | 0.18      | 1.17       | <0.005          | 0.08             | 0.02              |
| 2025                                    | 0.12      | 0.74      | 2.68       | <0.005          | 0.27             | 0.09              |
| 2026                                    | 0.14      | 0.91      | 2.86       | <0.005          | 0.28             | 0.08              |
| 2027                                    | 1.19      | 0.63      | 1.98       | <0.005          | 0.19             | 0.05              |
| <b>Screening Threshold (lb/day)</b>     | <b>15</b> | <b>40</b> | <b>100</b> | <b>40</b>       | <b>15</b>        | <b>10</b>         |
| <b>Exceeds Threshold?<br/>(Yes/No)?</b> | <b>No</b> | <b>No</b> | <b>No</b>  | <b>No</b>       | <b>No</b>        | <b>No</b>         |

See Appendix B for CalEEMod ver. 2022.1.1.17 computer model output for the annual emissions shown  
Source: Appendix E.

As shown in Tables 5.4-5 and 5.4-6, all criteria pollutant emissions are below the daily and annual screening level thresholds, as analyzed for each year of construction. As such, air quality impacts from the construction of this development would be less than significant.

### **Operational Emissions**

Operational emissions would include emissions from electricity consumption (energy sources), vehicle trips (mobile sources), area sources, landscape equipment, and evaporative emissions as the structures are repainted over the life of the development. The majority of operational emissions are associated with vehicle trips to and from the site. Table 5.4-7, *Maximum Daily Operational Emissions*, and Table 5.4-8 *Maximum Annual Operational Emissions*, summarize emissions associated with operation of the project site.

**Table 5.4-7. Maximum Daily Operational Emissions**

| Category                                | ROG         | NOx         | CO          | SO <sub>2</sub> | PM <sub>10</sub> | PM <sub>2.5</sub> |
|---|-------------|-------------|-------------|-----------------|------------------|-------------------|
|   | lb/day      |             |             |                 |                  |                   |
| Area (Total)                            | 10.4        | 0.16        | 18.5        | <0.005          | 0.02             | 0.02              |
| Energy                                  | 0.01        | 0.25        | 0.10        | <0.005          | 0.02             | 0.02              |
| Mobile (Total)                          | 1.97        | 1.33        | 13.0        | 0.03            | 2.88             | 0.75              |
| <b>Total</b>                            | <b>12.4</b> | <b>1.74</b> | <b>31.6</b> | <b>0.03</b>     | <b>2.92</b>      | <b>0.79</b>       |
| <b>Screening Threshold (lb/day)</b>     | <b>137</b>  | <b>250</b>  | <b>550</b>  | <b>250</b>      | <b>100</b>       | <b>67</b>         |
| <b>Exceeds Threshold?<br/>(Yes/No)?</b> | <b>No</b>   | <b>No</b>   | <b>No</b>   | <b>No</b>       | <b>No</b>        | <b>No</b>         |

See Appendix B for CalEEMod ver. 2022.1.1.17 computer model output. The higher lb/day value between Winter and Summer results is shown for each pollutant.  
Source: Appendix E

**Table 5.4-8. Maximum Annual Operational Emissions**

| Category                                | ROG         | NOx         | CO          | SO <sub>2</sub> | PM <sub>10</sub> | PM <sub>2.5</sub> |
|---|-------------|-------------|-------------|-----------------|------------------|-------------------|
|   | tons/year   |             |             |                 |                  |                   |
| Area (Total)                            | 1.67        | 0.01        | 1.67        | <0.002          | <0.005           | <0.005            |
| Energy                                  | <0.005      | 0.05        | 0.02        | <0.005          | <0.005           | <0.005            |
| Mobile (Total)                          | 0.35        | 0.24        | 2.25        | 0.01            | 0.52             | 0.13              |
| <b>Total</b>                            | <b>2.02</b> | <b>0.30</b> | <b>3.94</b> | <b>0.01</b>     | <b>0.53</b>      | <b>0.14</b>       |
| <b>Screening Threshold (lb/day)</b>     | <b>15</b>   | <b>40</b>   | <b>100</b>  | <b>40</b>       | <b>15</b>        | <b>10</b>         |
| <b>Exceeds Threshold?<br/>(Yes/No)?</b> | <b>No</b>   | <b>No</b>   | <b>No</b>   | <b>No</b>       | <b>No</b>        | <b>No</b>         |

See Appendix B for CalEEMod ver. 2022.1.1.17 computer Annual model output.  
Source: Appendix E.

As shown in Tables 5.4-7 and 5.4-8, the operational emissions associated with this development would not exceed the City of San Diego CEQA screening level thresholds for ROG, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>. Therefore, the scenario's operational air quality impacts (including impacts related to criteria pollutants, sensitive receptors, and violations of air quality standards) would be less than significant.

## Significance of Impacts

As demonstrated by the analysis above, construction of the proposed project would not exceed the SDAPCD regional daily and annual construction emission thresholds for criteria pollutant emissions. Air quality impacts related to construction emissions would be less than significant.

Emissions of all criteria pollutants from project operation are below all applicable daily and annual screening thresholds of significance. Therefore, air quality impacts related to operational emissions would be less than significant.

## Mitigation Measures

Impacts are less than significant, and mitigation is not required.

### 5.4.3.3 Issue 3

*Issue 3 Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?*

## Impact Threshold

Per the City's thresholds, the project would have a significant impact on air quality if the project would:

- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality

standard (including release emissions which exceed quantitative thresholds for ozone precursors).

## Analysis

With regard to short-term construction impacts, the SDAPCD thresholds of significance are used to determine whether the project may have a short-term cumulative impact. As shown in Tables 5.4-5 and Table 5.4-6, the project would not exceed any criteria air pollutant thresholds during construction. Therefore, the scenario would have a less than significant cumulative impact during construction. Additionally, for the SDAB, the RAQS serves as the long-term regional air quality planning document for the purpose of assessing cumulative operational emissions in the basin to ensure that the SDAB continues to make progress toward NAAQS- and CAAQS-attainment status. As such, cumulative projects located in the San Diego region would have the potential to result in a cumulative impact to air quality if, in combination, they would conflict with or obstruct implementation of the RAQS. Similarly, individual projects that are inconsistent with the regional planning documents upon which the RAQS is based would have the potential to result in cumulative operational impacts if they represent development and population increases beyond regional projections.

Regarding long-term cumulative operational emissions in relation to consistency with local air quality plans, the SIP and RAQS serve as the primary air quality planning documents for the state and SDAB, respectively. The SIP and RAQS rely on SANDAG growth projections based on population, vehicle trends, and land use plans developed by the cities and the County as part of the development of their general plans. Therefore, projects that propose development that is consistent with the growth anticipated by local plans would be consistent with the SIP and RAQS and would not be considered to result in cumulatively considerable impacts from operational emissions. As stated previously, the project would not result in significant regional growth that is not accounted for within the RAQS.

## Significance of Impacts

Based upon the analysis above, the project would not result in a cumulatively considerable contribution to pollutant emissions and would result in a less than significant impact.

## Mitigation Measures

Impacts are less than significant, and mitigation is not required.

### 5.4.3.4 Issue 4

*Issue 4      Would the project result in exposing sensitive receptors to substantial pollutant concentrations?*

## Impact Threshold

Based on the City's Threshold, a project would have a potentially significant air quality environmental impact if it would:

- Expose sensitive receptors (including, but not limited to, residences, schools, hospitals, resident care facilities, or day-care centers) to substantial pollutant concentrations.

## Analysis

Adjacent sensitive receptors are the residents of multi-family and single-family residences located within and adjacent to the project site, and the Crown Point Junior Music Academy north of the project site. Due to the short-term construction duration and the limited construction emissions, there is low potential for fugitive dust or Diesel Particulate Matter (DPM) due to construction activities to impact sensitive receptors. Construction equipment would consist of Tier 4 Final equipment (the most recent engine emissions standard implemented by the Federal EPA), which would further reduce the potential for impact of construction DPM emissions on sensitive receptors. The project's total construction DPM emissions are not of a magnitude and duration that could create substantial concentrations or significant air toxic risks to the nearest sensitive receptors during construction. Compliance with the SDAPCD rules and regulations would reduce the fugitive dust emissions during construction and associated impacts to sensitive receptors. Demolition of the existing parking lots and amenities on the project site would be completed in compliance with City ordinances and SDAPCD rules so that any lead-based paint that may be present would be properly removed and disposed of, thereby having no impact on nearby sensitive receptors. The operating emissions from sources (such as mobile sources) would be negligible and would not have the potential to impact sensitive receptors.

## Significance of Impacts

As demonstrated in the analysis above, the project's construction and operation air pollutant emissions would not expose sensitive receptors to substantial pollutant concentrations and would result in a less than significant impact.

## Mitigation Measures

Impacts are less than significant, and mitigation would not be required.

### 5.4.3.5 Issue 6

*Issue 6      Would the project create objectionable odors affecting a substantial number of people?*

## Impact Threshold

Per the City's Thresholds, determining the significance of potential odor impacts should be based on what is known about the quantity of the odor compound(s) that would result from the project's

proposed use(s), the types of neighboring uses potentially affected, the distance(s) between the project's point source(s) and the neighboring uses such as sensitive receptors, and the resultant concentration(s) at receptors.

For a project proposing placement of sensitive receptors near an existing odor source, a significant odor impact will be identified if the project site is closer to the odor source than any existing sensitive receptor where there has been more than one confirmed or three confirmed complaints per year (averaged over a three-week period) about the odor source. Projects proposing placement of sensitive receptors near a source of odors where there are currently no nearby existing receptors, the determination of significance should be based on the distance and frequency at which odor complaints from the public have occurred in the vicinity of a similar odor source at another location.

### **Analysis**

The closest sensitive receptors to the project site are the multi-family units located within the project site, single- and multi-family residences adjacent to the project site, and children at the elementary school north of the project site.

Construction of the project at the site would involve the use of diesel-powered construction equipment. Diesel exhaust odors may be noticeable temporarily at adjacent properties; however, construction activities would be temporary and are not considered significant. The proposed future residential land use designation of the site would not include industrial or agricultural uses that are typically associated with objectionable odors.

### **Significance of Impacts**

The project would not result in significant air quality impacts associated with odors. Impacts would be less than significant.

### **Mitigation Measures**

Impacts are less than significant, and mitigation is not required.

**Table 5.4-1. National and State Ambient Air Quality Standards**

| Pollutant  | Averaging Time             | California Standards <sup>1</sup>     |  | National Standards <sup>2</sup>                 |                                      |   |
|--|----------------------------|---------------------------------------|--|---|--------------------------------------|---|
|  |                            | Concentration <sup>3</sup>            | Method <sup>4</sup>  | Primary <sup>3,5</sup>                          | Secondary <sup>3,6</sup>             | Method <sup>7</sup>   |
| Ozone (O <sub>3</sub> ) <sup>8</sup>                                 | 1-hour                     | 0.09 ppm<br>(180 µg/m <sup>3</sup> )  | Ultraviolet<br>Photometry                                    | --  | Same as<br>Primary<br>Standard       | Ultraviolet<br>Photometry   |
|  | 8-hour                     | 0.070 ppm<br>(137 µg/m <sup>3</sup> ) |  | 0.070 ppm<br>(137 µg/m <sup>3</sup> )           |                                      |   |
| Respirable<br>Particulate<br>Matter (PM <sub>10</sub> ) <sup>9</sup> | 24-Hour                    | 50 µg/m <sup>3</sup>                  | Gravimetric or<br>Beta Attenuation                           | 150 µg/m <sup>3</sup>                           | Same as<br>Primary<br>Standard       | Inertial Separation<br>and Gravimetric<br>Analysis                              |
|  | Annual<br>Arithmetic Mean  | 20 µg/m <sup>3</sup>                  |  | --  |                                      |   |
| Fine<br>Particulate<br>Matter<br>(PM <sub>2.5</sub> ) <sup>9</sup>   | 24-Hour                    | --                                    | --   | 35 µg/m <sup>3</sup>                            | Same as<br>Primary<br>Standard       | Inertial Separation<br>and Gravimetric<br>Analysis                              |
|  | Annual<br>Arithmetic Mean  | 12 µg/m <sup>3</sup>                  | Gravimetric or<br>Beta Attenuation                           | 12.0 µg/m <sup>3</sup>                          | 15 µg/m <sup>3</sup>                 |   |
| Carbon<br>Monoxide<br>(CO) <sup>10</sup>                             | 1-Hour                     | 20 ppm<br>(23 mg/m <sup>3</sup> )     | Non-Dispersive<br>Infrared<br>Photometry (NDIR)              | 35 ppm<br>(40 mg/m <sup>3</sup> )               | --                                   | Non-Dispersive<br>Infrared Photometry<br>(NDIR)                                 |
|  | 8-Hour                     | 9.0 ppm<br>(10 mg/m <sup>3</sup> )    |  | 9 ppm<br>(10 mg/m <sup>3</sup> )                | --                                   |   |
|  | 8-Hour<br>(Lake Tahoe)     | 6 ppm<br>(7 mg/m <sup>3</sup> )       |  | --  | --                                   |   |
| Nitrogen<br>Dioxide<br>(NO <sub>2</sub> ) <sup>10</sup>              | 1-Hour                     | 0.18 ppm<br>(339 µg/m <sup>3</sup> )  | Gas Phase<br>Chemiluminesc<br>e                              | 100 ppb<br>(188 µg/m <sup>3</sup> )             | --                                   | Gas Phase<br>Chemiluminescence  |
|  | Annual<br>Arithmetic Mean  | 0.030 ppm<br>(57 µg/m <sup>3</sup> )  |  | 0.053 ppm<br>(100 µg/m <sup>3</sup> )           | Same as<br>Primary<br>Standard       |   |
| Sulfur Dioxide<br>(SO <sub>2</sub> ) <sup>11</sup>                   | 1-Hour                     | 0.25 ppm<br>(655 µg/m <sup>3</sup> )  | Ultraviolet<br>Fluorescence                                  | 75 ppb<br>(196 µg/m <sup>3</sup> )              | --                                   | Ultraviolet<br>Fluorescence;<br>Spectrophotometry<br>(Pararosaniline<br>Method) |
|  | 3-Hour                     | --                                    |  | --  | 0.5 ppm<br>(1300 µg/m <sup>3</sup> ) |   |
|  | 24-Hour                    | 0.04 ppm<br>(105 µg/m <sup>3</sup> )  |  | 0.14 ppm<br>(for certain<br>areas)              | --                                   |   |
|  | Annual<br>Arithmetic Mean  | --                                    |  | 0.030 ppm<br>(for certain<br>areas)             | --                                   |   |
| Lead <sup>12,13</sup>  | 30-day Average             | 1.5 µg/m <sup>3</sup>                 | Atomic Absorption  | --  | --                                   | High Volume<br>Sampler and Atomic<br>Absorption                                 |
|  | Calendar Quarter           | --                                    |  | 1.5 µg/m <sup>3</sup><br>(for certain<br>areas) | Same as<br>Primary<br>Standard       |   |
|  | Rolling 3-Month<br>Average | --                                    |  | 0.15 µg/m <sup>3</sup>                          |                                      |   |
| Visibility<br>Reducing<br>Particles <sup>14</sup>                    | 8-Hour                     | --                                    | Beta Attenuation<br>and Transmittance<br>through Filter Tape | No National Standards                           |                                      |   |

| Pollutant                    | Averaging Time | California Standards <sup>1</sup>   |                          | National Standards <sup>2</sup> |                          |                     |
|------------------------------|----------------|-------------------------------------|--------------------------|---------------------------------|--------------------------|---------------------|
|                              |                | Concentration <sup>3</sup>          | Method <sup>4</sup>      | Primary <sup>3,5</sup>          | Secondary <sup>3,6</sup> | Method <sup>7</sup> |
| Sulfates                     | 24-Hour        | 25 µg/m <sup>3</sup>                | Ion Chromatography       |                                 |                          |                     |
| Hydrogen Sulfide             | 1-Hour         | 0.03 ppm<br>(42 µg/m <sup>3</sup> ) | Ultraviolet Fluorescence |                                 |                          |                     |
| Vinyl Chloride <sup>12</sup> | 24-Hour        | 0.01 ppm<br>(26 µg/m <sup>3</sup> ) | Gas Chromatography       |                                 |                          |                     |

- California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
- National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m<sup>3</sup> is equal to or less than one. For PM2.5, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
- Concentration expressed first in units which it was promulgated. Equivalent units given in parenthesis are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
- Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
- National Primary Standards: The levels are of air quality necessary, with an adequate margin of safety to protect the public health.
- National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
- Reference method as described by the U.S. EPA An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.
- On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
- On December 14, 2012, the national annual PM2.5 primary standard was lowered from 15 µg/m<sup>3</sup> to 12.0 µg/m<sup>3</sup>. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 µg/m<sup>3</sup>, as was the annual secondary standard of 15 µg/m<sup>3</sup>. The existing 24-hour PM10 standards (primary and secondary) of 150 µg/m<sup>3</sup> also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
- To attain the 1-hour national standard, the 3-year average of the annual 98<sup>th</sup> percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
- On June 2, 2010, a new 1-hour SO<sub>2</sub> standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99<sup>th</sup> percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO<sub>2</sub> standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.  
Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
- The ARB has identified lead and vinyl chloride as 'toxic air contaminant' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
- The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m<sup>3</sup> as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
- In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the Statewide and Lake Tahoe Air Basin standards, respectively.



**Table 5.4-3. Ambient Air Background Pollutant Concentrations**

| Pollutant  | 2019                            | 2020                            | 2021                            |
|--|---------------------------------|---------------------------------|---------------------------------|
| <b>O<sub>3</sub></b>   |                                 |                                 |                                 |
| State maximum 1-hour concentration (ppm)                                   | 0.090                           | <b>0.106<sup>1</sup></b>        | 0.084 <sup>1</sup>              |
| National maximum 8-hour concentration (ppm)                                | <b>0.076<sup>1</sup></b>        | <b>0.086<sup>1</sup></b>        | 0.066 <sup>1</sup>              |
| State maximum 8-hour concentration (ppm)                                   | <b>0.077<sup>1</sup></b>        | <b>0.086<sup>1</sup></b>        | 0.067 <sup>1</sup>              |
| <i>Number of Days Standard Exceeded</i>                                    |                                 |                                 |                                 |
| CAAQS 1-hour (>0.09 ppm)   | 0 <sup>1</sup>                  | 1 <sup>1</sup>                  | 0 <sup>1</sup>                  |
| CAAQS 8-hour (>0.070 ppm)/<br>NAAQS 8-hour (>0.070 ppm)                    | 2/2 <sup>1</sup>                | 4/4 <sup>1</sup>                | 0/0 <sup>1</sup>                |
| <b>Respirable Particulate Matter (PM<sub>10</sub>)</b>                     |                                 |                                 |                                 |
| National maximum 24-hour concentration (µg/m <sup>3</sup> )                | 68.2 <sup>1</sup>               | 68 <sup>2</sup>                 | 46 <sup>2</sup>                 |
| State maximum 24-hour concentration (µg/m <sup>3</sup> )                   | <b>69.4<sup>1</sup></b>         | <b>68<sup>2</sup></b>           | 46 <sup>2</sup>                 |
| State annual average concentration (µg/m <sup>3</sup> )                    | 19.0 <sup>2</sup>               | <b>24.8<sup>2</sup></b>         | <b>23.9<sup>2</sup></b>         |
| <i>Annual or Days Standard Exceeded*</i>                                   |                                 |                                 |                                 |
| NAAQS 24-hour (>150 µg/m <sup>3</sup> )                                    | 0 <sup>1</sup>                  | 0 <sup>2</sup>                  | 0 <sup>2</sup>                  |
| CAAQS 24-hour (>50 µg/m <sup>3</sup> )/<br>Annual (>20 µg/m <sup>3</sup> ) | 1 <sup>1</sup> /No <sup>2</sup> | **/Yes <sup>2</sup>             | 0/Yes <sup>2</sup>              |
| <b>Fine Particulate Matter (PM<sub>2.5</sub>)</b>                          |                                 |                                 |                                 |
| National maximum 24-hour concentration (µg/m <sup>3</sup> )                | 18.6 <sup>1</sup>               | <b>46.7<sup>1</sup></b>         | 24.9 <sup>1</sup>               |
| Annual average concentration (µg/m <sup>3</sup> )                          | 8.1 <sup>2</sup>                | 10.7 <sup>2</sup>               | 9.5 <sup>2</sup>                |
| <i>Annual or Days Standard Exceeded*</i>                                   |                                 |                                 |                                 |
| NAAQS 24-hour (>35 µg/m <sup>3</sup> )/Annual (>12 µg/m <sup>3</sup> )     | 0 <sup>1</sup> /No <sup>2</sup> | 6 <sup>1</sup> /No <sup>2</sup> | 0 <sup>1</sup> /No <sup>2</sup> |
| CAAQS Annual (>12 µg/m <sup>3</sup> )                                      | No <sup>2</sup>                 | No <sup>2</sup>                 | No <sup>2</sup>                 |

Notes: µg/m<sup>3</sup> = micrograms per cubic meter; ppb = parts per billion; ppm = parts per million; N/A = Not available.

CAAQS = California Ambient Air Quality Standard; NAAQS = National Ambient Air Quality Standard.

**BOLD** value indicates greater than standard.

1. Measured at the Chula Vista station (80 E. J St., Chula Vista, approximately 3.25 miles northeast of the Project site) using iADAM Top 4 Summary.

2. Measured at the Chula Vista station (80 E. J St., Chula Vista, approximately 3.25 miles northeast of the Project site) using SDAPCD 5-Year Air Quality Summary, as there was not a complete set of data for local stations on iADAM.

\* In the case of an Annual standard a No or Yes response is provided. And, where applicable, number of days presented are the Estimated Number of days as provided in iADAM (as sampling not performed continuously)

\*\* Number of exceedances are not available in SDAPCD summary.

Source: CARB 2022, SDAPCD 2021c

## 5.5 Greenhouse Gas Emissions

This section identifies existing greenhouse gas emission conditions, gas emissions-related policies that are applicable to the project, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. The following discussion is based on the *Climate Action Plan Consistency Checklist* prepared by KLR PLANNING (August 2023), included as Appendix F of this Environmental Impact Report (EIR).

### 5.5.1 Existing Conditions

#### 5.5.1.1 Background

Global climate change (GCC) refers to any significant change in measures of climate, such as temperature, precipitation, or wind patterns, that last for an extended period of time. The earth's temperature depends on the balance between energy entering and leaving the planet's system. Many factors, both natural and human, can cause changes in Earth's energy balance, including variations in the sun's energy that reaches Earth, changes in the reflectivity of Earth's atmosphere and surface, and changes in the greenhouse effect, which affects the amount of heat retained by Earth's atmosphere.

The greenhouse effect is the trapping and buildup of heat in the atmosphere (troposphere) near Earth's surface. The greenhouse effect traps heat in the troposphere through a threefold process as follows: short-wave radiation emitted by the sun is absorbed by Earth, Earth emits a portion of this energy in the form of long-wave radiation, and greenhouse gases (GHGs) in the upper atmosphere absorb this long-wave radiation and emit it into space and toward Earth. The greenhouse effect is a natural process that contributes to regulating Earth's temperature.

Human activities that emit additional GHGs to the atmosphere increase the amount of infrared radiation absorbed before escaping into space, thereby enhancing the greenhouse effect and causing Earth's surface temperature to rise. The scientific record of Earth's climate shows that the climate system varies naturally over a wide range of time scales, and that in general, climate changes prior to the Industrial Revolution in the 1700s can be explained by natural causes, such as changes in solar energy, volcanic eruptions, and natural changes in GHG concentrations. However, recent climate changes, specifically the warming observed over the past century, cannot be explained by natural causes alone. Rather, human activity may have been the dominant cause of warming since the mid-Twentieth Century and are thought to be a significant driver of observed climate change. Human influence on the climate system is evident from the increasing GHG concentrations in the atmosphere, positive radiative forcing, observed warming and improved understanding of the climate system. The atmospheric concentrations of GHGs have increased primarily from fossil fuel emissions and secondarily from emissions associated with land use changes. Continued emissions of GHGs may cause further warming and changes in all components of the climate system.

GCC and GHGs have been at the center of a widely-contested political, economic, and scientific debate. Although the conceptual existence of GCC is generally accepted, the extent to which GHGs generally and anthropogenic-induced GHGs contribute to it remains a source of debate. The State of California has been at the forefront of developing solutions to address GCC.

The United Nations Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. The IPCC concluded that a stabilization of GHGs at 400 to 450 ppm carbon dioxide (CO<sub>2</sub>) equivalent concentration is required to keep global mean warming below 3.6° Fahrenheit (°F) (2° Celsius), which is assumed to be necessary to avoid dangerous climate change.

State law defines GHGs as any of the following compounds: CO<sub>2</sub>, methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>) [California Health and Safety Code Section 38505(g)]. CO<sub>2</sub>, followed by CH<sub>4</sub> and N<sub>2</sub>O, are the most common GHGs that result from human activity.

### 5.5.1.2 Sources and Global Warming Potentials of GHG

Anthropogenic sources of CO<sub>2</sub> include combustion of fossil fuels (coal, oil, natural gas, gasoline, and wood). CH<sub>4</sub> is the main component of natural gas and also arises naturally from anaerobic decay of organic matter. Accordingly, anthropogenic sources of CH<sub>4</sub> include landfills, fermentation of manure, and cattle farming. Anthropogenic sources of N<sub>2</sub>O include combustion of fossil fuels and industrial processes such as nylon production and production of nitric acid. Other GHGs are present in trace amounts in the atmosphere and are generated from various industrial or other uses.

GHGs have varying global warming potential (GWP). The GWP is the potential of a gas or aerosol to trap heat in the atmosphere; it is the “cumulative radiative forcing effect of a gas over a specified time horizon resulting from the emission of a unit mass of gas relative to a reference gas” (EPA 2006). The reference gas for GWP is CO<sub>2</sub>; therefore, CO<sub>2</sub> has a GWP of one. The other main greenhouse gases that have been attributed to human activity include CH<sub>4</sub>, which has a GWP of 28, and N<sub>2</sub>O, which has a GWP of 265. Table 5.5-1, *Global Warming Potentials and Atmospheric Lifetimes of GHGs*, presents the GWP and atmospheric lifetimes of common GHGs. To account for each GHG's respective GWP, all types of GHG emissions are expressed in terms of CO<sub>2</sub> equivalents (CO<sub>2</sub>e) and are typically quantified in metric tons (MT) or millions of metric tons (MMT).

California Air Resources Board (CARB) compiled a statewide inventory of anthropogenic GHG emissions and sinks that includes estimates for CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, SF<sub>6</sub>, HFCs, and PFCs, and is summarized in Table 5.5-2, *State of California GHG Emissions by Sector*. Data sources used to calculate this GHG inventory include California and Federal agencies, international organizations, and industry associations. The calculation methodologies are consistent with guidance from the IPCC. The 1990 emissions level is the sum total of sources and sinks from all sectors and categories in the inventory.

The inventory is divided into seven broad sectors and categories in the inventory: Agriculture, Commercial, Electricity Generation, Forestry, Industrial, Residential, and Transportation.

**Table 5.5-1. Global Warming Potentials and Atmospheric Lifetimes of GHGs**

| GHG                  | Formula          | 100-Year Global Warming Potential | Atmospheric Lifetime (Years) |
|----------------------|------------------|-----------------------------------|------------------------------|
| Carbon Dioxide       | CO <sub>2</sub>  | 1                                 | Variable                     |
| Methane              | CH <sub>4</sub>  | 28                                | 12                           |
| Nitrous Oxide        | N <sub>2</sub> O | 265                               | 121                          |
| Sulfur Hexafluoride  | SF <sub>6</sub>  | 23,500                            | 3,200                        |
| Hydrofluorocarbons   | HFCs             | 100 to 12,000                     | 1 to 100                     |
| Perfluorocarbons     | PFCs             | 7,000 to 11,000                   | 3,000 to 50,000              |
| Nitrogen Trifluoride | NF <sub>3</sub>  | 16,100                            | 500                          |

Source: First Update to the Climate Change Scoping Plan, ARB 2014

**Table 5.5-2. State of California GHG Emissions by Sector**

| Sector                     | Total 1990 Emissions (MMTCO <sub>2</sub> e) | Percent of Total 1990 Emissions | Total 2012 Emissions (MMTCO <sub>2</sub> e) | Percent of Total 2012 Emissions |
|----------------------------|---|---------------------------------|---|---------------------------------|
| Agriculture                | 23.4  | 5 percent                       | 37.86                                       | 8%                              |
| Commercial                 | 14.4  | 3%                              | 14.20                                       | 3%                              |
| Electricity Generation     | 110.6                                       | 26%                             | 95.05                                       | 21%                             |
| Forestry (excluding sinks) | 0.2   | <1%                             | Not reported                                | --                              |
| Industrial                 | 103.0                                       | 24%                             | 89.16                                       | 19%                             |
| Residential                | 29.7  | 7%                              | 28.09                                       | 6%                              |
| Transportation             | 150.7                                       | 35%                             | 167.38                                      | 36%                             |
| Recycling and Waste        | Not reported                                | --                              | 8.49  | 2%                              |
| High GWP Gases             | Not reported                                | --                              | 18.41                                       | 4%                              |
| Forestry Sinks             | (6.7)                                       | --                              | Not reported                                | --                              |

### 5.5.1.3 Typical Adverse Effects

IPCC's Climate Scenarios Report (2006) uses a range of emissions scenarios developed by the IPCC to project a series of potential warming ranges (i.e., temperature increases) that may occur in California during the 21<sup>st</sup> Century. Three warming ranges were identified: lower warming range (3.0 °F to 5.5 °F); medium warming range (5.5 °F to 8.0 °F); and higher warming range (8.0 °F to 10.5 °F). The Climate Scenarios Report then presents an analysis of the future projected climate changes in California under each warming range scenario.

According to the report, substantial temperature increases would result in a variety of impacts to the people, economy, and environment of California. These impacts would result from a projected increase in extreme conditions, with the severity of the impacts depending upon actual future emissions of GHGs and associated warming. These impacts are described below.

## **Public Health**

Higher temperatures are expected to increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to O<sub>3</sub> formation are projected to increase by 25 to 35 percent under the lower warming range and 75 to 85 percent under the medium warming range. In addition, if global background O<sub>3</sub> levels increase as is predicted in some scenarios, it may become impossible to meet local air quality standards. An increase in wildfires could also occur, and the corresponding increase in the release of pollutants including particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>) could further compromise air quality. The Climate Scenarios Report indicates that large wildfires could become up to 55 percent more frequent if GHG emissions are not significantly reduced.

Potential health effects from GCC may arise from temperature increases, climate-sensitive diseases, extreme events, and air quality. There may be direct temperature effects through increases in average temperature leading to more extreme heat waves and less extreme cold spells. Those living in warmer climates are likely to experience more stress and heat-related problems (e.g., heat rash and heat stroke). In addition, climate sensitive diseases (such as malaria, dengue fever, yellow fever, and encephalitis) may increase, such as those spread by mosquitoes and other disease-carrying insects.

## **Water Resources**

A vast network of reservoirs and aqueducts capture and transport water throughout the State from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada mountain snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages. In addition, if temperatures continue to rise more precipitation would fall as rain instead of snow, further reducing the Sierra Nevada spring snowpack by as much as 70 to 90 percent. The State's water resources are also at risk from rising sea levels. An influx of seawater would degrade California's estuaries, wetlands, and groundwater aquifers.

## **Agriculture**

Increased GHG and associated increases in temperature are expected to cause widespread changes to the agricultural industry, reducing the quantity and quality of agricultural products statewide. Significant reductions in available water supply to support agriculture would also impact production.

Crop growth and development would change as would the intensity and frequency of pests and diseases.

## **Ecosystems/Habitats**

Continued global warming would likely shift the ranges of existing invasive plants and weeds, thus altering competition patterns with native plants. Range expansion is expected in many species while range contractions are less likely in rapidly evolving species with significant populations already established. Continued global warming is also likely to increase the populations of and types of pests. Continued global warming would also affect natural ecosystems and biological habitats throughout the State.

## **Wildland Fires**

Global warming is expected to increase the risk of wildfire and alter the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55 percent, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors including precipitation, winds, temperature, and landscape and vegetation conditions, future risks would not be uniform throughout the State.

## **Rising Sea Levels**

Rising sea levels, more intense coastal storms, and warmer water temperatures would increasingly threaten the State's coastal regions. Under the high warming scenario, sea level is anticipated to rise 22 to 35 inches by 2100. A sea level risk of this magnitude would inundate coastal areas with salt water, accelerate coastal erosion, threaten levees and inland water systems, and disrupt wetlands and natural habitats.

Sea levels rose approximately seven inches during the last century and the State of California predicts an additional rise of 10 to 17 inches by 2050 and a rise of 31 to 69 inches by 2100, depending on the future levels of GHG emissions. If this occurs, resultant effects could include increased coastal flooding. Sea level rise adaptation strategies include strategies that involve construction of hard structures as barriers, such as seawalls and levees; soft structure strategies such as wetland enhancement, detention basins, and other natural strategies; accommodation strategies that include grade elevations, elevated structures, and other building design options; and withdrawal strategies that limit development to areas unaffected by sea level rise.

### **5.5.2 Regulatory Framework**

All levels of government have some responsibility for the protection of air quality, and each level (Federal, State, and regional/local) has specific responsibilities relating to air quality regulation. GHG emissions and the regulation of GHGs is a relatively new component of this air quality regulatory framework.

### 5.5.2.1 Federal

#### Massachusetts v. U.S. Environmental Protection Agency

In *Massachusetts v. EPA* (April 2007), the U.S. Supreme Court directed the Federal Environmental Protection Agency (EPA) administrator to determine whether GHG emissions from new motor vehicles cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. In December 2009, the administrator signed a final rule with the following two distinct findings regarding GHGs under Section 202(a) of the Clean Air Act (CAA):

- The administrator found that elevated concentrations of GHGs—CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs, and SF<sub>6</sub>—in the atmosphere threaten the public health and welfare of current and future generations. This is the “endangerment finding.”
- The administrator further found the combined emissions of GHGs—CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, and HFCs—from new motor vehicles and new motor vehicle engines contribute to the GHG air pollution that endangers public health and welfare. This is the “cause or contribute finding.”

These two findings were necessary to establish the foundation for regulation of GHGs from new motor vehicles as air pollutants under the CAA.

#### Energy Independence and Security Act

The Energy Independence and Security Act of 2007, among other key measures, would do the following, which would aid in the reduction of national GHG emissions:

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

#### Federal Vehicle Standards

In response to the *Massachusetts v. EPA* ruling, the George W. Bush Administration issued Executive Order (EO) 13432 in 2007 directing Federal EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011. In 2010, EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012 through 2016 (75 FR 25324–25728).



In 2010, President Obama issued a memorandum directing the Department of Transportation, Department of Energy, Federal EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG emissions reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, Federal EPA and NHTSA proposed stringent, coordinated federal GHG emissions and fuel economy standards for model years 2017 through 2025 light-duty vehicles. The proposed standards projected to achieve 163 grams/mile of CO<sub>2</sub> in model year 2025, on an average industry-fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017 through 2021 (77 FR 62624–63200), and NHTSA intends to set standards for model years 2022 through 2025 in a future rulemaking.

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the Federal EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014 through 2018. The standards for CO<sub>2</sub> emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the Federal EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by six percent to 23 percent over the 2010 baselines (76 FR 57106–57513).

In August 2016, the Federal EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types of sizes of buses and work trucks. The final standards are expected to lower CO<sub>2</sub> emissions by approximately 1.1 billion MT and reduce oil consumption by up to two billion barrels over the lifetime of the vehicles sold under the program.

On September 19, 2019, NHTSA and the Federal EPA issued a final action entitled the “One National Program Rule” to enable the Federal government to provide nationwide uniform fuel economy and GHG emission standards for automobiles and light-duty trucks. This action finalizes critical parts of the Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule that was first proposed in August 2018. This action makes clear that Federal law preempts State and local tailpipe GHG emissions standards, as well as zero emission vehicle (ZEV) mandates. California and other states have challenged Federal actions that would delay or eliminate GHG emissions reduction measures and have committed to cooperating with other countries to implement global climate change initiatives. The timing and consequences of these types of Federal decisions and subsequent challenges are speculative at this time.

### **5.5.2.2 State**

The following subsections describe regulations and standards that have been adopted by the State of California to address GCC issues.

#### **Executive Order S-3-05**

On June 1, 2005, EO S-3-05 proclaimed that California is vulnerable to climate change impacts. It declared that increased temperatures could reduce snowpack in the Sierra Nevada, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To avoid or reduce climate change impacts, EO S-3-05, signed by Governor Schwarzenegger on June 1, 2005, calls for a reduction in GHG emissions to 1990 levels by 2020 and for an 80 percent reduction in GHG emissions by 2050. EO S-3-05 also calls for the California Environmental Protection Agency (CalEPA) to prepare biennial science reports on the potential impact of continued GCC on certain sectors of the California economy. The first of these reports, *Our Changing Climate: Assessing Risks to California*, and its supporting document, *Scenarios of Climate Change in California: An Overview*, were published by the California Climate Change Center in 2006.

#### **Assembly Bill 32, the California Global Warming Solutions Act of 2006**

The California Global Warming Solutions Act of 2006, widely known as Assembly Bill (AB) 32, requires that the California Air Resources Board (CARB) develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB is directed to set a GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill requires CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG reductions.

#### **Executive Order S-01-07**

EO S-01-07 was enacted by the Governor Schwarzenegger on January 18, 2007, and mandates that: 1) a statewide goal be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020; and 2) a low carbon fuel standard (LCFS) for transportation fuels be established for California. According to the San Diego County Greenhouse Gas Inventory (SDCGHGI), the effects of the LCFS would be a 10 percent reduction in GHG emissions from fuel use by 2020. On April 23, 2009, the ARB adopted regulations to implement the LCFS.

#### **Senate Bill 97**

Senate Bill (SB) 97, enacted in 2007, amends the California Environmental Quality Act (CEQA) statute to clearly establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. It directs Office of Planning and Research (OPR) to develop draft CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions" by July 1, 2009 and directs the Resources Agency to certify and adopt the CEQA guidelines by January 1, 2010.

## **Assembly Bill 1109**

Enacted in 2007, AB 1109 required the California Energy Commission (CEC) to adopt minimum energy efficiency standards for general-purpose lighting to reduce electricity consumption 50 percent for indoor residential lighting and 25 percent for indoor commercial lighting.

## **Executive Order S-13-08**

EO S-13-08 (November 2008) is intended to hasten California's response to the impacts of global climate change, particularly sea-level rise. Therefore, EO S-13-08 directs State agencies to take specified actions to assess and plan for such impacts. The final *2009 California Climate Adaptation Strategy* report was issued in December 2009 by the California Natural Resources Agency (CNRA), and an update, *Safeguarding California: Reducing Climate Risk*, followed in July 2014. To assess the State's vulnerability, the report summarizes key climate change impacts to the State for the following areas: agriculture, biodiversity and habitat, emergency management, energy, forestry, ocean and coastal ecosystems and resources, public health, transportation, and water. Issuance of the *Safeguarding California: Implementation Action Plans* followed in March 2016. In January 2018, the CNRA released the *Safeguarding California Plan: 2018 Update*, which communicates current and needed actions that State government should take to build climate change resiliency.

## **Senate Bill 375**

SB 375 (2008) finds that GHG from autos and light trucks can be substantially reduced by new vehicle technology, but even so it would be necessary to achieve significant additional greenhouse gas reductions from changed land use patterns and improved transportation. Without improved land use and transportation policy, California would not be able to achieve the goals of AB 32. Therefore, SB 375 requires that regions with metropolitan planning organizations adopt sustainable communities strategies, as part of their regional transportation plans, which are designed to achieve certain goals for the reduction of GHG emissions from mobile sources.

SB 375 also includes CEQA streamlining provisions for "transit priority projects" that are consistent with an adopted sustainable communities strategy. As defined in SB 375, a "transit priority project" shall: (1) contain at least 50 percent residential use, based on total building square footage and, if the project contains between 26 and 50 percent nonresidential uses, a floor area ratio of not less than 0.75; (2) provide a maximum net density of at least 20 dwelling units per acre; and (3) be within one-half mile of a major transit stop or high quality transit corridor.

## **CARB's Scoping Plan**

On December 11, 2008, CARB adopted the Scoping Plan, as directed by AB 32. The Scoping Plan proposes a set of actions designed to reduce overall GHG emissions in California to the levels required by AB 32. Measures applicable to development projects include those related to energy-efficiency building and appliance standards, the use of renewable sources for electricity generation, regional transportation targets, and green building strategy. Relative to transportation, the Scoping

Plan includes nine measures or recommended actions related to reducing vehicle miles traveled and vehicle GHGs through fuel and efficiency measures. These measures would be implemented statewide rather than on a project-by-project basis.

In response to EO B-30-15 and SB 32, all State agencies with jurisdiction over sources of GHG emissions were directed to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 targets. CARB was directed to update the Scoping Plan to reflect the 2030 target and is moving forward with the update process. The mid-term target is critical to help frame the suite of policy measures, regulations, planning efforts, and investments in clean technologies and infrastructure needed to continue driving down emissions. CARB has released a second update to the Scoping Plan to reflect the 2030 target set by EO B-30-15 and codified by SB 32. The 2017 Climate Change Scoping Plan Update, Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target, was adopted December 2017.

### **Executive Order S-21-09**

Executive Order S-21-09 was enacted by Governor Schwarzenegger on September 15, 2009. Executive Order S-21-09 requires that the CARB, under its AB 32 authority, adopt a regulation by July 31, 2010, that sets a 33-percent renewable energy target as established in EO S-14-08. Under Executive Order S-21-09, the CARB would work with the Public Utilities Commission and CEC to encourage the creation and use of renewable energy sources, and would regulate all California utilities. The CARB would also consult with the Independent System Operator and other load balancing authorities on the impacts on reliability, renewable integration requirements, and interactions with wholesale power markets in carrying out the provisions of the EO. The order requires the CARB to establish highest priority for those resources that provide the greatest environmental benefits with the least environmental costs and impacts on public health.

### **Senate Bill 1368**

SB 1368 (2006) required CEC to develop and adopt regulations for GHG emission performance standards for the long-term procurement of electricity by local publicly owned utilities. This effort helps protect energy customers from financial risks associated with investments in carbon-intensive generation by allowing new capital investments in power plants whose GHG emissions are as low as or lower than new combined-cycle natural gas plants by requiring imported electricity to meet GHG performance standards in California and by requiring that the standards be developed and adopted in a public process.

### **Senate Bill 1078, Senate Bill 107, and Executive Order S-14-08**

SB 1078 initially set a target of 20 percent of energy to be sold from renewable sources by the Year 2017. The schedule for implementation of the Renewable Portfolio Standard (RPS) was accelerated in 2006 with Governor Schwarzenegger signing of SB 107, which accelerated the 20 percent RPS goal from 2017 to 2010. On November 17, 2008, the Governor Schwarzenegger signed EO S-14-08, which

requires all retail sellers of electricity to serve 33 percent of their load with renewable energy by 2020. Governor Schwarzenegger signed EO S-21-09 on September 15, 2009, which directed ARB to implement a regulation consistent with the 2020 33 percent renewable energy target by July 31, 2010. The 33 percent RPS was adopted in 2010.

### **Senate Bill X1 2**

SB X1 2 (2011) expanded the RPS by establishing that 20 percent of the total electricity sold to retail customers in California per year be secured from qualified renewable energy sources by December 31, 2013, and 33 percent by December 31, 2020, and in subsequent years. Under SB X1 2, a renewable electrical generation facility is one that uses biomass, solar thermal, photovoltaic, wind, geothermal, fuel cells using renewable fuels, small hydroelectric generation of 30 megawatts or less, digester gas, municipal solid waste conversion, landfill gas, ocean wave, ocean thermal, or tidal current, and that meets other specified requirements with respect to its location. In addition to the retail sellers previously covered by the RPS, SB X1 2 added local, publicly owned electric utilities to the RPS.

### **Assembly Bill 939 and Assembly Bill 341**

In 1989, AB 939, known as the Integrated Waste Management Act (California Public Resources Code, Sections 40000 et seq.), was passed because of the increase in waste stream and the decrease in landfill capacity. The statute established the California Integrated Waste Management Board, which oversees a disposal reporting system. AB 939 mandated a reduction of waste being disposed of, in which jurisdictions were required to meet diversion goals of all solid waste through source reduction, recycling, and composting activities of 25 percent by 1995 and 50 percent by the year 2000.

AB 341 (2011) amended the California Integrated Waste Management Act of 1989 to include a provision declaring that it is the policy goal of the State that not less than 75 percent of solid waste generated be source-reduced, recycled, or composted by the year 2020, and annually thereafter. In addition, AB 341 required the California Department of Resources Recycling and Recovery to develop strategies to achieve the State's policy goal. The California Department of Resources Recycling and Recovery has conducted multiple workshops and published documents that identify priority strategies that it believes would assist the State in reaching the 75 percent goal by 2020. In July 2020, commercial recycling requirements went into effect requiring businesses to provide organics and recycling containers at front-of-house to collect waste generated from products purchased and consumed on the premises.

### **Executive Order B-16-12**

EO B-16-12 (2012) directs State entities under the Governor's direction and control to support and facilitate development and distribution of ZEVs. This EO also sets a long-term target of reaching 1.5 million ZEVs on California's roadways by 2025. On a statewide basis, EO B-16-12 also establishes a

GHG emissions reduction target from the transportation sector equaling 80 percent less than 1990 levels by 2050. In furtherance of this EO, the Governor Brown convened an interagency working group on ZEVs that has published multiple reports regarding the progress made on the penetration of ZEVs in the statewide vehicle fleet.

### **Senate Bill 605 and Senate Bill 1383**

SB 605 (2014) required CARB to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants (SLCPs) in the State, and SB 1383 (2016) required CARB to approve and implement the SLCP Reduction Strategy. SB 1383 also established specific targets for the reduction of SLCPs (40 percent below 2013 levels by 2030 for CH<sub>4</sub> and HFCs, and 50 percent below 2013 levels by 2030 for human-caused black carbon), and provided direction for reductions from dairy and livestock operations and landfills. Accordingly, and as mentioned above, in March 2017 CARB adopted its SLCP Reduction Strategy, which established a framework for the statewide reduction of emissions of black carbon, CH<sub>4</sub>, and fluorinated gases. SB 1383 also states that starting in 2022, all jurisdictions must provide organic waste collection services to all residents and businesses. Jurisdictions can select from a variety of organic waste collection services to match their unique communities and local infrastructure, while producing clean streams of organic feedstock that can be recycled into high-quality, marketable recycled products, including compost, renewable natural gas, electricity, and paper.

### **Executive Order B-29-15**

In response to the ongoing drought in California, EO B-29-15 (April 2015) set a goal of achieving a statewide reduction in potable urban water usage of 25 percent relative to water use in 2013. The term of the EO extended through February 28, 2016, although many of the directives have since become permanent water-efficiency standards and requirements. EO B-29-15 includes specific directives that set strict limits on water usage in the State. In response to EO B-29-15, the California Department of Water Resources has modified and adopted a revised version of the Model Water Efficient Landscape Ordinance, that, among other changes, significantly increases the requirements for landscape water use efficiency and broadens its applicability to include new development projects with smaller landscape areas.

### **Executive Order B-30-15**

On April 29, 2015, executive Order B-30-15 established an interim GHG emission reduction goal for the State of California to reduce GHG emissions to 40 percent below 1990 levels by the Year 2030. This EO directs all State agencies with jurisdiction over GHG-emitting sources to implement measures designed to achieve the new interim 2030 goal, as well as the pre-existing, long-term 2050 goal identified in EO S-3-05 to reduce GHG emissions to 80 percent below 1990 levels by the Year 2050. The EO directs Air Resources Board (ARB) to update its Scoping Plan to address the 2030 goal. It is anticipated that ARB would develop statewide inventory projection data for 2030 and

commence efforts to identify reduction strategies capable of securing emission reductions that allow for achievement of the new interim goal for 2030.

### **Senate Bill 350**

In 2015, SB 350—the Clean Energy and Pollution Reduction Act—was enacted into law, further expanding the RPS by establishing that 50 percent of the total electricity sold to retail customers in California per year by December 31, 2030, be secured from qualified renewable energy sources. In addition, SB 350 included the goal of doubling the energy efficiency savings in electricity and natural gas final end uses (such as heating, cooling, lighting, or classes of energy uses on which an energy efficiency program is focused) of retail customers through energy conservation and efficiency. The bill also required the California Public Utilities Commission, in consultation with the CEC, to establish efficiency targets for electrical and gas corporations consistent with this goal. As one of its elements, SB 350 established a statewide policy for widespread electrification of the transportation sector, recognizing that such electrification is required for achievement of the State's 2030 and 2050 reduction targets (see California Public Utilities Code, Section 740.12). In April 2020, CARB's Enforcement Policy was updated to include a mechanism pursuant to PUC section 399.30 (o), under Appendix B: Enforcement Policy for the Renewables Portfolio Standard Program.

### **Assembly Bill 1236**

AB 1236 (2015) requires local land use jurisdictions to approve applications for the installation of EV charging stations, as defined, through the issuance of specified permits unless there is substantial evidence in the record that the proposed installation would have a specific adverse impact on public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The bill provides for appeal of that decision to the planning commission, as specified. AB 1236 requires local land use jurisdictions with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that creates an expedited and streamlined permitting process for EV charging stations, as specified. The City added Section 86.0151, Electric Vehicle Parking Regulations, to the San Diego Municipal Code (SDMC) in August 2015 in response to the AB 1236 requirements.

### **Executive Order B-48-18**

EO B-48-18 (2018) launched an eight-year initiative to accelerate the sale of EVs through a mix of rebate programs and infrastructure improvements. The order also set a new EV target of five million EVs in California by 2030. EO B-48-18 included funding for multiple State agencies, including CEC, to increase EV charging infrastructure and for CARB to provide rebates for the purchase of new EVs and purchase incentives for low-income customers.

### **Executive Order B-55-18**

EO B-55-18 (September 2018) established a new statewide goal “to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter.”



This EO directed CARB to “work with relevant State agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal.”

### **Senate Bill 100**

SB 100 (2018) increased the standards set forth in SB 350, which established that 44 percent of the total electricity sold to retail customers in California per year be secured from qualified renewable energy sources by December 31, 2024; 52 percent by December 31, 2027; and 60 percent by December 31, 2030. Under SB 100, it is the policy of the State that eligible renewable energy resources and zero-carbon resources supply 100 percent of the retail sales of electricity to California. This bill requires that achievement of 100 percent zero-carbon electricity resources not increase the carbon emissions elsewhere in the western grid and that achievement of this goal not occur through resource shuffling.

### **State Standards Addressing Vehicular Emissions**

California Assembly Bill 1493 (Pavley) enacted on July 22, 2002, required the CARB to develop and adopt regulations that reduce greenhouse gases emitted by passenger vehicles and light duty trucks. Regulations adopted by CARB would apply to 2009 and later model year vehicles. CARB estimated that the regulation would reduce climate change emissions from light duty passenger vehicle fleet by an estimated 18 percent in 2020 and by 27 percent in 2030. Once implemented, emissions from new light duty vehicles are expected to be reduced in San Diego County by up to 21 percent by 2020.

CARB has adopted amendments to the Pavley regulations that reduce GHG emissions in new passenger vehicles from 2009 through 2016. The amendments, approved by the CARB Board on September 24, 2009, are part of California’s commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016, and prepare California to harmonize its rules with the Federal rules for passenger vehicles.

### **Advanced Clean Cars Program**

In January 2012, CARB approved the Advanced Clean Cars program, a new emissions control program for model years 2015 through 2025. The program combines the control of smog- and soot-causing pollutants and GHG emissions into a single coordinated package. The package includes elements to reduce smog-forming pollution, reduce GHG emissions, promote clean cars, and provide the fuels for clean cars. To improve air quality, CARB has implemented new emission standards to reduce smog-forming emissions beginning with 2015 model year vehicles. It is estimated that in 2025, cars will emit 75 percent less smog-forming pollution than the average new car sold before 2012. To reduce GHG emissions, CARB, in conjunction with the Federal EPA and NHTSA, has adopted new GHG standards for model year 2017 to 2025 vehicles that are estimated to reduce GHG emissions by 34 percent in 2025. The ZEV program will act as the focused technology of

the Advanced Clean Cars program by requiring manufacturers to produce increasing numbers of ZEVs and plug-in hybrid EVs in the 2018 to 2025 model years.

Advanced Clean Cars II regulations will rapidly scale down light-duty passenger cars, pickup truck and SUV emission starting with the 2026 model year through 2035. These regulations amend the Zero-emission Vehicle Regulation to require an increasing number of zero-emission vehicles, and relies on currently available advanced vehicle technologies, including battery -electric, hydrogen fuel cell electric and plug-in hybrid electric-vehicles, to meet air quality and climate change emissions standards. These amendments support Governor Newsom's 2020 Executive Order N-79-20 that requires all new passenger vehicles sold in California to be zero emissions by 2035. The Low-emission Vehicle Regulations were amended to include increasingly stringent standards for gasoline cars and heavier passenger trucks to continue to reduce smog forming emissions.

### **California Code of Regulations Title 24**

Although not originally intended to reduce GHG emissions, California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Title 24 was updated 2022. The 2022 standards continue to improve upon the 2019 standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The 2022 standards went into effect on January 1, 2023. Energy efficient buildings require less electricity, natural gas, and other fuels. Electricity production from fossil fuels and on-site fuel combustion (typically for water heating) results in greenhouse gas emissions. Therefore, increased energy efficiency results in decreased greenhouse gas emissions.

Title 24 also includes Part 11, known as California's Green Building Standards (CALGreen). The CALGreen standard took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up new construction of commercial, low-rise residential, and State-owned buildings, as well as schools and hospitals. The 2022 CALGreen standards became effective on January 1, 2023.

### **Title 20 of the California Code of Regulations**

Title 20 of the California Code of Regulations requires manufacturers of appliances to meet State and Federal standards for energy and water efficiency. Performance of appliances must be certified through CEC to demonstrate compliance with standards. New appliances regulated under Title 20 include refrigerators, refrigerator-freezers, and freezers; room air conditioners and room air-conditioning heat pumps; central air conditioners; spot air conditioners; vented gas space heaters; gas pool heaters; plumbing fittings and plumbing fixtures; fluorescent lamp ballasts; lamps; emergency lighting; traffic signal modules; dishwashers; clothes washers and dryers; cooking

products; electric motors; low-voltage dry-type distribution transformers; power supplies; televisions and consumer audio and video equipment; and battery charger systems. Title 20 presents protocols for testing for each type of appliance covered under the regulations, and appliances must meet the standards for energy performance, energy design, water performance, and water design. Title 20 contains three types of standards for appliances: Federal and State standards for federally regulated appliances, State standards for federally regulated appliances, and State standards for non-federally regulated appliances.

### **5.5.2.3 Local**

#### **San Diego Forward: The Regional Plan**

Every four years, San Diego Associations of Governments (SANDAG) prepares and updates a Regional Plan (RP) in collaboration with the 18 cities and County of San Diego along with regional, State, and Federal partners. The RP was adopted by SANDAG on December 10, 2021. This plan will guide the region through 2050 and is being developed through a new data-driven process to transform the way people and goods move. The RP serves as a blueprint for how the San Diego region will grow and how SANDAG will invest in transportation infrastructure to provide more transportation choices, strengthen the economy, promote a healthy environment, and support thriving communities. The transportation decisions detailed in the RP serve an overarching goal: create more transportation choices, which ultimately will lead to healthier communities, healthier people, and a healthier environment. The 2021 RP envisions a transportation system that does not rely on any single mode of transportation but offers a complete and integrated systems to ensure that all San Diego County residents have access to safe transportation choices that protect the environment and support the regional economy.

#### **City of San Diego General Plan**

The City's General Plan includes various goals and policies designed to help result in a reduction in GHG emissions. Climate change and GHG reduction policies are addressed in multiple chapters of the General Plan. The goal and policies related to GHG emissions relevant to the project are as follows:

**Goal:** To reduce the City's overall carbon dioxide footprint by improving energy efficiency, increasing use of alternative modes of transportation, employing sustainable planning and design techniques, and providing environmentally-sound waste management.

**Policy CE-A.5** Employ sustainable or "green" building techniques for the construction and operation of buildings.

- (a) Develop and implement sustainable building standards for new and significant remodels of residential and commercial buildings to maximize energy efficiency, and to achieve overall net zero energy consumption by 2020 for new

residential buildings and 2030 for new commercial buildings. This can be accomplished through factors including, but not limited to:

- Designing mechanical and electrical systems that achieve greater energy efficiency with currently available technology;
- Minimizing energy use through innovative site design and building orientation that addresses factors such as sun-shade patterns, prevailing winds, landscape, and sun-screens;
- Employing self-generation of energy using renewable technologies;
- Combining energy efficient measures that have longer payback periods with measures that have shorter payback periods;
- Reducing levels of non-essential lighting, heating and cooling; and
- Using energy efficient appliances and lighting.

Policy CE-A-7 Construct and operate buildings using materials, methods, and mechanical and electrical systems that ensure a healthful indoor air quality. Avoid contamination by carcinogens, volatile organic compounds, fungi, molds, bacteria, and other known toxins.

- (a) Eliminate the use of chlorofluorocarbon-based refrigerants in newly constructed facilities and major building renovations and retrofits for all heating, ventilation, air conditioning, and refrigerant-based building systems.
- (b) Reduce the quantity of indoor air contaminants that are odorous or potentially irritating to protect installers and occupants' health and comfort. Where feasible, select low-emitting adhesives, paints, coatings, carpet systems, composite wood, agrifiber products, and others.

Policy CE-A.8 Reduce construction and demolition waste in accordance with Public Facilities Element, Policy PF-I.2, or be renovating or adding on to existing buildings, rather than constructing new buildings.

Policy CE-A.9 Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible, through factors including:

- Scheduling time for deconstruction and recycling activities to take place during project demolition and construction phases;

Policy CE-A.10 Include features in buildings to facilitate recycling of waste generated by building occupants and associated refuse storage areas.

- a. Provide permanent, adequate, and convenient space for individual building occupants to collect refuse and recyclable material.

- b. Provide a recyclables collection area that serves the entire building or project. The space should allow for the separation, collection and storage of paper, glass, plastic, metals, yard waste, and other materials as needed.

Policy CE-A.11 Implement sustainable landscape design and maintenance.

- a. Use integrated pest management techniques, where feasible, to delay, reduce, or eliminate dependence on the use of pesticides, herbicides, and synthetic fertilizers.
- c. Decrease the amount of impervious surfaces in developments, especially where public places, plazas and amenities are proposed to serve as recreation opportunities.
- d. Strategically plant deciduous shade trees, evergreen trees, and drought tolerant native vegetation, as appropriate, to contribute to sustainable development goals.
- e. Reduce use of lawn types that require high levels of irrigation.
- f. Strive to incorporate existing mature trees and native vegetation into site designs.
- h. Implement water conservation measures in site/building design and landscaping.
- i. Encourage the use of high efficiency irrigation technology, and recycled site water to reduce the use of potable water for irrigation. Use recycled water to meet the needs of development projects to the maximum extent feasible.

Policy CE-A.12 Reduce the San Diego Urban Heat Island through actions as:

- Using cool roofing materials, such as reflective, low heat retention tiles, membranes and coatings, or vegetated eco-roofs to reduce heat build-up;
- Planting trees and other vegetation, to provide shade and cool air temperatures. In particular, properly position trees to shade buildings, air conditions units, and parking lots; and
- Reducing heat build up in parking lots through increased shading or use of cool paving materials as feasible.

## City of San Diego Climate Action Plan

The City adopted its initial Climate Action Plan (CAP) in December 2015 to outline the actions to be taken by the City to achieve its proportional share of State GHG emission reductions, consistent with CARB requirements associated with Executive Order (EO) S-3-05, Assembly Bill (AB) 32, EO B-30-15, SB 32, AB 197, AB 1493, EO S-01-07, SB 375. In August 2022, the City Council approved an update to the CAP to expand its approach and strategies for achieving the goal of net zero emissions by 2035 (City of San Diego 2022). As such, the 2022 CAP establishes a new goal, targets, and actions that go beyond the 2015 CAP goal. The five strategies include: decarbonization of the built environment;

access to clean and renewable energy; mobility and land use; circular economy and clean communities; resilient infrastructure and healthy ecosystems; and emerging climate actions.

**City of San Diego CAP Checklist.** In 2016, the City adopted a CAP Consistency Checklist to be contained within, and used in conjunction with, the CAP. The checklist provides a streamlined review process for proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to the CEQA. The CAP Consistency Checklist contains measures to be implemented on a project-by-project basis to ensure that the CAP-specified emissions targets are achieved, thus simplifying project-level analysis within a CEQA document. Implementation of the identified measures would ensure that new development is consistent with the relevant CAP strategies meant to achieve identified GHG reduction targets. Projects that are consistent with the CAP as determined through the use of the CAP Consistency Checklist may rely on the CAP to analyze the cumulative impacts associated with the project's GHG emissions. Conversely, projects that are found to be not consistent with the CAP must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and incorporation of the measures in the CAP Consistency Checklist to the extent feasible. Finally, any project that is not consistent with the CAP would result in cumulatively significant GHG impacts.

**CAP Consistency Regulations.** In 2022, the City adopted Climate Action Plan Consistency Regulations added to the City's Municipal Code as Chapter 14, Article 3, Division 14. The Climate Action Plan Consistency Regulations replace the CAP Consistency Checklist and are intended to ensure that new development is consistent with the City's Climate Action Plan. The CAP Consistency Regulations contain measures – such as enhancing tree coverage and ensuring that development contributes to an active and healthy transportation environment to create a more sustainable future for all San Diegans – that are required to be implemented on a project-by-project basis to ensure that the specified emissions targets identified in the CAP are achieved. Projects for new development that are consistent with the CAP, as determined through compliance with the CAP Consistency Regulations and well as land use consistency analysis, may rely on the CAP for the cumulative impacts analysis of GHG emissions. Projects for new development that are not consistent with the CAP and land use analysis must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and incorporation of the measures in the CAP Consistency Regulations to the extent feasible. Cumulative GHG emissions impacts would be significant for any project that is not consistent with the CAP.

The project is subject to the CAP. Because the project was deemed complete prior to adoption of the CAP Consistency Regulations, a CAP Consistency Checklist, included in Appendix F, was prepared for the project. As presented in the Impact Analysis below (Section 5.5.3.1), the CAP Consistency Checklist demonstrates the project's consistency with the CAP.

## Blueprint San Diego

Blueprint San Diego (Blueprint SD) is a new approach for the City of San Diego's General Plan and community planning that aligns with climate and housing goals and promotes sustainable growth. It is an effort to create a sustainable framework for growth including more homes, jobs, and better transportation options to support current and future San Diegans. The purpose of Blueprint SD is to help achieve climate action goals and create more walkable neighborhoods, meet housing goals, and create more meaningful engagement opportunities. Blueprint SD benefits the City by showing where housing is needed to create a City where San Diegans can walk, bike, or take transit to get where they need to go. Blueprint SD allows the City to update more community plans over the long-term empowering more residents to help direct the distribution of new housing, public spaces, and infrastructure. Blueprint SD was adopted by City Council on July 23, 2024, and a Final Environmental Impact Report was prepared on July 11, 2024.

### 5.5.3 Impact Analysis

#### 5.5.3.1 Issue 1

*Issue 1 Would the project generate greenhouse gas emission, either directly or indirectly, that may have a significant impact on the environment?*

### Impact Threshold

The City amended its Significance Thresholds in 2022 to reflect changes the CAP and the adoption of the CAP Regulations. Based on the 2022 Thresholds, projects that are consistent with the City's CAP Regulations would result in a less-than-significant cumulative impact regarding GHG emissions. If a project is not consistent with the City's CAP Consistency Regulations, the project would require processing of a Neighborhood Development Permit that demonstrates the project includes design features or other mitigating measures, to the extent feasible, that reduce greenhouse gas emissions and support and enhance alternative forms of transit in a manner comparable with the CAP Consistency Regulations.

However, the project was deemed complete prior to adoption of the City's CAP Consistency Regulations and uses the CAP Consistency Checklist for determining consistency with the CAP. In this case, the project falls under the City's previous Significance Thresholds, which stated projects that are consistent with the City's CAP, as determined through the CAP Consistency Checklist, would result in a less-than-significant cumulative impact regarding GHG emissions. If a project is not consistent with the City's CAP, as determined through the CAP Consistency Checklist, potentially significant cumulative GHG impacts would occur. For project-level environmental documents, significance is determined through the CAP Consistency Checklist.



## Analysis

The project is subject to the CAP. Because the project was deemed complete prior to adoption of the CAP Consistency Regulations, an assessment of the project was conducted through completion of the CAP Consistency Checklist (Appendix F). Provided below is a summary of the project's consistency with the CAP Consistency Checklist.

The City's CAP Consistency Checklist focuses on operational emissions associated with planned land uses and includes a three-step process to determine if a project would result in a GHG impact. Step 1 consists of an evaluation to determine the project's consistency with existing General Plan, Community Plan, and zoning designations for the site. Step 2 consists of an evaluation of the project's compliance with the CAP strategies. Step 3 is only applicable if a project is not consistent with the land use and/or zone, but results in a more intensive project in a transit priority area than assumed in the CAP.

### **Step 1: Land Use Consistency**

Step 1 of the CAP Consistency Checklist assesses a project's consistency with the growth projections used in development of the CAP. To evaluate land use consistency under Step 1, a project's consistency with the existing General Plan and Community Plan land use and zoning designations is evaluated. If the proposed project is not consistent with the existing land use plan and zoning designations, includes a land use plan and/or zoning designation amendment if it results in an increased density within a TPA, and implements CAP Strategy 3 actions as determined in Step 3 the project would be consistent with Step 1.

The project site has a land use designation of Residential Multifamily [23-43 dwelling units per acre (du/ac)] in the Pacific Beach Community Plan and Local Coastal Program Land Use Plan (Pacific Beach Community Plan). With redeveloping a portion of underutilized areas on the project site, the unit count would increase to 702 units, or 54.16 du/ac. Therefore, the project would require a Community Plan Amendment (CPA) to change the density on-site to be consistent with the ultimate project proposed. The project site is zoned RM-3-7, which allows for a multi-family residential density of up to 43.56 dwelling units per acre (du/ac). Similar to the CPA, the project would require a Rezone to change the current zoning designation (RM-3-7) to RM-3-8. The CPA and Rezone would allow for an increase in density within a TPA.

Furthermore, as demonstrated in Table 5.1-1, *City of San Diego General Plan Consistency*, and in Table 5.1-2, *Pacific Beach Community Plan Consistency*, the project would be consistent with the applicable goals and policies of the City of San Diego General Plan and the Pacific Beach Community Plan.

Therefore, Step 1 of the CAP Consistency Checklist is answered in the affirmative under Option B (*If the proposed project is not consistent with the existing land use plan and zoning designations, and includes a land use plan and/or zoning designation amendment, would the proposed amendment result*

*in an increased density within a Transit Priority Area (TPA) and implement CAP Strategy 3 actions, as determined in Step 3 to the satisfaction of the Development Services Department?).*

### **Step 2: CAP Strategies Consistency**

After determining consistency with Step 1 of the CAP Consistency Checklist, Step 2 is required to review and evaluate a project's consistency with the applicable strategies and actions of the CAP. The project's conformance with each CAP Consistency Checklist measure is evaluated in Table 5.5-3, *CAP Strategies Consistency*. As summarized in Table 5.5-3, the project would be consistent with each CAP strategy. Therefore, the project would be consistent with all applicable CAP Consistency Checklist measures outlined in Step 2 and would be consistent with the City's CAP with respect to planning and land use strategies. The project would not impede the City's ability to implement the actions identified in the CAP to achieve the CAP's targets and associated GHG emission reductions. Thus, the project would not result in significant impacts relative to GHG emissions.

### **Step 3: Project CAP Conformance Evaluation**

Step 3 would only apply if Step 1 is answered in the affirmative under Option B (*If the proposed project is not consistent with the existing land use plan and zoning designations, and includes a land use plan and/or zoning designation amendment, would the proposed amendment result in an increased density within a Transit Priority Area (TPA) and implement CAP Strategy 3 actions, as determined in Step 3 to the satisfaction of the Development Services Department?*). As described above, Step 1 has been answered in the affirmative under Option B; therefore, Step 3 is applicable to the project and must be evaluated.

Table 5.5-4, *Step 3 CAP Conformance Evaluation*, summarizes the project's responses to the Step 3 Conformance Evaluation questions. As shown in Step 3, the project would provide transit-supportive residential densities within a TPA; support the increased use of transit in a TPA; implement features that support walkability and bicycle use; contribute to the City's urban canopy tree coverage goal; and function overall as a Transit Oriented Development. The project is consistent with Step 3 of the CAP.

As previously mentioned, in 2022, the City adopted CAP Consistency Regulations added to the City's Municipal Code as Chapter 14, Article 3, Division 14. Because the project was deemed complete prior to adoption of the CAP Consistency Regulations, the CAP Consistency Checklist included in Appendix F and presented in the analysis above demonstrates the project's consistency with the CAP. The project was also considered for consistency with the adopted Climate Action Plan Consistency Regulations. The project would also meet those regulations.

### **Significance of Impacts**

The project would be consistent with the CAP. Therefore, the project would not result in a cumulatively significant generation of GHG emissions. Thus, impacts would be less than significant.

## Mitigation Measures

Impacts would be less than significant, and mitigation would be required.

### 5.5.3.2 Issue 2

*Issue 2      Would the project conflict with the City's Climate Action Plan or another applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

## Impact Threshold

A project could result in a significant impact on greenhouse gas emissions if it would:

- Conflict with the City's Climate Action Plan (a) land use consistency or (b) regulations set forth in San Diego Municipal Code Chapter 14, Article 3, Division 14 (CAP Consistency Regulations).

## Analysis

As discussed in Issue 1 above, the project was assessed through the CAP Consistency Checklist (Appendix F). Based on the project's consistency with the CAP Consistency Checklist strategies, the project's contribution of GHG emissions to cumulative Statewide emissions would be less than cumulatively considerable. Overall, the project would be consistent with the CAP.

As detailed in Section 5.5.2, numerous plans, policies, and regulations have been developed for the purpose of reducing GHG emissions. The project does not conflict with or inhibit implementation of those plans and regulations.

The City General Plan includes policies to reduce GHG emissions, delineated in Section 5.5.2.3. The project's consistency with these policies is analyzed in Table 5.1-1, *General Plan Consistency*. As shown in Table 5.1-1, the project would be consistent with the City's General Plan policies for reducing GHG emissions.

## Significance of Impacts

The project would not conflict with the CAP or any other applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases. Impacts would, therefore, be less than significant.

## Mitigation Measures

Impacts would be less than significant, and mitigation would be required.

**Table 5.5-3. CAP Strategies Consistency**

| Strategy   | Project Consistency  |
|--|--|
| <p>1. Cool/Green Roofs.</p> <ul style="list-style-type: none"> <li>• <i>Would the project include roofing materials with a minimum 3-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under California Green Building Standards Code; OR</i></li> <li>• <i>Would the project roof construction have a thermal mass over the roof membrane, including areas of vegetated (green) roofs, weighing at least 25 pounds per square foot as specified in the voluntary measures under California Green Building Standards Code? OR</i></li> <li>• <i>Would the project include a combination of the above two options?</i></li> </ul>  | <p><b>Consistent</b> – Development of the project would include roofing materials with a minimum 3-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under California Green Building Standards Code or the project roof construction have a thermal mass over the roof membrane, including areas of vegetated (green) roofs, weighing at least 25 pounds per square foot as specified in the voluntary measures under California Green Building Standards Code or a combination of the two.</p> |
| <p>2. Plumbing fixtures and fittings</p> <p><i>With respect to plumbing fixtures or fittings provided as part of the project, would those low-flow fixtures/appliances be consistent with each of the following:</i></p> <p><i>Residential buildings:</i></p> <ul style="list-style-type: none"> <li>• <i>Kitchen faucets: maximum flow rate not to exceed 1.5 gallons per minute at 60 psi;</i></li> <li>• <i>Standard dishwasher: 4.25 gallons per cycle;</i></li> <li>• <i>Compact dishwashers: 3.5 gallons per cycle; and</i></li> <li>• <i>Clothes washers: water factor of 6 gallons per cubic feet of drum capacity?</i></li> </ul> <p><i>Nonresidential buildings:</i></p> <ul style="list-style-type: none"> <li>• <i>Plumbing fixtures and fittings that do not exceed the maximum flow rate specified in Table A5.303.2.3.1 (voluntary measures) of the California Green Building Standards Code; and</i></li> <li>• <i>Appliances and fixtures for commercial applications that meet the provisions of Section A5.303.3 (voluntary measures) of the California Green Building Standards Code?</i></li> </ul> | <p><b>Consistent</b> – The project includes a residential building and would include low-flow fixtures/appliances consistent with: kitchen faucets (maximum flow rate not to exceed 1.5 gallons per minute at 60 psi), standard dishwashers (4.25 gallons per cycle), compact dishwashers (3.5 gallons per cycle), and clothes washers (water factor of 6 gallons per cubic feet of drum capacity).</p>  |
| <p>3. Electric Vehicle Charging</p> <ul style="list-style-type: none"> <li>• <u><i>Multiple-family projects of 17 dwelling units or less: Would 3% of the total parking spaces required, or a minimum of one space, whichever is greater, be provided with a listed cabinet, box or enclosure connected to a conduit linking the parking spaces with the electrical service, in a manner approved by the</i></u></li> </ul>  | <p><b>Consistent</b> – The project is a multiple family project consisting of more than 17 dwelling units and would require 19 electric vehicle charging spaces (three percent of the total 634 new parking spaces) and 50 percent or 10 will have the necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use by residents.</p>  |

| <p>building and safety official, to allow for the future installation of electric vehicle supply equipment to provide electric vehicle charging stations at such time as it is needed for use by residents?</p> <ul style="list-style-type: none"><li><u>Multiple-family projects of more than 17 dwelling units:</u> Of the total required listed cabinets, boxes or enclosures, would 50% have the necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use by residents?</li><li><u>Non-residential projects:</u> Of the total required listed cabinets, boxes or enclosures, would 50% have the necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use?</li></ul>   |   |  |  |      |   |   |       |                |   |        |                |   |         |                |   |          |  |  |  |
|---|---|--|--|------|---|---|-------|----------------|---|--------|----------------|---|---------|----------------|---|----------|--|--|--|
| <p>4. Bicycle Parking Spaces</p> <p>Would the project provide more short- and long-term bicycle parking spaces than required in the City's Municipal Code (Chapter 14, Article 2, Division 5)?</p>  | <p><b>Consistent</b> – The project is a residential project and is not required to complete Strategy 3. However, the project would provide 70 bicycle parking spaces.</p>   |  |  |      |   |   |       |                |   |        |                |   |         |                |   |          |  |  |  |
| <p>5. Shower Facilities</p> <p>If the project includes nonresidential development that would accommodate over 10 tenant occupants (employees), would the project include changing/shower facilities in accordance with the voluntary measures under the California Green Building Standards Code as shown in the table below?</p> <table><tr><th>Number of Tenant Occupants (Employees)</th><th>Shower/Changing Facilities Required</th><th>Two-Tier (12" X 15" X 72") Personal Effects Lockers Required</th></tr><tr><td>0-10</td><td>0</td><td>0</td></tr><tr><td>11-50</td><td>1 shower stall</td><td>2</td></tr><tr><td>51-100</td><td>1 shower stall</td><td>3</td></tr><tr><td>101-200</td><td>1 shower stall</td><td>4</td></tr><tr><td>Over 200</td><td>1 shower stall plus 1 additional shower stall for each 200 additional tenant-occupants</td><td>1 two-tier locker plus 1 two-tier locker for each 50 additional tenant-occupants</td></tr></table> | Number of Tenant Occupants (Employees)  | Shower/Changing Facilities Required  | Two-Tier (12" X 15" X 72") Personal Effects Lockers Required | 0-10 | 0 | 0 | 11-50 | 1 shower stall | 2 | 51-100 | 1 shower stall | 3 | 101-200 | 1 shower stall | 4 | Over 200 | 1 shower stall plus 1 additional shower stall for each 200 additional tenant-occupants | 1 two-tier locker plus 1 two-tier locker for each 50 additional tenant-occupants | <p><b>Consistent</b> – The project is a residential project and is not required to provide changing/shower facilities.</p> |
| Number of Tenant Occupants (Employees)  | Shower/Changing Facilities Required   | Two-Tier (12" X 15" X 72") Personal Effects Lockers Required                     |  |      |   |   |       |                |   |        |                |   |         |                |   |          |  |  |  |
| 0-10  | 0   | 0  |  |      |   |   |       |                |   |        |                |   |         |                |   |          |  |  |  |
| 11-50   | 1 shower stall  | 2  |  |      |   |   |       |                |   |        |                |   |         |                |   |          |  |  |  |
| 51-100  | 1 shower stall  | 3  |  |      |   |   |       |                |   |        |                |   |         |                |   |          |  |  |  |
| 101-200   | 1 shower stall  | 4  |  |      |   |   |       |                |   |        |                |   |         |                |   |          |  |  |  |
| Over 200  | 1 shower stall plus 1 additional shower stall for each 200 additional tenant-occupants  | 1 two-tier locker plus 1 two-tier locker for each 50 additional tenant-occupants |  |      |   |   |       |                |   |        |                |   |         |                |   |          |  |  |  |
| <p>6. Designated Parking Spaces</p> <p>If the project includes a nonresidential use in a TPA, would the project provide designated parking for a combination of low-emitting, fuel-efficient, and</p>   | <p><b>Consistent</b> – The project is located within a TPA and proposes residential uses and is not required to provide designated parking for a combination of low-emitting, fuel-efficient, and carpool/vanpool vehicles in accordance with the table in this section of the CAP Consistency Checklist.</p> |  |  |      |   |   |       |                |   |        |                |   |         |                |   |          |  |  |  |

carpool/vanpool in accordance with the following table?

| <b>Number of<br/>Required<br/>Parking Spaces</b> | <b>Number of<br/>Designated Parking<br/>Spaces</b> |
|--|--|
| 0-9  | 0  |
| 10-25  | 2  |
| 26-50  | 4  |
| 51-75  | 6  |
| 76-100   | 9  |
| 101-150  | 11   |
| 151-200  | 18   |
| 201 and over                                     | At least 10% of total                              |

**7. Transportation Demand Management Program**

*If the project would accommodate over 50 tenant-occupants (employees), would it include a transportation demand management program that would be applicable to existing tenants and future tenants that includes:*

*At least one of the following components:*

- *Parking cash out program*
- *Parking management plan that includes charging employees market-rate for single-occupancy vehicle parking and providing reserved, discounted, or free spaces for registered carpools or vanpools*
- *Unbundled parking whereby parking spaces would be leased or sold separately from the rental or purchase fees from the development for the life of the development*

*And at least three of the following components:*

- *Commitment to maintaining an employer network in the SANDAG iCommute program and promoting its RideMatcher service to tenants/employees*
- *On-site carsharing vehicle(s) or bikesharing*
- *Flexible or alternative work hours*
- *Telework program*
- *Transit, carpool, and vanpool subsidies*
- *Pre-tax deduction for transit or vanpool fares and bicycle commute costs*
- *Access to services that reduce the need to drive, such as cafes, commercial stores, banks, post offices, restaurants, gyms, or childcare, either onsite or within 1,320 feet (1/4) mile of the structure/use?*

**Consistent** – The project is a residential project and would not accommodate over 50 employees and is not required to implement a Transportation Demand Management Program.

**Table 5.5-4. Step 3 CAP Conformance Evaluation**

| Strategy  | Project Consistency   |
|---|---|
| <p><i>1. Would the proposed project implement the General Plan's City of Villages strategy in an identified Transit Priority Area (TPA) that will result in an increase in the capacity for transit-supportive residential and/or employment densities?</i></p> | <p>The Climate Action Plan includes the following measure relative to transit-supportive density: "Achieve better walkability and transit-supportive densities by locating all new residential development within Transit Priority Areas." The AVA Pacific Beach project proposes additional residential development on a developed residential site within the TPA. The project proposes development of an additional 138 residential units, which is a transit-supportive use. Thus, the project increases the capacity for transit-supportive uses within a TPA, supporting the Climate Action Plan's definition of transit-supportive density.</p>  |
| <p><i>2. Would the proposed project implement the General Plan's Mobility Element in Transit Priority Areas to increase the use of transit?</i></p>   | <p>The proposed project is located in a TPA and would contribute to the increased use of transit by locating medium-high-density multi-family residential adjacent and proximate to existing transit. There is a bus stop for Bus Route 9 fronting the project site on Ingraham Street. Bus Route 9 runs along Ingraham Street to the Old Town Transit Center, which supports Bus Routes 8, 9, 10, 28, 30, 35, 44, 83, 88, and 105, as well as the Blue and Green lines of the Metropolitan Transit Service Trolley System, the COASTER, Amtrak Trains, and airport shuttles.</p> <p>The project proposes adding an additional 138 multi-family residential units and, therefore, provides a concentration of potential transit users within walking distance of existing transit service. The transit provided in proximity to the project accesses regional shopping and employment areas. For example, the Pacific Plaza Shopping Mall, located less than three-quarters of a mile northwest of the project site, can be accessed by taking Bus Route 9. Several business and industrial parks located east and north of the project site, including UC San Diego and University Town Center (UTC), can be accessed by taking Bus Route 9 to the Old Town Transit Center with transfer to the Midcoast Trolley line. As such, the proposed project has the ability to contribute to increased transit use, particularly to access employment destination and goods and services.</p> |
| <p><i>3. Would the proposed project implement pedestrian improvements in Transit Priority Areas to increase walking opportunities?</i></p>  | <p>The AVA Pacific Beach project site would implement pedestrian improvements in a TPA to increase walking opportunities. The project's location provides convenient access to nearby activity centers, including Crown Point Park (located approximately one-half mile east of the project site), as well as access to Pacific Beach one half mile to the west. Pedestrian improvements include sidewalk connections between buildings and on-site amenities connecting public</p>   |

|   |  |
|---|--|
|   | sidewalks on the perimeter of the site. Landscape treatments are proposed along public streets to enhance pedestrian accessibility. Additionally, landscape improvements along Jewell Street would be in accordance with Phase II of B Pathways a local grassroots program focusing on creating a network of safe neighborhood routes to encourage pedestrian use.   |
| <i>4. Would the proposed project implement the City of San Diego's Bicycle Master Plan to increase bicycling opportunities?</i> | The proposed project increases bicycling opportunities. The proposed project is currently developed and is connected to the local and regional bicycle network through existing streets and facilities. The Crown Point Bike Path is approximately one-half mile west of the project site and a bike lane is provided on Crown Point Drive approximately one-half mile east of the project site. The project would provide additional residents to an area with access to bike paths and lanes. The project would provide bicycle storages areas for residents to use, as well as electric bike recharging facilities.   |
| <i>5. Would the proposed project incorporate implementation mechanisms that support Transit Oriented Development?</i>           | Land uses and zoning associated with the project include medium-high-density multi-family residential. The project would provide for additional housing on the project site to serve employment and retail uses in the project area. The proposed project provides and supports multi-model transportation options. The project is within walking distance to retail and employment areas. The Crown Point Bike Path and bike lane along Crown Point Drive are each within one-half mile of the project site. Transit occurs in the project area with easy access to existing Bus Route 9 stop fronting the project site, which provides access to business and industrial parks, as well as larger retail centers. Schools, entertainment uses, and parks are located in within a one-mile radius of the project site. As such, the project results in development that supports transit and has easy access to many services and amenities via walking and bicycling, thereby reducing automobile use. |
| <i>6. Would the proposed project implement the Urban Forest Management Plan to increase urban tree canopy coverage?</i>         | Portions of the project site proposed for redevelopment are currently developed as open parking lots and a two-level parking garage. The existing development includes landscaping and street trees. The project would add additional trees and landscaping in the area proposed or redevelopment as well as adding street trees and other landscaping along affected project frontages. The landscaping plan would contribute to the City's urban canopy tree coverage goal. This tree canopy along the project would create a more pleasant pedestrian environment and encourage walking, furthering the City's goals to reduce the use of single-occupant vehicles and promote active transportation.   |



## 5.6 Energy

This section discusses energy production/consumption conditions and potential energy use policies that are applicable to the project, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. The following discussion is consistent with and fulfills the intent of California Environmental Quality Act (CEQA) Guidelines Appendix F and is based in part on information obtained from San Diego Gas & Electric (SDG&E) (included as Appendix G to this Environmental Impact Report (EIR) and Energy Tables prepared for the project by BlueScape Environmental (December 14, 2023) included as Appendix O.

### 5.6.1 *Existing Conditions*

#### Physical Setting

The project site is currently developed as 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking totaling 765 parking spaces. Landscaping consists of street trees and shrubbery along project street frontage, as well as shade trees in surface parking areas and accent trees and native plant species along building walkways and sidewalks.

#### Site Planning

The General Plan designates the project site as Residential. The Pacific Beach Community Plan designates the project site as multi-family residential [23-43 dwelling units per acre (du/ac)]. The project site is zoned Residential – Multiple Unit (RM)-3-7. The RM-3-7 zone allows for residential development of up to a maximum density of one dwelling unit for each 1,000 square foot lot area. Overall, the site is designated for open space and residential uses.

#### Environmental Setting

The environmental setting for the project related to electricity, natural gas, and petroleum, including associated service providers, supply sources, and estimated consumption, is discussed below. In summary, in 2021 (the latest calendar era for which data is uniformly available for all three types of energy sources), California's estimated annual energy use included the following:

- Approximately 280,738 gigawatt hours (GWh) of electricity
- Approximately 11,922 million therms of natural gas
- Approximately 16 billion gallons of gasoline

Energy is regulated by Title 24, Part 6, of California's Energy Efficiency Standards for Residential and Nonresidential Buildings. The Energy Efficiency Standards for Residential and Nonresidential Buildings were established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 was updated 2022 and the 2022 standards went into effect on January 1, 2023. The existing structures on the site were constructed prior to these dates and were not subject to these regulations at the time of construction.

Appendix F of the CEQA Guidelines requires that EIRs include a discussion of the potential energy impacts of a proposed project, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy. According to Appendix F, the means of achieving energy conservation corresponds to decreasing overall per capita energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources.

## Electricity

SDG&E, a subsidiary of Sempra Energy, provides electricity service to the project site. SDG&E provides electrical services to 3.6 million customers through 1.4 million electric meters and 873,000 natural gas meters through the 4,100-square-mile service area in San Diego County and southern Orange County. SDG&E forecasts future natural gas and power consumption demand on a continual basis, primarily for installation of transmission and distribution lines. In situations where projects with large power loads are planned, this is considered together with other loads in the project vicinity, and electrical substations are upgraded as necessary. Direct impacts to electrical and natural gas facilities are addressed and managed by SDG&E at the time incoming development projects occur.

According to the California Energy Commission's (CEC) California Energy Consumption Database, California used approximately 280,738 GWh of electricity in 2021, which is the most recent year of data available; the consumption was up 0.5 percent, or 1,228 GWh, from 2020. The CEC reported an annual electrical consumption of approximately 7,480 million of kilowatt hours (kWh) in 2021 for residential use.

Electricity usage in California for different land uses varies substantially by the type(s) of uses in a building, type(s) of construction materials used in a building, and the efficiency of all electricity-consuming devices within a building. Due to the State's energy efficiency standards and efficiency and conversion programs, California's per capita electricity use had remained stable for more than 30 years, which the national average has steadily increased.

The California Independent System Operator (ISO) governs the transmission of electricity from power plants to utilities. Electricity to San Diego County is transferred via 138-kilovolt (kV) lines at Camp Pendleton and a 500-kV line near Jacumba. Additionally, there are two operating power plants within San Diego County: the Palomar Energy Power Plant, Escondido (SDG&E) - 550 megawatt (MW), which began operating in the summer of 2006 and the Carlsbad Energy Center (Clearway Energy, Inc.) - 632 MW which began operating in December 2018. The Encina (Cabrillo Power) was put into retired status and stopped operation in December 2018.

SDG&E receives electric power from a variety of sources. In 2022, 55 percent of SDG&E's power came from eligible renewable sources, including biomass/waste, geothermal, small hydroelectric, solar, and wind sources. The national average is about 10 percent.

Each year, SDG&E allocates capital funds for the purposes of converting overhead electric distribution lines. Under provisions of Rule 20A established by the California Public Utilities Commission (CPUC), the City may designate major streets for undergrounding the overhead lines. In general, all new commercial, industrial, and residential developments are required to accept the underground service.

In addition, a variety of energy conservation programs are provided by SDG&E to City residents and businesses. These programs include:

- Conducting surveys to determine energy use and recommending energy efficiency measures to reduce energy use;
- Providing discounts for retrofitting lighting, refrigeration, and mechanical equipment with energy efficient technologies; and
- Incentives for using energy during non-peak hours to reduce peak-hours demand.

Title 24 of the California Code of Regulations sets efficiency standards for new construction, regulating energy consumed for heating, cooling, ventilations, water heating, and lighting. These building efficiency standards are enforced through the City's building permit process.

## **Natural Gas**

The CPUC regulates natural gas utility service for approximately 10.8 million customers who receive natural gas from Pacific Gas & Electric, Southern California Gas (SoCalGas), SDG&E, Southwest Gas, and several smaller natural gas utilities. The CPUC also regulates independent storage operators (Lodi Gas Storage, Wild Goose Storage, Central Valley Storage, and Gill Ranch Storage). SDG&E provides natural gas service to San Diego and Orange Counties. SDG&E is a wholesale customer of SoCalGas and currently receives all of its natural gas from the SoCalGas system.

Natural gas is available from a variety of in-state and out-of-state sources and is provided throughout the state in response to market supply and demand. Most of the natural gas used in California comes from out-of-state natural gas basins and is delivered into California through the interstate natural gas pipeline system. CPUC has regulatory jurisdiction over 150,000 miles of utility-owned natural gas pipelines, which transported 82 percent of the natural gas delivered to California's gas consumers in 2012.

Pacific Gas & Electric and SoCalGas own and operate several natural gas storage fields that are located in northern and southern California. These storage fields and four independently owned storage utilities—Lodi Gas Storage, Wild Goose Storage, Central Valley Storage, and Gill Ranch Storage—help meet peak-season natural gas demand and allow California natural gas customers to secure natural gas supplies more efficiently. High-pressure gas transmission lines enter San Diego County from the north inland area (Rainbow area). A 30-inch transmission line veers to the coast, and a 16-inch line continues inland.

## **Petroleum**

There are more than 35 million registered vehicles in California; those vehicles consumed an estimated 18 billion gallons of petroleum and diesel each year, according to the CEC. Gasoline and other vehicle fuels are commercially provided commodities, and would be available to the project via commercial outlets.

Petroleum accounts for approximately 92 percent of California's transportation energy sources. Technological advances, market trends, consumer behavior, and government policies could result in significant changes to fuel consumption by type and total. At the Federal and State levels, various policies, rules, and regulations have been enacted to improve vehicle fuel efficiency, promote the development and use of alternative fuels, reduce transportation-source air pollutants and greenhouse gas (GHG) emissions, and reduce Vehicle Miles Traveled (VMT). Market forces have driven the price of petroleum products steadily upward, and technological advances have made use of other energy resources or alternative transportation modes increasingly feasible.

Largely as a result of and in response to these multiple factors, gasoline consumption within the state has declined in recent years, and availability of other alternative fuels and energy sources has increased. The quantity, availability, and reliability of transportation energy resources have increased in recent years, and this trend may likely continue and accelerate. Increasingly available and diversified transportation energy resources act to promote continuing reliable and affordable means to support vehicular transportation within the state.

Currently, the project site is developed with multi-family residences, asphalt parking areas, concrete walkways, and landscaping. (See Figure 2-3, *Existing Site Conditions*.) There is electricity and natural gas use associated with existing development. SDG&E facilities surround the project site within public streets. The closest facilities to serve the project are located in Ingraham Street and La Playa Avenue.

### **5.6.2 Regulatory Framework**

#### **5.6.2.1 Federal**

##### **Federal Energy Regulatory Commission**

The Federal Energy Regulatory Commission is an independent agency that regulates the transmission and sales of electricity, natural gas, and oil in interstate commerce, licensing of hydroelectric projects, and oversight of related environmental matters. The setting and enforcing of interstate transmission sales is also regulated by Federal Energy Regulatory Commission.

##### **Federal Energy Policy and Conservation Act**

In 1975, Congress enacted the Federal Energy Policy and Conservation Act to serve the nation's energy demands and promote feasibly attainable conservation methods. This act established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act,

the National Highway Traffic Safety Administration is responsible for establishing additional vehicle standards. In 2012, new fuel economy standards were approved for model year 2017 passenger cars and light trucks at 54.5 miles per gallon. Fuel economy is determined based on each manufacturer's average fuel economy for the fleet of vehicles available for sale in the United States.

### **Intermodal Surface Transportation Efficiency Act of 1991**

The Intermodal Surface Transportation Efficiency Acts of 1991 (ISTEA) promoted the development of intermodal transportation systems to maximize mobility, as well as address national and local interests in air quality and energy. ISTEA contained factors that metropolitan planning organizations were to address in development transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, metropolitan planning organizations adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions.

### **The Transportation Equity Act for the 21st Century**

The Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) was signed into law in 1998 and builds on the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

### **Energy Policy Act of 2005**

The Energy Policy Act of 2005 addresses energy production in the United States, including (1) energy efficiency; (2) renewable energy; (3) oil and gas; (4) coal; (5) tribal energy; (6) nuclear matters and security; (7) vehicles and motor fuels, including ethanol; (8) hydrogen; (9) electricity; (10) energy tax incentives; (11) hydropower and geothermal energy; and (12) climate change technology. The act includes provisions such as increasing the amount of biofuel that must be mixed with gasoline sold in the United States and loan guarantees for entities that develop or use innovative technologies that avoid the by-production of GHGs.

### **Energy Independence and Security Act of 2007**

On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law. In addition to setting increased Corporate Average Fuel Economy standards for motor vehicles, the EISA includes other provisions related to energy efficiency:

- Renewable Fuel Standard (RFS) (Section 202)
- Appliance and Lighting Efficiency Standard (Sections 301-325)

- Building Energy Efficiency (Sections 411-441)

This Federal legislation requires ever-increasing levels of renewable fuels – the RFS – to replace petroleum. The Federal Environmental Protection Agency (EPA) is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. The RFS program regulations were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders.

The RFS program was created under the Environmental Policy Act of 2005 and established the first renewable fuel volume mandate in the United States. As required under the Act, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012. Under the EISA, the RFS program was expanded in several key ways that lay the foundation for achieving significant reductions of GHG emissions from the use of renewable fuels, for reducing imported petroleum, and encouraging the development and expansion of the nation's renewable fuels sector. The updated program is referred to as RFS2 and includes the following:

- EISA expanded the RFS program to include diesel, in addition to gasoline.
- EISA increased the volume of renewable fuel required to be blended into transportation fuel from nine billion gallons in 2008 to 36 billion gallons by 2022.
- EISA established new categories of renewable fuel and set separate volume requirements for each one.
- EISA required the Federal EPA to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

Additional provisions of the EISA address energy savings in government and public institutions, promoting research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green” jobs.

## **Leadership in Energy and Environmental Design**

The U.S. Green Building Council (USGBC) is committed to transforming the way buildings are designed, constructed, and operated through the Leadership in Energy and Environmental Design (LEED) certification program. LEED acts as a certification program for buildings and communities to guide their design, construction, operations, and maintenance toward sustainability. LEED is based on prerequisites and credits that a project meets in order to achieve a certification level or Certified, Silver, Gold, or Platinum.

### **5.6.2.2 State**

#### **Warren-Alquist Act**

The California Legislature passed the Warren-Alquist Act in 1974. The Warren-Alquist Act created the CEC and incorporated the following three key provisions designed to address the demand side of the energy equation:

- It directed the CEC to formulate and adopt the nation's first energy conservation standards for both buildings constructed and appliances sold in California.
- It removed the responsibility of electricity demand forecasting from the utilities, which had a financial interest in high-demand projections, and transferred it to a more impartial CEC.
- It directed the CEC to embark on an ambitious research and development program, with a particular focus on fostering what were characterized as non-conventional energy sources.

#### **Senate Bill 1078 (2002)**

Senate Bill (SB) 1078 established the California Renewables Portfolio Standard (RPS) Program and required that a retail seller of electricity purchase a specified minimum percentage of electricity generated by eligible renewable energy resources as defined in any given year, culminating in a 20 percent standard by December 31, 2017. These retail sellers include electrical corporations, community choice aggregators, and electric service providers. The bill relatedly required the CEC to certify eligible renewable energy resources, design and implement an accounting system to verify compliance with the RPS by retail sellers, and allocate and award supplemental energy payments to cover above-market costs of renewable energy.

#### **Senate Bills 107 (2006), X1-2 (2011), 350 (2015), and 100 (2018)**

SB 107 (2006) accelerated the RPS established by SB 1078 by requiring that 20 percent of electricity retail sales be served by renewable energy resources by 2010 (not 2017). Additionally, SB X1-2 (2011) requires all California utilities to generate 33 percent of their electricity from eligible renewable energy resources by 2020. Specifically, SB X1-2 sets a three-stage compliance period: by December 31, 2013, 20 percent had to come from renewables; by December 31, 2016, 25 percent had to come from renewables; and by December 31, 2020, 33 percent had to come from renewables.

SB 350 (2015) requires retail seller and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030, with interim goals of 40 percent by 2024 and 45 percent by 2027.

SB 100 (2018) increased the standards set forth in SB 350 by establishing targets for the total electricity sold to retail customers in California per year be secured from qualifying renewable energy sources on the following schedule: 44 percent by December 31, 2024; 52 percent by December 31, 2027; and 60 percent by December 31, 2030. SB 100 states that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100 percent of the retail sales of electricity to California. This bill requires that the achievement of 100 percent zero-

carbon electricity resources do not increase the carbon emissions elsewhere in the western grid and that the achievement not be achieved through resource shuffling.

Consequently, utility energy generation from nonrenewable resources is expected to be reduced based on implementation of the 60 percent RPS in 2030. Therefore, any project's reliance on nonrenewable energy sources would also be reduced.

### **Assembly Bill 1007 (2005)**

Assembly Bill (AB) 1007 (2005) required CEC to prepare a statewide plan to increase the use of alternative fuels in California (State Alternative Fuels Plan). CEC prepared the plan in partnership with the California Air Resources Board (CARB) and in consultation with other State agencies, plus Federal and local agencies. The State Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

### **Assembly Bill 32 (2006) and Senate Bill 32 (2016)**

In 2006, the State Legislature enacted AB 32, the California Global Warming Solutions Act. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020. In 2016, the Legislature enacted SB 32, which extended the horizon year of the State's codified GHG-reduction planning targets from 2020 to 2030, requiring California to reduce its GHG emissions to 40 percent below 1990 levels by 2030. In accordance with AB 32 and SB 32, CARB prepares scoping plans to guide the development of statewide policies and regulations for the reduction of GHG emissions. Many of the policy and regulatory concepts identified in the scoping plans focused on increasing energy efficiencies, using renewable resources, and reducing the consumption of petroleum-based fuels (e.g., gasoline and diesel). As such, the State's GHG emissions-reduction planning framework creates co-benefits for energy-related resources.

### **California Code of Regulations Title 13, Section 2449(d)(3) and 2485**

CARB is responsible for enforcing California Code of Regulations (CCR) Title 13 Sections 2449(d)(3) and 2485, which limit idling from both on-road and off-road diesel-powered equipment.

### **California's Energy Efficiency Standards for Residential and Nonresidential Buildings**

Located in CCR Title 24, Part 6, and commonly referred to as "Title 24," these energy efficiency standards were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The goal of Title 24 energy standards is the reduction of energy use. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. On August 11, 2021, the CEC adopted the 2022 Building and Energy Efficiency Standards with the effective date of the 2022 Standards beginning January 1, 2023.



The 2022 Building Energy Efficiency Standards builds on California's technology innovations, encouraging energy efficient approaches to encourage building decarbonization, emphasizing in particular on heat pumps for space heating and water heating, and also strengthens ventilation standards to improve indoor air quality. This update provides crucial steps in the State's progress toward 100 percent clean carbon neutrality by midcentury.

Title 24 also includes Part 11, known as California's Green Building Standards (CALGreen). The CALGreen standard took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up new construction of commercial, low-rise residential, and State-owned buildings, as well as schools and hospitals. The 2022 CALGreen standards became effective on January 1, 2023.

## **Energy Action Plan II**

The CEC, California Power Authority, and CPUC adopted an Energy Action Plan (EAP) to establish goals for California's energy future and a means to achieve these goals. EAP II supports and expands on the commitment of State agencies to cooperate and reflect on the energy actions since original EAP adoption. EAP II includes a coordinated implementation plan for State energy policies that have been articulated through Executive Orders, instructions to agencies, public positions, and appointees' statements; CEC's Integrated Energy Policy Report; CPUC and CEC processes; agencies' policy forums; and legislative direction.

## **Integrated Energy Policy Report**

The CEC is responsible for preparing Integrated Energy Policy Reports, which identify emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The CEC's 2022 Integrated Energy Policy Report Update discusses the State's goal of carbon neutrality by 2045.

## **Renewable Portfolio Standards**

As most recently amended by SB 350, the Renewable Portfolio Standard (RPS) requires an annual increase in renewable energy generation by utility providers equivalent to at least 33 percent by 2020 and 50 percent by 2050. (Interim RPS targets also are set between 2020 and 2030.)

## **State Vehicle Standards**

The CARB Advanced Clean Cars program for passenger vehicles – cars and light trucks – serves to reduce petroleum consumption by increasing the operating efficiencies of vehicles and accelerating the penetration of plug-in hybrid and zero-emission vehicles in California. CARB has also adopted regulations that enhance the operating efficiencies of various types of construction equipment. While such regulations primarily are adopted to reduce air pollution, co-benefits in the form of reduced petroleum consumption are common.

## **Sustainable Communities Strategy**

The Sustainable Communities and Climate Protection Act of 2008, or SB 375, coordinates land use planning, regional transportation plans, and funding priorities to help California meet its GHG emissions reduction mandates. As specifically codified in Government Code Section 65080, SB 375 requires the metropolitan planning organization relevant to the project area [in this case, San Diego Association of Governments (SANDAG)] to include a Sustainable Communities Strategy (SCS) in its Regional Transportation Plan. (See discussion of San Diego Forward: The Regional Plan in section 5.6.2.3 *Local*, below.) While the main focus of the SCS is to plan for growth that will ultimately reduce GHG emissions, the strategy is also part of a bigger effort to address many other development issues within the general vicinity, including transit and VMT.

### **5.6.2.3 Local**

#### **San Diego Forward: The Regional Plan**

SANDAG is the regional planning agency for the County and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. SANDAG serves as the federally designated metropolitan planning organization for the County. SANDAG has prepared San Diego Forward: The Regional Plan (RP) for the San Diego Region. The RP combines the Regional Transportation Plan, SCS, and Regional Comprehensive Plan. The RP must comply with specific State and Federal mandates, including as SCS, per SB 375, that achieves GHG emission reduction targets set by the CARB; compliance with Federal civil rights requirements (Title VI); and environmental justice considerations, air quality conformity, and a public participation process.

The SCS is included as Chapter 2 of the RP and describes coordinated transportation and land use planning that exceeds the State's target for reducing per capita GHG emissions set by the CARB. The State-mandated target is a 19-percent reduction in per capita GHG emissions from cars and light-duty trucks by 2035. The 2021 RP achieves a 20 percent reduction by 2035. The 2021 RP also puts forth a forecasted development pattern that is driven by regional goals for sustainability, mobility, housing affordability, and economic prosperity.

The SCS uses areas in the region called Mobility Hubs to concentrate future development. Mobility Hubs are communities with high concentrations of people, destinations, and travel choices. They offer on-demand travel options and supporting infrastructure that enhance connections to high-quality Transit Leap services, while also helping people make short trips to local destinations around the community using Flexible Fleets. Mobility Hubs can span one, two, or a few miles based on community characteristics, and they are uniquely designed to fulfill a variety of travel needs while strengthening a sense of place. In the SCS land use pattern, forecasted growth for housing and jobs are within these areas of the region. Additionally, the SCS land use pattern identifies areas within the region that are sufficient to house the 7<sup>th</sup> Cycle Regional Housing Need Assessment Plan allocations.

## **SDG&E Long-Term Resource Plan**

In 2004, SDG&E filed a long-term energy resource plan (LTRP) with the CPUC, which identifies how SDG&E will meet the future energy needs of customers in the service area. The LTRP identifies several energy demand reduction (i.e., conservation) targets, as well as goals for increasing renewable energy supplies, new local power generation, and increased transmission capacity.

The LTRP set a standard for acquiring 20 percent of SDG&E's energy mix from renewables by 2010 and 33 percent by 2020. The LTRP also calls for greater use of in-region energy supplies, including renewable energy installations. By 2020, the LTRP states that SDG&E intends to achieve and maintain the capacity to generate 75 percent of summer peak demand with in-county generation. The LTRP also identifies the procurement of 44 percent of its renewables to be generated and distributed in-region by 2020.

## **City of San Diego General Plan**

The City of San Diego adopted an updated General Plan in 2008. The following policies contained in the Conservation Element of the General Plan are applicable to the project:

- CE-A.2. Reduce the City's carbon footprint. Develop and adopt new or amended regulations, programs, and incentives as appropriate to implement the goals and policies set forth in the General Plan to:
  - Create sustainable and efficient land use patterns to reduce vehicular trips and preserve open space;
  - Reduce fuel emission levels by encouraging alternative modes of transportation and increasing fuel efficiency;
  - Improve energy efficiency, especially in the transportation sector and buildings and appliances;
  - Reduce the Urban Heat Island effect through sustainable design and building practices;
  - Reduce waste by improving management and recycling programs.
- CE-A.5. Employ sustainable or "green" building techniques for the construction and operation of buildings.
  - Develop and implement sustainable building standards for new and significant remodels of residential and commercial buildings to maximize energy efficiency, and to achieve overall net zero energy consumption by 2020 for new residential buildings and 2030 for new commercial buildings.

## **Climate Action Plan**

The City of San Diego adopted a Climate Action Plan (CAP) in December 2015. The CAP quantifies GHG emissions, establishes citywide reduction targets for 2020 and 2035, identifies strategies and measures to reduce GHG levels, and provides guidance for monitoring progress on an annual basis.

The City of San Diego CAP identifies a comprehensive set of goals and actions, including ordinances, policies, resolutions, programs, and incentives, that the City can use to reduce GHG emissions.

### **5.6.3      *Impact Analysis***

#### **5.6.3.1    *Issue 1 and Issue 2***

*Issue 1      Would the construction and operation of the project result in the use of excessive amounts of electrical power?*

*Issue 2      Would the project result in the use of excessive amounts of fuel or other forms of energy (including natural gas ,oil, etc.)?*

### **Impact Thresholds**

Consistent with CEQA Guidelines Appendix G, a project would result in a significant impact to energy conservation if it would:

- Result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.

### **Analysis**

#### ***Electricity***

##### **Construction**

Temporary electrical power for as-necessary lighting and electronic equipment, such as computers inside temporary construction trailers, would be provided by SDG&E. The amount of electricity used during construction would be minimal because typical demand stems from the use of several construction trailers that are used by managerial staff during the hours of construction activities in addition to electrically-powered hand tools. The electricity used for such activities would be temporary and negligible.

##### **Operation**

The project would require connection to SDG&E utilities to provide electricity service to the project. The project site is currently being served by SDG&E for the existing multi-family dwelling units.

The project would generate the demand for approximately 1,381,425 kWh of annual energy use, based on the CalEEMod default values. SDG&E has indicated that the current energy system would be sufficient to service the project, and that SDG&E would serve the project. A letter from SDG&E states SDG&E gas and electric services can be made available for the project (see Appendix G of this EIR). No adverse effects to non-renewable energy resources are anticipated with development of the project site as proposed by the project.

Furthermore, the project would not result in the use of excessive amounts of fuel or electricity and would not result in the need to develop additional sources of energy. While energy use at the project would not be excessive, the project would incorporate several measures directed at minimizing energy use. These include:

- ENERGYSTAR® Windows and kitchen appliances
- Energy Efficient Air Conditioning and Heating
- 3<sup>rd</sup> Party Performance Testing and Inspections of Design and Equipment
- Retrofit for Ceiling Fans in all living areas
- Energy Efficient Lighting
- Programmable Thermostats

Additionally, the project would comply with Title 24 Part 6 and would have (a) sensor-based lighting controls—for fixtures located near windows, the lighting would be adjusted by taking advantage of available natural light—and (b) efficient process equipment—improved technology offers significant savings through more efficient processing equipment.

## ***Natural Gas***

### **Construction**

Natural gas is not anticipated to be required during construction of the project. Fuels used for construction would primarily consist of diesel and gasoline, which are discussed under the “petroleum” subsection, below. Any minor amounts of natural gas that may be consumed because of project construction would be temporary and negligible and would not have an adverse effect.

### **Operation**

The project would require connection to SDG&E utilities to provide natural gas to the project. Natural gas would be directly consumed throughout the operation of the project, primarily through space and water heating.

Natural gas consumption was estimated for the project based on the CalEEMod default values. Based on these calculations, the project is estimated to consume approximately 976,824 British thermal units (kBtu) of natural gas per year during operation. As such, the project would result in a long-term increase in demand for natural gas. However, the project would be designed to comply with Title 24, Part 6, of the CCR and the CAP. Due to the size and scale of the project, natural gas consumption would be appropriate and not place a significant burden on SDG&E's services.

## ***Petroleum***

### **Construction**

Petroleum would be consumed throughout construction of the project. Fuel consumed by construction equipment would be the primary energy resource expended over the course of construction, while VMT associated with the transportation of construction materials and

construction worker commutes would also result in petroleum consumption. Heavy-duty equipment used for project construction would rely on diesel fuel, as would haul trucks involved in off-hauling materials from demolition and excavation. Construction workers would travel to and from the project site throughout the duration of construction. It is assumed that construction workers would travel to and from the project site in gasoline-powered passenger vehicles. There are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities or use of equipment that would not conform to current emissions standards (and related fuel efficiencies).

Heavy-duty construction equipment of various types would be used during each phase of construction. CalEEMod was used to estimate construction equipment usage. Fuel consumption from construction equipment was estimated by converting the total carbon dioxide (CO<sub>2</sub>) emissions from each construction phase to gallons using the conversion factors shown in the tables included at the end of this section.

Table 5.6-1, *Construction Worker Gasoline Demand*, illustrates the demand of gasoline for construction worker trips to and from the site for the various construction phases. Construction worker demand equals a total of 60,237 gallons of gasoline.

**Table 5.6-1. Construction Worker Gasoline Demand**

| Year                 | Phase            | Days | VMT/day | CO <sub>2</sub><br>(kg/yr) | Kg CO <sub>2</sub> /Gal | Gallons       |
|----------------------|------------------|------|---------|----------------------------|-------------------------|---------------|
| 2024                 | Demolition       | 66   | 150     | 3,449                      | 8.78                    | 393           |
|                      | Site Preparation | 65   | 90      | 2,038                      | 8.78                    | 232           |
|                      | Grading          | 21   | 120     | 866                        | 8.78                    | 99            |
| 2025                 | Grading          | 66   | 120     | 2,694                      | 8.78                    | 307           |
|                      | Building Const.  | 195  | 2436    | 161,917                    | 8.78                    | 18,442        |
| 2026                 | Building Const.  | 261  | 2436    | 212,101                    | 8.78                    | 24,157        |
| 2027                 | Building Const.  | 175  | 2436    | 139,970                    | 8.78                    | 15,942        |
|                      | Paving           | 15   | 180     | 889                        | 8.78                    | 101           |
|                      | Arch. Coating    | 31   | 486     | 4,959                      | 8.78                    | 565           |
| <b>Total – 2024</b>  |                  |      |         |                            |                         | <b>724</b>    |
| <b>Total – 2025</b>  |                  |      |         |                            |                         | <b>18,748</b> |
| <b>Total – 2026</b>  |                  |      |         |                            |                         | <b>24,157</b> |
| <b>Total – 2027</b>  |                  |      |         |                            |                         | <b>16,608</b> |
| <b>Project Total</b> |                  |      |         |                            |                         | <b>60,237</b> |

Source: Energy Tables (BlueScape Environmental, December 2023)

Table 5.6-2, *Construction Vendor Diesel Fuel Demand*, illustrates the demand of diesel fuel for construction vendor trips to and from the site. These trips are associated with the delivery of

construction materials during the construction phase. Construction vendor demand equals a total of 37,869 gallons of diesel fuel.

**Table 5.6-2. Construction Vendor Diesel Fuel Demand**

| Year                 | Phase            | Days | VMT/day | CO <sub>2</sub><br>(kg/yr) | Kg CO <sub>2</sub> /Gal | Gallons       |
|----------------------|------------------|------|---------|----------------------------|-------------------------|---------------|
| 2024                 | Demolition       | 66   | 0       | 0                          | 10.21                   | 0             |
|                      | Site Preparation | 65   | 0       | 0                          | 10.21                   | 0             |
|                      | Grading          | 21   | 0       | 0                          | 10.21                   | 0             |
| 2025                 | Grading          | 66   | 0       | 0                          | 10.21                   | 0             |
|                      | Building Const.  | 195  | 420     | 121,791                    | 10.21                   | 11,929        |
| 2026                 | Building Const.  | 261  | 420     | 159,835                    | 10.21                   | 15,655        |
| 2027                 | Building Const.  | 175  | 420     | 105,006                    | 10.21                   | 10,285        |
|                      | Paving           | 15   | 0       | 0                          | 10.21                   | 0             |
|                      | Arch. Coating    | 31   | 0       | 0                          | 10.21                   | 0             |
| <b>Total - 2024</b>  |                  |      |         |                            |                         | <b>0</b>      |
| <b>Total - 2025</b>  |                  |      |         |                            |                         | <b>11,929</b> |
| <b>Total - 2026</b>  |                  |      |         |                            |                         | <b>15,655</b> |
| <b>Total - 2027</b>  |                  |      |         |                            |                         | <b>10,285</b> |
| <b>Project Total</b> |                  |      |         |                            |                         | <b>37,869</b> |

Source: Energy Tables (BlueScape Environmental, December 2023)

Table 5.6-3, *Construction Haul Diesel Fuel Demand*, illustrates the demand of diesel fuel for construction hauler trips to and from the site. These trips are associated with the hauling away of materials during the demolition phase. Construction haul diesel demand equals a total of 3,536 gallons of diesel fuel.

**Table 5.6-3. Construction Haul Diesel Fuel Demand**

| Year                 | Phase            | Days | VMT/day | CO <sub>2</sub><br>(kg/yr) | Kg CO <sub>2</sub> /Gal | Gallons      |
|----------------------|------------------|------|---------|----------------------------|-------------------------|--------------|
| 2024                 | Demolition       | 66   | 288     | 31,679                     | 10.21                   | 3,103        |
|                      | Site Preparation | 65   | 0       | 0                          | 10.21                   | 0            |
|                      | Grading          | 21   | 31.2    | 1,078                      | 10.21                   | 106          |
| 2025                 | Grading          | 66   | 31.2    | 3,348                      | 10.21                   | 328          |
|                      | Building Const.  | 195  | 0       | 0                          | 10.21                   | 0            |
| 2026                 | Building Const.  | 261  | 0       | 0                          | 10.21                   | 0            |
| 2027                 | Building Const.  | 175  | 0       | 0                          | 10.21                   | 0            |
|                      | Paving           | 15   | 0       | 0                          | 10.21                   | 0            |
|                      | Arch. Coating    | 31   | 0       | 0                          | 10.21                   | 0            |
| <b>Total - 2024</b>  |                  |      |         |                            |                         | <b>3,208</b> |
| <b>Total - 2025</b>  |                  |      |         |                            |                         | <b>328</b>   |
| <b>Total - 2026</b>  |                  |      |         |                            |                         | <b>0</b>     |
| <b>Total - 2027</b>  |                  |      |         |                            |                         | <b>0</b>     |
| <b>Project Total</b> |                  |      |         |                            |                         | <b>3,536</b> |

Source: Energy Tables (BlueScape Environmental, December 2023)

Table 5.6-4, *Construction Equipment Diesel Fuel Demand*, illustrates the demand of diesel fuel for construction vehicles on-site during the various construction phases. Construction equipment diesel demand equals a total of 87,265 gallons of diesel fuel.

**Table 5.6-4. Construction Equipment Diesel Fuel Demand**

| Year                 | Phase            | Days | Equipment Units | CO <sub>2</sub> (kg/yr) | Kg CO <sub>2</sub> /Gal | Gallons       |
|----------------------|------------------|------|-----------------|-------------------------|-------------------------|---------------|
| 2024                 | Demolition       | 66   | 5               | 74,653                  | 10.21                   | 7,312         |
|                      | Site Preparation | 65   | 3               | 80,072                  | 10.21                   | 7,842         |
|                      | Grading          | 21   | 4               | 23,054                  | 10.21                   | 2,258         |
| 2025                 | Grading          | 66   | 4               | 73,166                  | 10.21                   | 7,166         |
|                      | Building Const.  | 195  | 8               | 194,703                 | 10.21                   | 19,070        |
| 2026                 | Building Const.  | 261  | 8               | 260,280                 | 10.21                   | 25,493        |
| 2027                 | Building Const.  | 175  | 8               | 174,704                 | 10.21                   | 17,111        |
|                      | Paving           | 15   | 6               | 8,463                   | 10.21                   | 829           |
|                      | Arch. Coating    | 31   | 1               | 1,877                   | 10.21                   | 184           |
| <b>Total - 2024</b>  |                  |      |                 |                         |                         | <b>17,412</b> |
| <b>Total - 2025</b>  |                  |      |                 |                         |                         | <b>26,236</b> |
| <b>Total - 2026</b>  |                  |      |                 |                         |                         | <b>25,493</b> |
| <b>Total - 2027</b>  |                  |      |                 |                         |                         | <b>18,124</b> |
| <b>Project Total</b> |                  |      |                 |                         |                         | <b>87,265</b> |

Source: Energy Tables (BlueScape Environmental, December 2023)

Petroleum use is necessary to operate construction equipment. Additionally, energy used during construction of the project would be limited to the construction period and would not involve long-term petroleum use. As such, energy consumption during construction activities would not be considered excessive, inefficient, or unnecessary. Demand for jobs in the project vicinity demonstrates that the proposed construction would not be considered unnecessary.

As noted above, there are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities or use of equipment that would not conform to current emissions standards (and related fuel efficiencies). Thus, project construction would not consume petroleum in a wasteful or inefficient manner.

### Operation

According to the Local Mobility Analysis prepared for the project (Kimley Horn, 2024), the project would have an estimated annual VMT of 1,476,722 miles and an average daily trip rate of 787 trips per day. Total mobile source carbon dioxide equivalents (CO<sub>2</sub>e) would be 515 metric tons (MT). CalEEMod assumes 94.14 percent of VMT burns gasoline while the remaining 5.86 percent burn diesel. Thus, of the 515 MT of mobile emissions, 485 MT would be generated by gasoline



combustion and 30 from diesel combustion. The project would have an annual gasoline demand of 55,191 gallons and an annual diesel demand of 2,952 gallons.

Over the lifetime of the project, the fuel efficiency of vehicles in use is expected to increase, as older vehicles within the fleet mix are replaced with newer, more efficient models. Thus, the amount of petroleum consumed as a result of vehicle trips to and from the project site during operation would decrease over time. There are numerous regulations in place that require and/or encourage increased fuel efficiency. For example, CARB has adopted a new approach to passenger vehicles by combining the control for smog-causing pollutants and GHG emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emissions vehicles in California. As such, operation of the project is expected to use decreasing amounts of petroleum over time, due to advances in fuel economy.

In summary, although the project would result in an increase in petroleum use during construction and operation compared to the existing conditions, the project would implement measures required under the City's CAP regarding VMT. Additionally, project-specific petroleum use would be expected to diminish over time as fuel efficiency improves and due to the project's walkability and proximity to transit and active transportation networks. Given these considerations, petroleum consumption associated with the project operation would not be considered excessive.

### **Significance of Impacts**

The project would increase demand for energy in the project area and SDG&E's service area. However, no adverse effects on non-renewable resources are anticipated. The project would follow Title 24 requirements for energy efficiency and would incorporate sustainable design features directed at reducing energy consumption. Petroleum consumption associated with the project operation would not be considered excessive.

### **Mitigation Measures**

Impacts would be less than significant, and mitigation would not be required.

## 5.7 Noise

This section discusses noise policies that are applicable to the project, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. The following discussion is based on the *Exterior Noise Analysis Report* (Noise Report) prepared by dBF Associates, Inc. (March 7, 2025) and included as Appendix B. For analysis related to land use-based impacts associated with the Noise Element of the General Plan, refer to Section 5.1, *Land Use*.

### 5.7.1 Existing Conditions

#### 5.7.1.1 Noise Background

Noise is generally defined as loud, unpleasant, unexpected, or undesired sound that is typically associated with human activity and that interferes with or disrupts normal activities. The human environment is characterized by a certain consistent noise level that varies by location and is termed ambient noise. Although exposure to high noise levels has been demonstrated to cause hearing loss, the principal human response to environmental noise is annoyance. The response of individuals to similar noise events is diverse and influenced by the type of noise, sleep loss/health impact, perceived importance of the noise and its appropriateness in the setting, time of day and type of activity during which the noise occurs, and sensitivity of the individual.

Sound is a physical phenomenon consisting of minute vibrations that travel through a medium, such as air, and are sensed by the human ear. Sound is generally characterized by several variables, including frequency and intensity. Frequency describes the sound's pitch and is measured in cycles per second, or hertz (Hz), whereas intensity describes the sound's loudness and is measured in decibels (dB). Decibels are measured using a logarithmic scale. A sound level of 0 dB is approximately the threshold of human hearing and is barely audible under extremely quiet listening conditions. Normal speech has a sound level of approximately 60 dB. Sound levels above about 120 dB begin to be felt inside the human ear as discomfort and eventually as pain at still higher levels. The minimum change in the sound level of individual events that an average human ear can detect is about three dB. The average person perceives a change in sound level of about 10 dB as a doubling (or halving) of the sound's loudness; this relation holds true for sounds of any loudness. Sound levels of typical noise sources and environments are provided in Table 5.7-1, *Sound Levels of Typical Noise Sources and Noise Environments*.

The normal human ear can detect sounds that range in frequency from about 20 Hz to 20,000 Hz. However, all sounds in this wide range of frequencies are not heard equally well by the human ear, which is most sensitive to frequencies in the range of 1,000 Hz to 4,000 Hz. This frequency dependence can be taken into account by applying a correction to each frequency range to approximate the human ear's sensitivity within each range. This is called A-weighting and is commonly used in measurements of community environmental noise. The A-weighted sound pressure level (abbreviated as dBA) is the sound level with the "A-weighting" frequency correction. In

practice, the level of a noise source is conveniently measured using a sound level meter that includes a filter corresponding to the dBA curve.

**Table 5.7-1. Sound Levels of Typical Noise Sources and Noise Environments**

| Noise Source<br>(at Given Distance)   | Noise Environment   | A-Weighted<br>Sound Level | Human Judgment<br>of Noise Loudness<br>(Relative to Reference<br>Loudness of 70<br>Decibels*) |
|---|---|---------------------------|---|
| Military Jet Takeoff<br>with Afterburner (50 ft)                                      | Carrier Flight Deck                                       | 140 Decibels              | 128 times as loud   |
| Civil Defense Siren (100 ft)  |   | 130                       | 64 times as loud  |
| Commercial Jet Take-off (200<br>ft)   |   | 120                       | 32 times as loud<br><b>Threshold of Pain</b>  |
| Pile Driver (50 ft)   | Rock Music Concert<br>Inside Subway Station (New<br>York) | 110                       | 16 times as loud  |
| Ambulance Siren (100 ft)<br>Newspaper Press (5 ft)<br>Gas Lawn Mower (3 ft)           |   | 100                       | 8 times as loud<br><b>Very Loud</b>   |
| Food Blender (3 ft)<br>Propeller Plane Flyover (1,000<br>ft)<br>Diesel Truck (150 ft) | Boiler Room<br>Printing Press Plant                       | 90                        | 4 times as loud   |
| Garbage Disposal (3 ft)   | Noisy Urban Daytime                                       | 80                        | 2 times as loud   |
| Passenger Car, 65 mph (25 ft)<br>Living Room Stereo (15 ft)<br>Vacuum Cleaner (10 ft) | Commercial Areas  | 70                        | Reference Loudness<br><b>Moderately Loud</b>  |
| Normal Speech (5 ft)<br>Air Conditioning Unit (100 ft)                                | Data Processing Center<br>Department Store                | 60                        | 1/2 as loud   |
| Light Traffic (100 ft)  | Large Business Office<br>Quiet Urban Daytime              | 50                        | 1/4 as loud   |
| Bird Calls (distant)  | Quiet Urban Nighttime                                     | 40                        | 1/8 as loud<br>Quiet  |
| Soft Whisper (5 ft)   | Library and Bedroom at Night<br>Quiet Rural Nighttime     | 30                        | 1/16 as loud  |
|   | Broadcast and Recording<br>Studio                         | 20                        | 1/32 as loud<br><b>Just Audible</b>   |
|   |   | 0                         | 1/64 as loud<br><b>Threshold of Hearing</b>   |

Source: Compiled by dBF Associates, Inc.

Because community noise fluctuates over time, a single measure called the Equivalent Sound Level (Leq) is often used to describe the time-varying character of community noise. The Leq is the energy-averaged A-weighted sound level during a measured time interval and is equal to the level of a continuous steady sound containing the same total acoustical energy over the averaging time period as the actual time-varying sound. Additionally, it is often desirable to know the acoustic range of the noise source being measured. This is accomplished through the Lmax and Lmin indicators, which represent the root-mean-square maximum and minimum noise levels obtained during the measurement interval. The Lmin value obtained for a particular monitoring location is often called the “acoustic floor” for that location.

To describe the time-varying character of environmental noise, the statistical noise descriptors L10, L50, and L90 are commonly used. They are the noise levels equaled or exceeded during 10, 50, and 90 percent of a stated time, respectively. Sound levels associated with L10 typically describe transient or short-term events, whereas levels associated with L90 describe the steady-state (or most prevalent) noise conditions.

A metric known as the community noise level equivalent (CNEL) adds a 5-dB adjustment to sound levels during evening hours (7:00 p.m. to 10:00 p.m.), in addition to a 10-dB adjustment to sound levels during nighttime hours (10:00 p.m. to 7:00 a.m.). CNEL is used by the State of California to evaluate land-use compatibility with regard to noise.

### **5.7.1.2 Existing Noise Environment**

The project site is located at 3823, 3863, and 3913 Ingraham Street and 3952 Jewell Street in the Crown Point neighborhood of the Pacific Beach community in the City of San Diego. The project site is currently developed as 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking. Noise-sensitive land uses in the project area include the existing on-site multi-family residences adjacent to locations of the new buildings, multi-family residences to the east across Jewell Street, single-family residences to the west across the alley and to the south across La Playa Street, and the Crown Point Junior Music Academy school to the north. The primary existing noise source in the vicinity of the project is vehicular traffic on surface streets. (See Figure 3-1, *AVA Pacific Beach Site Plan*, for the location of proposed buildings.)

### **Roadway**

The project site is bordered on all sides by public streets; Ingraham Street on the west; Jewell Street on the East; Fortuna Avenue on the north; and La Playa Avenue on the south. Specific to the three areas that would be redeveloped by the project, Building 1 would be located on Fortuna Avenue, Building 2 on Jewell Street, and Building 3 at the corner of Jewell Street and La Playa Avenue.

Ingraham Street is a four-lane two-way undivided major roadway adjacent to the project site on the west. According to the Local Mobility Assessment prepared for the project, by Kimley Horn (2024)

Ingraham Street carries an existing (Year 2022) peak-hour volume of 1,254 to 1,367 vehicles between Fortuna Avenue and La Playa Avenue. The speed limit on Ingraham Street is 35 miles per hour (mph). The existing vehicle mix is approximately three percent medium trucks, one percent buses, and one percent motorcycles, with the balance being 95 percent automobiles, based on observations conducted during the site visit.

Jewell Street is a two-lane collector roadway adjacent to the project site on the east. Jewell Street carries an existing (Year 2022) peak-hour volume of 142 to 219 vehicles between Fortuna Avenue and La Playa Avenue. There is no posted speed limit on Jewell Street within the project vicinity; vehicles were generally observed traveling approximately 25 mph. The existing vehicle mix is approximately five percent medium trucks, 2.5 percent buses, and 92.5 percent automobiles, based on observations conducted during the site visit.

Fortuna Avenue is an unclassified roadway that functions as a two-lane local road adjacent to the project site. Fortuna Avenue carries an existing peak-hour volume of 101 to 112 vehicles between Ingraham Street and Jewell Street. There is no posted speed limit on Fortuna Avenue within the project vicinity; vehicles were generally observed traveling approximately 25 mph. The existing vehicle mix is approximately 10 percent medium trucks and 90 percent automobiles, based on observations conducted during the site visit.

La Playa Avenue is a two-lane two-way undivided local collector roadway adjacent to the project site on the south. La Playa Avenue carries an existing (Year 2022) peak-hour volume of 148 to 174 vehicles between Ingraham Street and Jewell Street. There is no posted speed limit on La Playa Avenue within the project vicinity; vehicles were generally observed traveling approximately 25 mph. The existing vehicle mix is approximately 100 percent automobiles, based on observations conducted during the site visit.

## **Aircraft**

The project site is not located within an Airport Influence Area for any of the local airports. The project site is located approximately five miles north of the San Diego International Airport. The project site is exposed to an existing and projected future (Year 2026) aircraft noise level of less than 60 dBA CNEL from San Diego International Airport operations. However, noise associated with aircraft operations may be periodically audible on the project site or within the project buildings. As the project is located outside of any 60 dBA CNEL airport noise level contours, aircraft noise does not warrant further discussion herein.

### **5.7.1.3 Ambient Sound Level Measurements**

Ambient sound level measurements were conducted to estimate the existing acoustical environment on the project site. The measurement results are summarized in Table 5.7-2, *Sound Level Measurements*, and correspond to the locations depicted on Figure 5.7-1, *Sound Level*

*Measurement Locations.* The primary noise source was roadway traffic. Other noise sources included birds, pedestrians, distant aircraft, and distant construction.

**Table 5.7-2. Sound Level Measurements (dBA)**

| Measurement Location   | Date / Time               | Leq  | Lmin | Lmax | L10  | L50  | L90  | Traffic  |
|--|---------------------------|------|------|------|------|------|------|--|
| ML1:<br>Southeast corner of Building 3 site<br>52' from La Playa CL,<br>45' from Jewell CL | 2023-03-29<br>12:10-12:20 | 56.2 | 45.1 | 69.5 | 58.8 | 52.1 | 47.1 | La Playa: 21 cars<br>Jewell: 21 Cars<br>2 medium trucks, 1 bus |
| ML2:<br>East side of Building 2 site<br>48' from Jewell CL                                 | 2023-03-29<br>12:30-12:40 | 54.7 | 47.7 | 67.2 | 57.1 | 52.4 | 49.3 | Jewell: 19 cars  |
| ML3:<br>North side of Building 1 site<br>33' from Fortuna CL                               | 2023-03-29<br>12:55-13:05 | 53.3 | 47.8 | 77.0 | 56.4 | 52.3 | 50.2 | Fortuna: 9 cars<br>1 medium truck                              |
| ML4:<br>Near southwest corner of Building 1 site<br>160' from Ingraham CL                  | 2023-03-29<br>13:10-13:20 | 54.8 | 45.0 | 69.5 | 57.5 | 52.6 | 48.2 | Ingraham: 94 cars<br>3 medium trucks, 1 bus, 1 motorcycle      |

Source: Appendix O

## 5.7.2 Regulatory Framework

### 5.7.2.1 State

#### California Building Code

California Building Code (CBC), Chapter 12: Interior Environment, Section 1206: Sound Transmission regulates noise levels in buildings with multiple habitable units. The relevant portion is reproduced below.

1206.4 Allowable interior noise levels. Interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric shall be either the day-night average sound level (Ldn) or the CNEL, consistent with the noise element of the local general plan.

#### California Department of Transportation

The City of San Diego does not regulate construction vibration levels. In the absence of vibration limits, the California Department of Transportation (Caltrans) criteria were used. For continuous or frequent intermittent sources, vibration is “barely perceptible” at 0.01 inches per second (in/sec) peak particle velocity (PPV) and “distinctly perceptible” at 0.04 in/sec PPV. Damage to “older residential structures” could occur at 0.3 in/sec PPV. The City of San Diego considers a vibration level of 0.04 in/sec PPV or greater to be significant.

## 5.7.2.2 Local

### City of San Diego General Plan

The City of San Diego requires new projects to meet noise level standards as established in the Noise Element of the General Plan (Policy NE-A.4). These standards are shown in General Plan Table NE-3: Land Use – Noise Compatibility Guidelines (see Table 5.7-3, *Table of Applicable Limits*, below).

In the Residential – Multiple Dwelling Units land use category, which applies to the project, noise levels up to 60 dBA CNEL are considered Compatible with outdoor use areas; noise levels up to 70 dBA CNEL are considered Conditionally Compatible. The building structure must attenuate exterior noise in occupied areas to 45 dBA CNEL or below.

### San Diego Municipal Code

#### Operational Noise

Operational noise within the City is governed by San Diego Municipal Code (SDMC) Section 59.5.401: Sound Level Limits. This code section prohibits one-hour average sound levels that exceed the Table 5.7-3 limitations.

**Table 5.7-3. Table of Applicable Limits**

| Land Use   | Time of Day   | One-Hour Average Sound Level (decibels) |
|--|---------------|---|
| 1. Single Family Residential                                       | 7 AM to 7 PM  | 50                                      |
|  | 7 PM to 10 PM | 45                                      |
|  | 10 PM to 7 AM | 40                                      |
| 2. Multi-Family Residential<br>(up to a maximum density of 1/2000) | 7 AM to 7 PM  | 55                                      |
|  | 7 PM to 10 PM | 50                                      |
|  | 10 PM to 7 AM | 45                                      |
| 3. All other Residential   | 7 AM to 7 PM  | 60                                      |
|  | 7 PM to 10 PM | 55                                      |
|  | 10 PM to 7 AM | 50                                      |
| 4. Commercial  | 7 AM to 7 PM  | 65                                      |
|  | 7 PM to 10 PM | 60                                      |
|  | 10 PM to 7 AM | 60                                      |
| 5. Industrial or Agricultural                                      | any time      | 75                                      |

Source: Appendix O

With the project building in place, the project site would have a density greater than one dwelling unit per 2,000 square feet of lot area, which means that the project is considered in the “All Other Residential” land use category. Adjacent land uses within the project site are multi-family residential buildings, with the following operational sound level limits:

- 60 dBA Leq during daytime hours (7:00 a.m. to 7:00 p.m.),
- 55 dBA Leq during evening hours (7:00 p.m. to 10:00 p.m.), and
- 50 dBA Leq during nighttime hours (10:00 p.m. to 7:00 a.m.).

### *Building 1 Site*

Surrounding off-site land uses include the Crown Point Junior Music Academy to the north and single-family residential to the west. Noise limits for the “All Other Residential” land use category were considered applicable to the school property.

At the north project property line, toward the school use, the operational sound level limits are:

- 60 dBA Leq during daytime hours (7:00 a.m. to 7:00 p.m.),
- 55 dBA Leq during evening hours (7:00 p.m. to 10:00 p.m.), and
- 50 dBA Leq during nighttime hours (10:00 p.m. to 7:00 a.m.).

At the west project property line, toward the single-family residential uses, the operational sound level limits are:

- 55 dBA Leq during daytime hours (7:00 a.m. to 7:00 p.m.),
- 50 dBA Leq during evening hours (7:00 p.m. to 10:00 p.m.), and
- 45 dBA Leq during nighttime hours (10:00 p.m. to 7:00 a.m.).

### *Building 2 Site*

Surrounding off-site land uses include multi-family residential with a density greater than one dwelling unit per 2,000 square feet of lot area to the east.

At the east project property line, the operational sound level limits are:

- 60 dBA Leq during daytime hours (7:00 a.m. to 7:00 p.m.),
- 55 dBA Leq during evening hours (7:00 p.m. to 10:00 p.m.), and
- 50 dBA Leq during nighttime hours (10:00 p.m. to 7:00 a.m.).

### *Building 3 Site*

Surrounding off-site land uses include multi-family residential with a density greater than one dwelling unit per 2,000 square feet of lot area to the east and single-family residential buildings to the south.

At the east project property line, toward the multi-family residential use, the operational sound level limits are:

- 60 dBA Leq during daytime hours (7:00 a.m. to 7:00 p.m.),
- 55 dBA Leq during evening hours (7:00 p.m. to 10:00 p.m.), and
- 50 dBA Leq during nighttime hours (10:00 p.m. to 7:00 a.m.).

At the south project property line, toward the single-family residential uses, the operational sound level limits are:

- 55 dBA Leq during daytime hours (7:00 a.m. to 7:00 p.m.),
- 50 dBA Leq during evening hours (7:00 p.m. to 10:00 p.m.), and
- 45 dBA Leq during nighttime hours (10:00 p.m. to 7:00 a.m.).



### **Construction Noise**

Construction noise within the City is governed by SDMC Section 59.5.0404: Construction Noise. This code section prohibits construction between the hours of 7:00 p.m. and 7:00 a.m.; on legal holidays as specified in Section 21.04 of the SDMC, with some exceptions; or on Sundays. Additionally, construction is prohibited from causing noise in excess of 75 dB during the 12-hour period from 7:00 a.m. to 7:00 p.m. at or beyond the property lines of any property zoned residential.

### **Refuse Vehicles and Parking Lot Sweepers**

Refuse vehicle and parking lot sweeper noise within the City is governed by SDMC Section 59.5.0406: Refuse Vehicles and Parking Lot Sweepers. Per this code section, refuse compacting, processing, or collection vehicles cannot operate in any residential area unless a permit has been applied for and granted between 7:00 p.m. and 6:00 a.m. Parking lot sweepers may not operate in any residential area unless a permit has been applied for and granted between 7:00 p.m. and 7:00 a.m.

## **5.7.3 Impact Analysis**

### **5.7.3.1 Issue 1**

*Issue 1 Would the project result in or create a significant increase in the existing ambient noise levels?*

### **Impact Threshold**

Based on the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds (City of San Diego, 2022), a project would have a potentially significant noise impact if it would result in:

- Generation of noise levels that exceed the City's adopted Noise Ordinance, SDMC, Section 59.5.0404 (i.e., 75db(A) Leq [12-hour]). Additionally, construction noise that would substantially interfere with normal business communications or affect sensitive receptors may be significant per the City's CEQA Significance Determination Thresholds (2022).
- Exposure of people to noise levels that exceed the City's adopted Noise Ordinance, SDMC, Section 59.5.0401 as identified in Table 5.7-3.

## **Analysis**

### ***Demolition and Construction Noise***

The project would involve the demolition of parking lots at three locations (Building 1: 2.03 acres, Building 2: 0.78 acre, and Building 3: 1.88 acres) and relocation of an existing sewer easement that runs within a 12.96-acre existing multi-family development. Subsequently, the project would involve grading these areas. Three buildings, providing a total of 138 new multi-family residential units, two new parking structures, and new surface parking, would be constructed. Construction activity and delivery of construction materials and equipment would be limited to between 7:00 a.m. and 7:00 p.m., except on Sundays or holidays when no demolition or construction would occur.

Demolition and construction would generate a short-term temporary increase in noise in the project area. The increase in noise level would be primarily experienced close to the noise source; i.e., , demolition, grading, and construction of the new buildings within each of the development areas. The magnitude of the impact would depend on the type of activity, noise level generated by various pieces of equipment, duration of the phase, acoustical shielding and distance between the noise source and receiver.

The Datakustik Cadna/A industrial noise prediction model was used to estimate demolition and construction noise levels. It was assumed that activity would occur continuously within the building area boundaries, and that every workday would be no longer than 8 hours. No noise reduction related to ground effects, atmospheric absorption, or intervening topography was included in the model. Equipment and operational parameters are described in Table 5.7-4, *Demolition and Construction Noise Source Levels*. These parameters apply to each of the three building sites, with the exception of Building 2. At Building 2, there would be no subterranean parking garage. As such, during shoring and excavation, no drill rigs and only one excavator and one wheel loader would operate at the Building 2 site.

As stated previously, the closest off-site occupied residential properties are located approximately 23 feet away, across the alley from the Building 1 site to the west. The closest on-site occupied residences are units in multiple three-story buildings located as close as approximately 11 feet from the project building boundaries.,

The project would include improvements to sewer lines within the project property. These improvements would require digging trenches using a mini excavator as close as approximately five feet from a building façade. A mini excavator produces approximately 65 dBA at 10 meters, which is equivalent to approximately 84 dBA at five feet. The excavator is expected to be within five feet of any given point on a building façade for a duration less than one hour; as such, the average noise level would be less than 75 dBA Leq (12 hours).

Demolition and construction would occur during the days and hours proscribed by the SDMC. Demolition and construction noise levels at residential property lines and on-site residential facades would not exceed the 75 dBA Leq (12 hours) sound level allowed by the SDMC. Temporary demolition and construction noise would also not substantially interfere with normal business operations or affect any other sensitive receptors. As conditions of approval, the project would restrict demolition activity within a building site boundary during any given day to a duration of no more than two hours and select a combination of demolition equipment that produces an aggregate sound power of no more than 111 dBA. No project demolition or construction noise impacts would occur.

**Table 5.7-4, Demolition and Construction Noise Source Levels**

| Phase                | Noise Source           | Power (HP) | Number | Sound Level         | Usage Factor |
|----------------------|------------------------|------------|--------|---------------------|--------------|
| Demolition           | Wheel Loader           | 256        | 1      | 79 dBA at 10 meters | 40%          |
|                      | Skid Steer (Bulldozer) | 310        | 1      | 80 dBA at 10 meters | 40%          |
|                      | Excavator              | 266        | 1      | 82 dBA at 10 meters | 40%          |
| Shoring & Excavation | Loader                 | 165        | 1      | 76 dBA at 10 meters | 40%          |
|                      | Crane                  | 213        | 1      | 67 dBA at 10 meters | 15%          |
|                      | Reachfork              | 142        | 1      | 79 dBA at 10 meters | 40%          |
|                      | Drill Rig 1            | 275        | 1      | 86 dBA at 10 meters | 20%          |
|                      | Drill Rig 2            | 523        | 1      | 86 dBA at 10 meters | 20%          |
|                      | Drill Rig 3            | 329        | 1      | 86 dBA at 10 meters | 20%          |
|                      | Vibratory              | -          | 1      | 75 dBA at 10 meters | 20%          |
|                      | Air Compressor 1       | 100        | 1      | 75 dBA at 10 meters | 40%          |
|                      | Air Compressor 2       | 300        | 1      | 75 dBA at 10 meters | 40%          |
|                      | Excavator              | 266        | 2      | 82 dBA at 10 meters | 40%          |
|                      | Wheel Loader           | 243        | 2      | 79 dBA at 10 meters | 40%          |
|                      | Skid Steer (Bulldozer) | 310        | 1      | 80 dBA at 10 meters | 40%          |
| Dry Utilities        | Dump Truck             | -          | 1      | 79 dBA at 10 meters | 40%          |
|                      | Excavator              | 247        | 1      | 82 dBA at 10 meters | 40%          |
|                      | Skid Steer             | 73         | 1      | 71 dBA at 10 meters | 40%          |
|                      | Backhoe                | 78         | 1      | 69 dBA at 10 meters | 40%          |
|                      | Saw Cutter             | -          | 1      | 87 dBA at 10 meters | 20%          |
| Concrete             | Backhoe                | 90         | 1      | 69 dBA at 10 meters | 40%          |
|                      | Telehandler            | 112        | 2      | 79 dBA at 10 meters | 40%          |
|                      | Loader                 | 85         | 1      | 76 dBA at 10 meters | 40%          |
|                      | Concrete Mixer Truck   | -          | 1      | 80 dBA at 10 meters | 40%          |
|                      | Concrete Pump Truck    | -          | 1      | 78 dBA at 10 meters | 20%          |

Source: DEFRA 2005

### **Construction Vibration**

No vibratory soil compaction would occur within 11 feet of a residence. As a condition of approval, to avoid annoyance from vibration during demolition and construction, the following conditions would be required as project design features and shall be included on the grading plan prior to grading permit issuance:

- When grading occurs within 52 feet of a residence, only use of a small bulldozer shall be allowed.
- When soil compaction occurs within 75 feet of a residence, only use of a hand-operated tamper, walk-behind compactor, or non-vibratory compaction shall be allowed.

. With these preventive measures, no vibration impacts would occur.

## ***Operational Noise***

Operational noise includes stationary noise sources (heating ventilation and cooling units) and mobile noise sources (noise generated by the increase in vehicles associated with the project). These noise sources can generate noise affecting the interior noise levels, as well as exterior noise levels at outdoor usable areas. CEQA Section 21085 added as part of AB 1307 in 2023 states that “for residential projects, the effects of noise generated by project occupants and their guests on human beings is not a significant effect on the environment” Thus these noise impacts were not evaluated as part of project analysis in the EIR.

### **Stationary Noise Sources**

Proposed residential buildings would have rooftop heating, ventilation, and cooling (HVAC) units. It is anticipated that there would be one unit per residence, and the HVAC units would be screened with parapet walls at least as tall as the units. The HVAC units would produce operational noise levels up to approximately 40 dBA Leq at the project property lines. Project operation would not exceed the property line sound levels allowed by the SDMC. Operational stationary noise source impacts of the project would be less than significant.

### **Mobile Noise Sources**

Based on the Local Mobility Analysis (LMA) prepared for the project (Kimley Horn 2024), the project would add a morning, peak-hour volume of 24 vehicles to the existing volume of 112 vehicles on Fortuna Avenue east of Ingraham Street. The project would cause a lower relative increase of vehicles to all other roadway segments.

This increase in traffic would result in an increase of less than 1 dBA CNEL. As this increase in traffic noise would be less than 3 dBA, it would be considered not perceptible to the average person and less than significant. Project operation mobility noise impacts would be less than significant.

## ***Noise Affecting the Project Site***

### **Vehicular Traffic Noise**

The future noise environment on the project site would primarily be a result of vehicular traffic on surrounding roadways. Future exterior roadway noise levels at the proposed buildings would range up to approximately 61 dBA CNEL at the northwest façade corner of Building 1.

The project includes the following common outdoor usable areas: a courtyard on the south side of Building 1 and a courtyard on the central east side of Building 3. These areas would be shielded from roadway traffic by the project buildings and existing buildings to remain. A linear park is proposed along Jewell Street at its corner with La Playa Avenue and north of Building 3. The informal public use area would be exposed to noise levels of 58-59 dBA CNEL. Future exterior noise levels

would be below 60 dBA CNEL at all common outdoor spaces in the project. See Figure 5.7-2, *Future Exterior Noise Levels (CNEL)*, for details.

Multi-family residential uses are compatible with noise levels up to 60 dBA CNEL and conditionally compatible with noise levels up to 70 dBA CNEL per the General Plan Noise Element. As a condition of approval, an interior noise analysis would be required to demonstrate that interior noise levels in the proposed residential buildings would not exceed 45 dBA CNEL, as discussed further below.

### **Interior Noise**

Because future exterior noise levels would exceed 60 dBA CNEL at some building façades, interior noise levels in habitable rooms could exceed the City of San Diego General Plan Noise Compatibility Guidelines requirement of 45 dBA CNEL in residences and the CBC Section 1206.4 requirement of 45 dBA CNEL in residences. To comply with this requirement, upgraded building façade elements (windows, walls, doors, and/or exterior wall assemblies) with Sound Transmission Class (STC) ratings of 35 or higher may be necessary. If the interior noise limit can be achieved only with the windows closed, a condition of approval would require that the building design must include mechanical ventilation that meets CBC requirements. Implementation of these design features would be required to be implemented as part of the project to ensure that interior noise levels would be 45 dBA CNEL or below in residences, and an interior noise analysis would be required to demonstrate that interior noise levels in the residential buildings would not exceed 45 dBA CNEL and thus the project would comply with the City of San Diego General Plan Noise Compatibility Guidelines requirement and the CBC Section 1206.4 requirement.

## **Significance of Impacts**

### ***Demolition and Construction***

Demolition and construction noise levels at residential property lines would not exceed the 75 dBA Leq (12 hours) sound level allowed by the SDMC. Impacts from construction noise would be less than significant.

### ***Construction Vibration***

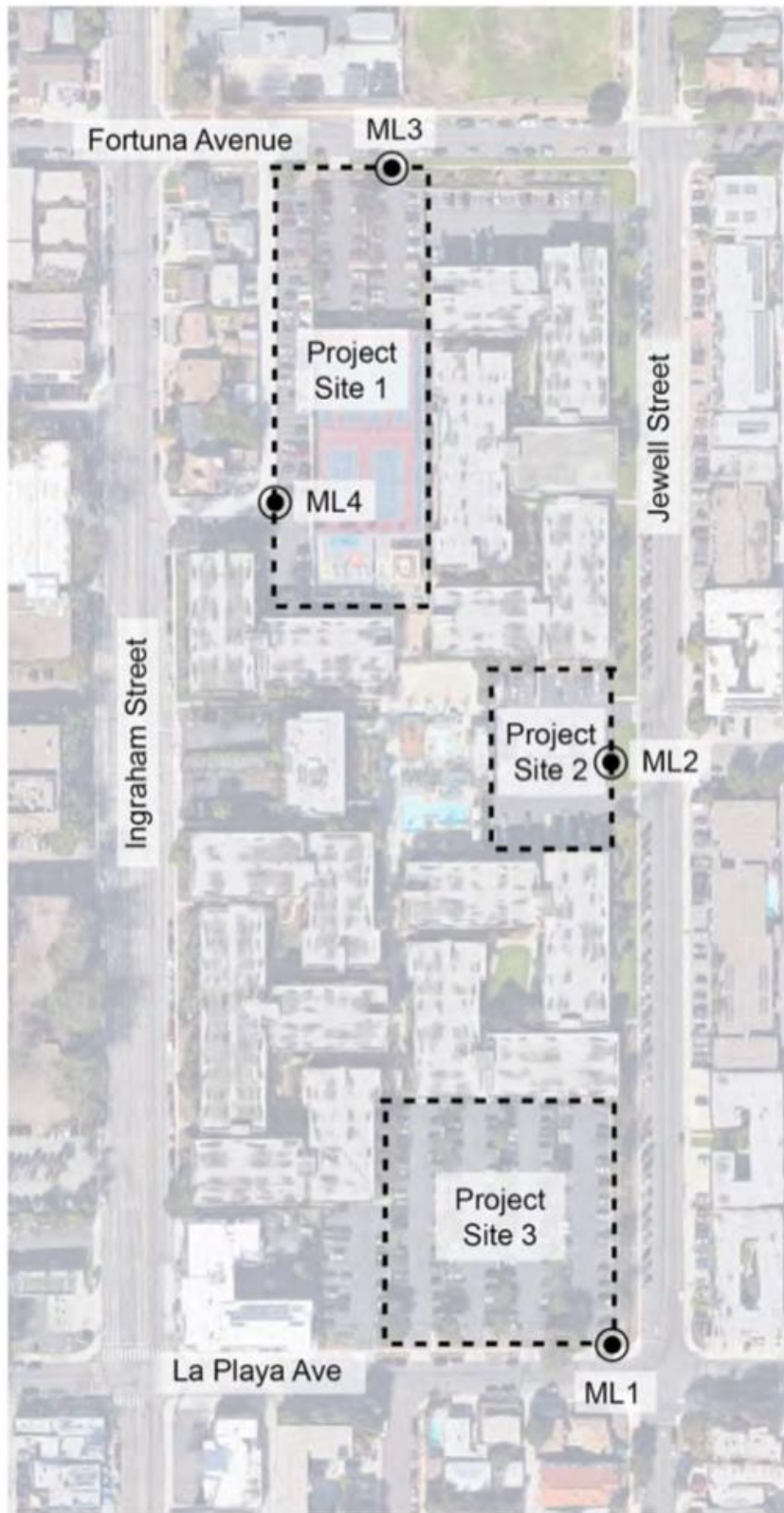
The project could result in impacts from vibration. As a condition of approval project design features as described above would be included on the grading plan to avoid annoyance from vibrations. With these conditions of approval in place impacts would be less than significant.

### ***Operational Noise***

Project operation would not exceed the property line sound levels allowed by the SDMC. Project operation noise impacts would be less than significant.

### ***Noise Affecting the Project Site***

Future exterior composite noise levels would exceed 60 dBA CNEL at some project building façades, interior noise levels in occupied areas could exceed 45 dBA CNEL in residences. As a condition of approval, enforcement of specific design features to reduce interior noise and an interior noise analysis would be required to demonstrate that interior noise levels in the proposed residential buildings would not exceed 45 dBA CNEL. With these conditions of approval in place impacts would be less than significant.



**Figure 5.7-1. Sound Level Measurement Location**



**Figure 5.7-2. Future Exterior Noise Levels (CNEL)**



## 5.8 Historical Resources

This section discusses historical resource policies that are applicable to the project, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project.

### 5.8.1 *Existing Conditions*

The project site is located at 3823, 3863, 3913 Ingraham Street and 3952 Jewell Street and is comprised of approximately 12.96 acres, of which 4.35 acres are planned for redevelopment with construction for the project. The project site is currently developed as 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking.

### Built Environment

The structures currently present on-site are set to remain with implementation of the project. The project proposes the demolition and redevelopment of underutilized portions of the site to include three surface parking lots and a recreational deck above one of the surface parking lots to be demolished. No historically significant structures or buildings would be affected by the development of the project. In addition, the project went under Historic review on April 21, 2022, in accordance with SDMC Section 143.0212 under PTS 684566. During that review, the property was determined not eligible for designation under any Historic Resources Board (HRB) criteria. This determination is good for five years from the April 21, 2022, review date unless new info is provided that speaks to the building's eligibility for designation. No new info has been provided and the property is not subject to Historic review at this time.

### Archaeology

#### Region

The prehistory of San Diego County has most frequently been divided chronologically into three or four major periods. An Early Man stage, perhaps dating back tens of thousands of years, has been proposed, but no widely accepted evidence of human occupation of North America dating prior to about 12,000 Before Christ (B.C.) has emerged. More generally accepted divisions include a Terminal Pleistocene/Early Holocene period (ca. 12,000-6000 B.C.), a Middle/Late Holocene period [ca. 6000 B.C.-Anno Domini (A.D.) 800], and a Late Prehistoric period (ca. A.D. 800-1769).

For the Terminal Pleistocene/Early Holocene period (ca. 12,000-6000 B.C.), the earliest chronologically distinctive archaeological evidence is the Clovis pattern. Dated elsewhere in North America to around 11,500 B.C., Clovis assemblages are distinguished primarily by large fluted projectile points. At least three isolated fluted points have been reported within San Diego County. The most widely recognized archaeological pattern within this period is termed San Dieguito and has been dated from at least as early as 8500 B.C. to perhaps around 6000 B.C.

Archaeological evidence from the Middle/Late Holocene Period (ca. 6000 B.C.-A.D. 800) period in the coastal San Diego region has been characterized as belonging to the Archaic stage, Millingstone horizon, Encinitas tradition, or La Jolla pattern. Distinctive characteristics of the La Jolla pattern include extensive shell middens, portable ground stone metates and manos, crudely flaked cobble tools, occasional large expanding stemmed projectile points (Pinto and Elko forms), and flexed human burials.

A Late Prehistoric period (ca. A.D. 800-1769) in coastal San Diego County has been distinguished, primarily on the basis of three major innovations: the use of small projectile points, brownware pottery, and the practice of human cremation. Labels applied to the archaeological manifestations of this period include Yuman, Cuyamaca, Patayan, and Hakataya. Traits characterizing the Late Prehistoric period include a shift toward greater use of inland rather than coastal settlement locations, greater reliance on acorns as an abundant but labor-expensive food resource, a greater emphasis on hunting of both large and small game, a greater amount of interregional exchange, more elaboration of nonutilitarian culture, and possibly denser regional populations.

In ethnohistoric times, central and southern San Diego County was occupied by speakers of a Yuman language or languages, variously referred to as Kumeyaay, Diegueño, Tipai, and Ipai. Kumeyaay territory extended from south of Agua Hedionda Lagoon, Escondido, and Lake Henshaw to south of Ensenada in northern Baja California, and east nearly as far as the lower Colorado River. The Kumeyaay inhabited a diverse environment that included littoral, valley, foothill, mountain, and desert resource zones. A large number of village sites have been identified throughout San Diego County. The diet of the Kumeyaay included both plant and animal foods have utilized several ecological niches varying by altitude.

### **Project Site**

The project site is currently developed with 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking. The project consists of redeveloping underutilized portions of the project site totaling 4.35 acres. The site is flat and has been previously graded under prior development for the existing multi-family residential development.

## **5.8.2 Regulatory Framework**

Federal, State, and local criteria have been established for the determination of historical resource significance. The criteria for determining a resource's significance generally focus on a resource's integrity and uniqueness, its relationship to similar resources, and its potential to contribute important information to scholarly research. Some resources that do not meet Federal significance criteria may be considered significant under State or local criteria.

### **5.8.2.1 Federal National Historic Preservation Act**

The National Historic Preservation Act (NHPA) establishes the Federal government policy on historic preservation and the programs – including the National Register of Historic Places (NRHP) – through which this policy is implemented. Under the NHPA, significant cultural resources, referred to as historic properties, include any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the NRHP. Historic properties also include resources determined to be National Historic Landmarks (NHL). NHLs are nationally significant historic places designated by the Secretary of the Interior (SOI) because they possess exceptional value or quality in illustrating or interpreting United States heritage. A property is considered historically significant if it meets one of the NRHP criteria and retains sufficient historic integrity to convey its significance. This act also established the Advisory Council on Historic Preservation (ACHP), an independent agency responsible for implementing Section 106 of NHPA by developing procedures to protect cultural resources included on, or eligible for inclusion, on the NRHP. Regulations are published in 36 Code of Federal Regulations (CFR) Part 60 and 63, and 36 CFR, Part 800. A property is considered historically significant if it meets one of the NRHP criteria listed below and retains sufficient historic integrity to convey its significance:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction. Or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded, or may be likely to yield, information important in prehistory or history.

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify individually if they fall within the following categories:

- A. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- B. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- C. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life; or

- D. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- E. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- F. A property primarily commemorative in intent, if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
- G. A property achieving significance within the past 50 years if it is of exceptional importance.

### 5.8.2.2 State

#### California Register of Historic Resources

The California Register of Historic Resources (CRHR) was established in 1992. Similar to the NRHP, the CRHR program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies resources for planning purposes; determines eligibility of state historic grant funding; and provides certain protections under the California Environmental Quality Act (CEQA). A property is eligible for listing on the State register if it meets one of the following designation criteria:

1. Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
2. Associated with the lives of persons important to local, California, or national history.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values.
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

CEQA was amended in 1992 to define “historical resources” as a resource listed in or determined eligible for listing on the California Register; a resource included in a local register of historical resources or identified as significant in a historical resource survey that meets certain requirements; and any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be significant. Some resources that do not meet these criteria may still be historically significant for the purposes of CEQA.

CEQA Sections 15064.5 and 21083.2(g) define the criteria for determining the significance of historical resources. Archaeological resources are considered “historical resources” for the purposes of CEQA. Most archaeological sites that qualify for the CRHR do so under criterion 4 (i.e., research potential). Since resources that are not listed or determined eligible for the State or local registers may still be historically significant, their significance shall be determined if they are affected by a project.

## **California Public Resources Code**

Sections 5097 through 5097.6 of the Public Resources Code (PRC) outline the requirements for cultural resource analysis prior to the commencement of any construction project on State lands. The State agency proposing the project may conduct the cultural resource analysis or they may contract with the State Department of Parks and Recreation. In addition, this section stipulates that the unauthorized disturbance or removal of archaeological, historical, or paleontological resources located on public lands is a misdemeanor. It prohibits the knowing destruction of objects of antiquity without a permit (expressed permission) on public lands and provides for criminal sanctions. This section was amended in 1987 to require consultation with the NAHC whenever Native American graves are found. Violations for the taking or possessing of remains or artifacts are felonies.

## **California Health and Safety Code**

Section 7052 of the California Health and Safety Code (H&SC) makes the willful mutilation, disinterment, or removal of human remains a felony. Section 7050.5 requires that construction or excavation be stopped in the vicinity of 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. H&SC Section 8010-8030 constitutes the California Native American Graves Protection and Repatriation Act of 2001 (CALNAGPRA). CALNAGPRA, like the Federal act, ensures that Native American human remains and cultural items are treated with respect and dignity during all phases of the archaeological evaluation process in accordance with CEQA and any applicable local regulations. The code provides a process and requirements for the identification and repatriation of collections of human remains or cultural items to the appropriate tribes from any State agency or museum that receives State funding.

## **California Government Code Section 65040.2(g)**

California Government Code Section 65040.2(g) provides guidelines for consulting with Native American tribes for the following: (1) the preservation of, or the mitigation of impacts to places, features, and objects described in sections 5097.9 and 5097.993 of the PRC; (2) procedures for identifying through the NAHC the appropriate California Native American tribes; (3) procedures for continuing to protect the confidentiality of information concerning the specific identity, location, character, and use of those places, features, and objects; and (4) procedures to facilitate voluntary landowner participation to preserve and protect the specific identity, location, character, and use of those places, features, and objects.

## **Native American Burials (PRC Section 5097 et seq.)**

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and designates the NAHC to resolve disputes regarding the disposition of such remains. The Native

American Historic Resource Protection Act (PRC Sections 5097.993 through 5097.994) makes it a misdemeanor punishable by up to a year in jail to deface or destroy a Native American historic or cultural site that is listed or may be eligible for listing in the CRHR. In 2006, Assembly Bill (AB) 2641 (Coto) amended the PRC to provide for the protection of human remains when discovered, as well as conferral with descendants to make recommendations or preferences for treatment of human remains. A landowner, upon discovery of human remains, is required to ensure that the immediate vicinity, as described, is not damaged or disturbed, until specific conditions are met, including discussing and conferring, as defined, with the descendants regarding their preferences for treatment. The amended PRC, along with the California NAGPRA of 2001 (Health and Safety Code Sections 8010 through 8011) ensures that Native American human remains and cultural items are treated with respect and dignity.

### **5.8.2.3 Local**

#### **City of San Diego General Plan**

The Historical Preservation Element of the City of San Diego's General Plan was adopted in 2008. The principal purpose of the Historic Preservation Element is to guide the preservation, protection, restoration, and rehabilitation of historical and cultural resources and maintain a sense of the City. The Historic Preservation Element additionally seeks to improve the quality of the built environment, encourage appreciation for the City's history and culture, maintain the character and identity of communities, and contribute to the City's economic vitality through historic preservation. The Historic Preservation Element includes goals and policies to guide historical resources management activities.

#### **Land Development Manual**

##### **Historical Resources Regulations**

The purpose and intent of the City's Historical Resources Regulations of the Land Development Code (LDC) (Chapter 14, Division 3, and Article 2) is to protect, preserve, and, where damaged, restore the historical resources of San Diego, which include historical buildings, historical structures, or historical objects; important archaeological sites; historical districts; historical landscapes; and traditional cultural properties. These regulations are intended to ensure that development occurs in a manner that protects the overall quality of historical resources. The Historic Resources Regulations require that development affecting designated historical resources or historical districts shall provide full mitigation for the impact to the resource, in accordance with the Historical Resources Guidelines of the Land Development Manual (LDM), as a condition of approval. If development cannot, to the maximum extent feasible, comply with the development regulations for historical resources, then a project would require a Site Development Permit.

##### **Historical Resources Guidelines**

The Historical Resources Guidelines (HRG), located in the City's LDM, provide property owners, the development community, consultants, and the general public explicit guidance for the management

of historical resources located within the City's jurisdiction. These guidelines are designed to implement the historical resources regulations and guide the development review process. The guidelines also address the need for a survey and how impacts are to be assessed, available mitigation strategies, and reporting requirements. They also include appropriate methodologies for treating historical resources located in the City.

### **City of San Diego Historical Resources Register**

The City of San Diego also maintains a Historical Resources Register. Per the City, any improvement, building, structure, sign, interior element and fixture, feature, site, place, district, area, or object may be designated as historic by the Historical Resources Board (HRB) if it meets any of the following criteria:

- Exemplifies or reflects special elements of the City's, a community's, or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping, or architectural development;
- Is identified with persons or events significant in local, State, or national history;
- Embodies distinctive characteristics of a style, type, period, or method of construction or is a valuable example of the use of indigenous materials or craftsmanship;
- Is representative of the notable work of a master builder, designer, architect, engineer, landscape architect, interior designer, artist, or craftsman;
- Is listed or has been determined eligible by National Park Service for listing on the National Register of Historic Places or is listed or has been determined eligible by the State Historic Preservation Office (SHPO) for listing on the State Register of Historical Resources; or
- Is a finite group of resources related to one another in a clearly distinguishable way or is a geographically definable area or neighborhood containing improvements which have a special character, historical interest, or aesthetic value or which represent one or more architectural periods or styles in the history and development of the City.

### **Historical Resources Board Historic Context**

According to the Guidelines for the Application of HRB Designation Criteria, the significance of a historic property can be judged and explained only when it is evaluated in its historic context. Historic contexts are those patterns or trends in history by which a specific occurrence, property, or site is understood and its meaning (and ultimately its significance) within history is made clear. In order to decide whether a property is significant within its historic context, the following things must be determined:

- 1) Identify the themes, geographical limits, and chronological period that the property represents;
- 2) Determine how the theme of the context is significant in the history of the local area;
- 3) Determine what the property type is and whether it is important in illustrating the historic context;
- 4) Determine how the property represents the context through HRB Criteria; and

- 5) Determine what physical features the Subject Property must possess for it to reflect the significance of the historic context.

### **5.8.3 Impact Analysis**

#### **5.8.3.1 Issue 1**

*Issue 1 Would the project result in an alteration, including adverse physical or aesthetic effects, and/or the destruction of a prehistoric or historic building (including an architecturally significant building, structure, object, or site)?*

### **Impact Thresholds**

As discussed in the Significance Determination Thresholds (City of San Diego 2022), the City's determination of significance of impacts on historical resources is based on criteria found in Section 15064.5 of the State CEQA Guidelines. Section 15064.5 clarifies the definition of a substantial adverse change in the significance of a historical resources as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resources would be materially impaired.

### **Analysis**

#### **Built Environment**

The project site is developed with 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking. The project proposes demolition of underutilized parking and recreation areas. The project would not involve demolition of any buildings. In addition, the project went under Historic review on April 21, 2022, in accordance with SDMC Section 143.0212 under PTS 684566. During that review, the property was determined not eligible for designation under any Historic Resources Board (HRB) criteria. This determination is good for five years from the April 21, 2022, review date unless new info is provided that speaks to the building's eligibility for designation. No new info has been provided and the property is not subject to Historic review at this time. Therefore, no potentially significant structures would be adversely affected by the project.

#### **Archaeology**

The project site is fully developed with 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking. The 4.35 acres to be redeveloped by the project was previously graded and developed as surface parking areas and recreation deck, to include tennis courts. The project site is located on the City of San Diego's Historical Resources Sensitivity map, which takes into consideration the potential for archaeological resources. A record search of the California Historic Resources Information System (CHRIS) digital database was reviewed by qualified archaeological City staff to determine the presence or absence of potential archaeological resources within the project site. The CHRIS search showed that the project is within the boundaries of a known archaeological site. The project site is built out and the likelihood of discovering prehistoric resources is low. However, as mentioned above, the project site is located



within a known archaeological site. As such, the possibility remains that intact cultural deposits may exist subsurface of the project site and could be encountered during grading and excavation activities. Impacts to potential subsurface resources would be considered a significant impact of the project.

## **Significance of Impacts**

### **Built Environment**

The project would not result in the demolish or disturbance of any buildings. Therefore, no potentially significant structures would be affected by the project. No impact would result.

### **Archaeology**

There is a potential for buried cultural resources that may not be visible on the surface. The proposed project is located within a known archaeological site. The project site is built out, however, based on the amount and depth of the grading the project could impact resources. Therefore, impacts to historical resources would be potentially significant. Archaeological and Native American monitoring will be required for the project for the project.

## **Mitigation Measures**

The following measure shall be implemented in accordance with Chapter 14, Article 3, Division 2, Historical Resources Regulations, of the Land Development Code to reduce the project's historical resources impacts to unknown archaeological resources to a less-than-significant level:

### **MM HIST-1**

#### **ARCHAEOLOGICAL RESOURCES**

##### **I. Prior to Permit Issuance**

- A. Entitlements Plan Check
  - 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.
- B. Letters of Qualification have been submitted to ADD
  - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring

program must have completed the 40-hour HAZWOPER training with certification documentation.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

## **II. Prior to Start of Construction**

### **A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site-specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

### **B. PI Shall Attend Precon Meetings**

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
  - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

- b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
- 3. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

### **III. During Construction**

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
  - 1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.
  - 2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
  - 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
  - 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSVs shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
  - 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not

limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
  - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
  - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

**IV. Discovery of Human Remains**

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the

- Development Services Department to assist with the discovery notification process.
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate discovery site
1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
  2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
  3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains ARE determined to be Native American
1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.
  2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
  3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
  4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
  5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
    - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR;
    - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN
    - c. To protect these sites, the landowner shall do one or more of the following:
      - (1) Record the site with the NAHC;
      - (2) Record an open space or conservation easement; or

- (3) Record a document with the County. The document shall be titled "Notice of Reinternment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

#### **V. Night and/or Weekend Work**

- A. If night and/or weekend work is included in the contract
  1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM of the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV- Discovery of Human Remains shall be followed.
    - d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
  1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

#### **VI. Post Construction**

- A. Preparation and Submittal of Draft Monitoring Report
  1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft

Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

- a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
- b. Recording Sites with State of California Department of Parks and Recreation.

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
3. The cost for curation is the responsibility of the property owner.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance

occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

Implementation of this monitoring program would ensure that development of the project would mitigate direct project impacts to cultural resources to below a level of significance.

### **Significance of Impacts following Implementation of Mitigation Measures**

With implementation of mitigation measure MM HIST-1, impacts to historical resources would be reduced to below a level of significance.

#### **5.8.3.2 Issue 2**

*Issue 2      Would the project result in any impact to existing religious or sacred uses within the potential impact area?*

### **Impact Thresholds**

In accordance with the City's Significance Determination Thresholds (City of San Diego 2022), prehistoric and historic resource impacts may be significant if the project would result in:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance.
- A site associated with a burial or cemetery; religious, social, or traditional activities of a discrete ethnic population; an important person or event as defined by a discrete ethnic population; or the belief system of a discrete ethnic population.

### **Analysis**

The project site has been fully developed. The project proposes to redevelop 4.35 acres of underutilized parking and recreation amenities. Due to the lack of existing religious or sacred uses, the project would not result in impacts under this category.

### **Significance of Impacts**

No existing religious or sacred uses are located on the project site or within the immediate project vicinity. However, unknown subsurface resources could be found and could result in a significant impact.



## Mitigation Measures

With implementation of mitigation measure MM HIST-1, as described above, impacts would be reduced to less than significant.

### 5.8.3.3 Issue 3

*Issue 3      Would the proposal result in the disturbance of any human remains, including those interred outside formal cemeteries?*

## Impact Threshold

Based on the City of San Diego's Significance Determination Thresholds (2020), prehistoric and historic resource impacts may would be significant if the project results in the discovery of human remains.

## Analysis

The project site is located within a known archaeological site. Should human remains be discovered during construction of the project, work would be required to halt until a determination could be made regarding the provenance of the human remains via the County Coroner and Native American representative, as required. The project would be required to treat human remains uncovered during construction in accordance with the California PRC (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5).

## Significance of Impacts

Construction of the project would result in ground disturbance, which has the potential to uncover previously unknown resources, including unknown human remains, resulting in a potentially significant impact.

## Mitigation Measures

With implementation of Mitigation Measure MM HIST-1, as described above, impacts associated with the potential for discovery of human remains would be reduced to a less-than-significant level.

## 5.9 Hydrology

The following section discusses hydrology polices that are applicable to the project, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. Kimley-Horn and Associates, Inc. prepared a *Drainage Report* (August 2023), as well as a *Storm Water Quality Management Plan (SWQMP)* (August 2023) for the project. The results of the hydrology investigation are presented in this section; the complete *Drainage Report* and SWQMP are included as Appendix H and I, respectively, to this Environmental Impact Report (EIR).

### 5.9.1 Existing Conditions

#### 5.9.1.1 Drainage

The project site is currently developed and consists of multiple multi-family residences, asphalt parking areas, concrete walkways, and landscaping. The existing site slopes from the northwest corner towards the southeast corner. There is approximately 18 feet of fall across the site from the high side to the low side.

The existing site drains to one discharge point and collects a small portion of off-site flows that are generated from the existing multi-family structures to the northwest of the project area. The tributary off-site area is conservatively assumed to be 80 percent impervious. The on-site drainage basins are designated A-1, A-2, A-3, A-4, A-5, and A-6; the offsite drainage basin is designated O-1. Figure 5.9-1, *Existing Conditions Hydrology Exhibit*, shows the locations of the existing drainage basins and discharge points. Table 5.9-1, *Existing Conditions Hydrology*, summarizes the existing condition hydrologic data.

**Table 5.9-1. Existing Conditions Hydrology**

| Discharge Area (DA) | Runoff Coefficient | Area (aces) | 50 Year Intensity (in/hr) | 100 Year Intensity (in/hr) | T <sub>c</sub> (min) | Q <sub>50</sub> (CFS) | Q <sub>100</sub> (cfs) |
|---------------------|--------------------|-------------|---------------------------|----------------------------|----------------------|-----------------------|------------------------|
| A-1                 | 0.71               | 3.04        | 4.7                       | 5.2                        | 5                    | 10.2                  | 11.2                   |
| A-2                 | 0.89               | 2.03        | 4.7                       | 5.2                        | 5                    | 8.5                   | 9.4                    |
| A-3                 | 0.79               | 0.70        | 4.7                       | 5.2                        | 5                    | 2.6                   | 2.9                    |
| A-4                 | 0.78               | 2.28        | 4.7                       | 5.2                        | 5                    | 8.4                   | 9.3                    |
| A-5                 | 0.81               | 4.86        | 4.7                       | 5.2                        | 5                    | 18.6                  | 20.5                   |
| A-6                 | 0.76               | 1.86        | 4.7                       | 5.2                        | 5                    | 6.6                   | 7.4                    |
| O-1                 | 0.76               | 0.50        | 4.7                       | 5.2                        | 5                    | 1.8                   | 2.0                    |
| Summary             | 0.79               | 15.27       | 4.7                       | 5.2                        | 5                    | 56.7                  | 62.7                   |

Source: Appendix H

### **5.9.1.2 Groundwater**

Based on the *Preliminary Geotechnical Evaluation* dated October 19, 2021, by NMG Geotechnical Inc., groundwater was encountered in borings located 32 and 33.5 feet below the surface. The depth of the water highly depends on tidal influence and can vary between two to three feet daily. Groundwater elevations may also fluctuate seasonally.

### **5.9.1.3 Floodplains**

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the project site is located in Zone X, area of minimal flood hazard. The project site is not located within any flood hazard areas (100-year flood plain).

## **5.9.2 Regulatory Framework**

### **5.9.2.1 Federal**

#### **National Pollutant Discharge Elimination System Permit Program Phase I**

In November 1990, under Phase I of the urban runoff management strategy, the Federal Environmental Protection Agency (EPA) published National Pollutant Discharge Elimination System (NPDES) permit application requirements for municipal, industrial, and construction discharges. The application requirements for municipalities were directed at those municipalities that own and operate separate storm drain systems service populations of 100,000 or more, or that contribute significant pollutants to waters of the United States and require such agencies to obtain coverage under municipal storm water NPDES permits.

Municipalities were required to develop and implement urban runoff management programs to reduce pollutants in urban runoff and storm water discharges that were contributing a substantial pollutant load to their systems. Rather than establishing numeric effluent limits, the Federal EPA established narrative effluent limits for urban runoff, including the requirement to implement appropriate best management practices (BMPs).

#### **National Pollutant Discharge Elimination System Permit Program Phase II**

The Phase II Final Rule, published in the Federal Register on December 8, 1999, required NPDES permit coverage for storm water discharges from the following:

- Certain regulated small municipal separate storm sewer systems (MS4s)
- Construction activity disturbing between 1 and 6 acres of land (i.e., small construction activities)

In addition to expanding the NPDES program, the Phase II Final Rule included minor revisions for certain industrial facilities. As with Phase I, the Phase II program requires the development and implementation of storm water management plans to reduce pollutant discharges.

### **5.9.2.2 State**

#### **National Pollutant Discharge Elimination System Permits**

In California, the State Water Resources Control Board and its Regional Water Quality Control Boards (RWQCBs) administer the NPDES permit program. The NPDES permits cover all construction and subsequent drainage improvements that disturb one acre or more, industrial activities, and municipal separate storm drain systems. Construction and industrial activities are typically regulated under statewide general permits that are issued by the State Water Resources Control Board, which also issued a statewide general small MS4 storm water NPDES permit for public agencies that fall under the Phase II NPDES regulations.

The NPDES permit system was established in the Clean Water Act to regulate both point-source discharges (i.e., a municipal or industrial discharge at a specific location or pipe) and nonpoint-source discharges (i.e., diffused runoff of water from adjacent land uses) to surface waters of the United States. For point-source discharges, each NPDES permit contains limits on allowable concentrations and mass emission of pollutants contained in the discharge. For nonpoint-source discharges, the NPDES program establishes a comprehensive water quality program to manage urban storm water and minimize pollution of the environment to the maximum extent practicable. The NPDES program consists of characterizing receiving water quality, identifying harmful constituents, targeting potential sources of pollutants, and implementing a comprehensive storm water management program.

The reduction of pollutants in urban storm water discharge to the maximum extent practicable through the use of structural and nonstructural BMPs is one of the primary objectives of the water quality regulations for MS4s. BMPs typically used to manage runoff water quality include controlling roadway and parking lot contaminants by installing filters with oil and grease absorbents at storm drain inlets, cleaning parking lots on a regular basis, incorporating peak-flow reduction and infiltration features (such as grass swales, infiltration trenches, and grass filter strips) into landscaping, and implementing educational programs.

### **5.9.2.3 Local**

#### **Municipal Storm Water Permit**

The City currently operates under the NPDES Municipal Storm Water Permit issued on January 24, 2007 (Permit Order No. R9-2007-0001), which requires that storm water BMPs be incorporated into the permanent design of public and private development projects. On May 8, 2013, the San Diego RWQCB approved a regional MS4 permit for San Diego, southern Orange, and southwestern Riverside Counties, which became effective on June 27, 2013. The region-wide NPDES permit (commonly referred to as the Regional MS4 Permit) sets the framework for responsible agencies to implement a collaborative watershed-based approach to restore and maintain the health of surface waters. The Regional MS4 Permit required development of Water Quality Improvement Plans that

will allow watershed stakeholders to prioritize and address pollutants through an appropriate suite of BMPs in each watershed.

### **City Storm Water Runoff and Drainage Regulations**

Drainage regulations are enforced under San Diego Municipal Code (SDMC) Sections 142.0201 through 142.0230 (Article 2: General Development Regulations, Division 2: Storm water Runoff and Drainage Regulations) and Sections 143.0145 and 143.0146 (Article 3: Supplemental Development Regulations, Division 1: Environmentally Sensitive Lands Regulations). The primary purposes of drainage regulations are to regulate the development of, and impacts to, drainage facilities; to limit water quality impacts from development; to minimize hazards due to flooding while minimizing the need for construction of flood control facilities; to minimize impacts to environmentally sensitive lands; to implement the provisions of federal and state regulations; and to protect the public health, safety, and welfare. The drainage regulations apply to all development in the City, regardless of whether a permit or other approval is required.

### **City of San Diego Drainage Design Manual**

The primary purpose of the City's Drainage Design Manual, dated January 2017, is to provide policies and procedures to secure standardization of drainage design throughout the City. The manual establishes design standards and design procedures for storm water conveyance and hydrology analysis for flood management and water quality facilities in the City (City of San Diego 2017).

### **City of San Diego Grading Ordinance**

SDMC Chapter 14, Article 2, Division 1 (Section 142.0101) addresses the City's Grading Regulations. The purpose of the regulations is to address slope stability; protection of property; erosion control; water quality; landform preservation; paleontological resources preservation; and to protect the public health, safety, and welfare of persons, property, and the environment. The Grading Regulations require permittees provide adequate erosion control or drainage devices, debris basins, or other safety devices, and take all safety precautions reasonably necessary to protect persons and property.

### **City of San Diego General Plan**

The City General Plan provides several goals and policies related to hydrology and water quality concerns in the Public Facilities, Services, and Safety Element; and the Conservation Element, as summarized below.

- Public Facilities, Services, and Safety Element. This element includes a number of goals and policies related to the provision of adequate public facilities and services for existing and proposed development. For storm water, these involve efforts to provide appropriately designed and sized infrastructure and ensure adequate conveyance capacity, protect water quality, and provide conformance with applicable regulatory standards (such as the NPDES).

- Conservation Element. The Conservation Element provides several goals and policies related to preserving and protecting watersheds and natural drainage features, minimizing runoff and related pollutant generation during and after construction activities, and protecting drinking water resources.

### **5.9.3 Impact Analysis**

#### **5.9.3.1 Issue 1 and Issue 2**

*Issue 1      Would the project result in a substantial increase in impervious surfaces and associated increased runoff?*

*Issue 2      Would the project result in a substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?*

### **Impact Threshold**

The City's Significance Determination Thresholds (City of San Diego, 2022) identify potentially significant impacts related to runoff if a project would:

- Result in decreased aquifer recharge or result in extraction from an aquifer resulting in a net deficit in the aquifer volume or reduction in the local groundwater table;
- Grade, clear, or grub more than 1.0 acre of land, especially into slopes over a 25 percent grade and drain into a sensitive water body or stream, causing uncontrolled runoff that results in erosion and subsequent sedimentation of downstream water bodies; or
- Modify existing drainage patterns such that environmental resources, including biological communities or archaeological sites, would be adversely affected.

### **Analysis**

The project site is currently developed with 564 multi-family dwelling units, landscaping, associated amenities, and parking. The project consists of the redevelopment of underutilized areas of the site and the construction of 138 multi-family units and parking structures. Impervious features of the project include buildings, drive aisles, parking areas, and walkways. Of the 4.35-acre total redevelopment area, project would result in 3.82 acres of impervious area, a 1.79 percent decrease from existing conditions.

The proposed project would route runoff from all drainage areas to Discharge Location 1, matching the existing condition. Runoff from Basins A-1, A-2, A-3, A-4, A-5, A-6, and O-1 would maintain the same discharge location in the proposed condition. For the locations of the proposed drainage basins and discharge point (see Figure 5.9-2, *Proposed Conditions Hydrology Exhibit*).

Ultimately the peak flow rate would decrease with the increase in pervious area added to the site. As shown in Table 5.9-2, *Peak Flow Summary*, under the proposed detained condition, the 50-year and 100-year storm event peak discharge rates are lower than the existing flow rates. As a result of this

peak flow rate reduction, no adverse impacts to the downstream storm drain system are anticipated.

**Table 5.9-2. Peak Flow Summary**

| Discharge Location | Existing     |                       |                        | Proposed     |                       |                        | Peak Flow Change       |                         |
|--------------------|--------------|-----------------------|------------------------|--------------|-----------------------|------------------------|------------------------|-------------------------|
|                    | Area (acres) | Q <sub>50</sub> (cfs) | Q <sub>100</sub> (cfs) | Area (acres) | Q <sub>50</sub> (cfs) | Q <sub>100</sub> (cfs) | Net Change 50-yr (cfs) | Net Change 100-yr (cfs) |
| 1                  | 15.27        | 56.7                  | 62.7                   | 15.3         | 55.0                  | 60.9                   | -1.7                   | -1.8                    |

Source: Appendix H

## Significance of Impacts

The project is designed to honor the existing condition discharge locations and flow rates, and there are no negative impacts to the downstream system or adjacent properties. Storm water runoff rates would decrease from existing conditions. Impacts would be less than significant.

## Mitigation Measures

No mitigation measures are necessary.

### 5.9.3.2 Issue 3

*Issue 3 Would the project develop wholly or partially within the 100-year floodplain identified in the FEMA maps or impose flood hazards on other properties?*

## Impact Threshold

The City's Significance Determination Thresholds (City of San Diego, 2022) identify potentially significant impacts related to flood hazards if a project would:

- Impose flood hazards on other properties or development, or result in substantial changes to stream flow velocities or quantities; or
- Impose flood hazards on other properties or development, or be proposed to develop wholly or partially within the 100-year floodplain identified on the FEMA maps.

## Analysis

The project site and immediate surrounding areas are classified as Zone X Area of minimal flood hazard on FEMA's FIRM. The project site lies outside of the 100-year floodplain. As detailed above, the project would result in runoff flow rates below the existing condition. Runoff from the project would discharge to the same location as the existing development and thus the project would result in no changes in floodplain downstream. Overall, the project would not result in changes in flood flows or develop within a flood area, and project impacts related to flooding would be less than significant.

### **Significance of Impacts**

The project would not impose flood hazards to other properties or development. Impacts would be less than significant.

### **Mitigation Measures**

Impacts would be less than significant, and no mitigation measures are necessary.



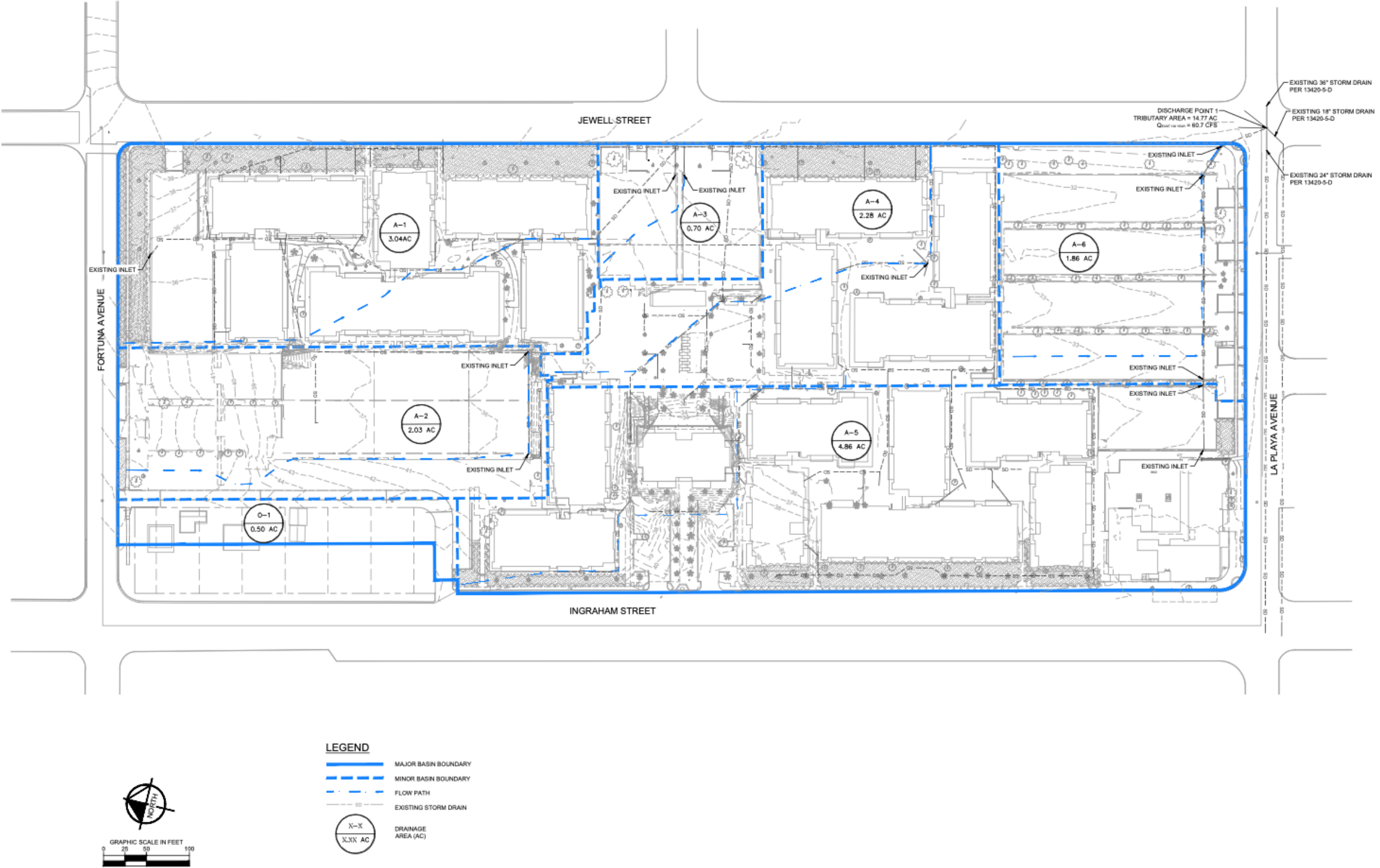


Figure 5.9-1. Existing Condition Hydrology Exhibit

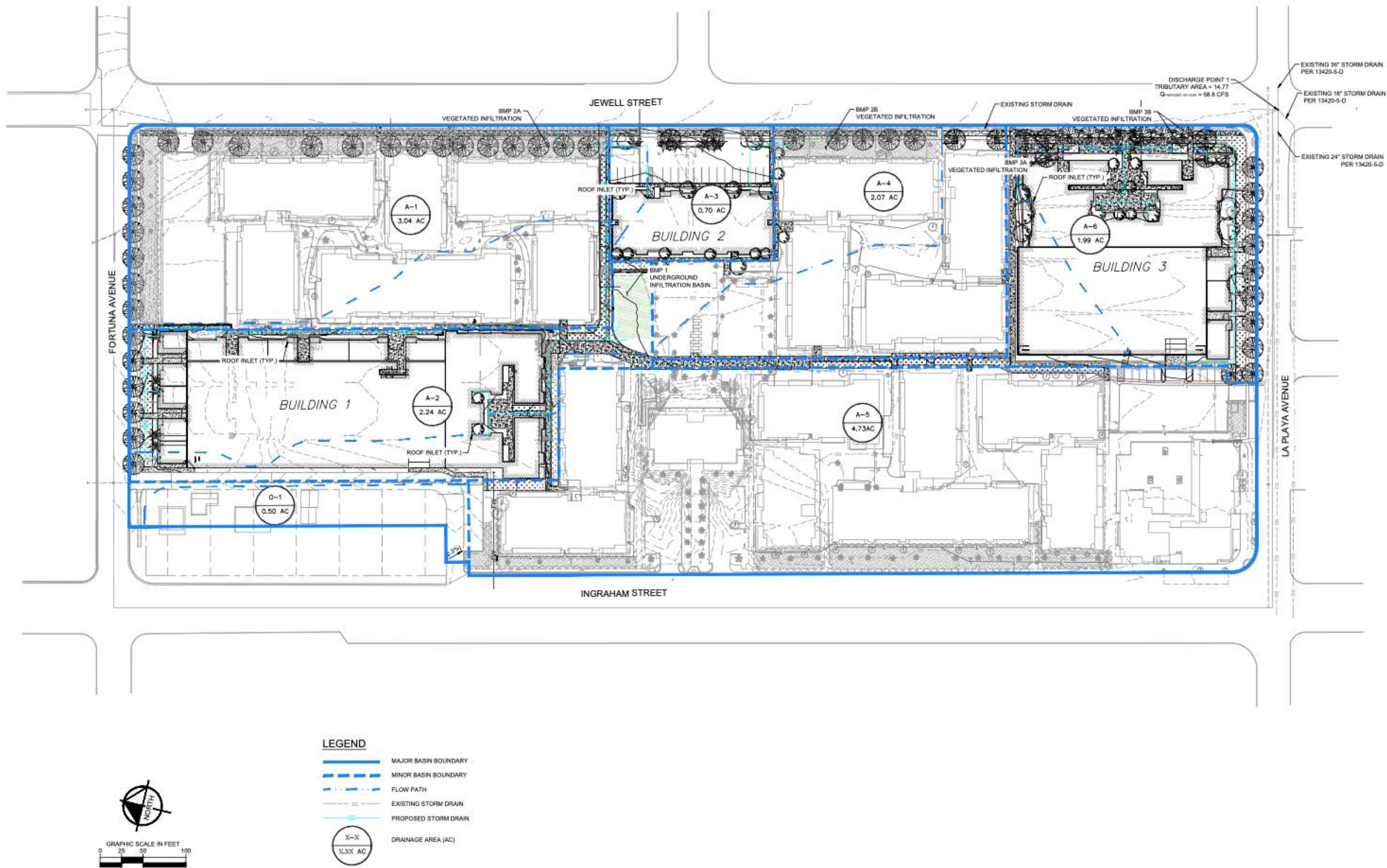


Figure 5.9-2. Proposed Conditions Hydrology Exhibit

## **5.10 Water Quality**

The following section discusses water quality policies that are applicable to the project, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. Kimley-Horn and Associates, Inc., conducted a *Storm Water Quality Management Plan* (SWQMP) for the project (August 2023). The results of the SWQMP investigation are presented in this section; the complete SWQMP is included in Appendix I to this Environmental Impact Report (EIR).

### **5.10.1 Existing Conditions**

Water quality is affected by sedimentation caused by erosion, by runoff carrying contaminants, and by direct discharge of pollutants. The increase in impervious surfaces generally associated with the development of land leads to increased opportunity for contaminated runoff that carries oils, heavy metals, pesticides, fertilizers, and other contaminants to enter a watershed.

The project site is located at 3823, 3863, 3913 Ingraham Street and 3952 Jewel Street. It is situated within the San Diego Hydraulic Unit, San Diego Mesa Hydraulic Area, Lindbergh Subarea, Basin Number 8.21, as identified in the Water Quality Control Plan for the Basin Plan. The main receiving water body in this Hydrologic Subarea is the Mission Bay. Storm water is routed through the existing public storm drain system within Jewell Street to La Playa Avenue before discharging into Mission Bay and ultimately the Pacific Ocean. Mission Bay is included on the list of Clean Water Act Section 303(d) List of Water Quality Segments. Mission Bay is impaired with total coliform, enterococcus, mercury, and polychlorinated biphenyls.

### **5.10.2 Regulatory Framework**

#### **5.10.2.1 Federal**

##### **Clean Water Act of 1972**

The Federal Clean Water Act of 1972 is the principal law governing pollution control and water quality of the nation's waterways. The objective of this Act is to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 U.S.C. 1251). Section 402 of the Clean Water Act controls water pollution through the National Pollution Discharge Elimination System (NPDES), by regulating point sources that discharge pollutants into waters of the United States. Implementation of the act is the responsibility of the Federal Environmental Protection Agency (EPA), which has delegated much of that authority to State and regional agencies.

#### **5.10.2.2 State**

##### **National Pollution Discharge Elimination System**

Projects that involve land disturbance of one acre or more (or that are part of a larger plan of development that would disturb one or more acres) are subject to pertinent requirements under the Construction General permit. Specific conformance requirements include implementing a Storm

Water Pollution Prevention Plan (SWPPP), an associated Construction Site Monitoring Program, employee training, and minimum best managements practices (BMPs), as well as a Rain Event Action Plan for applicable projects (e.g., those in Risk Categories 2 or 3, as described below).

Under the Construction General Permit, project sites are designated as Risk Level 1 through 3 based on site-specific criteria (e.g., sediment erosion and receiving water risk), with Risk Level 3 sites requiring the most stringent controls. Based on the site-specific risk level designation, the SWPPP and related plans/efforts identify detailed measures to prevent and control the discharge of pollutants in storm water runoff. Depending on the risk level, these may include efforts such as minimizing/stabilizing disturbed areas, mandatory use of technology-based action levels, effluent and receiving water monitoring/reporting, and advanced treatment systems (ATS). Specific pollution control measures require the use of best available control technology economically achievable (BAT) and/or best conventional pollutant control technology (BCT) levels of treatment, with these requirements implemented through applicable BMPs.

While site-specific measures vary with conditions such as risk level, proposed grading, and slope/soil characteristics, detailed guidance for construction-related BMPs is provided in the permit and related City standards (as outlined below), as well as additional sources including the EPA *National Menu of Best Management Practices for Storm Water Phase II – Construction*, and the *Construction Storm Water Best Management Practices Handbook* (California Storm water Quality Association [CASQA]). Specific requirements for the project under this permit would be determined during SWPPP development, after completion of project plans and applicable submittal to the Storm Water Resources Control Board (SWRCB).

### **NPDES Groundwater Permit**

Shallow groundwater is expected to occur on-site, as previously described. If project-related construction activities entail the discharge of extracted groundwater into receiving waters, the applicable would be required to obtain coverage under the Groundwater Permit. Conformance with this permit is generally applicable to all temporary and certain permanent groundwater discharge activities, with exceptions as noted in the permit fact sheet. Specific requirements for permit conformance include: (1) submittal of appropriate application materials and fees; (2) implementation of pertinent (depending on site-specific conditions) monitoring/testing, disposal alternative, and treatment programs; (3) provision of applicable notification to the associated local agency prior to discharging to a municipal storm drain system; (4) conformance with appropriate effluent standards (as outlined in the permit); and (5) submittal of applicable documentation (e.g., monitoring reports).

### **NPDES Municipal Permit**

The Municipal Permit implements a regional strategy for water quality and related concerns and mandates a watershed-based approach that often encompasses multiple jurisdictions. The overall

permit goals include: (1) providing a consistent set of requirements for all co-permittees; and (2) allowing the co-permittees to focus their efforts and resources on achieving identified goals and improving water quality, rather than just completing individual actions (which may not adequately reflect identified goals). Under this approach, the co-permittees are tasked with prioritizing their individual water quality concerns, as well as providing implementation strategies and schedules to address those priorities.

Municipal Permit conformance entails considerations such as receiving water limitations (e.g., Basin Plan criteria as outlined below), waste load allocations (WLAs), and numeric water quality based effluent limitations (WQBELs). Specific efforts to provide permit conformance and reduce runoff and pollutant discharges to the maximum extent practicable (MEP) involve methods such as: (1) using jurisdictional planning efforts (e.g., discretionary General Plan approvals) to provide water quality protection; (2) requiring coordination between individual jurisdictions to provide watershed-based water quality protection; (3) implementing appropriate BMPs, including LID measures, to avoid, minimize, and/or mitigate effects such as increased erosion and off-site sediment transport (sedimentation), hydromodification and the discharge of pollutants in urban runoff; and (4) using appropriate monitoring/assessment, reporting, and enforcement efforts to ensure proper implementation, documentation, and (as appropriate) modification of permit requirements. The City has implemented a number of regulations to ensure conformance with these requirements, as outlined below under local standards.

### **Porter-Cologne Water Quality Control Act**

The Porter-Cologne Water Quality Control Act established the principal legal and regulatory framework for water quality control in California. This Act is embodied in the California Water Code, which authorizes the SWRCB to implement the provisions of the Federal Clean Water Act (CWA) as previously described. The Porter-Cologne Act also provides for the development and periodic review of water quality control plans that designate beneficial uses for surface waters, groundwater basins, and coastal waters, and establish water quality objectives for applicable waters as outlined below under the *Water Quality Control Plan for the San Diego Basin* heading.

The Porter-Cologne Act establishes the responsibility of the Regional Water Quality Control Board (RWQCBs) for adopting, implementing, and enforcing water quality control plans, which set forth the state's water quality standards (i.e., beneficial uses of surface waters and groundwater) and the objectives or criteria necessary to protect those beneficial uses. The State of California is divided into nine regions governed by RWQCBs, which implement and enforce provisions of the California Water Code and the CWA under the oversight of the SWRCB. The City is located within the purview of the San Diego RWQCB (Region 9). The Porter-Cologne Act also provides for the development and periodic review of basin plans that designate beneficial uses for surface waters, groundwater basins, and coastal waters, and establish water quality objectives such as those listed for the Miramar Reservoir Hydraulic Area.



### **5.10.2.3 Local**

#### **Regional Water Quality Control Board**

The RWQCB regulates waste discharge and reclaimed water use to minimize and control adverse effects on the quality and beneficial uses of the Region's ground and surface waters. The RWQCB issues permits, called "waste discharge requirements" and "master reclamation permits" which require that waste and reclaimed water not be discharged in a manner that would cause an exceedance of applicable water quality objectives or adversely affect beneficial uses designated in the Basin Plan. The RWQCBs enforce these permits through a variety of administrative means.

The San Diego RWQCB's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan: (1) designates beneficial uses for surface and ground waters; (2) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's antidegradation policy; (3) describes implementation programs to protect the beneficial uses of all waters in the Region; and (4) describes surveillance and monitoring activities to evaluate the effectiveness of the Basin Plan [California Water Code sections 13240 thru 13244, and section 13050(j)]. Additionally, the Basin Plan incorporates by reference all applicable State and RWQCB plans and policies. The Basin Plan is the RWQCB's plan for achieving the balance between competing uses of surface and ground waters in the San Diego Region.

#### **Water Board Order No. R9-2007-0001, NPDES Permit No. CAS0108758**

The California RWQCB, San Diego RWQCB regulates discharges from Phase MS4s in the San Diego Region under the Regional MS4 Permit. The Regional MS4 Permit covers 39 municipal, county government, and special district entities (referred to jointly as co-permittees) located in San Diego County, southern Orange County, and southwestern Riverside County who own and operate large MS4s which discharge storm water (wet weather) runoff and non-storm water (dry weather) runoff to surface waters throughout the San Diego Region. The Regional MS4 Permit, Order No. R9-2013-0001, was adopted on May 8, 2013, and initially covered the San Diego County Co-permittees. Order No. R9-2015-0001 was adopted on February 11, 2015, amending the Regional MS4 Permit to extend coverage to the Orange County co-permittees. Finally, Order No. R9-2015-0100 was adopted on November 18, 2015, amending the Regional MS4 Permit to extend coverage to the Riverside County co-permittees.

#### **City of San Diego Jurisdictional Urban Runoff Management Program**

The Jurisdictional Urban Runoff Management Program is a total account of how the City of San Diego plans to protect and improve the water quality of rivers, bays and the ocean in the region in compliance with the RWQCB permit referenced above. The document describes how the City incorporates storm water best management practices into land use planning, development review and permitting, City capital improvement program project planning and design, and the execution of construction contracts.

Construction of any project in the City of San Diego is subject to the requirements of erosion control in the City's Grading Ordinance and is also required to comply with the SWRCB regulations, including the Regional MS4 Permit Order No. R9-2013-0001, and Order No. R9-2015-0100 amending the Regional MS4 Permit. To comply with this permit, the applicant must obtain a construction permit, which requires conformance with applicable BMPs and development of a SWPPP and monitoring program plan.

### **Water Quality Improvement Plans**

As a part of the City of San Diego JURMP (City of San Diego 2023) and pursuant to the Regional MS4 Permit, the Storm water Department of the City of San Diego has prepared six Water Quality Improvement Plans (WQIP) for each of the basins within its jurisdiction. This includes the San Dieguito River, Peñasquitos, Mission Bay/La Jolla, San Diego River, San Diego Ba, and Tijuana River. Each WQIP identifies the highest priority water quality condition(s), or problems, and the corresponding numeric goals, strategies, and schedules to address those problems. All strategies from the six WQIPs are included in the Jurisdictional Runoff Management Plan (JRMP). The project site is located in the San Diego Bay basin.

### **Drainage Design Manual**

Pursuant to San Diego Municipal Code (SDMC) Chapter 14 Article 2 Division 2, Storm Water Runoff and Drainage Regulations, drainage regulations apply to all development in the City, whether or not a permit or other approval is required.

Drainage design policies and procedures for the City are provided in the Drainage Design Manual (City 2017), which is incorporated into the Land Development Manual (LDM) as Appendix B. The Drainage Design Manual provides design guidelines for drainage and drainage-related facilities associated with development in the City, including criteria for determining watersheds, storm discharge, and applicable storm drain structure types and capacities.

### **Storm Water Standards Manual**

The City has adopted a jurisdiction-specific Storm Water Standards Manual to reflect related NPDES standards. The Storm Water Manual provides direction for associated regulatory compliance, including identification of construction and post-construction storm water requirements for Standard Projects and Priority Development Projects, pursuant to the Regional MS4 Permit. Specifically, the manual identifies regulatory requirements and provides detailed performance standards and monitoring/maintenance efforts for: (1) construction BMPs; (2) overall storm water management design; (3) site design (LID) and source control BMPs applicable to all projects; (4) pollutant (or treatment) control and hydromodification management BMPs applicable to Priority Development Projects; (5) operation and maintenance requirements for applicable BMPs; and (6) specific direction and guidance to provide conformance with City and related NPDES storm water standards.

## Grading Ordinance

The City Grading Ordinance (SDMC Section 142.0101 et seq.) incorporates a number of requirements related to hydrology and water quality, including BMPs necessary to control storm water pollution from sources such as erosion/sedimentation and construction materials during project construction and operation. Specifically, these include elements related to slope design, erosion/sediment control, revegetation requirements, and material handling/control.

## San Diego General Plan

The City General Plan provides a number of goals and policies related to water quality concerns in the Public Facilities, Services, and Safety Element and the Conservation Element. The Public Services Element includes goals and policies related to the provision of adequate public facilities and services for existing and proposed development and efforts to provide appropriately designed and sized infrastructure and adequate conveyance. The Conservation Element provides a number of goals and policies related to preserving and protecting watersheds and natural drainage features, minimizing runoff and related pollutant generation during and after construction activities, and protecting drinking water resources. Consistency with specific goals and policies relevant to water quality are discussed in Section 5.1, *Land Use*.

### 5.10.3 Impact Analysis

#### 5.10.3.1 Issue 1 and Issue 2

*Issue 1      Would the project result in an increase in pollutant discharge to receiving waters during or following construction or discharge identified pollutants to an already impaired water body?*

*Issue 2      Would short-term and long-term effects would the proposal have on local and regional water quality? What types of pre-and post-construction Best Management Practices (BMPs) would be incorporated into the proposal to preclude impacts to local and regional water quality?*

## Impact Threshold

Based on the City's California Environmental Quality Act (CEQA) Significance Determination Thresholds, compliance with the Water Quality Standards is assured through permit conditions provided by LDR Engineering. Adherence to the City storm water standards is thus considered adequate to preclude surface water quality impacts, unless substantial evidence supports a fair argument that a significant impact will occur.

## Analysis

The City's Significance Determination Thresholds note that compliance with applicable City Water Quality Standards is assured through permit conditions provided by LDR Engineering. The project does not involve activities that could directly affect groundwater quality (e.g., underground fuel storage tanks or septic systems) and potential impacts to groundwater quality are limited to the



percolation of project-related surface runoff and associated pollutants (e.g., in pervious portions of the proposed storm drain system). Accordingly, the project would adhere to the City's Storm water Standards.

As identified previously, implementation of the plan would be in proximity to a 303(d) listed water body (Mission Bay). Development near this impaired water body could potentially generate pollutants that would exacerbate existing impairments, cause additional pollution, and impact water quality if not properly controlled. Water quality is affected by sedimentation caused by erosion, by runoff-carrying contaminants, and by direct discharge of pollutants. Potential project-related pollutant discharge and water quality impacts are associated with both short-term construction activities and long-term operation and maintenance of buildout, as described below.

### ***Short-term (Construction)***

Proposed demolition, grading, excavation, and construction activities associated with the project could create additional sources of polluted runoff, which could have short-term impacts on surface water quality. The project site would undergo site-preparation activities for vertical building construction, such as grading, soil import, trenching for dry and wet utilities, and surface improvements. The introduction of demolition-related debris into local drainages or storm drain systems could result in downstream water quality impacts, potentially including pollutants contributing to identified downstream water quality impairments. Additionally, project construction would involve the on-site use and/or storage of hazardous materials such as fuels, lubricants, solvents, concrete, paint, and portable septic system wastes. The accidental discharge of such materials during construction could potentially result in significant impacts if these pollutants reach downstream receiving waters, particularly materials such as petroleum compounds that are potentially toxic to aquatic species in low concentrations.

Short-term water quality effects from construction would be addressed through adherence to the City's Grading Ordinance and conformance with City storm water standards and the related NPDES Construction General Permit. This would include implementing an authorized SWPPP for proposed construction/demolition including (but not limited to) erosion and sedimentation BMPs and BMPs associated with use and storage of construction-related hazardous materials.

### ***Long-term (Operational)***

The increase in impervious surfaces generally associated with the development of land leads to increased opportunity for contaminated runoff that carries oils, heavy metals, pesticides, fertilizers, and other contaminants to enter a watershed. The project would result in a 1.79 percent decrease of impervious area and on-site runoff would sheet flow into a network of curbs and gutters, where it would be directed to proposed inlets. Runoff from building roofs would sheet flow into roof pipes which drain underground into the proposed storm water infrastructure. Proposed underground storm infrastructure connects to a network of existing storm drains and proposed bioretention

basins before connecting to the existing public infrastructure that exists within the right of way of La Playa Avenue.

The project proposes the addition of three multi-family residential buildings in addition to the development that currently existing on the site and would disturb less than five percent of the project site. Thus, five infiltration BMPs would be used to treat the storm water runoff from the disturbed area of the site. The five total proposed infiltration BMPs would treat pollution from the storm water flowing on-site before entering the existing storm drain system and draining into Mission Bay. Runoff flow from the proposed site would generally match, and even decrease, that of the existing site thus, there are no anticipated negative impacts to the existing on-site or off-site storm drain infrastructure.

The closest proximity to the City's Multi-Habitat Planning Area and environmentally sensitive lands is around 7,000 feet northeast of the site. Because the storm water would drain south, it would not come into contact with this area after draining from the site.

### **Significance of Impacts**

The project would adhere to the City storm water standards. Short-term water quality effects from construction would be addressed through adherence to the City's Grading Ordinance and conformance with City storm water standards and the related NPDES Construction General Permit. Once the project is constructed, on-site runoff would be directed to on-site pollutant control BMPs including biofiltration basins. With the implementation of these BMPs, the project is not expected to affect the quality of storm water runoff leaving the site in the near- or long-term. The project would not result in significant impacts to Water Quality.

### **Mitigation Measures**

Impacts would be less than significant, and no mitigation measures are necessary.

## 5.11 Public Services and Facilities

Public services and facilities are those functions that serve development on a community-wide basis. These functions include police, fire and emergency response services, parks and recreation, schools, and libraries.

The following evaluation is based on correspondence with service providers (Appendix H) and discusses policies applicable to the project, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project and the potential impacts the project would have upon existing services. Figure 5.11-1, *Location of Public Services*, shows the location of the public services and facilities that serve the project site.

### 5.11.1 Existing Conditions

#### 5.11.1.1 Police Protection

Police protection for the project is provided by the San Diego Police Department (SDPD). The SDPD is divided into nine divisions. The project site is serviced by the Northern Division. The project is located on beat 122. The Northern Division, located at 4275 Eastgate Mall, approximately 8.5 miles north of the project site. The Northern Division serves the communities and neighborhoods of Bay Ho, Bay Park, Clairemont Mesa East, Clairemont Mesa West, La Jolla, La Jolla Village, Mission Bay Park, Mission Beach, North Clairemont, Pacific Beach, Torrey Pines, and University City. In addition, a San Diego Police Department Community relations office is located at 4439 Olney Street approximately one mile northwest of the project site.

The SDPD currently utilizes a five-level priority call dispatch system, which includes priority E (Emergency), one, two, three, and four. The calls are prioritized by the phone dispatcher and routed to the radio operator for dispatch to the field units. The priority system is designed as a guide, allowing the phone dispatcher and the radio dispatcher discretion to raise or lower the call priority as necessary based on the information received.

The SDPD sets response time goals for the different levels of emergencies. Average response time guidelines are as follows: Priority E calls (imminent threat to life) within seven minutes; Priority one calls (serious crimes in progress) within 14 minutes; Priority two calls (less serious crimes with no threat to life) within 27 minutes; Priority three calls (minor crimes/requests that are not urgent) within 80 minutes; Priority four calls (minor requests for police service) within 90 minutes. Per correspondence with SDPD, the citywide average response times were 6.7 minutes for emergency calls, 23.7 minutes for priority one calls, 68.7 minutes for priority two calls 108.8 minutes for priority three calls and 92.5 minutes for priority four calls.

The SDPD's staffing goal is to maintain 1.48 officers per 1,00 populations ratio. Currently the SDPD staffing ratio is 1.34 officer per 1,000 residents based on a 2024 estimated population of 1,388,99.

The ratio is calculated to take into account all support and investigative positions within the department.

### **5.11.1.2 Fire/Life Safety Protection**

Fire protection and emergency services are provided by the San Diego Fire-Rescue Department (SDFD), which serves a total area of approximately 343 square miles, a population of over 1.4 million, and 17 miles of coastline extending three miles offshore. If additional support is needed, SDFD relies on automatic aid agreements with jurisdictions adjacent to the City. These agreements ensure that the closest engine company or medic unit is available to respond to an incident, regardless of jurisdiction.

SDFD is a multi-faceted organization that provides the City with fire and life-saving services including fire protection, emergency medical services, and lifeguard protection at San Diego beaches, as well as safety education to ensure the protection of life, property and the environment, including education about vegetation management to protect properties from wildfires in canyon areas. SDFD has 52 fire stations. The project site is served by Station 21, located at 750 Grand Avenue, approximately 1.5 miles west of the project site. Station 21 is equipped with a fire engine, aerial truck and paramedic unit and medic rescue rig.

The City of San Diego has established a first responder arrival on emergencies response time of 6.5 minutes, 90 percent of the time from the assignment of the responder by dispatch to arrival on scene of emergency. Based on data collected by the City, for Fiscal Year 2020, this goal was met 79 percent of the time; and in Fiscal Year 2021, 76 percent of the time.

Emergency medical services are provided to the project site and throughout the city through a public/private partnership between the City's Emergency Medical Services (EMS) Falck USA, which provides additional personnel and some ambulances. EMS has ambulances, paramedics, and emergency medical technicians (EMTs) who respond to emergency calls. Calls are prioritized from Level 1 (most serious) to Level 4 (non-emergency).

### **Fire Hazard Severity Zones**

Responsibility for wildland fire protection in California is divided between the State, local government, and the Federal government. The California Department of Forestry and Fire Protection (CAL FIRE) adopted Fire Hazard Severity Zone maps for State Responsibility Areas in 2007, as well as recommended maps for Very High Fire Hazard Severity Zones (VHFHSZs) in Local Responsibility Areas. Local Responsibility Areas include incorporated cities, cultivated agriculture lands, and portions of the desert. The CAL FIRE recommendations are not the same as actual zones, which do not go into effect unless adopted by local agencies. In San Diego County, CAL FIRE has made recommendations on 13 cities, including the City of San Diego. The County of San Diego Wildland Hazard Map tool provides local designations based on CAL FIRE's recommendations. Fire Hazard

Severity Zones are based on increasing fire hazard and are designated as “No Designation,” “Moderate,” “High,” or “Very High.”

The VHFHSZ Map was established on February 24, 2009, in coordination between the City of San Diego Fire Department and CAL FIRE. The VHFHSZ map does not identify areas within and adjacent to the project site that would fall into a risk zone. Safety issues relative to the risk of wildfire are addressed in Chapter 7.0, *Effects Found Not to be Significant*, of this EIR.

### **5.11.1.3 Schools**

The project site is located within the San Diego Unified School District (SDUSD). Public school service would be provided by Crown Point Junior Music Academy, located at 4033 Ingraham Street; Pacific Beach Middle School, located at 4676 Ingraham Street; and Mission Bay High School, located at 2475 Grand Avenue.

### **5.11.1.4 Library**

Library services are provided by the San Diego Public Library (SDPL). Pacific Beach is served by the Pacific Beach/Taylor Library, located at 4275 Cass Street, approximately one mile northwest of the project site. The Pacific Beach/Taylor Library is a 12,484-square-foot facility that opened in 1997. The library includes a large community meeting room, projection screen, grand piano, computers for public use, peaceful outdoor space, and special collections and language collections.

### **5.11.1.5 Parks or Other Recreational Facilities**

The Pacific Beach community contains multiple public recreational amenities, the majority of which are oriented towards the shoreline. Crown Point Park is located one-half mile east of the project site and contains grassy areas, boat launches, bonfire rings, picnic tables and grills, as well as sandy beach areas. The Fanuel Street Park is located less than a mile west of the project site and contains a playground, barbeque grills, bath facilities and open green spaces along the beach.

Kate Sessions Park is a 79-acre park located 1.5 miles north of the project site with two separate park areas. The first is an open grassy slope with picnic tables, barbeques, playground, and a 0.75-mile walking path. The second is a section of natural habitat for hiking or walking.

## **5.11.2 Regulatory Framework**

### **5.11.2.1 State**

#### **State Fire Regulations**

State fire regulations are set forth in Sections 13000 et seq. of the California Health and Safety Code, which include regulations concerning building standards [as also set forth in the California Building Code (CBC)], fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

The State Fire Marshal enforces these regulations and building standards in all State-owned building, State-occupied buildings, and State institutions throughout California.

### **California Mutual Aid Plan**

The California Mutual Aid Plan establishes policies, procedures, and responsibilities for requesting and providing inter- and intra-agency assistance in emergencies. The plan directs local agencies to develop automatic or mutual aid agreements, or to enter into agreements for assistance by hire where local needs are not met by the framework established by the Mutual Aid Plan.

### **Senate Bill 50**

Senate Bill (SB) 50 was enacted on August 27, 1998. The bill authorized a \$9.2 billion K–12 school and higher education bond to be presented to the voters of California. The State bond measure, known as the Class Size Reduction Kindergarten–University Public Education Facilities Bond Act of 1998, was approved by the voters on November 3, 1998.

SB 50 significantly revised developer fee and mitigation procedures for school facilities as set forth in Government Code Section 65996. The legislation holds that the statutory fees are the exclusive means of considering and mitigating school impacts. It does not just limit the mitigation that may be required, it limits the scope of the review and the findings to be adopted for school impacts. Once the statutory fee is paid, the impact would be mitigated because of the provision that the statutory fees constitute full and complete mitigation.

#### **5.11.2.2 Local**

##### **City of San Diego General Plan**

The City's General Plan contains a Public Facilities, Services, and Safety Element (2021) to address publicly managed and provided facilities and services. This element provides policies for financing, prioritization, developer, and City funding responsibilities for public facilities in the City (See table 5.1-1 for a discussion of relevant goals and policies).

### **Fire Services Deployment**

Fire response deployment is about the speed and weight of attack. Speed calls for first-due, all-risk intervention units (engines, trucks, and/or rescue ambulances) strategically located across a community responding in an effective travel time. These units are tasked with controlling moderate emergencies without the incident escalating to second alarm or greater size, which unnecessarily depletes departmental resources as multiple requests for service occur. Weight is about multiple-unit response for serious emergencies such as a room and contents structure fire, a multiple-patient incident, a vehicle accident with extrication required, or a heavy rescued incident. In these situations, enough firefighters must be assembled within a reasonable timeframe to safely control the emergency, thereby keeping it from escalating to greater alarms. The science of fire crew deployment is to spread crews out across a community for quick response to keep emergencies

small with positive outcomes, without spreading the crews so far apart that they cannot amass together quickly enough to be effective in major emergencies (Citygate 2017).

### **Distribution of Fire Stations**

To treat medical patients and control small fires, the first responding unit should arrive within seven minutes and 30 seconds from the time of the 9-1-1 call receipt in fire dispatch. This equates to a one-minute dispatch time, one minute and 30 seconds for company turnout time, and a five-minute drive time in the most populated areas (City of San Diego General Plan, Policy PF-D.1, 2021).

### **Multiple-Unit Effective Response Force for Serious Emergencies**

To confine fires near the room of origin, to confine wildland fires to fewer than three acres when noticed promptly, or to treat up to five medical patients at once, the goal is for a multiple-unit response of at least 17 personnel to arrive within 10 minutes and 30 seconds from the time of the 9-1-1 call receipt in fire dispatch, 90 percent of the time. This equates to a one-minute dispatch time, a one minute and 30 seconds company turnout time, and an eight-minute drive time spacing for multiple units in the most populated areas (City of San Diego General Plan, Policy PF-D.1 2021).

### **Adopted Fire Station Location Measures**

To direct fire station location timing and crew size planning as the community grows, the adopted fire unit deployment performance measures are based on population density zones listed in the Public Facilities, Services and Safety Element (2021) Table PF-D.2 of the General Plan. Structure fires in urban areas over 1,000 people per square mile would require a response standard of five minutes for first due travel time, 7.5 minutes for total reflex time, eight minutes for first alarm travel time, and 10.5 minutes for first alarm total reflex. Reflex time is the total time from receipt of a 9-1-1 call to arrival of the required number of emergency units (Citygate 2017).

### **Aggregate Population Definitions**

Standards listed in Table PF-D.2 of the General Plan guide the determination of response time measures and the need for fire stations. The first-due unit travel time goal for metropolitan areas of over 200,000 people is four minutes. Urban-suburban areas of less than 200,000 people would require a goal of five.

## **5.11.3 Impact Analysis**

### **5.11.3.1 Issue 1**

*Issue 1 Would the project have an effect upon, or result in a need for new or altered governmental services in any of the following areas: Police protection; Fire/Life Safety protection; Libraries; Parks or other recreational facilities; maintenance of public facilities, including roads; and Schools?*

## **Impact Threshold**

Per the City's Significance Determination Thresholds (City of San Diego 2022), impacts to public services and facilities would be significant if a project would:

- Result in the need for new or expanded public facilities, including fire protection, police protection, health, social services, emergency medical, libraries, schools, and parks;
- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- Include recreational facilities or require the construction or expansion of recreation facilities, which might have an adverse physical effect on the environment.

## **Analysis**

The project would be consistent with the relevant goals and policies of the City of San Diego General Plan and Pacific Beach Community Plan. The analysis presented in this section is intended to evaluate those public services and facilities needed to specifically serve the project.

### ***Police***

The project would develop 138 multi-family residential units and would introduce new residents to the project area. New residents would likely already reside locally or regionally and would already be included in the projected City population figures in the area. Although the project could result in an increase in service calls, the SDPD has facilities and staffing in the project area to adequately serve the project, ongoing funding for police services is provided by the City General Fund; and no new facilities or improvements to existing facilities would be required. Furthermore, development impact fees would be paid prior to building permit issuance, which would be used to maintain, as well as fund, future facilities. Therefore, no new or expanded facilities would be required as a result of the project and impacts relative to Police Services would not be significant.

### ***Fire-Rescue***

The project site is served by existing Fire Station 21. The project would introduce 138 additional dwelling units to the project site, resulting in an increase in population within the Pacific Beach community and fire protection service area. While this would increase the demand for fire protection and emergency services in the service area, Fire Station 21 would be able to meet the standard response times and the project would not result in adverse effects to the department's current response times and ability to serve the area. SDFD has facilities and staffing in the project area to serve the project and no additional capacity would be required.

In addition, the project would be constructed in accordance with applicable fire codes and would comply with applicable City regulations. The project would provide fire safety features, such as installation of fire sprinklers. The project would not conflict with the Pacific Beach Community Plan in terms of number, size, and location of existing or planned Fire-Rescue facilities. The Fire-Rescue



Department has facilities and staffing in the project area to adequately serve the project and the project would not affect response times of the SDFD.

Although the project could result in an increase in service calls, no new or expanded facilities or improvements to existing facilities would be required as a result of the project. Furthermore, development impact fees, which would be used to maintain as well as fund future facilities, would be paid prior to building permit issuance. Therefore, no new or expanded facilities would be required as a result of the project, and impacts to Fire Protection would not be significant.

### **Schools**

Public school service within the project area is provided by SDUSD. SDUSD offers a host of magnet, alternative, charter, and special education programs that would be available to serve residents of the project. There are no identified deficiencies at these schools and SDUSD currently does not have plans for new or expanded school facilities that would serve the project site. Based on correspondence with SDUSD (Appendix J), Crown Point Junior Music Academy, Pacific Beach Middle School, and Mission Bay High School would serve the project, as listed in Table 5.11-1, *Public Schools Serving the Project Area*. Based on correspondence with the school district, there are no identified deficiencies at these schools. SDUSD currently does not have plans for new or expanded school facilities that would serve the project site.

**Table 5.11-1. Public Schools Serving the Project Area**

| <b>School</b>                       | <b>Address</b>                              |
|-------------------------------------|---|
| Crown Point<br>Junior Music Academy | 4033 Ingraham Street<br>San Diego, CA 92109 |
| Pacific Beach<br>Middle School      | 4676 Ingraham Street<br>San Diego, CA 92109 |
| Mission Bay<br>High School          | 2475 Grand Avenue<br>San Diego, CA 92109    |

Student generation rates vary based on the type of project, number of units, bedroom mix, neighborhood, and other factors. There are no district standard rates. To estimate the number of students generated by this project, SDUSD referenced existing similar developments in the project vicinity, as well as additional projects that have been proposed in the area. Based on planned and proposed projects, SDUSD was able to estimate student generation rates for the project. The student generation rates for the project are shown in Table 5.11-2, *Estimated Generation Rates for the AVA Pacific Beach Project*. Based on the estimated student generation, the project would generate approximately nine K-12 students. SDUSD concluded that the project can be accommodated by existing district schools.

**Table 5.11-2. Estimated Generation Rates for AVA Pacific Beach Project**

| Proposed Development      | Address   | Number of Units             | Student Generation Rate                                     | Estimated Number of Students               |
|---------------------------|---|-----------------------------|---|--|
| AVA Pacific Beach Project | 3823, 3863, 3913 Ingraham Street; 3952 Jewell Street<br>San Diego, CA 92109 | 5<br>affordable<br>units    | UKT-5: 0.0508<br>6-8: 0.185<br>9-12: 0.171<br>UTK-12: 0.865 | UKT-5: 3<br>6-8: 1<br>9-12: 1<br>UTK-12: 5 |
| AVA Pacific Beach Project | 3823, 3863, 3913 Ingraham Street; 3952 Jewell Street<br>San Diego, CA 92109 | 133<br>Market<br>Rate Units | UKT-5: 0.016<br>6-8: 0.005<br>9-12: 0.010<br>UTK-12: 0,031  | UKT-5: 2<br>6-8: 1<br>9-12: 1<br>UTK-12:4  |
| <b>TOTAL</b>              |   |                             |   | <b>UKT-12: 9</b>                           |

Source: San Diego Unified School District, April 5, 2023.

SB 50, also known as the “Class Size Reduction Bill,” was enacted in 1998. While SB 50 authorizes the collection of developer fees for school facilities construction, it also establishes a maximum cap on such fees (and indexes for inflation). Developer fees collected pursuant to SB 50 are “deemed to be full and complete mitigation” [California Government Code Section (CGC) 65995 *et seq*]. SB 50 also prohibits local agencies from denying land use approvals on the basis of inadequate school facilities, so long as the project proposed pays the developer fees if required to do so (CGC, Section 65995 *et seq*). The project would be required to pay school fees in compliance with CGC Section 65995 *et seq*. With payment of the school facilities fee, impacts would be less than significant as stipulated by CGC Section 65995.

### **Library**

Library services are provided by the SDPL. The City’s General Plan establishes goals and polices for the library system facilities. Per the General Plan, a library system should contribute to the quality of life through technologically improved services and welcoming environments. Branch libraries should be 15,000 square feet or larger and include features and services that address community-specific needs.

The project would result in the addition of 138 dwelling units. Even with the population increase projected to be generated by the project, existing library systems would not be impaired, nor would additional or expanded library facilities be required. Because residents may use the Pacific Beach/Taylor Library or any branch library that is part of the San Diego Public Library system, the existing branches could adequately serve the increase in residents from the project, and no new or altered facilities would be required. Furthermore, development impact fees, which would be used to maintain as well as fund future facilities, would be paid prior to building permit issuance. Impacts to library service would be less than significant.

### ***Parks or Other Recreational Facilities***

The Parks Master Plan was adopted in August 2021 by the City of San Diego and established a new Recreational Value-Based Park Standard to represent the recreational opportunities that are required to serve the City's population-based park requirements. The new Park Standard is 100 Recreation Value Points per 1,000 residents. The Recreation Value-based Park Standard measures the recreational opportunities and amenities at a park and quantifies the activities and recreational opportunities that will serve the City's population. The City's focus on recreation value rather than acreage allows the City to activate park spaces regardless of their size. It also provides a metric to determine opportunities for upgrading existing parks by adding new recreation-based amenities that will serve larger residential populations. The Recreation Value Points Scoring Matrix (Appendix D in the Parks Master Plan) details the point scoring methodology and how Recreation Value Points can be achieved within the categories of Amenities and Recreation Opportunities, Access/Connectivity, and Activation and Engagement.

The Pacific Beach community contains multiple public recreational amenities, with multiple City parks located near the project site, as described above. The project would introduce 138 additional dwelling units at the site. The project is a residential project and could increase the need for population based parks. The project would pay a Park Impact Fee at the time of building permit issuance provides for public facilities required to support the proposed population including the population-based park usable acreage, recreation centers, and aquatic complexes. No mitigation is required.

Additionally, the project proposes the addition of residential units to an existing multi-family residential development. The existing development contains a pool and spa, volleyball courts, fitness center, pedestrian walkaways, and passive recreation space that would be available for use to the residents of the project. In addition, the project would provide courtyards for passive recreation in Building 1, a total of 3,330 square feet, and Building 3, total of 4,876 square feet (see Figure 3-1, *AVA Pacific Beach Site Plan*). As noted above, there are multiple public recreation amenities in Pacific Beach that would provide for additional recreational amenities for the residents of the project. The project would not result in impacts to recreational facilities.

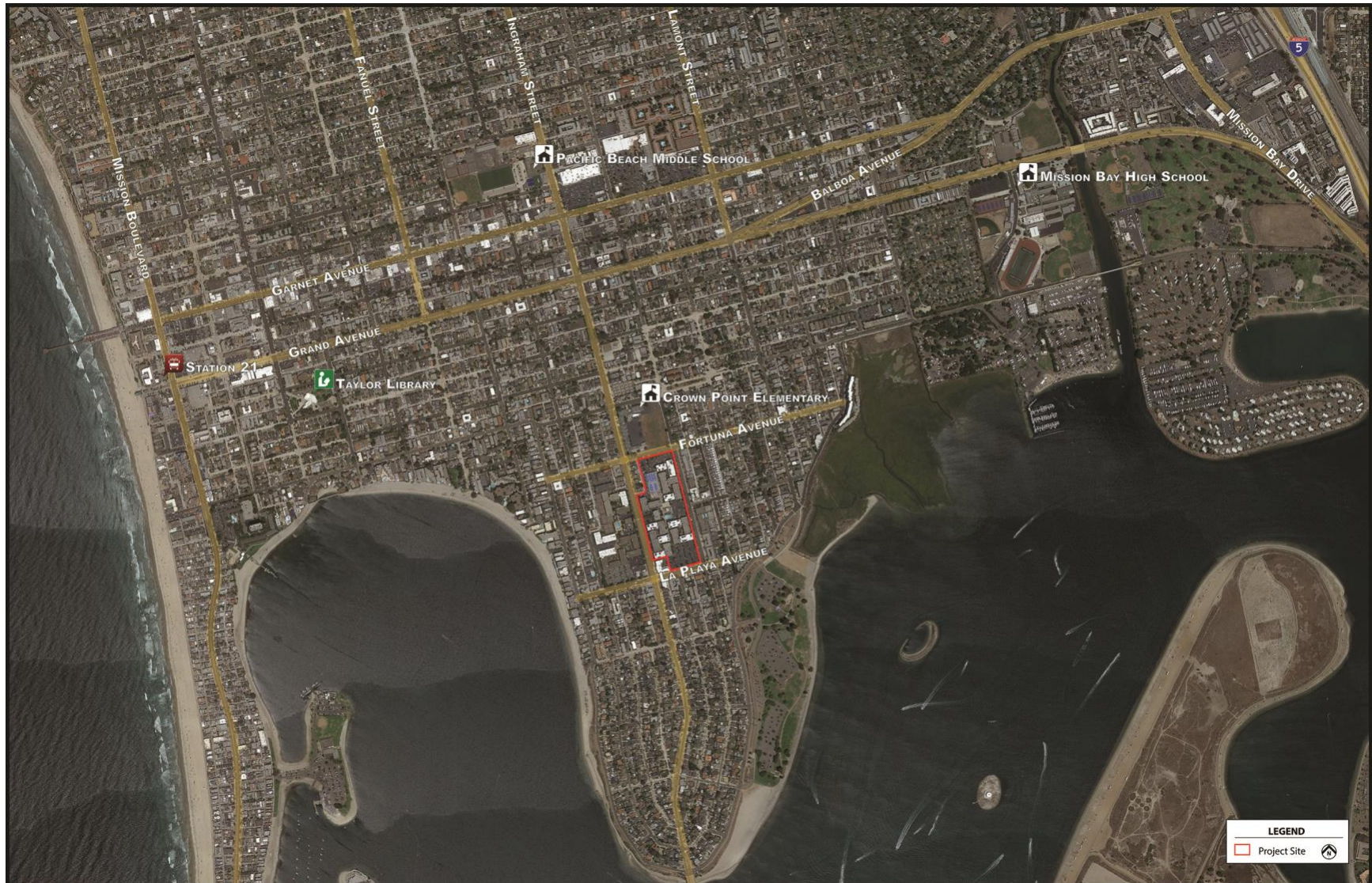
### **Significance of Impacts**

The project would not result in significant impacts to police protection, fire/life safety protection, libraries, parks, or other recreation facilities, and schools.

### **Mitigation Measures**

Mitigation would not be required.





**Figure 5.11-1. Location of Public Services**

## 5.12 Public Utilities

This section evaluates the availability and provision of public utilities to serve the project site, as well as any public utilities-related policies that are applicable to the project; identifies associated regulatory requirements; evaluates potential impacts; and identifies mitigation measures, if applicable, related to implementation of the project. The evaluation is based on various studies and correspondence with utility company providers included as Appendix G to this Environmental Impact Report (EIR). A *Waste Management Plan* was prepared for the project by KLR Planning (August 2023) and has been included as Appendix J; a *Public Sewer System Analysis* (October 2024) and *Water System Analysis* (November 2024) were prepared by Kimley-Horn and Associates, Inc., and are included as Appendix K and L respectively.

### 5.12.1 Existing Conditions

Public utilities include water, sewer, storm water drainage, and solid waste management on a community-wide basis. These services would be provided to future residents of the project. [NOTE: Public utilities also include the provision of electricity and natural gas resources which would provide energy to the project. San Diego Gas & Electric (SDG&E) would provide electricity and natural gas service to the project. Please see Section 5.6, *Energy*, for a discussion of SDG&E's ability to serve the project and the project's potential impact on energy resources.] Public utilities providers were contacted during preparation of this EIR to identify potential impacts that the project would have on utilities.

#### 5.12.1.1 Water Facilities

##### Water Supply

The San Diego County Water Authority (SDCWA) is recognized as the lead agency for procuring imported water to meet the present and long-term needs of the City and the San Diego region. The SDCWA purchases much of its water from the Metropolitan Water District (MWD). As a member agency of SDCWA, the City of San Diego assists SDCWA as needed in working with the MWD, the State Department of Water Resources (DWR), the County of San Diego, other local water agencies, and the private sector in efforts to satisfy the future water supplies and demands of the region. Below is a summary of these water supply sources.

##### Metropolitan Water District

MWD is a consortium of 26 public member agencies that provides imported water to nearly 19 million people in parts of Los Angeles, Orange, San Diego, Riverside, San Bernardino, and Ventura counties. MWD currently delivers an average of 1.5 billion gallons of water per day to a 5,200-square-mile service area. MWD imports its water from two main sources: the Colorado River [via the Colorado River Aqueduct (CRA) and the Sacramento and San Joaquin Rivers (via the State Water Project (SWP))]. The CRA is owned and operated by MWD, and extends approximately 242 miles from the Colorado River at Lake Havasu to Lake Mathews in Riverside County. From there, a series of canals, siphons, pipelines, and pump stations moves water west to several MWD reservoirs for local

distribution. The principal structure conveying water south through the SWP is the California Aqueduct, which extends approximately 444 miles south from the Sacramento-San Joaquin Delta to Lake Perris in Riverside County. Additional water sources currently or potentially available to MWD include local supplies, groundwater banking, water transfers, seawater desalination, and water recycling.

### **San Diego County Water Authority**

The SDCWA is an independent public agency that serves as a wholesale water supplier to its 24 member agencies. The SDCWA serves approximately 3.3 million residents in a service area of 923,778 acres (SDCWA 2020). The SDCWA operates and maintains a regional water delivery system that consists of two major aqueducts and numerous related facilities, including approximately 310 miles of pipeline and over 100 flow control facilities (SDCWA 2020).

MWD is SDCWA's largest supplier, but SDCWA has pursued strategies over the last two decades to diversify San Diego's regional water supply portfolio and reduce the region's dependence on water deliveries from MWD, including through purchases from the Imperial Irrigation District (IID) and development of the Carlsbad Desalination Plant. In 1998, the SDCWA entered into a water conservation and transfer agreement with the IID, an agricultural district in neighboring Imperial County that receives Colorado River water. The agreement gave SDCWA a higher priority water right to Colorado River water, and includes strategies to provide SDCWA with a larger share of Colorado River water. These strategies involve voluntary conservation measures by Imperial Valley farmers, a canal lining project on the All American and Coachella Canals, and the transfer of water conserved by these measures directly to SDCWA. This agreement, along with amendments related to the 2003 Quantification Settlement Agreement, is expected to provide over 200,000 acre-feet per year (AFY) in 2021. In addition to developing its own regional supplies of water, SDCWA has also encouraged the development of additional local water supply projects, such as water recycling and groundwater projects.

In December 2015, SDCWA added desalinated water to its supply portfolio, with the completion of a seawater desalination facility capable of providing 50 million gallons per day (mgd) of potable water. SDCWA purchases up to 56,000 AFY of desalinated water from the Carlsbad Desalination Plant for their direct use or use by identified member agencies.

By 2018, SDCWA had reduced its dependency on MWD water purchases from 95 percent to 32 percent. SDCWA continues to pursue strategies for water supply diversification and reliability, such as additional seawater desalination projects, groundwater utilization, increased recycled water use, and the recent dam raise on the San Vicente Reservoir, which doubled its storage capacity. By 2020, local suppliers were projected to meet more than a quarter of the region's water demand.

In coordination with its 24 member agencies, the SDCWA developed its most recent Urban Water Management Plan (UWMP) to demonstrate regional water supply reliability over the next 25 years

(2020 to 2045). Main components of the plan are the baseline demand forecasts under varying future climate conditions, conservation savings estimates, water demand projections, a water supply assessment for the region, supply reliability analysis, and scenario planning.

## **Conservation**

California American Water (CWA) provides water service the project site and surrounding area. CWA encourages San Diego district customers to follow the City of San Diego's water conservation measures to minimize water demand and avoid excessive water use. The Water Conservation Program implemented by the City of San Diego Public Utilities Department aims to reduce water use in San Diego by offering various rebate programs, landscaping classes, education, and free water conservation surveys for property owners and tenants. Water conservation continues to be a priority throughout California, and water suppliers are tasked with adopting programs and policies designed to promote water conservation practices and implementing comprehensive public information and educational campaigns.

The City and its regional partners face significant issues with water supply and wastewater treatment. The region's reliance on imported water causes the water supply to be vulnerable to shortages and susceptible to price increases beyond the control of the City. The Pure Water San Diego Program will provide a safe, secure and sustainable local drinking water supply for San Diego through the use of advanced water purification technology to produce potable water from recycled water.

The City's Climate Action Plan and Community Plans consider adaptive strategies that include consideration of the water-energy nexus, City per capita reduction goals, City water supply choices and sustainability of water supply and services.

The project is served by a water main in La Playa Avenue. Connection to the main is via a water line that runs through the project site within public easements before connecting to the 24-inch main located in La Playa Avenue (see Figure 5.12-1, *Existing and Proposed Sewer Facilities*).

### **5.12.1.2 Wastewater**

Wastewater treatment service is provided by the City of San Diego Public Utilities Department (PUD), which operates the Metropolitan Sewerage System (Metro System). Facilities in the Metro System include the Point Loma Wastewater Treatment Facility, ocean outfall pipes, pump stations, interconnecting interceptor sewers, and the North City and South Bay Water Reclamation Plants. The Metro System provides wastewater transportation, treatment, and disposal services to the San Diego region. The system serves a population of two million from 16 cities and districts generating approximately 190 mgd of wastewater. Planned improvements to the existing facilities will increase wastewater treatment capacity to serve an estimated population of 2.9 million through the year 2050.



The project is served by existing sewer lines that are tributary to the La Jolla - Pacific Beach Trunk Sewer up to the 24-inch sewer main located in La Playa Avenue. See Figure 5.12-1, *Existing and Proposed Sewer Utilities*, for a map of existing sewer utilities public main.

### 5.12.1.3 Waste

Solid waste management in the project area is provided by the City Environmental Services Department (ESD) and private collectors. The City provides refuse collection for residences located on dedicated public streets, provide adequate safe space and access for storage collection, and comply with regulations set forth in the San Diego Municipal Code (SDMC). Other customers pay for services by City franchised private hauling companies.

City of San Diego ESD pursues waste management strategies that emphasize waste reduction and recycling, composting, and environmentally-sound landfill management to meet the City's long-term management needs.

Refuse collected from the area is generally taken to the Miramar Landfill, located just north of State Route (SR) 52, between Interstate (I-) 805 and SR 163. According to the Solid Waste Information System (SWIS) database maintained by CalRecycle, the Miramar Landfill had a remaining capacity of approximately 11,080,871 cubic yards of solid waste as of January 30, 2020. Based on the remaining capacity and disposal rates, the Miramar Landfill is expected to close January 1, 2031 (CalRecycle n.d); however, the amount of waste managed at the landfill is expected to decrease while the amount of composting and recycling will increase over time as the City strives to achieve the target 75 percent diversion rate identified in Assembly Bill (AB) 341 and the City's Zero Waste Plan (City of San Diego Zero Waste Plan, 2015).

Currently, only two other landfills provide disposal capacity within the urbanized region of San Diego: the Sycamore and Otay Landfills. The Sycamore Landfill contains 349 disposal acres on a 491-acre site and is located to the east of Miramar, within the City of San Diego's boundaries. The Otay Landfill contains 230 disposal acres on a 464-acre site and is located within an unincorporated island of County land in the City of Chula Vista. The Sycamore and Otay Landfills are privately owned by Allied Waste Industries, Inc. The Sycamore Landfill is permitted to receive a maximum of 5,000 tons per day (CalRecycle n.d.a.). The remaining capacity as of December 31, 2016, was 113,972,637 cubic yards. This landfill is projected to cease operation on December 31, 2042. The Otay Landfill is permitted to receive 6,700 tons per day (CalREcycle n.d.b.). It has a remaining capacity of 21,194,008 cubic yards as of May 31, 2016. It is estimated that the Otay Landfill will cease operation on February 28, 2030.



## **5.12.2 *Regulatory Framework***

### **5.12.2.1 Federal**

#### **Federal Water Pollution Control Act of 1972 (Clean Water Act)**

The principal federal law regulating water quality in the United States is the 1972 Federal Water Pollution Control Act, also known as the Clean Water Act. The fundamental purpose of the Clean Water Act is the protection of designated beneficial uses of water resources. The Clean Water Act establishes a system of water quality standards, discharge limitations, and permits; it requires states to adopt water quality standards to protect public health and welfare, enhance the quality of water, and serve the other purposes of the Clean Water Act. The Clean Water Act was amended in 1987 to include urban and stormwater runoff, which required many cities to obtain a National Pollutant Discharge Elimination System permit for stormwater conveyance system discharges.

Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers regulates discharges of dredged or fill material into waters of the United States, requiring issuance of a Section 404 permit. Under Section 401 of the Clean Water Act, a state water quality certification must be obtained whenever an application for a federal permit for discharge of pollutants into waters of the United States is submitted, such as a Section 404 permit. The Section 401 certification requires that any activity affecting waters of the United States be in compliance with all applicable water quality standards, limitations, and restrictions.

#### **Safe Drinking Water Act**

Passed in 1974 and amended in 1986 and 1996, the Safe Drinking Water Act grants the Federal Environmental Protection Agency (EPA) the authority to set drinking water standards. Drinking water standards apply to public water systems, which provide water for human consumption through at least 15 service connections, or regularly serve at least 25 individuals. There are two categories of drinking water standards, (1) the National Primary Drinking Water Regulations and (2) the National Secondary Drinking Water Regulations. The National Primary Drinking Water Regulations are legally enforceable standards that apply to public water systems. These standards protect drinking water quality by limiting the levels of specific contaminants that can adversely affect public health and are known or anticipated to occur in water. The National Secondary Drinking Water Regulations are non-mandatory guidelines for certain substances that do not present a risk to public health.

### **5.12.2.2 State**

#### **California Assembly Bill 1881**

Assembly Bill (AB) 1881, the Water Conservation in Landscaping Act of 2006, requires the Department of Water Resources (DWR) to prepare an updated Model Water Efficient Landscaping Ordinance (Model Ordinance) in accordance with specified requirements to conserve water through efficient irrigation and landscaping. By January 1, 2010, local agencies were to adopt either the updated Model Ordinance or a local landscape ordinance that is at least as effective in conserving water as the Model Ordinance. Pursuant to state law, the City amended its Landscape Regulations

(SDMC Chapter 14, Article 2, Division 4) and Landscape Standards in April 2016 to expand water conservation in landscaping. The Landscape Standards implement the requirements of the Landscape Regulations. All landscape plans and installations are required to be in compliance with the Landscape Standards.

### **California Integrated Waste Management Act (AB 939)**

The California Integrated Waste Management Act was enacted by the California Legislature in 1989 with the goal of reducing dependence on landfills for the disposal of solid waste and to ensure an effective and coordinated system for the safe management of all solid waste generated within the state. AB 939 mandated a reduction in the amount of solid waste disposed of by jurisdictions and required diversion goals of 25 percent by 1995 and 50 percent by the year 2000. The Integrated Waste Management Act established a hierarchy of preferred waste management practices, which include (1) source reduction, (2) recycling and composting, and (3) environmentally safe disposal by transformation or landfilling. It addresses all aspects related to solid waste regulation, including the details regarding the lead enforcement agency's requirements and responsibilities; the permit process, including inspections and denials of permits; enforcement; and site clean-up and maintenance. It requires that each county prepare a countywide integrated waste management plan that is reviewed at least once every five years to assure that waste management practices remain consistent with the practices defined in the California Public Resources Code (PRC). In 2013, AB 341 increased the waste diversion target to 75 percent by 2020.

### **Assembly Bill 1826**

In October 2014, Governor Brown signed AB 1826, Chesbro (Chapter 727, Statutes of 2014), which requires businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. For businesses that generate eight or more cubic yards (cy) of organic waste per week, this requirement began April 1, 2016, while those that generate four cy of organic waste per week must have an organic waste recycling program in place beginning January 1, 2017. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multi-family residential dwellings that consist of five or more units. Mandatory recycling of commercial organics would be phased in over time, and an exemption process is available for rural counties.

As of January 1, 2019, changes to AB 1826 require more sites to have organics collection service. Businesses and institutions that generate four or more cubic yards of solid waste per week must have organics collection service. Materials that must be composted include food waste, green waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper.

## **Assembly Bill 1594**

"Alternative daily cover" (ADC) is cover material other than earthen material placed on the surface of the active face of a municipal solid waste landfill at the end of each operating day to control vectors, fires, odors, blowing litter, and scavenging. CalRecycle has approved 11 ADC material types that can currently be reported as diversion: ash and cement kiln dust, treated auto shredder waste, construction and demolition waste, compost, green material, contaminated sediment, sludge, and shredded tires. Generally, these materials must be processed so that they do not allow gaps in the exposed landfill face.

Pursuant to California PRC Section 41781.3 and AB 1594, beginning January 1, 2020, the use of green material as ADC will not constitute diversion through recycling and will be considered disposal.

"Green material" is defined as any plant material that is either separated at the point of generation, or separated at a centralized facility that employs methods to minimize contamination. Green material includes, but is not limited to, yard trimmings, untreated wood wastes, paper products, and natural fiber products. Green material does not include treated wood waste, mixed demolition or mixed construction debris, or manure and plant waste from the food processing industry, alone or blended with soil. As of August 1, 2018, local jurisdictions are required to include information in an annual report on how the local jurisdiction intends to address the diversion requirements and divert green material that is being used as ADC. A jurisdiction that does not meet certain diversion requirements as a result of not being able to claim diversion for the use of green material as ADC would be required to identify and address, in an annual report, barriers to recycling green material and, if sufficient capacity at facilities that recycle green material is not expected to be operational before a certain date, to include a plan to address those barriers.

## **California Solid Waste: Diversion (AB 341)**

AB 341, adopted in 2011, amended AB 939 by making a legislative declaration that it is the policy goal of the State of California that not less than 75 percent of solid waste generated be reduced, recycled, or composted by the year 2020. While a policy goal may not be legally enforceable, city and/or county ordinances and other mechanisms make AB 341 provisions enforceable within their jurisdictions. AB 341 also required a business (defined to include a commercial or public entity) that generates more than eight cy of commercial solid waste per week or is a multifamily residential dwelling of five units or more to arrange for recycling services, starting July 1, 2012.

## **Short-Lived Climate Pollutants: Organic Waste Methane Emissions Reductions (SB 1383)**

In September 2016, Governor Brown signed into law Senate Bill (SB) 1383 (Lara, Chapter 395, Statutes of 2016), establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP) in various sectors of California's economy. The new law codifies the California Air Resources Board's Short-Lived Climate Pollutant Reduction Strategy, established pursuant to SB 605 (Lara, Chapter 523, Statutes of 2014), to achieve reductions

in the statewide emissions of short-lived climate pollutants. Actions to reduce short-lived climate pollutants are essential to address the many impacts of climate change on human health, especially in California's most at-risk communities, and on the environment.

As it pertains to CalRecycle, SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

### **California Urban Water Management Act**

As part of this Act, Urban Water Management Plans (UWMPs) are prepared, adopted, and administered by urban water suppliers and submitted to the California Department of Water Resources. These plans support the suppliers' long-term resource planning to ensure that adequate water supplies are available to meet existing and future water needs over a 20-year planning time-frame. The plans describe and evaluate sources of supply, reasonable and practical efficient uses, reclamation, and demand management activities. Within UWMPs, urban water suppliers must assess the reliability of water sources over a 20-year planning time frame, describe demand management measures and water shortage contingency plans.

### **Assembly Bill 1668 and Senate Bill 606**

In May 2018, Governor Brown signed into law AB 1668 and SB 606, imposing a number of new or expanded requirements on State water agencies and local water suppliers and providing for significantly greater state oversight of local water suppliers' water use, even in non-drought years. Among other things, AB 1668 and SB 606 require the State Water Resources Control Board (SWRCB), in coordination with the DWR, to establish long-term urban water use efficiency to include components for indoor residential use, outdoor residential use, water losses, and other uses. Each retail water supplier across the state will have a water use target based on efficiency standards for indoor residential water use, landscape irrigation, and water loss. These targets are currently being developed and projected to be adopted in 2022. Retail water suppliers will be required to meet demand targets by 2027 or face penalties set by SWRCB.

### **Senate Bill 610 Water Supply Assessment**

The SB 610 Water Supply Assessment (WSA) is intended to be internally consistent with the Urban Water Management Plan and applicable City General Plan Elements. WSAs are intended to closely link the demands of a set of proposed land uses contained in a proposed project with the water supplies available for that development and evaluate cumulative demands in the water service area. The standard for the certainty and reliability of water supplies sufficient to meet the demands of the proposed development is more exacting than that required for the Urban Water Management Plan; a foundational document to the SB 610 WSA.

Ultimately, because the SB 610 WSA is a source document for an EIR prepared for a proposed project pursuant to CEQA, it must provide detailed evidence showing that sufficient water will be available to meet water demands for the water purveyor's existing and planned land uses over a 20-year planning horizon, including single and multiple dry years, provide a discussion of increased demands and may evaluate practical efficient use of alternative water sources. The types of projects subject to SB 610 are the following:

- Residential developments of more than 500 units;
- Shopping centers or businesses employing more than 1,000 people or having more than 500,000 square feet of floor space;
- Commercial office buildings employing more than 1,000 people or having more than 250,000 square feet of floor space;
- Hotels or motels having more than 500 rooms;
- Industrial, manufacturing, or processing plants or industrial parks planned to house more than 1,000 people or having more than 650,000 square feet of floor space;
- Mixed-use projects that include one or more of the above types of projects; and
- Projects that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.

### **California Public Utilities Commission Code Sections 851 – 857**

Public Utilities Code Sections 851 - 857 requires SDG&E to seek California Public Utilities Commission (CPUC) approval prior to disposing of SDG&E property or allowing encroachments within SDG&E easements. Because the project would require modifications to SDG&E facilities and easements, the CPUC will make a determination regarding such modifications.

### **California Green Building Standards Code**

The California Green Building Standards Code (CALGreen) is set forth in California Code of Regulations, Title 24, Part 11, and establishes voluntary and mandatory standards pertaining to the planning and design of sustainable site development and water conservation, among other issues. Under CALGreen, all water closets (i.e., flush toilets) are limited to 1.28 gallons per flush, and urinals are limited to one-half gallon per flush. In addition, maximum flow rates for faucets are established as follows: two gallons per minute (gpm) at 80 pounds per square inch for showerheads; 1.5 gpm at 60 per square inch for residential lavatory faucets; and 1.8 gpm at 60 per square inch for kitchen faucets. CALGreen also includes Section 4.408.2, which requires a Construction Waste Management Plan. This plan identifies which waste created during construction could be sorted on site, or bulked and then transported to diversion facilities.

### **5.12.2.3 Local**

#### **City of San Diego Public Utilities Department**

In June 2021, the City issued its most recent UWMP, which outlines current and future water supplies and demands in the City's service area. The City is engaged in several strategies to increase water reliability, including the development of local groundwater supplies; increased utilization of recycled water, or potable reuse; continued conservation efforts; and ongoing strategic water resources planning. The UWMP projects water supply reliability for average years, single dry years, and multiple dry years, and concludes that the PUD will have sufficient water supplies to serve the City through the year 2045 (City of San Diego 2021).

#### **Pure Water Program**

The Pure Water Program is a 20-year (2015 to 2035) multi-phased water and wastewater capital improvement initiative that is expected to create 83 mgd of locally controlled water upon full implementation in 2035. The Pure Water Program will divert treated water from the Point Loma Wastewater Treatment Plant (WWTP) ocean outfall and recycle a valuable and limited resource that is currently discharged to the ocean. Phase 1 is expected to be online in Calendar Year (CY) 2025. Production is expected to be a staged ramp-up in flow with 30 mgd produced by the end of CY 2027. This will allow the City to reduce the amount of water it purchases in Fiscal Year (FY) 2027 and beyond. By 2035, Pure Water's Phase 2 will expand repurified water production from 30 to 83 mgd.

#### **City of San Diego General Plan**

The City's General Plan includes The Conservation Element, Public Facilities, Services and Safety Element, and Housing Element. These Elements present respective water resource, climate change adaptation, sustainability, water efficiency and conservation policies and goals. Examples include policies that call for drought resistant landscaping, optimization of the use of imported water supplies and improve reliability by increasing alternative sources (Policy PF-H.1), and the long-range planning and integrated management of groundwater and surface water resources and protecting those resources by implementing guidelines for future development (Policy CE-D-2).

#### **Drought Restrictions**

The City of San Diego has year-round permanent mandatory water restrictions in place. These restrictions are designed to promote water conservation as a permanent way of life in San Diego.

In July 2016, the City moved from a Level 2 Drought Alert to a Level 1 Drought Watch (Resolution R-310598), lifting some of the water-use restrictions that were put in place to mitigate the multi-year drought that California had been experiencing. A Level 1 Drought Watch includes voluntary water-use restrictions that limit landscape watering and the washing of mobile equipment. Additionally, permanent mandatory water use restrictions are in place, with the goal of promoting water conservation as a way of life in San Diego.

Effective June 10, 2022, the City of San Diego once again began implementing more stringent water restrictions for all water customers following a statewide order from Governor Newsom. At the governor's direction, the SWRCB adopted an emergency water conservation regulation calling on local water agencies to take appropriate action that will conserve water throughout California. Level 2 water restrictions include the following actions for all City of San Diego water customers:

- Areas with no irrigation system must use a hand-held hose with a shutoff nozzle, hand-held container or a garden hose sprinkler system on a timer.
- Irrigation is prohibited during and within 48 hours of a rain event.
- Landscape irrigation is limited to no more than three days per week before 10 a.m. or after 6 p.m. This does not apply to commercial growers or nurseries, nor to the irrigation of golf course greens and trees.
- Use of recycled or non-potable water, when available, is required for construction purposes.
- Prohibition of irrigating non-functional turf with potable water.
- Washing of vehicles at residences is prohibited. Washing is still permitted at commercial car washes.

### **City of San Diego Policy for a Sustainable Water Supply (CP 400-15)**

Council Policy (CP) 400-15 includes policies to assure an adequate water supply for the City. For example, it is the policy of the City Council to:

- Support economically sound activities that create an affordable and reliable water supply to attract, retain and expand business, and promote an excellent quality of life for residents.
- Support decisions that are aligned with the City's Urban Water Management Plan and the Conservation Element of the City's General Plan.
- Support the use of Water Supply Assessments related to land-use decisions.
- Support and encourage low-water use plumbing, landscaping and irrigation materials in public and private development.
- Support economically sound activities that reduce the City's reliance on imported sources of water and increase local supplies.
- Support the economically sound development of a diverse portfolio of local water supplies to meet the City's present and future needs.
- Support cost-effective programs to recharge, protect and improve the yield from local and regional groundwater basins.

### **City of San Diego Ordinance O-17327 (Mandatory Water Reuse Ordinance)**

This ordinance, adopted by the City Council in 1989, requires that "recycled water shall be used within the City where feasible and consistent with the legal requirements, preservation of public health, safety, and welfare, and the environment." All development projects are required to install an additional water pipeline reserved for reclaimed water, based on the project's location within an existing or proposed recycled water service area. Compliance with this ordinance for new development is made a condition of tentative maps, land use permits, etc. Furthermore, it is the

policy of the City that use of potable water for non-domestic uses shall be contrary to the City policy and shall not be considered the most beneficial use of a natural resource and shall be avoided to the maximum extent possible.

## **Zero Waste Plan**

State of California regulations for solid waste (California Public Resources Code, Section 41700 et seq.) require that each region have a plan with adequate capacity to manage or dispose of solid waste for at least 15 years into the future. The City of San Diego's Zero Waste Plan (City of San Diego 2015) establishes goals to target 75 percent diversion by 2020, 90 percent diversion by 2035, and "zero" by 2040 and outlines potential diversion strategies to help the City achieve these goals.

The City's Zero Waste Plan, a component of the City's CAP, was approved and adopted by the City Council on July 13, 2015. The Zero Waste Plan lays out strategies to be implemented by the City to accomplish the following goals:

- Target 75 percent diversion by 2020, 90 percent diversion by 2035, and "zero waste" by 2040 by identifying potential diversion strategies for future action. To increase the City's waste diversion rate to 75 percent will require an estimated additional 332,000 tons per year to be diverted from landfill disposal;
- Demonstrate continuous improvement towards a goal of zero waste to landfills;
- Emphasize education by renewing City public information efforts;
- Promote local policies and ordinances and legislation at the state level that encourage manufacturers, consumers, and waste producers to be responsible for waste;
- Investigate appropriate new technologies; and
- Re-emphasize market development at the local and State level.

The City's ESD estimates that compliance with existing City codes and ordinances alone (including the Refuse, Organic Waste, and Recyclable Materials Storage Regulations [SDMC Chapter 14, Article 2, Division 8], Recycling Ordinance [SDMC Chapter 6, Article 6, Division 7], and the Construction and Demolition Debris Deposit Ordinance [SDMC Chapter 6, Article 6, Division 6]) would achieve only an approximate 40 percent diversion rate, which is substantially below the current 75 percent diversion level targeted by the state and the goals of the City's Zero Waste Plan.

The Recycling Ordinance requires all single-family, multi-family, and commercial uses to participate in a recycling program by separating recyclable materials from other solid waste and depositing the recyclable materials in the approved recycling containers. The Construction and Demolition Debris Deposit Ordinance requires project applicants to submit a Waste Management Form with the building permit or demolition/removal permit, to provide a general estimate of the total waste generated by the project including how much will be recycled. The code requires a minimum diversion rate of 50 percent for building permits or demolition/removal permits issued within 180 calendar days of the effective date of the ordinance, and a minimum diversion rate of 75 percent for building permits or demolition/removal permits issued after 180 calendar days from the effective



date of the ordinance, provided that a certified recycling facility which accepts mixed construction and demolition debris is operating within 25 miles of the City Administrative Building.

### **5.12.3 Impact Analysis**

#### **5.12.3.1 Issue 1**

*Issue 1 Would the proposal result in the need for new systems, or require substantial alterations to existing utilities, the construction of which would create physical impacts with regard to the following utilities: natural gas, water, sewer, communications systems, and solid waste disposal?*

### **Impact Thresholds**

Based on the City's Significance Determination Thresholds (2022) impact analysis of public utilities should focus on the physical impacts associated with the construction or expansion of existing utilities. Impacts to public utilities would be significant if the removal, construction, and/or relocation of the utility would:

- Result in direct impacts from the construction of new or expanded public utilities needed to serve the project, and/or
- Construct, demolish, or renovate 1,000,000 square feet or more of building space, which would generate approximately 1,500 tons or more of waste. For projects over 1,000,000 square feet, a significant impact would result if compliance with the City's waste management ordinances, and the Waste Management Plan fails to reduce impacts of such projects to below a level of significance and/or if a Waste Management Plan for the project is not prepared and conceptually approved by ESD prior to distribution of the draft environmental document for public review.

Additionally, the City's Significance Determination Thresholds note the following guidance should be considered in determining whether the utility work could have significant environmental impacts.

Would removal, construction, and/or relocation of the utility:

- Be compatible with existing and adjacent land uses?
- Change drainage or affect water quality/runoff?
- Affect air quality?
- Affect biological resources including habitat? Consider access road locations?
- Have a negative aesthetic effect? Visual simulations might be necessary?
- Impact historical resources?
- Increase noise levels to sensitive receptors?

### **Analysis**

#### **Water**

The project site is located within an urbanized area in the Pacific Beach community. In addition, the project site is currently developed with a multi-family residential development. As such, water

facilities have been installed to serve the project and adjacent areas. The size and capacity of these existing utilities would be adequate to serve the project. No new systems or alterations to the existing utilities would be required. Development of the project would not trigger the need for new water facilities or the expansion of those facilities beyond what is proposed for the project. Adequate services are available to serve the project. Impacts would be less than significant.

### ***Wastewater***

The project proposes sewerage all 138 multi-family residential units by way of the existing eight-inch sewer line that exists on-site within public easements. The project would result in an increase of 0.088 cubic feet per second (CFS) of sewage. These additional flows increase the ratio of depth of flow to pipe diameter ( $d_n/D$ ) ratio and exceed the City's design criteria in the existing condition between nodes 8 and 14. This section of pipe would be upsized to 10-inch, bringing the  $d_n/D$  ratio to 0.51. Additionally, a portion of the proposed improvements would encroach into the existing 15-foot sewer easement that runs through the site. Where this occurs, the sewer line and associated easement would be re-routed to avoid the proposed improvements. The increase of 0.088 CFS of sewage to be produced as a result of the project are negligent compared to the overall capacity of the exiting 24-inch public sewer to which the project discharges, thus no improvements are necessary for the trunk sewer line to which the project is tributary. The project would result in less than significant impacts.

### ***Solid Waste***

A Waste Management Plan (WMP) was prepared for the project pursuant to the City Determination Thresholds. The WMP for the project is designed to implement and adhere to all city ordinance and regulations with regards to waste management. Such adherence would ensure that solid waste impacts are mitigated to below a level of significance. Provided below is a discussion of solid waste generation associated with demolition, grading, construction, and operation of the project.

### **Demolition**

The project proposes demolition of underutilized areas of the project site totaling approximately 149,682 square feet. Approximately 10,578 tons of waste are expected to be generated during demolition. 10,022 tons of material would be recycled, to include concrete, asphalt, curb and gutter, landscape material, and lumber. Approximately 555.87 tons of debris would be disposed in a landfill, to include non-useable lumber and miscellaneous trash.

### **Grading**

The project would require approximately 3,460 cubic yards of cut and 4,547 cubic yards of fill. Approximately 1,087 cubic yards of material to be exported.

### **Construction**

Construction for the project would occur over an extended period of time. Construction activities would generate packaging materials and unpainted wood, including wood pallets, and other miscellaneous debris. Construction debris would be separated on-site into material-specific containers to facilitate reuse and recycling and to increase the efficiency of waste reclamation. and/or would be collected by a contracted waste hauler and separated at the facility.

Management of construction material and recycling would adhere to industry standards such that refuse that cannot be reused or recycled is disposed of at appropriate facilities. Provided below is a list of general procedures which would be implemented such that 75 percent of construction waste, in accordance with AB 341 and current City diversion targets for project-specific waste management plans, would be diverted from disposal in landfills in accordance with City requirements.

- Recycling, salvage, reuse, and disposal options would be determined before each job begins.
- Materials that can be reused would be donated to charities and nonprofit agencies, when practical.
- Advertisements would be placed in local newspapers announcing salvageable and reusable materials for sale or donation.
- Refuse haulers and recycling facilities would be selected based on their responsiveness to the recycling plan, fees, and geographic proximity to the job site.
- Solid waste management coordinator will be responsible for educating contractors and subcontractors regarding waste management plan requirements.
- Recycling areas would be clearly identified with large bilingual signs to ensure contamination rates in bins are below five percent by weight.
- Recycling bins would be placed in areas that would minimize misuse or contamination by employees and the public (location to be approved by ESD staff).
- Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible.
- Scheduling time for deconstruction and recycling activities to take place during project construction phase.

To facilitate management of construction materials, as individual developments come forward, the developer shall identify one person or agency connected with the proposed development to act as Solid Waste Management Coordinator, whose responsibility it becomes to work with all contractors and subcontractors to ensure material separation and coordinate proper disposal and diversion of waste generated. The Solid Waste Management Coordinator would help to ensure all diversion practices outlined in the WMP are upheld and communicate goals to all contractors involved efficiently.

The responsibilities of the Solid Waste Management Coordinator, include, but are not limited to, the following:

- Review the Solid Waste Management Plan including responsibilities of Solid Waste Management Coordinator.

- Work with contractors to estimate quantities of each type of material that would be salvaged, recycled, or disposed of as waste, then assist contractors with documentation.
- Review and update procedures as needed for material separation and verify availability of containers and bins needed to avoid delays.
- Review and update procedures for periodic solid waste collection and transportation to recycling and disposing facilities.

The contractors would perform daily inspections of the construction site to ensure compliance with the requirements of the WMP and all other applicable laws and ordinances and report directly to Solid Waste Management Coordinator. Daily inspections would include verifying the availability and number of dumpsters based on amount of debris being generated, correct labeling of dumpsters, proper sorting and segregation materials, and salvaging of excess materials.

Construction debris would be separated onsite into material-specific containers, corresponding to the materials types to facilitate reuse and recycling and to increase the efficiency of waste reclamation. In accordance with City WMP requirements, the City's Construction and Demolition Ordinance, the City's current diversion targets, and AB 341, 81 percent of the construction materials generated by the project are targeted for diversion.

### **Occupancy**

While the construction phase for each building constructed within the project occurs as a one-time waste generation event, occupancy requires an on-going plan to manage waste disposal to meet the waste reduction goals established by the City and state. Future developments within the project would comply with the City's Recycling Ordinance. In addition to refuse and recycling bins, the project would provide green organic waste bins in support of SB 1383's waste diversion targets. All recyclable materials will be delivered to an appropriate recycling facility(s), such as the Miramar Recycling Center, located at 5165 Convoy Street, San Diego, California 92111.

The project would develop 138 multi-family residential dwelling units. This would require a minimum of 288 square feet refuse storage area, 288 square feet of organic waste storage area, and a minimum of 288 square feet recyclable material storage area for a total of approximately 864 square feet minimum of exterior refuse, organic waste, and recyclable material storage area.

On-site recycling services shall be provided to all residents within the project. Residents within the project shall participate in a recycling program by separating recyclable materials from other solid waste and depositing the recyclable materials in their recycling container. Recycling services are required by Section 66.0706 of the City of San Diego Land Development Code. Based on current requirements, these services shall include the following:

- Continuous assessment of new technologies for recycling, composting, cogeneration, and disposal to maximize efficient use of resources and environmental protection;
- Collection of recyclable materials at least two times per month;

- Collection of plastic bottles and jars, paper, newspaper, metal containers, cardboard, and glass containers;
- Utilization of recycling receptacles or containers which comply with the standards in the Container and Signage Guidelines established by the City of San Diego ESD;
- Designated recycling collection and storage areas; and
- Signage on all recycling receptacles, containers, chutes, and/or enclosures which complies with the standards described in the Container and Signage Guidelines established by the City of San Diego ESD.

For multi-family residential facilities within the project (as required by Section 66.0706 of the City of San Diego Land Development Code), the building management or other designated personnel shall ensure that occupants are educated about the recycling services as follows:

- Information, including the types of recyclable materials accepted, the location of recycling containers, and the occupants' responsibility to recycle shall be distributed to all occupants annually;
- All new occupants shall be given information and instructions upon occupancy; and
- All occupants shall be given information and instructions upon any change in recycling service to the commercial facility.

The project would implement all measures and requirements in the WMP to the fullest degree of accuracy and efficiency. Additionally, the WMP plan for the project is designed to implement and adhere to all City ordinance and regulations with regards to waste management.

### ***Communications Systems***

The project site is located within an urbanized portion of the City of San Diego currently serviced by a number of communications providers. Facilities are in place to continue communications services in the Pacific Beach community. The project would not result in a significant impact to communications systems.

### **Significance of Impacts**

The project would not result in significant impacts to water, sewer, solid waste, and communications systems. Impacts would be less than significant.

### ***Water***

Development of the project would not significantly increase the demand for water or services, and as such, would not trigger the need for new water facilities or the expansion of those facilities beyond what is proposed. Therefore, project impacts to water infrastructure would be less than significant.

## **Wastewater**

Based on the available capacity of existing sewer facilities, the increase in demand associated with wastewater utilities would not be significant. The project would not adversely affect existing wastewater treatment services, and adequate services are available to serve the project without requiring new or expanded entitlements. The project would result in less than significant impacts.

## **Solid Waste**

The project would generate solid waste during the demolition, grading, construction, and operational phases. However, with implementation of the strategies outlined in the project-specific WMP through conditions of approval, as well as compliance with applicable City regulations related to solid waste, the project would not require new or expansion of solid waste facilities, including landfills. Therefore, impacts would be less than significant.

## **Communication Systems**

Facilities are in place to continue communications services in the Pacific Beach community. Impacts would be less than significant.

## **Mitigation Measures**

Impacts would be less than significant, and mitigation would not be required.

### **5.12.3.2 Issue 2 and Issue 3**

*Issue 2 Would the proposal result in the use of excessive amounts of water?*

*Issue 3 Does the proposal propose landscaping which is predominantly non-drought resistant vegetation?*

## **Impact Thresholds**

Based on the City Thresholds, a project could have a significant public utilities impact related to water if it would:

- Use an excessive amount of potable water; or
- Propose predominately non-drought resistant landscaping and excessive water usage for irrigation and other purposes.

## **Analysis**

The Water Systems Analysis prepared for the project estimated the water demand for the project. Multi-family residential water demand is estimated based on density and a unit water demand of 150 gallons per day (gpd)/person. The total water demand expected from the project, including the 564 existing residential units and proposed 138 new residential units, is equal to 474,527 gpd (330 gpm). The Peak Day Factor (maximum day demand to average annual demand ratio) is estimated at 522,000 gpd. The peak hour demand to average annual is estimated at 854,150 gpd (593 gpm).

Maximum static pressures within the project are calculated based on the Pacific Beach 307 Water Service Pressure Zone. Using the static pressure data from the City's hydrant flow test (102.5 psi at 45 feet equates to 281.8 HGL static), maximum static pressures within the project during Peak Hour Conditions would range between 58 psi and 111 psi, which is within the City of San Diego Water System Design Guidelines maximum allowable pressure of 120 psi.

Hydrant Flow data was collected at three locations adjacent to the project location. Hydrants were tested between 1468 and 1504 GPM, with residual pressures ranging between 90.2 and 106.4 psi, showing the public water system has capacity to provide fire protection to the proposed project. Due to the elevation and the relatively high static pressures at the project site, individual pressure regulators would be installed for building services in order to comply with the California Plumbing Code which limits pressure inside a dwelling unit to a maximum of 80 psi.

Maximum static pressures within the project would range between 58 and 111 psi under Peak Hour Demand Conditions, which is within the allowable range as defined by the City of San Diego Guidelines and Standards. Private domestic service for the proposed buildings would be supplied by two existing four-inch lines with two four-inch reduced pressure principal backflow preventers, which combine into a single six-inch line on-site. A portion of the existing four-inch domestic water line would be re-routed to avoid the proposed improvements associated with Building 2.

The project would incorporate water conservation measures within new residential buildings, including providing low-flush toilets and low-flow faucets. These items comply with the California Green Building Standards Code and Climate Action Plan (CAP) and are required project elements that comprise project conditions.

Additionally, the project would include native and naturalized drought-tolerant species consistent with the Landscape regulations. All landscape and irrigation would conform to the city-wide landscape regulations, the City of San Diego Land Development Manual, Landscape Standards, and all other landscape-related City and regional standards. An automatic, electrically controlled irrigation system would be provided, as required by Land Development Code (LDC) 142.0403(c). All irrigation design and maintenance would conform to the City of San Diego's latest water use restrictions, and the project's irrigation system has been designed to meet the City's water efficient landscape ordinance contained within Chapter 14, Article 2, Division 4, Landscape Regulations, of the SDMC. Use of drought-tolerant plants in accordance with the City's LDC, and incorporation of smart irrigation technology and hardscape elements would avoid the need for excessive irrigation. The project would also be required to comply with the mandatory measures associated with the City's Water Conservation Program.

The project would not result in the use of excessive amounts of potable water. The project would develop in accordance with Title 24 of the California Code of Regulations (CCR). With use of these

features, the project would not result in the use of excessive amounts of water. Impacts to water would be less than significant.

### **Significance of Impacts**

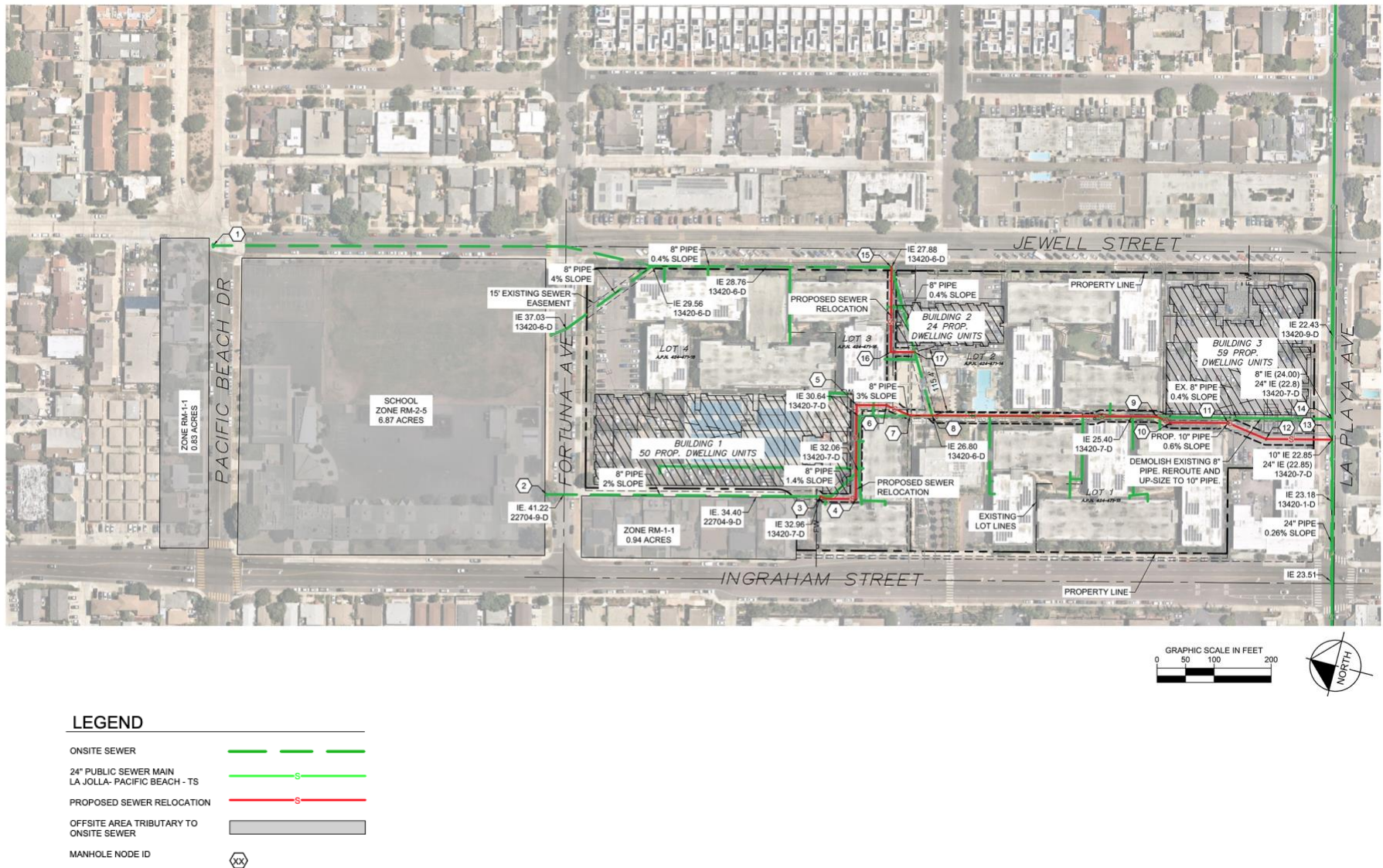
The project would incorporate water sustainable design features, techniques, and materials that would reduce water consumption. Impacts would be less than significant.

The project would include landscaping consisting of native and naturalized drought-tolerant species consistent with the Landscape regulations. Impacts would be less than significant.

### **Mitigation Measures**

Impacts would be less than significant, and mitigation would not be required.





**Figure 5.12-1. Existing and Proposed Sewer Facilities**



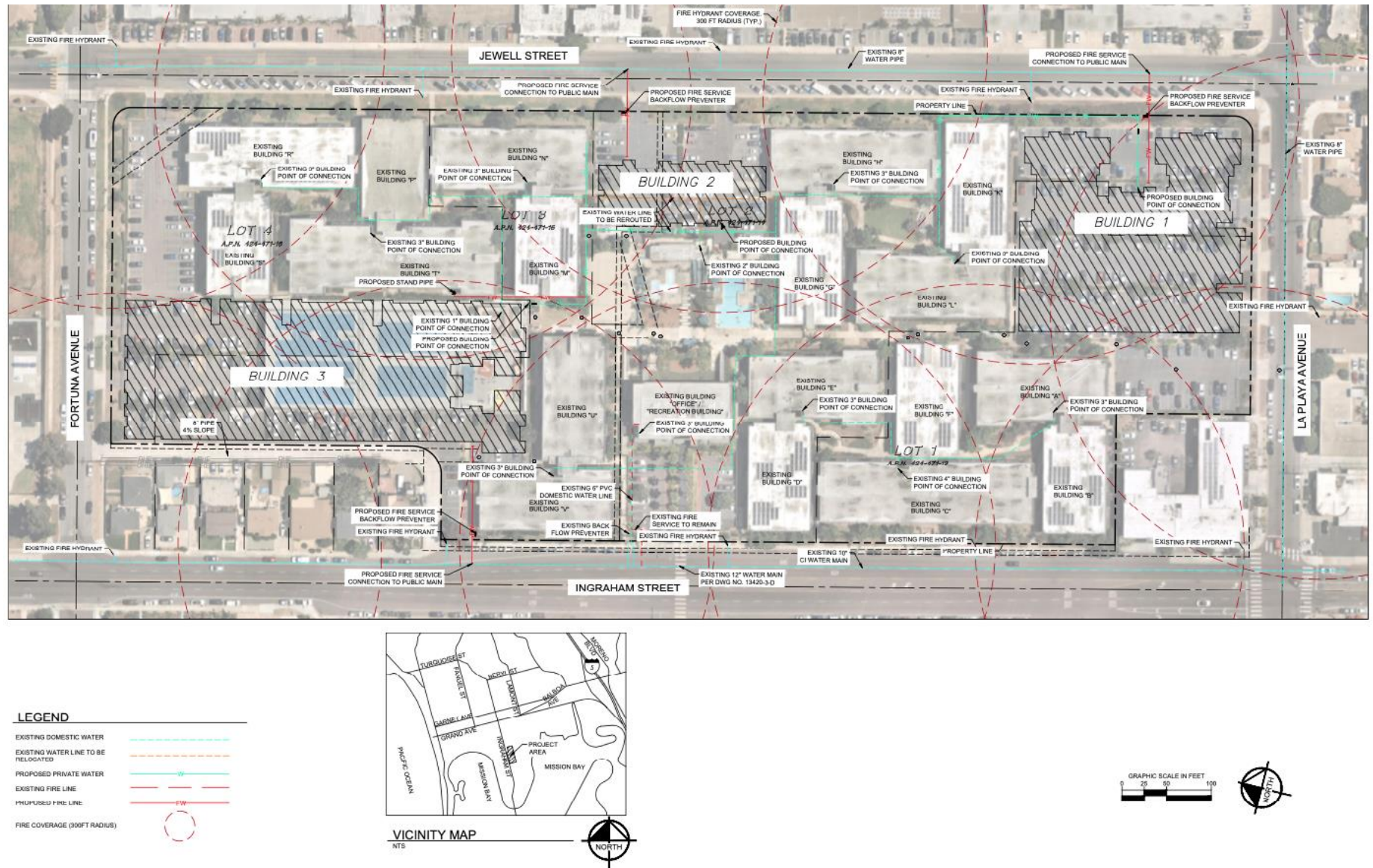


Figure 5.12-2. Existing and Proposed Water Exhibit

## 5.13 Tribal Cultural Resources

This section discusses tribal cultural resource policies that are applicable to the project, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, of applicable, related to implementation of the project. The analysis is based on consultation with California Native American tribes traditionally and culturally affiliated with the project area who have requested consultation pursuant to Public Resources Code (PRC) Section 21080.31.

### 5.13.1 *Existing Conditions*

#### **Physical Conditions**

As described previously, the project site is developed with 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking. The site is characterized by disturbed and developed land.

#### **Ethnographic, Religious, and Cultural Context**

Many areas of San Diego County, including mesas and the coast, are known for intense and diverse prehistoric occupation and important archaeological and historical resources. The prehistory of San Diego County has most frequently been divided chronologically into three or four major periods. An Early Man stage, perhaps dating back tens of thousands of years, has been proposed, but no widely accepted evidence of human occupation of North America dating prior to about 12,000 Before Christ (B.C.) has emerged. More generally accepted divisions include a Terminal Pleistocene/Early Holocene period (ca. 12,000-6000 B.C.), a Middle/Late Holocene period [ca. 6000 B.C. - Anno Domini (A.D.) 800], and a Late Prehistoric period (ca. A.D. 800-1769).

For the Terminal Pleistocene/Early Holocene period (ca. 12,000-6000 B.C.), the earliest chronologically distinctive archaeological evidence is the Clovis pattern. Dated elsewhere in North America to around 11,500 B.C., Clovis assemblages are distinguished primarily by large fluted projectile points. At least three isolated fluted points have been reported within San Diego County. The most widely recognized archaeological pattern within this period is termed San Dieguito and has been dated from at least as early as 8500 B.C. to perhaps around 6000 B.C.

Archaeological evidence from the Middle/Late Holocene Period (ca. 6000 B.C.-A.D. 800) period in the coastal San Diego region has been characterized as belonging to the Archaic stage, Millingstone horizon, Encinitas tradition, or La Jolla pattern. Distinctive characteristics of the La Jolla pattern include extensive shell middens, portable ground stone metates and manos, crudely flaked cobble tools, occasional large expanding stemmed projectile points (Pinto and Elko forms), and flexed human burials.

A Late Prehistoric period (ca. A.D. 800-1769) in coastal San Diego County has been distinguished, primarily on the basis of three major innovations: the use of small projectile points, brownware pottery, and the practice of human cremation. Labels applied to the archaeological manifestations

of this period include Yuman, Cuyamaca, Patayan, and Hakataya. Traits characterizing the Late Prehistoric period include a shift toward greater use of inland rather than coastal settlement locations, greater reliance on acorns as an abundant but labor-expensive food resource, a greater emphasis on hunting of both large and small game, a greater amount of interregional exchange, more elaboration of nonutilitarian culture, and possibly denser regional populations.

In ethnohistoric times, central and southern San Diego County was occupied by speakers of a Yuman language or languages, variously referred to as Kumeyaay, Diegueño, Tipai, and Ipai. Kumeyaay territory extended from south of Agua Hedionda Lagoon, Escondido, and Lake Henshaw to south of Ensenada in northern Baja California, and east nearly as far as the lower Colorado River. The Kumeyaay inhabited a diverse environment that included littoral, valley, foothill, mountain, and desert resource zones. A large number of village sites have been identified throughout San Diego County. The diet of the Kumeyaay included both plant and animal foods, and groups residing near Mission Valley could have utilized several ecological niches varying by altitude.

### **Assembly Bill 52 Outreach**

The City conducted government-to-government consultation with Native American tribes under Assembly Bill (AB) 52. The City provided formal consultation notification to the Lipay Nation of Santa Ysabel, the Jamul Indian Village, and the San Pasqual Band of Mission Indians. Formal notification letters were sent to aforementioned tribes on July 26, 2022, describing the location of the project site, identifying the positive record search on the California Historic Resources Information System (CHRIS) digital database, and provided a copy of the site-specific archaeological report. No tribes requested consultation or provided comment within the 30-day period.

### **5.13.2 Regulatory Framework**

#### **Federal**

##### **United States Code, Title 25, Section 3100 et seq.**

The Native American Graves Protection and Repatriation Act is a Federal law passed in 1990 that provides a process for museums and Federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants and culturally-affiliated Indian tribes.

##### **National Historic Preservation Act of 1966 and National Register of Historic Places**

The National Register of Historic Place (NRHP) is the official list of the nation's historic places worthy of preservation. The NRHP, as authorized by the National Historic Preservation Act of 1966, is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archaeological resources. Once listed in the NRHP, a resource or property is officially recognized as historically significant to the nation, the state, or the community. Properties listed (or potentially eligible for listing) in the NRHP must meet certain significance criteria

and possess integrity of form, location, or setting. Barring exceptional circumstances, resources generally must be at least 50 years old to be considered for listing in the NRHP.

Criteria for listing in the NRHP are stated in the Code of Federal Regulations (CFR) (36 CFR 60). A resource may qualify for listing if there is quality of significance in American history, architecture, archaeology, engineering, and culture present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and where such resources:

1. Are associated with events that have made a significant contribution to the broad patterns of history.
2. Are associated with the lives of persons significant in the past.
3. Embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values; or represent a significant and distinguishable entity whose components may lack individual distinction.
4. Have yielded, or may be likely to yield, information important in prehistory or history.

Eligible properties must meet at least one of the NRHP criteria and exhibit integrity, measured by the degree to which the resource retains its historical properties and conveys its historical character, the degree to which the original historic fabric has been retained, and the reversibility of changes to the property. The fourth criterion is typically reserved for archaeological and paleontological resources.

## State

### **California Register of Historical Resources (California Public Resources Code, Section 5020 et seq.)**

In California, the term “cultural resource” includes but is not limited to “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (California Public Resources Code, Section 5020.1[j]). In 1992, the California legislature established the California Register of Historical Resources (CRHR) “to be used by state and local agencies, private groups, and citizens to identify the state’s cultural resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (California Public Resources Code, Section 5024.1[a]). A resource is eligible for listing in the CRHR if the State Cultural Resources Commission determines that it is a significant resource and that it meets any of the following NRHP criteria (California Public Resources Code, Section 5024.1[c]):

1. Associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
2. Associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

4. Has yielded, or may be likely to yield, information important in prehistory or history.

Resources less than 50 years old are not considered for listing in the CRHR but may be considered if it can be demonstrated that sufficient time has passed to understand the historical importance of the resource (see 14 California Code of Regulations (CCR) 4852[d][2]).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing on the NRHP are automatically listed on the CRHR, as are the State landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local cultural resource surveys. The State Historic Preservation Office maintains the CRHR.

**Native American Historic Cultural Sites (California Public Resources Code Section 5097 et seq.)**

The Native American Historic Resources Protection Act (California Public Resources Code, Section 5097 et seq.) addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resources Protection Act makes it a misdemeanor punishable by up to one year in jail to deface or destroy an Indian historic or cultural site that is listed or may be eligible for listing in the CRHR.

**California Native American Graves Protection and Repatriation Act**

The California Native American Graves Protection and Repatriation Act, enacted in 2001, requires all State agencies and museums that receive State funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The act also provides a process for the identification and repatriation of these items to the culturally affiliated tribes.

**California Health and Safety Code, Section 7050.5**

This code requires that if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and recognizes or has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

### **California Public Resources Code, Sections 5020-5029.5**

This code continued the former Historical Landmarks Advisory Committee as the State Historical Resources Commission. The commission oversees the administration of the California Register of Historical Resources and is responsible for the designation of State Historical landmarks and Historical Points of Interest.

### **California Public Resources Code, Section 5024.1**

The CRHR is the State version of the NRHP program. The CRHR was enacted in 1992 and became official January 1, 1993. The CRHR was established to serve as an authoritative guide to the State's significant historical and archaeological resources. Resources that may be eligible for listing include buildings, sites, structures, objects, and historic districts. CEQA identifies a historic resource as a property that is listed on – or eligible for listing on – the NRHP, CRHR, or local registers. NRHP-listed properties are automatically included on the CRHR.

The CRHR also includes properties that: have been formally determined eligible for listing or are listed in the NRHP; are registered State Historical Landmark Number 770 and above; are points of historical interest that have been reviewed and recommended to the State Historical Resources Commission for listing; or are City- or County-designated landmarks or districts (if criteria for designation are determined by Office of Historic Preservation to be consistent with CRHR criteria).

### **Assembly Bill 52**

AB 52, the Native American Historic Resource Protection Act, sets forth a proactive approach intended to reduce the potential for delay and conflicts between Native American and development interests. Projects subject to AB 52 are those that file a notice of preparation for an Environmental Impact Report (EIR) or notice of intent to adopt a negative or mitigated negative declaration on or after July 1, 2016. AB 52 adds tribal cultural resources (TCR) to the specific cultural resources protected under CEQA. Under AB 52, a TCR is defined as a site, feature, place, cultural landscape (must be geographically defined in terms of size and scope), sacred place, or object with cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register, or included in a local register of historical resources. A Native American tribe or the lead agency, supported by substantial evidence, may choose at its discretion to treat a resource as a TCR. AB 52 also mandates lead agencies to consult with tribes, if requested by the tribe, and sets the principles for conducting and concluding consultation.

### **Senate Bill 18**

Senate Bill (SB) 18, which took effect on March 1, 2005, requires local (city and county) governments to consult with California Native American tribes identified by the NAHC for the purpose of protecting, and/or mitigating impacts to cultural places in creating or amending general plans, including specific plans (Government Code section 65352.3).

### **5.13.3 Impact Analysis**

#### **5.13.3.1 Issue 1**

*Issue 1 Would the project cause a substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:*

- a) Listed of eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or*
- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.*

### **Impact Thresholds**

The City of San Diego has not yet prepared thresholds of significance for potential impacts to TCRs. Therefore, for purposes of this EIR, guidance provided by issue questions listed in CEQA Appendix G are utilized to evaluate the potential for significant impacts to Tribal Cultural Resources:

- Listed of eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

### **Analysis**

AB 52 requires meaningful consultation with California Native American tribes on potential impacts to TCRs, as defined in Public Resources Code Section 21074. TCRs are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible of listed in the California Register of Historic Resources or local register of historical resources.

The project site is fully developed with 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking. The 4.35 acres to be redeveloped by the project was previously graded and developed as surface parking areas and recreational deck that includes tennis courts. The likelihood of discovering tribal cultural resources is low. However, the possibility remains that intact tribal cultural deposits may exist subsurface of the project site and could be encountered during grading and excavation activities. Impacts to potential subsurface resources would be considered a significant impact of the project.



## **Significance of Impacts**

The project area has the possibility for potential TCR (in the form of archaeological resources). Therefore, there is the potential for inadvertent discovery of a resource that could be impacted by project implementation. Impacts would be considered significant.

## **Mitigation Measures**

Construction monitoring by a qualified archaeologist and Native American monitor would be required for ground disturbing activities during the project construction phase. Impacts to TCRs would be reduced to below a level of significance with implementation of mitigation measures outlined under Historical Resources (Archaeology).

## **Significance of Impacts Following Implementation of Mitigation Measures**

Impacts to TCRs, with implementation of mitigation measure MM HIST-1, would be reduced to below a level of significance.

## 6.0 CUMULATIVE EFFECTS

Section 15355 of the State California Environmental Quality Act (CEQA) Guidelines defines “cumulative impacts” as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. These individual effects may be changes resulting from a single project or a number of separate projects and can result from individually minor but collectively significant projects taking place over a period of time.

The CEQA Guidelines Section 15130 provides guidance for analyzing cumulative impacts and requires that an Environmental Impact Report (EIR) address cumulative impacts of a project when the project’s incremental effect would be cumulatively considerable. Cumulatively considerable, as defined in Section 15065(a)(3), means that the incremental effects of the individual project are considerable when viewed in connection with the effects of past projects, other current projects, and the effects of probable future projects. Where a lead agency determines the project’s incremental effect would not be cumulatively considerable, a brief description of the basis for such a conclusion must be included. In addition, the CEQA Guidelines allow for a project’s contribution to be rendered less than cumulatively considerable with the implementation of appropriate mitigation.

According to Section 15130(b) of the CEQA Guidelines, the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The evaluation of cumulative impacts is to be based on either:

- A list of past, present and probable future projects producing related or cumulative impacts including, if necessary, those projects outside the control of the agency; or
- A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated region- or area-wide conditions contributing to the impacts, including, if necessary, those projects outside the control of the agency; or cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.

The basis and geographic area for analyzing cumulative impacts depend on the nature of the issue and the project. For analyzing cumulative impacts that are localized (e.g., traffic and public services), a list of past, approved, and pending projects known at the time the Draft EIR was issued for public review was identified. The location of these projects is illustrated in Figure 6-1, *General Location of Cumulative Projects*.

The evaluation of the project's cumulative effects is based on the latter approach and provides an analysis of the project's potential cumulative effects when considered with build-out of the Pacific Beach Community Plan and Local Coastal Program Land Use Plan (Pacific Beach Community Plan) and build-out of the General Plan as it relates to the Pacific Beach community. Provided below is a description of the planning documents used in this analysis of cumulative effects, as well as the development projects that have been individually evaluated for their contribution to cumulative effects.

## **6.1 Plans Considered for Cumulative Effects Analysis**

### **6.1.1 General Plan**

The project is located within the City of San Diego. The City of San Diego's General Plan sets forth a comprehensive, long-term plan for development within the City of San Diego. As such, the General Plan and development guidelines identified in the General Plan pertain to the project site. The current General Plan was adopted in March 2008 and represents a comprehensive update and replacement of the City's 1979 *Progress Guide and General Plan*. The City's General Plan includes incorporation of a Strategic Framework Element, which replaces the previous chapter entitled "Guidelines for Future Development."

San Diego comprises 219,241 acres (approximately 342 square miles); less than four percent of this land remains vacant and developable. The City expects to reach an estimated population of 1,542,324 by 2020 and 1,690,232 by the end of 2030. Future development will require the City to reinvest in existing communities to plan for greater urbanization of in-fill sites. The City of San Diego General Plan identifies the project site as Residential.

### **6.1.2 Pacific Beach Community Plan and Local Coastal Program Land Use Plan**

The Pacific Beach Community Plan and Local Coastal Program Land Use Plan (Pacific Beach Community Plan) provides a long-range guide for the future physical development of the community. The Pacific Beach Community Plan designates the site as Residential Multi-Family (29-43 dwelling units per net acre). The project requires a Community Plan Amendment to change the land use to Residential Multi-Family (29-54 dwelling units per acre) to allow for the additional 138 units for a total of 702 units.

The past, present, and probable future projects considered in this cumulative analysis would produce related or cumulative impacts when evaluated in relation to the potential impacts of the project. Descriptions of development projects that have been individually evaluated for their contribution to cumulative effects are provided below.

## **6.2 Projects Considered for Cumulative Effects Analysis**

### **6.2.1 Nest (Project Number 676545)**

The Nest project proposes a Coastal Development Permit (CDP) to demolish single story two-unit residential structure and develop a 18,524 square foot three-story mixed-use building with 18 multi-family residential units and two commercial units totaling 682 square feet. Parking would be provided in surface parking spaces. The project requests an affordable housing density bonus for providing 13 percent of the proposed project (two units) as deed-restricted very-low-income units with rents at 30 percent to 50 percent of area median income (AMI) for a period of 55 years.

A Mitigated Negative Declaration (MND) was prepared for the project by the City of San Diego (Final MND dated December 15, 2021). The Initial Study included with the MND documented that the Nest CDP project may have the potential to degrade the environment as a result of project impacts to cultural resources and tribal cultural resources, which may have cumulatively considerable impacts when viewed in connection with the effects of other potential projects in the area. Mitigation measures would be implemented to fully mitigate and reduce impacts to a less than significant level. Cumulative Impacts would be less than significant with implementation of mitigation measures.

### **6.2.2 Haines Street (Project Number 669397)**

The Haines Street project proposes to demolish an existing single-family dwelling units and subdivide the existing 0.16-acre lot into three lots and construction a single dwelling unit, companion unit, and junior unit on each lot. The project would also include hardscape and landscape improvements. The project requires a CDP, Site Development Permit, Tentative Map, and Right-of-Way-Vacation.

An MND was prepared for the project by the City of San Diego (Final MND dated June 21, 2022.) The Initial Study included with the MND documented that the Haines Street project may have the potential to degrade the environment as a result of project impacts to tribal cultural resources, which may have cumulatively considerable impacts when viewed in connection with the effects of other potential projects in the area. Mitigation measures would be implemented to fully mitigate and reduce impacts to a less than significant level. Cumulative Impacts would be less than significant with implementation of mitigation measures.

## **6.3 Cumulative Effects Analysis**

### **6.3.1 Land Use**

As discussed in Section 5.1, *Land Use*, development on the project site is governed by the City's General Plan, the Pacific Beach Community Plan, and the City's Land Development Code (LDC). For a detailed discussion and analysis of all these plans, refer to Section 5.1, *Land Use*.

The project proposes an amendment to the Pacific Beach Community Plan to change the existing land use from Residential (29-43 dwelling units/acre) to Residential (15-54 du/ac). The Community Plan Amendment would be consistent with all applicable goals, policies, and objectives of the General Plan and the Community Plan. In addition, the project would implement the goals and objectives of the Climate Action Plan by including energy and water efficient fixtures and incorporating design features that would encourage bicycling, walking, and transit use. No conflicts with adopted environmental plans as the project is located in the built-out urban community and is not within or adjacent to the City's Multiple Species Conservation Plan Multi-Habitat Planning Area (MHPA).

The project would require a rezone to change the existing Residential Multiple Unit (RM-3-7) zone to the Residential Multiple (RM-3-8 zone). Additionally, the project proposes deviations from the development regulations of the zone. As described in Section 5.1, *Land Use*, the proposed proposed rezone and deviations would result in a less-than-significant aesthetic impact, and as such, would not contribute to cumulatively considerable land use consistency impacts.

The project is proposed as redevelopment on portions of an infill, fully developed site that is surrounded on all sides by public streets and urban uses. The project would not introduce any barriers or project features that could physically divide an established community. The project would not result in land use impacts associated with an inconsistency with airport land use computability, and thus, would not contribute to a cumulative impact associated with airport land use consistency.

The proposed project would be compatible with the City's Noise Element of the General Plan and would not contribute to a cumulative impact regarding land use-noise compatibility. As presented in Section 5.1 and Section 5.7, *Noise*, the project would result in interior noise levels in excess of the City's Noise Compatibility Guidelines requirements. However, an interior noise analysis would be required as a condition of approval to identify the sound transmission loss requirements for building façade elements (windows, walls, doors, and exterior wall assemblies) necessary to limit interior noise to 45 A-weighted decibel (dBA) community noise equivalent level (CNEL) in habitable residential rooms. Interior noise levels would be attenuated in accordance with Title 24, which would bring the project into conformance with the General Plan's Noise Compatibility Guidelines. The surrounding community is built out; other cumulative projects are located a distance from the project site, and there are no other current development projects occurring in the project area. The project would not combine with other land use changes in the project area and contribute to cumulative land use impacts.

The project's land use impacts would be less than significant and, therefore, not be considered cumulatively considerable given its consistency with the City's land use plans and policies protecting environmental resources and character of the community. No mitigation is required.

### **6.3.2      *Transportation and Circulation***

As discussed in Section 5.2, *Transportation and Circulation*, the project would not conflict with adopted policies, plans, or programs addressing the transportation system and would not result in emergency access or create hazardous design features. The project would be consistent with the Mobility Element of the General Plan and other adopted policies, plans (including the Pacific Beach Community Plan), and programs supporting the transportation system, including pedestrian, bicycle, and transit facilities. The project design includes improvements that would enhance existing bicycle and pedestrian transportation modes on and around the site and facilitate access to and use of public transit. As a result, the project would be consistent with the City's alternative transportation policies. As no policy conflicts have been identified, cumulative impacts related to transportation policy would be less than significant.

The project does not meet any of the vehicle miles traveled (VMT) screening criteria and a VMT analysis was required for the project. The project site has a VMT that is 91.9 percent of the regional average, which is more than the 85 percent threshold and the project does not pass the screening. Therefore, the project would result in VMT exceeding thresholds identified in the Transportation Study Manual (TSM) and impacts would be significant. The project would implement mitigation measure MM TRANS-1 that includes VMT five points of mitigation required by the Mobility Choices regulations. However, the VMT reduction measures would not result in reducing the project's VMT impact to below 15 percent. Therefore, the project's VMT impacts would remain significant and less than fully mitigated. When considered with past, other current projects, and probable future projects that could occur with build-out of the Pacific Beach community, the project would result in a cumulatively considerable and unmitigated impact with regard to VMT.

Cumulative impacts associated with increased hazards due to design features and emergency access would be less than significant, as the proposed project would include improvements to facilitate the movement of motorists, bicyclists, and pedestrians and would consolidate driveways that provide access to the main entrance and parking lots. All transportation facilities would be designed in accordance with applicable City standards, satisfactory to the City Engineer. The project does not propose non-standard design features and is not expected to increase traffic hazards to motor vehicles, bicyclists, or pedestrians. Impacts would be less than significant.

### **6.3.3      *Visual Effects and Neighborhood Character***

As discussed in Section 5.3, *Visual Effects and Neighborhood Character*, the project would redevelop underutilized portions of a site that is currently developed with multi-family residential units, landscaping, and parking. The project would result in a positive effect on the overall community character by replacing underutilized areas of the project site with a residential development that would be designed in a manner that complements existing and surrounding development. The project is located in an area where surrounding land is fully developed. Cumulatively significant impacts to neighborhood character would not occur.

As evaluated in Section 5.3, *Visual Effects/Neighborhood Character*, the project would not block a designated public view corridor or a public viewing area of a public resource that is considered significant; would not impact any landmark trees; and would not substantially change natural landforms. Additionally, the project would not result in significant lighting and glare impacts and would not create a new source of substantial light that would adversely affect daytime or nighttime views in the area. Lighting would be in conformance with Section 142.0740 of the City of San Diego LDC, and impacts from glare would be avoided by complying with Section 142.0730 of the LDC. Other projects in Pacific Beach community would also be subject to City ordinances regulating lighting and glare. When considered with other projects in Pacific Beach, the project would not result in a considerable contribution to cumulative impacts associated with visual effects and neighborhood character.

#### **6.3.4 Air Quality**

Air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and the San Diego Air Pollution Control District (SDAPCD) develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality.

#### **Construction Emissions**

Regarding short-term construction impacts, the SDAPCD thresholds of significance are used to determine whether the project may have a short-term cumulative impact. As described in Section 5.4, *Air Quality*, construction of the project would not exceed the SDAPCD regional daily and annual construction emission thresholds for criteria pollutant emissions. Air quality impacts related to construction emissions would be less than significant. Therefore, the project would not have a cumulatively considerable impact to air quality from construction emissions.

#### **Operational Air Emissions**

For the project, operational air quality impacts were found not to be significant, as presented in Section 5.4, *Air Quality*. Project emissions of all criteria pollutants from project operation are below all applicable daily and annual screening thresholds of significance. Cumulative air quality impacts related to operational emissions would be less than significant.

Regarding long-term cumulative operational emissions in relation to consistency with local air quality plans, the state implementation plans (SIP) and RAQS serve as the primary air quality planning documents for the state and SDAB, respectively. The SIP and RAQS rely on the San Diego Association of Governments (SANDAG) growth projections based on population, vehicle trends, and land use plans developed by the cities and the County as part of the development of their general plans. Therefore, projects that propose development that is consistent with the growth anticipated

by local plans would be consistent with the SIP and RAQS and would not be considered to result in cumulatively considerable impacts from operational emissions. As stated previously, the project would not result in significant regional growth that is not accounted for within the RAQS. As a result, the project would not result in a cumulatively considerable contribution to pollutant emissions. As a result, the project would not result in a cumulatively considerable contribution to pollutant emissions.

## **Odors**

Construction activities from the project would be temporary and are not considered significant. Furthermore, any odors emitted during construction would be short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. Thus, the project would not create objectionable odors affecting a substantial number of people during construction, and impacts would be less than significant. The project does not include industrial or agricultural uses that are typically associated with objectionable odors. Furthermore, the project would be required to comply with SDAPCD Rule 51, which prohibits the discharge of odorous emissions that would create a public nuisance. Future projects in the project area would also be subject to compliance with SDAPCD Rule 51 and would not result in the exposure of residents to odorous emissions. Therefore, impacts associated with objectionable odors would be less than significant. The project would not result in significant cumulative impacts associated with odors.

## **Sensitive Receptors**

The closest sensitive receptors to the project site are multi-family and single-family residences located within and adjacent to the project site, as well as an elementary school north of the project site. Due to the short-term construction duration and the limited construction emissions, there is very low potential for fugitive dust or diesel particulate matter (DPM) due to construction activities to impact sensitive receptors. Construction equipment would consist of Tier 4 Final equipment (the most recent engine emissions standard implemented by the United States Environmental Protection Agency), which would further reduce the potential for impact of construction DPM emissions on sensitive receptors. The project's total construction DPM emissions are not of a magnitude and duration that could create substantial concentrations or significant air toxic risks to the nearest sensitive receptors during construction. Compliance with the SDAPCD rules and regulations would reduce the fugitive dust emissions during construction and associated impacts to sensitive receptors. Demolition of the existing parking lots and amenities on the project site would be completed in compliance with City ordinances and SDAPCD rules so that any lead-based paint that may be present would be properly removed and disposed of, thereby having no impact on nearby sensitive receptors. Impacts would be less than significant.

The project would not result in a considerable contribution to cumulative effects associated with air quality. Therefore, when considered with past, other current projects, and probable future projects that could occur with build-out of the Pacific Beach community, cumulative impacts associated with air quality would be less than significant.



### **6.3.5 Greenhouse Gas Emissions**

The geographic scope of consideration for greenhouse gas (GHG) emissions is global, and as such emissions contribute, on a cumulative basis, to global climate change. By nature, GHG impacts are cumulative as they are the result of combined worldwide emissions over many years, and additional development would incrementally contribute to this cumulative impact. The discussion presented in Section 5.5, *Greenhouse Gas Emissions*, also serves as the project's cumulative impact analysis.

As discussed in Section 5.5, the project is consistent with City's Climate Action Plan (CAP) as determined by the CAP Consistency Checklist and would not have an impact on GHG emissions. Impacts from GHG emissions would not be cumulatively considerable. Therefore, when considered with past, other current projects, and probable future projects that could occur with build-out of the Pacific Beach community, the project would not result in cumulatively significant GHG emissions impacts.

### **6.3.6 Energy**

Part 6 of Title 24 specifically establishes energy efficiency standards for residential and non-residential buildings constructed in the State of California in order to reduce energy demand and consumption. The project, in addition to all cumulative projects, would be required to comply with Title 24, Part 6, per state regulations. In accordance with Title 24 Part 6, the project would have (a) sensor-based lighting controls—for fixtures located near windows, the lighting would be adjusted by taking advantage of available natural light—and (b) efficient process equipment—improved technology offers significant savings through more efficient processing equipment. Similar energy efficiency equipment would be required for the other cumulative projects as well.

Title 24, Part 11, contains voluntary and mandatory energy measures that are applicable to the proposed project, and all other cumulative projects as well, under the California Green Building Standards Code. Cumulative projects would result in an increased demand for electricity, natural gas, and petroleum. However, in accordance with Title 24, Part 11, mandatory compliance, each project applicant would have (a) 50 percent of its construction and demolition waste diverted from landfills; (b) mandatory inspections of energy systems to ensure optimal working efficiency; (c) low pollutant-emitting exterior and interior finish materials, such as paints, carpets, vinyl flooring, and particle boards; and (d) a 20 percent reduction in indoor water use. Compliance with all of these mandatory measures would decrease the consumption of electricity, natural gas, and petroleum.

As discussed in Section 5.6, *Energy*, the project proposes a change in use from what has been developed on the site. However, the project would not result in a substantial increase in energy consumption or significant cumulative impacts associated with energy use. The project would not use power in excess of that anticipated for the proposed uses. No adverse effects on non-renewable resources are anticipated. The project would follow Uniform Building Code (UBC) and Title 24 requirements for energy efficiency in effect at the time of construction that would reduce the

project's overall demand for energy. As such, the project would operate more efficiently than existing development constructed on the project site and would not result in a cumulatively considerable contribution on energy demand.

Other projects developed within Pacific Beach would be required to follow current or future UBC and Title 24 requirements for energy efficiency that are applicable at the time individual projects come forward. Therefore, when considered with past, other current projects, and probable future projects that could occur with build-out of the Pacific Beach community, a cumulatively considerable impact on energy supplies would not result.

### **6.3.7 Noise**

As presented in Section 5.7, *Noise*, the project would not exceed the 75 dBA Leq (12 hours) sound level allowed by the SDMC. Temporary demolition and construction noise would also not substantially interfere with normal business operations or affect any other sensitive receptors. As conditions of approval, the project would restrict demolition activity within a building site boundary during any given day to a duration of no more than two hours and select a combination of demolition equipment that produces an aggregate sound power of no more than 111 dBA. No project demolition or construction noise impacts would occur.

The project would not generate noise that, when added to noise generated by other projects considered as part of this cumulative effects evaluation, would be regarded as cumulatively significant. Future exterior composite noise levels at all required outdoor spaces in the project would be 65 dBA CNEL or lower and would be less than significant. However, since future exterior composite noise levels would exceed 60 dBA CNEL at some project building façades, interior noise levels in occupied areas could exceed 45 dBA CNEL in residences. As a condition of approval, building design features would be required to be implemented as part of the project to ensure interior noise levels would be 45 dBA or below, and an interior noise analysis would be required to demonstrate that interior noise levels would be 45 dBA CNEL or below. Impacts would be less than significant.

The project and future projects within Pacific Beach community would be required to adhere to the Federal, State, and local standards and regulations, and standard construction noise reduction design measures to comply with City noise standards. Should impacts occur relative to operational impacts, those would be localized to a project and would require implementation of conditions or mitigation measures to ensure that noise impacts are reduced to below a level of significance. Therefore, when considered in conjunction with the effects of past projects, other current projects, and the effects of probable future projects, cumulatively significant noise impacts would not result.

### **6.3.8 Historical Resources**

For historical resources, the geographic scope is the Pacific Beach Community Plan area, given its importance for both archaeological and historic resources, as well as the greater San Diego region

based on the cultural richness and significance of cultural resources in this area. Cumulative impacts to historical resources are expected to be limited by the fact that the project, as well as other projects that could occur with build-out of the Pacific Beach community, will be required to comply with City and County mitigation measures (i.e., archaeology and historical resources monitoring and data recovery programs) applied to projects which could impact significant historical resources. These mitigation measures require information associated with these sites to be recorded before impacts may occur.

As stated in Section 5.8, *Historical Resources*, the project site does not meet local criteria as an individually significant resources under the Historic Resource Board Criteria. There are no potentially significant structures on the property. However, there is the potential for buried cultural resources that may not be visible on the surface. The implementation of MM HIST-1 would reduce impacts to less than significant and the project would not result in significant cumulative impacts to historical resources.

Other discretionary projects that could occur with build-out of the Pacific Beach community would be required to evaluate historic resources and either demonstrate that no significant impacts would result or implement mitigation measures similar to the proposed project to ensure significant impacts would be reduced to below a level of significance. Therefore, when considered in conjunction with the effects of past projects, other current projects, and the effects of probable future projects, cumulatively significant impacts to historic resources would not result.

### **6.3.9 Hydrology**

As discussed in Section 5.9, *Hydrology*, development of the project would decrease impervious surfaces on the project site. The project was designed to honor the existing condition discharge locations and flow rates and there are no negative impacts to the downstream system or adjacent properties. Storm water runoff rates would be decreased from existing conditions. Impacts would be less than significant.

Other development projects in the area would be required to engineer the project sites to ensure surface runoff flows would not impact drainage systems. The project would not result in a cumulative impact to hydrology. Therefore, the project's contribution to a cumulative hydrology impact would not be cumulatively considerable.

### **6.3.10 Water Quality**

The project would implement source control, site design, and treatment-control best management practices (BMPs) that would preclude significant impacts to water quality from storm water runoff. Additionally, as noted in the City Significance Determination Thresholds, compliance with applicable City (and related) water quality standards is assured through required permit conditions. Adherence to the City storm water standards is thus considered adequate to preclude surface water quality

impacts, unless substantial evidence supports a fair argument that a significant impact will occur. Accordingly, conformance with the City storm water standards would preclude potential water quality impacts from occurring. In addition, preparation of a storm water pollution prevention plan, which would be implemented during construction, and preparation of project-specific storm water quality management plan, which would be implemented during operation, would preclude potentially significant water quality impacts from occurring.

Other projects that could occur as the Pacific Beach community builds out would be required to demonstrate compliance with state and local water quality regulations. If projects are not compliant, mitigation measures would be required in order to ensure water quality impacts do not occur. Therefore, when considered in conjunction with the effects of past projects, other current projects, and the effects of probable future projects, cumulatively water quality impacts associated with the project would not result in be cumulatively considerable effects.

### **6.3.11     *Public Services and Facilities***

As discussed in Section 5.11, *Public Services and Facilities*, public services and facilities include population-based uses, including schools, libraries, and parks, as well as police and fire protection. No cumulatively significant impacts to public services and facilities would occur. The project is located within an area of San Diego that is developed and contains the necessary police and fire-rescue infrastructure. The project does not necessitate the need to expand or provide new facilities. Relative to parks, the project would pay a Park Impact Fee to provide for public facilities required to support the proposed population. The project would not result in a significant impact to these services' ability to serve the community.

Relative to schools, public school service within the project area is provided by San Diego Unified School District (SDUSD). Correspondence with district indicates that the project would not have an adverse impact upon school districts. The existing schools have sufficient capacity in the near-term to serve these students, and the project would not result in the need for new or expanded school facilities. In addition, the project would be required to pay school fees in compliance with California Government Code (CGC) Section 65995 et seq. With payment of the school facilities fee, impacts would be less than significant as stipulated by CGC Section 65995.

Future cumulative projects that could result in developments within the Pacific Beach Community would be evaluated to ensure adequate police and fire-rescue services are available at the time individual projects come forward. Additionally, future projects would be required to mitigate any significant impacts to population-based resources, such as schools, libraries, and parks. These requirements would ensure that no cumulative impacts to public services and facilities would occur.

### **6.3.12    *Public Utilities***

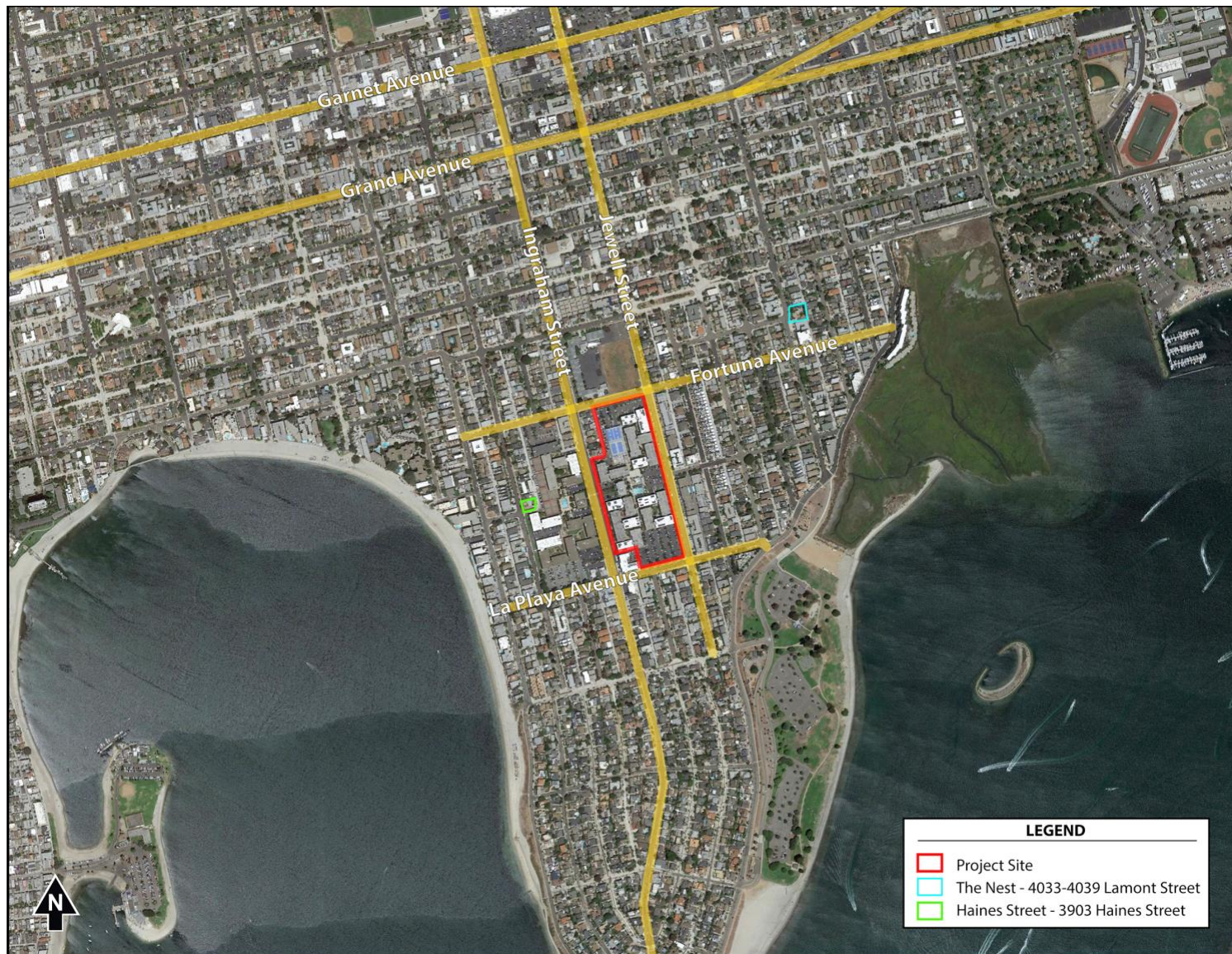
As discussed in Section 5.12, *Public Utilities*, the project would not result in the need to construct or substantially alter public utility systems or infrastructure. Existing off-site infrastructure currently serving the area would be sufficient to serve the project. The project would not result in the need for new or altered off-site water systems. The project's water and sewer systems would be designed in conformance with City's standards. All projects in the City of San Diego would be required to comply with the City's Recycling Ordinance. For discretionary project, a Waste Management Plan (WMP) would be required to show waste diversion measures as is required by the regional Integrated Waste Management Plan. These requirements are directed at ensuring cumulative impacts associated with solid waste would not be cumulatively significant. Relative to the project's modifications to San Diego Gas & Electric (SDG&E) facilities, the physical construction of connections to electrical and gas facilities has been analyzed as part of the project's proposed construction plans and no impacts would result. Thus, the project impact on public utilities and SDG&E services has been analyzed and would not result in cumulative effects associated with public utilities.

### **6.3.13    *Tribal Cultural Resources***

As discussed in Section 5.13, *Tribal Cultural Resources*, there is potential for the inadvertent discovery of tribal cultural resources as a result of the project. Impacts would be significant, and mitigation is required. Mitigation measure HIST-1 would reduce impacts to tribal cultural resources to below a level of significance. Thus, impacts to tribal cultural resources would not be cumulatively considerable.

Other discretionary projects that could occur with build-out of the Pacific Beach community would be required to evaluate potential impacts to tribal cultural resources and either demonstrate that no significant impacts would result or implement mitigation measures similar to the proposed project to ensure significant impacts would be reduced to below a level of significance. Therefore, when considered in conjunction with the effects of past projects, other current projects, and the effects of probable future projects, cumulatively significant impacts to tribal cultural resources would not result.





**Figure 6-1. General Location of Cumulative Projects**

## 7.0 EFFECTS NOT FOUND TO BE SIGNIFICANT

Section 15128 of the State California Environmental Quality Act (CEQA) Guidelines requires an Environmental Impact Report (EIR) to contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were, therefore, not discussed in detail in the EIR. Pursuant to Section 15128 of the CEQA Guidelines, the following issue areas were determined not to have the potential to cause adverse effects, and therefore have not been addressed in detail in the EIR.

### 7.1 Agricultural Resources and Forestry

The project site is currently developed with 564 multi-family apartment units, associated resident amenities, and approximately five acres of surface parking. The project site is designated Residential in the City of San Diego's General Plan; and Residential Multi-family [23-43 dwelling units per acre (du/ac)] in the Pacific Beach Community Plan. The project site is zoned Residential-Multiple (RM)-3-7. The project site does not contain land that is designated as prime agricultural soils by the Soils Conservation Service, nor does it contain prime farmlands designated by the California Department of Conservation. The site is not subject to, nor is it near, a Williamson Act contract site pursuant to Sections 51200-51207 of the California Government Code. The project site and surrounding area are designated as urban and built up land. There is no farmland located in proximity to the project site. Therefore, there would be no impacts associated with agricultural resources.

### 7.2 Mineral Resources

The City's General Plan Figure CE-6, *Generalized Mineral Land Classification*, designates the project site as mineral resources zone Mineral Resources Zone (MRZ) 3 (City of San Diego 2008). MRZ-3 are areas containing mineral deposits, the significance of which cannot be evaluated from available data. However, the area surrounding the project site has experienced increased development and urbanization with residential and commercial land uses that are not compatible with mineral extraction and processing operations. In addition, the project site and surrounding area are historically and currently designated by the City's General Plan and zoned for uses that would preclude mineral resource operations. Therefore, while the project would result in development of MRZ-3 lands, it would not result in the loss of mineral resources of statewide or local importance. No impact would result.

### 7.3 Biological Resources

There are no sensitive biological resources [Multi-Habitat Planning Area (MHPA), habitat, or sensitive species] on site. The project is located in an urban area surrounded predominantly by urban uses (residential, commercial, retail, school, and associated parking). All development would occur within the existing developed area. As such, the project would not impact biological resources and no biological study was required. The project would not: require any adverse habitat modifications; result in any adverse impacts or changes to Tier I, Tier II, Tier IIIA, or Tier IIIB Habitats or wetlands, as

none are located on the project site; interfere substantially with the movement of any native resident or migratory fish or wildlife species; conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan, as well as any local policies or ordinances protecting biological resources; or introduce any invasive plant species into a natural open space area. Therefore, impacts relative to biological resources would be less than significant with the implementation of the project.

## 7.4 Geologic Conditions

NMG Geotechnical, Inc. conducted a *Geotechnical Investigation and Preliminary Design Recommendations Report* (April 15, 2022) for the project to evaluate the geotechnical site conditions in light of the proposed redevelopment (Appendix N).

The site is located within the Peninsular Range geomorphic province and is underlain by the Pleistocene-age Bay Point Formation. The formation generally consists of sand that is medium dense to hard, damp to saturated, and is locally micaceous and fossiliferous, with some gravel lenses. Groundwater was encountered during the investigation at 32 and 33.5 feet below existing ground surface. Based on the nature of the proposed construction and types of near-surface soils, as well as the observed depth of groundwater, any groundwater problems to development due to the construction of the new site improvements are not expected, provided sound engineering and construction practices are followed.

There are no known active faults crossing the site. The closest active fault to the site is the Rose Canyon Fault, which is located approximately 1.7 miles to the east. The site is not within a State of California Alquist-Priolo Earthquake Fault Zone. In addition, published geologic maps do not show any faults crossing through or nearby the site. Finally, review of predevelopment aerial photographs do not show geomorphic features or lineaments indicative of faulting across the site. Based on this information, the geologic hazard with respect to fault rupture is considered low.

The study concluded that construction of the proposed improvements would be geotechnically feasible with implementation for the recommendations in the report during design, grading, and foundation plans are prepared. Therefore, there would be no impacts relative to geologic conditions with the implementation of the project. Therefore, there would be no impacts relative to geologic conditions with the implementation of the project.

## 7.5 Paleontological Resources

Paleontological resources, or fossils, are the remains and/or traces of prehistoric plant and animal life. Fossils provide direct evidence of ancient organisms and document the patterns of organic evolution and extinction that have characterized the history of life. Fossil remains, such as bones, teeth, shells, and wood, are found in the geologic deposits (sedimentary rock formations) within which they were originally buried in deep bedrock layers of sandstone, mudstone, or shale.



Paleontological resources contain not only the actual fossil remains, but also the localities where those fossils are collected and the geologic formations containing the localities.

The potential for fossil remains at a location can be predicted through previous correlations that have been established between the fossil occurrence and the geologic formations within which they are buried. For this reason, knowledge of the geology of a particular area and the paleontological resource sensitivity of particular rock formations make it possible to predict where fossils will or will not be encountered.

Paleontological resource sensitivity is typically rated from high to zero depending upon the impacted formations. The sensitivity of the paleontological resource determines the significance of a paleontological impact. As described in Section 7.4 *Geologic Conditions*, the project area is underlain by the Bay Point Formation. This geologic formation has a high sensitivity rating and could contain important paleontological resources. However, the site has been previously graded and the likelihood of encountering paleontological resources is low. Based on San Diego Municipal Code Section 142.0151, paleontological monitoring is required for areas of high sensitivity. Paleontological monitoring would ensure that no impacts would occur. Therefore, the project does not have the potential to disturb or destroy paleontological resources.

## 7.6 Health and Safety

The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Although hazardous materials may need to be transported to or from the project site as a result of construction this would be in accordance with all applicable laws and regulations so as to avoid the creation of a significant hazard to the public or the environment. Additionally, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Compliance with applicable laws and regulations for the transport of hazardous materials would minimize the likelihood of reasonably foreseeable upset and accident conditions involving the release of hazardous materials.

The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The Crown Point Junior Music Academy is located within one-quarter mile of the project site. However, operations of a residential multi-family development would not result in the emission or handling of hazardous or acutely hazardous materials, substances, or waste.

An EnviroStor database search was undertaken for the project site. (See Appendix M.) Results of the search yielded that the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As a result, the project would not create a significant hazard to the public or the environment.

The project proposes partial redevelopment of underutilized portions of the project site. The project site is located within the existing fabric of the community, which is served by existing emergency response services. The City has adopted evacuation procedures in accordance with the State of California's Standardized Emergency Management System (SEMS) and the National Incident Command System (NIMS). The project would not substantially alter the existing circulation network surrounding the project site or evacuation plans. Construction of the project could require temporary detours and/or lane closures that could temporarily disrupt travel along existing roadways for periods of time within the construction zone. Emergency access to all surrounding properties, however, would be maintained throughout the construction period. In addition, a traffic control plan and haul route plan would be prepared and implemented as a standard City requirement during project construction. With implementation of these plans, the project would not impede access to publicly or privately-owned land and would not interfere with emergency response during construction. Therefore, no significant public safety impacts related to emergency services would occur during construction.

The project site is located approximately five miles north of the San Diego International Airport (SDIA). The project site is not located within an Airport Influence Area for SDIA or any local airports. The project site is not within the safety zones identified on the Safety Compatibility Zones Map. As such, the project would not result in a safety hazard or excessive noise for people residing or working in the project area. Therefore, there would be no impacts relative to health and safety with the implementation of the project.

## **7.7 Population and Housing**

The project site contains existing housing in the form of 564 multi-family dwelling units. The project proposes the addition of 138 multi-family residential units. As stated in Chapter 9.0, *Growth Inducement*, the project would not induce substantial population growth in the surrounding area, as the project is an in-fill, redevelopment project. Additionally, since the project does not propose the extension of new roads or other infrastructure into a previously undeveloped area, it does not have the potential to indirectly increase population or housing. Furthermore, the project does not displace existing housing, which could necessitate the construction of replacement housing elsewhere as the housing that currently exists on-site would remain. Therefore, the project does not have the potential to result in significant adverse environmental effects associated with population and housing.

## **7.8 Wildfire**

The Very High Fire Hazard Severity Zone Map (VHFHSZ) was established on February 24, 2009, in coordination between the San Diego Fire Department and California Department of Forestry and Fire Protection (CAL FIRE). The VHFHSZ map does not identify any areas within and adjacent to the project site that would fall into a risk zone and the project site is mostly surrounded by urban development. As such, the project would not expose people or structures, either directly or

indirectly, to a significant risk of loss, injury, or death involving wildland fires. The project would be in compliance with applicable regulatory requirements pertaining to fire hazards and prevention. The project would provide adequate emergency access within the project site and would be designed in accordance with applicable safety standards. City emergency safety standards and requirements pursuant to local regulations and standards are incorporated into the project design, including standard implementation of a traffic control plan during the construction period. The project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

Through compliance with applicable regulatory requirements, hazards associated with wildfires would be substantially reduced. Therefore, the project does not have the potential to result in significant adverse environmental effects associated with wildfire.

## 8.0 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

This section addresses irreversible environmental changes that would be involved should the project be implemented.

### 8.1 Introduction

As required by Section 15126.2(c) of the California Environmental Quality Act (CEQA) Guidelines, the significant irreversible environmental changes of a project shall be identified. Irreversible commitments of non-renewable resources are evaluated to assure that their use is justified. Irreversible environmental changes typically fall into three categories: primary impacts, such as the use of nonrenewable resources; secondary impacts, such as highway improvements that provide access to previously inaccessible areas; and environmental accidents associated with a project. Section 15126.2(d) of the CEQA Guidelines states that irretrievable commitments of resources should be evaluated to assure that current consumption of resources is justified.

### 8.2 Impacts Related to Nonrenewable Resources

Development would occur as a result of the project that would entail the commitment of energy and natural resources. (See Section 5.6, *Energy*, for a discussion of energy use associated with the project.) The primary energy sources would be electricity, natural gas, and fossil fuels. Use of electricity, natural gas, and fossil fuels represents an irreversible commitment of these resources. Construction of the project would also require the use of various raw materials, including cement, concrete, lumber, steel, etc. These resources would also be irreversibly committed. Once constructed, operation of the project would entail a further commitment of energy resources in the form of fossil fuels and electricity. This commitment would be a long-term obligation since the project would result in the development of structures that are likely to have a useful life of 20 to 30 years or more.

As presented in Section 5.6, *Energy*, the project would increase demand for energy in the project area and San Diego Gas & Electric's (SDG&E's) service area. However, no adverse effects on non-renewable resources are anticipated. The project would follow Uniform Building Code (UBC) and Title 24 requirements for energy efficiency and would incorporate sustainable design features directed at reducing energy consumption. The impact of increased energy usage would not result in a significant adverse environmental impact.

Additionally, the project would be consistent with the City's Climate Action Plan (CAP). CAP Consistency Checklist has been prepared for the project that outlines specific strategies and actions that reduce greenhouse gas emissions, which would also reduce energy consumption. For example, pursuant to CAP Strategy 1, the project would include roofing materials with a minimum three-year

aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under California Green Building Standards Code; or would include roof construction that has a thermal mass over the roof membrane, including areas of vegetated (green) roofs weighing at least 25 pounds per square foot as specified in the voluntary measures under California Green Building Standards Code; or would provide a combination of these two design features. In accordance with Strategy 2, the project would include low-flow fixtures/appliances. Pursuant to Strategy 3, the project includes electric vehicle parking spaces with the necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use by residents.

### **8.3 Other Environmental Changes**

As evaluated in Chapter 7.0, *Effects Found Not to be Significant*, implementation of the project would not result in significant irreversible impacts to agricultural, mineral resources, biological resources, geologic conditions, paleontological resources, health and safety, population and housing, and wildfire. The project site is currently accessible via regional transportation facilities and local roadways. The immediate vicinity is a developed, urbanized area of the City with residential and neighborhood commercial uses to the west, east and south and the Crown Point Junior Music Academy to the immediate north. No new freeways or roadways are proposed that would provide access to currently inaccessible areas. Therefore, implementation of the project would not result in a significant irreversible commitment with regard to unplanned land use.

## 9.0 GROWTH INDUCEMENT

In accordance with Section 15126(d) of the State California Environmental Quality Act (CEQA) Guidelines, an Environmental Impact Report (EIR) must include an analysis of the growth-inducing impacts of the project. The growth inducement analysis must address: (1) the ways in which the project could foster economic or population growth, or the construction of additional housing, either directly or indirectly in the surrounding environment; and (2) the potential for the project to encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. This second issue involves the potential for the project to induce further growth by the expansion or extension of existing services, utilities, or infrastructure. The State CEQA Guidelines further state that “[i]t must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment” (Section 15126.2[d]). The City of San Diego’s CEQA Significance Determination Thresholds state that a project would have a significant impact related to growth inducement if it would:

1. Induce substantial population growth in an area;
2. Substantially alter the planned location, distribution, density, or growth rate of the population of an area; or
3. Induce extensions of roads or other infrastructure not assumed in the community plan or adopted Capital Improvement Project list, when such infrastructure exceeds the needs of the project and could accommodate future development.

Relative to growth inducement and based on the City’s Thresholds (September 2022), the EIR must analyze the consequences of growth. According to Section 15126.2 (d) of the CEQA Guidelines, it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. In general, the analysis must avoid speculation and focus on probable growth patterns or projections. Conclusions must also be presented that determine whether this impact is significant and/or unavoidable, and provide for mitigation or avoidance, as necessary.

### 9.1 Short-term Effects

During construction activities associated with the project, demand for various construction trade skills and labor would increase. However, it is anticipated that this demand would be met by the local labor force and would not require importation of a substantial number of workers that could cause an increased demand for temporary or permanent housing in this area. Further, construction of the project would be short-term and temporary. It would not lead to an increase in employment on-site that would stimulate the need for additional housing or services. Therefore, no associated substantial short-term growth-inducing effects would result.

## 9.2 Long-term Effects

The project proposes the construction of 138 multi-family dwelling units in three buildings with parking on underutilized portion of the project site currently developed with 564 multi-family residential units. As discussed in Section 5.1, *Land Use*, the project site is designated as Residential Multi-family [23-43 dwelling units per acre (du/ac)] in the Pacific Beach Community Plan. The project site is zoned Residential Multiple (RM)-3-7. The project would require a Community Plan Amendment and a Rezone to allow for the proposed increase of residential development on-site.

Based on San Diego Association of Governments (SANDAG's) 2050 Regional Growth Forecast rate for the Pacific Beach Community for year 2035, the population rate coefficient is 1.99 persons per household. Thus, the 138-unit development would introduce an estimated 274.62 people to the area. The project would help accommodate the existing and planned population and population growth anticipated in the City and would aid the existing housing shortage by providing market-rate and affordable rental units. The project would not directly induce substantial growth through the development of residential land uses within a vacant site.

The City of San Diego is experiencing a housing shortage as discussed in the City of San Diego General Plan Housing Element 2021-2029. The City of San Diego's portion of the County's Regional Housing Needs Assessment (RHNA) target for the 2021-2029 Housing Element period is 108,036 homes (City of San Diego 2020). While the City is planning for additional housing to meet the need and targeted to permit more than 88,000 new housing units between 2010 and 2020, less than half of those units were constructed (42,275) as of December 2019 (City of San Diego 2020). The project's proposed construction of 138 units is anticipated to help accommodate the existing and planned population and population growth anticipated in the City and help with the existing housing shortage. Therefore, the project would not directly induce substantial unplanned population growth to the area.

The project would not induce extensions of roads or other infrastructure. The project site is surrounded by residential and commercial development that is served by existing public services and utility infrastructure. The project would connect to existing utilities. No new major infrastructure facilities are required to accommodate the proposed project. The project would not remove an obstacle to growth or expand public services and facilities to accommodate additional economic or population growth beyond that proposed for the site. Roadways already exist to serve the project and no improvements would be needed as a result of the project.

Additionally, the project site is fully served by public infrastructure and does not propose to extend new infrastructure or increase the capacity of public services, such as water or sewer, in excess of what is necessary to adequately serve the project site. Although the project includes some improvements to existing utilities within the site, these improvements would serve only the project and would not extend off-site. Additionally, surrounding areas are generally developed the overall

area is currently served by public infrastructure. The project would not result in a substantial alteration to the planned location, distribution, density, or growth rate of the Pacific Beach community, adjacent communities, or the City as a whole. The project would not result in significant impacts associated with growth inducement.



## 10.0 PROJECT ALTERNATIVES

### 10.1 Introduction

In accordance with Section 15126.6(a) of the California Environmental Quality Act (CEQA) Guidelines, an Environmental Impact Report (EIR) must contain a discussion of "a range of reasonable alternatives to the project, or to the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." CEQA Guidelines Section 15126.6(f) further states that "the range of alternatives required in an EIR is governed by a 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." Thus, the following discussion focuses on project alternatives that are capable of eliminating significant environmental impacts or substantially reducing them as compared to the project, even if the alternative would impede the attainment of some project objectives, or would be more costly. In accordance with Section 15126.6(f)(1) of the State CEQA Guidelines, among the factors that may be taken into account when addressing the feasibility of alternatives are: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; (6) jurisdictional boundaries; and (7) whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site.

### 10.2 Project Objectives

As required in CEQA Guidelines Section 15126.6(a), in developing the alternatives to be addressed in this section, consideration was given regarding an alternative's ability to meet most of the basic objectives of the project. These objectives are presented in Section 3.0, *Project Description*, and are re-printed below for reference:

- Redevelop underutilized portions of an existing multi-family residential site where public facilities and amenities are readily available and easily accessed via alternative modes of travel, including transit, bike, and pedestrian.
- Maximize site efficiency while assisting the City in implementing the General Plan's housing goals by providing rental housing stock with a mix of affordable and market-rate housing on the same site contributing to a range of housing opportunities and affordability.
- Provide affordable housing on-site in a location proximate to employment uses (including the adjacent Crown Point Music Academy, nearby office, and commercial uses) and multi-modal transportation amenities, thereby reducing reliance on the personal automobile to go about daily life.

## 10.3 Significant Impacts of the Project

Based on the analysis contained in Section 5.0, implementation of the project would result in significant impacts to transportation and circulation (VMT); historic resources (archaeology); and tribal cultural resources (paleontological monitoring). Mitigation measures have been identified that would reduce impacts to below a level of significance for historic resources (archaeology), and tribal cultural resources. While mitigation measures are proposed that would reduce the project's significant transportation impact with regard to VMT, impacts would not be fully mitigated. Therefore, transportation and circulation impacts remain significant and less than fully mitigated. The project alternatives evaluated below were developed to address the project's significant impacts when compared to the project, to evaluate to what extent each alternative would reduce or avoid impacts, and to consider if an alternative would result in new or greater impacts on the environment.

## 10.4 Alternatives Considered but Rejected

### 10.4.1 *Alternative Location Alternative*

Pacific Beach is a built-out community. The project is an infill project that proposes to redevelop underutilized areas of the project site as 138 new multi-family units, including seven affordable units. There are no other known sites in Pacific Beach where infill redevelopment could occur in a manner similar to the project. In addition, there are no other sites under the applicant's control in this community or that could allow for infill development of a residential project that meets the project's objectives.

In accordance with CEQA Guidelines Section 15126.6(f)(2)(A), alternative locations for the project would be considered if "any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." If the project were developed on an alternative site in the community or other areas of the City or County, significant environmental impacts could result that would not occur with the proposed development of the project site. There are no native habitats or wildlife resources located on the project site. Thus, impacts to biological resources that could occur at another location are avoided with the project. The project site has easy access to public streets and freeways; is immediately adjacent to transit [adjacent bus stop for Metropolitan Transit System (MTS) Route 9]; and is already served by existing public facilities, services, and utilities. A similar level of intensity as the project constructed at another site could potentially have increased levels of impacts relative to air quality, traffic, and greenhouse gas emissions (GHG) emissions, as another site may not have the same or similar developed characteristics, walkability, and multi-modal transportation opportunities. Other sites may contain significant sensitive resources, and development on another site could result in significant impacts, which would not occur at the project site.

For these reasons, there are no other alternative locations for the project that would meet the project's objectives. Therefore, the *Alternative Location* alternative was rejected from further analysis.

#### **10.4.2 No Project/Build Under Existing Land Use Designation and Zoning Alternative**

CEQA Guidelines Section 15126.6(e)(3) states: "when the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the 'no project' alternative will be the continuation of the existing plan, policy or operation into the future." The project site is zoned RM-3-7 (Residential Multiple Unit) and allows for residential development up to a maximum density of one dwelling unit for each 1,000 square foot lot area. The project site is designated as Residential [23-43 dwelling units per acre (du/ac)] by the Pacific Beach Community Plan. Therefore, under the No Project/Build Under Existing Land Use Designation and Zoning Alternative, a total of 564 multi-family units could be constructed on the project site.

The project site is currently developed with 564 multi-family residential units. Under the current zoning and land use designation, the project site is fully built out and would not be able to accommodate additional dwelling units without a Community Plan Amendment and rezone, as proposed by the project. Thus, this alternative would not meet the project's primary objectives of replacing underutilized portions of the project site with infill housing. Because the project site is fully built-out under the land use designation intensity and zone, a project that could buildout under the existing community plan land use designation and zone would be at the same intensity as the current development on site. For these reasons, the *No Project/Build Under Existing Land Use Designation and Zoning Alternative* was rejected from further analysis.

#### **10.4.3 Avoidance of Historic (Archaeology) and Tribal Cultural Resources Impacts**

In order to avoid the potential for impacts to unknown subsurface archaeological and tribal cultural resources, no grading and excavation could occur. Without grading and excavation, there would be no alternative that could result in adding additional residential units. Thus, none of the project's objectives could be met. For this reason, the *Avoidance of Historic (Archaeology) and Tribal Cultural Resources Impacts Alternative* was rejected from further analysis. [See Section 10.6.2, *Avoidance of Noise Impacts/Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts Alternative*, below, for a discussion of project alternatives that would reduce impacts to historic (archaeology) and tribal cultural resources and still meet some of the project objectives.]

### **10.5 Alternatives Considered**

Alternatives to the project are considered and discussed in this section. These include the "No Project" alternative that is mandated by CEQA and an alternative that was developed in the course

of project planning and environmental review for the project. Specifically, the following project alternatives are addressed in this EIR:

- Alternative 1: No Project/No Build Alternative
- Alternative 2: Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts

Relative to the requirement to address a “No Project” alternative, CEQA Guidelines Section 15126.6(e) states that:

*When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future.*

*If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the “no project” alternative is the circumstance under which the project does not proceed.*

A No Project alternative that addresses “when the project is the revision of an existing land use or regulatory plan, policy or ongoing operation” is describe in Section 10.4.2, above. Because the project site is fully developed in accordance with the Community Plan land use designation and existing zone, only the *No Project/No Build* alternative is addressed below as the No Project alternative.

## 10.6 Alternatives Analysis

In accordance with Section 15126.6(c) of the State CEQA Guidelines, the following analysis of project alternatives is preceded by a brief description of the rationale for selecting the alternatives to be discussed. In addition, alternatives that were considered and rejected have also been identified (see Section 10.4, *Alternatives Considered but Rejected*). The impacts of each alternative are analyzed and the review of each alternative includes an evaluation to determine if any specific environmental characteristic would have an effect that is “substantially less” than the project. A significant effect is defined in Section 15382 of the CEQA Guidelines as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project.” As analyzed in Section 5.0, *Environmental Analysis*, the project could result in potentially significant impacts associated with Transportation and Circulation, Historic Resources (Archaeological), and Tribal Cultural Resources.

### 10.6.1 Alternative 1 – No Project/No Build

CEQA Guidelines Section 15126.6(e) requires that an EIR evaluate a “no project” alternative along with its impacts. The purpose of describing and analyzing a no project alternative is to allow a lead agency to compare the impacts of approving the project to the impacts of not approving it.

Specifically, Section 15126.6(e)(3)(B) requires that an EIR for a development project on an identifiable property address the no project alternative as “circumstances under which the project does not proceed.” In other words, the no project assumes that the project site would not be developed with the project.

Under the *No Project/No Build* alternative, the project would not be implemented on the site. The existing underutilized portions of the site would not be demolished; the site would be left as it exists today. No redevelopment of the site to include additional residential buildings, amenities, associated landscaping, and other improvements would occur.

## **Environmental Analysis**

### **Land Use**

The project would be consistent with all applicable goals, policies, and objectives of the General Plan. The project would require a Community Plan Amendment. With the amendment, the project would be consistent with the Pacific Beach Community Plan’s applicable policies and goals relative to residential use. Deviations proposed as part of the project would not result in significant environmental impacts. The project would not divide an established community and would not result in a land use that would be incompatible with the Airport Land Use Compatibility Plans (ALUCPs) of any local airports. The project may result in interior noise levels in excess of the City’s Noise Compatibility Guidelines requirements. As a condition of project approval, an exterior to interior noise analysis would be required during building permit issuance to ensure that appropriate attenuation measures are implemented to achieve a 45 a-weighted decibel (dBA) community noise level equivalent (CNEL) interior noise level. Thus, the project would result in less than significant land use impacts.

Under the *No Project/No Build* alternative, the existing uses on-site would remain. The Community Plan land use designation for the site is Multi-Family Residential (23-43 du/ac). The General Plan land use designation is Residential. The existing residential development on-site is consistent with the Community Plan and General Plan residential land use designations. Additionally, the existing development is consistent with the underlying zone (RM-3-7).

The *No Project/No Build* alternative would avoid the need for a land use plan amendment and rezone that is associated with the project. However, the project’s proposed change in land use and zone would not result in significant direct or secondary land use impacts. Thus, when compared to the project, the *No Project/No Build* alternative and the project would result in the same level of no impacts to land use.

### **Transportation and Circulation**

The project would be consistent with the Mobility Element of the General Plan and other adopted policies, plans (including the Pacific Beach Community Plan), and programs supporting the

transportation system, including pedestrian and bicycle facilities. The project design includes improvements that would encourage access to existing transit and would improve bicycle and pedestrian transportation facilities. As a result, the project would not conflict with any adopted program, plan, ordinance, or policy addressing the transportation system. However, the project is calculated to be 91.9 percent of the regional average VMT/resident, which is not 15 percent below the regional threshold; the project would result in VMT exceeding thresholds identified in the City's TSM. Thus, the project would result in a significant and less than fully mitigated VMT impact. The project would implement mitigation measures TRANS-1 to partially reduce VMT impacts. The project does not propose non-standard design features and would not substantially increase hazards due to design features or incompatible uses and the project would be designed in accordance with applicable safety standards. The project would not result in inadequate emergency access.

The *No Project/No Build* alternative would not result in new impacts associated with transportation and circulation. The project site is developed with a multi-family residential development. Although no new traffic improvements or pedestrian improvements would occur under this alternative, this alternative would not result in any significant impacts to transportation and circulation therefore, because no new trips would be added to the circulation system. This alternative would avoid the significant, less than fully mitigated VMT impact. Thus, transportation impacts would be less under this alternative.

### **Visual Effects and Neighborhood Character**

The project's impact on the visual character and quality of the surrounding environment is considered less than significant. The project would not block a designated public view corridor or a public viewing area of a public resource that is considered significant; would not impact any landmark trees; and would not substantially change natural landforms. The project would not result in a substantial degradation of the existing visual character or quality of the site or its surroundings. The project would not result in bulk, scale, materials, or style that are incompatible with surrounding development. The project would not result in significant lighting and glare impacts.

Under the *No Project/No Build* alternative, the existing residential development and underutilized areas of the project site would remain as they exist currently. The existing use does not represent a significant visual quality or neighborhood character impact. The apartment complex is regularly updated and well-maintained. Like the project, the existing development does not block a designated public view corridor or a public viewing area of a public resource that is considered significant. The existing development does not impact any landmark trees. The existing development does not represent a substantial degradation of the existing visual character or quality of the site or its surroundings. Bulk, scale, materials, and style are compatible with surrounding development. Existing lighting does not result in significant lighting and glare impacts. Unlike the project, no alteration of landform would occur under this alternative, as no grading would occur.

However, the project also does not result in a substantial change to landform. Thus, this alternative would have the same no impact on visual effects and neighborhood character as the project.

### **Air Quality**

As presented in Section 5.4, *Air Quality*, the project was determined to be consistent with the projected growth in the Pacific Beach Community Plan and the growth anticipated by the General Plan because the proposed project growth of 138 units is a small fraction of the projected increase in units in the region, based on SANDAG's 2050 Regional Growth Forecast that estimates that the City will have 592,143 housing units in 2025 and 676,236 units in 2035 representing an increase of 84,093 units or about 8,409 units added per year. As such, the project would be consistent with the applicable air quality control plans, including the Regional Air Quality Strategy (RAQS), the State Implementation Plan (SIP), and San Diego Association of Governments' (SANDAG's) Transportation Control Measures. Operational emissions would be below the significance thresholds for all pollutants. Additionally, carbon monoxide (CO) impacts would be less than significant because no CO "hot spots" would result from the project. Construction impacts would be temporary and for a short duration. Air quality impacts associated with project operations and construction would not be significant. Impacts would be less than significant.

The *No Project/No Build* alternative would not result in any changes to the existing site conditions. No development, construction, or grading would occur under the *No Project/No Build* alternative. Therefore, the *No Project/No Build* alternative would not have the potential to cause any increase in air emissions that would result during construction and operation of the project. The *No Project/No Build* alternative would result in less environmental effect associated with air quality, because less vehicular emissions would be generated under this alternative and no new construction emissions would occur.

### **Greenhouse Gas Emissions**

The project would not conflict with the Climate Action Plan (CAP) or any other applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases. The project would not result in a significant impact relative to plans, policies, or regulations aimed at reducing greenhouse gas (GHG) emissions. Impacts associated with GHG emissions would, therefore, be less than significant with the project.

The *No Project/No Build* alternative would not generate GHG emissions as a result of construction, because no new construction would occur. Therefore, impacts associated with greenhouse gas emissions would be less under this alternative than those associated with the project. However, neither the project nor this alternative would result in significant impacts associated with greenhouse gas emissions.

## Energy

The project would increase demand for energy in the project area and San Diego Gas & Electric's (SDG&E's) service area. However, no adverse effects on non-renewable resources are anticipated. The project would follow Uniform Building Code (UBC) and Title 24 requirements for energy efficiency and would be consistent with the CAP by incorporating sustainable design features directed at reducing energy consumption.

Under the *No Project/No Build* alternative, energy consumption would remain as it is today, which is energy use associated with the residential development. However, the existing project would not have any of the energy efficiencies required for new developments. Nonetheless, like the project, impacts relative to energy would not be significant under the *No Project/No Build* alternative.

## Noise

Demolition and construction noise levels at residential property lines and on-site residential facades would not exceed the 75 dBA Leq (12 hours) sound level allowed by the SDMC. Temporary demolition and construction noise would also not substantially interfere with normal business operations or affect any other sensitive receptors. As conditions of approval, the project would restrict demolition activity within a building site boundary during any given day to a duration of no more than two hours and select a combination of demolition equipment that produces an aggregate sound power of no more than 111 dBA. No project demolition or construction noise impacts would occur.

Future exterior composite noise levels would exceed 60 dBA CNEL at some project building façades and interior noise levels in occupied areas could exceed 45 dBA CNEL in residences. As a condition of approval building design features would be required to be implemented as part of the project to ensure interior noise levels would be 45 dBA or below, and an interior noise analysis would be required to demonstrate that interior noise levels in residential buildings would not exceed 45 dBA CNEL. The project would not cause exposure of people to current or future transportation noise levels that exceed standards established in the Transportation Element of the General Plan. Aircraft noise would not be expected to exceed 60 dBA CNEL at the project site. Impacts would be less than significant.

Under the *No Project/No Build* alternative, no noise impacts would result. Existing uses include 564 multi-family residential dwelling units. Because no new construction or grading would occur with the *No Project/No Build* alternative, noise associated with these activities would be avoided, although such impacts would not be significant under the project. While neither this alternative nor the project would result in significant noise impacts, noise associated with this alternative would be considered less than what would occur with the project due to no need for demolition and construction.



## Historic Resources

There are no historic resources on the project site, and no existing religious or sacred uses are located on the project site or within the immediate project vicinity. However, unknown subsurface resources could be found during excavation and grading for the project. Therefore, the project could result in a significant impact to historic resources (archeology). Mitigations measure HIST-1, which requires monitoring conducted by a qualified archaeologist and Native American monitor for ground disturbing activities during the project construction phase, would be implemented to reduce project impacts to below a level of significance.

Under the *No Project/No Build* alternative, no grading or construction would occur. Therefore, there would be no potential for unknown subsurface resources to be encountered. Impacts to historic resources (archeology) under the *No Project/No Build* alternative would be less than those associated with the project.

## Hydrology

The project is designed to retain the existing condition discharge locations and flow rates, and there are no negative impacts to the downstream system or adjacent properties. Storm water runoff rates would decrease from existing conditions. Impacts would be less than significant.

Under the *No Project/No Build* alternative, no grading or construction would occur. Existing hydrology conditions would not be altered; no new runoff would be generated and drainage patterns would remain unchanged. The proposed project would result in a decrease in storm water runoff from existing (No Project/No Build) conditions. Nonetheless, both the project and the *No Project/No Build* alternative would result in less than significant impacts.

## Water Quality

The project would adhere to the City storm water standards. Short-term water quality effects from construction would be addressed through adherence to the City's Grading Ordinance and conformance with City storm water standards and the related National Pollution Discharge Elimination System (NPDES) Construction General Permit. Once the project is constructed, on-site runoff would be directed to on-site pollutant control BMPs. The project would not result in significant impacts to water quality.

The *No Project/No Build* alternative would also not result in significant impacts associated with water quality. Currently, the project site does not have a substantial amount of pervious features. The majority of the site is characterized as developed with structures, several open surface parking areas, and minimal storm water control features, which can result in contribution of urban pollutants as part of storm water runoff. Therefore, the *No Project/No Build* alternative has the potential to result in greater impacts to water quality than the project.

### **Public Services and Facilities**

The project site is served by public service facilities, such as fire/life safety protection and police protection. The project would not result in significant impacts to police protection, fire/life safety protection, libraries, parks or other recreation facilities, or schools.

The *No Project/No Build* alternative would have no new demand on public services for police protection and fire/life safety. This alternative would not generate additional school-aged children and would not create additional resident population that would use school, library, or recreational services. Because no new development would occur under the *No Project/No Build* alternative that could result in an increase in population, impacts on public services and facilities would be less under the *No Project/No Build* alternative. However, the project would likewise not result in significant impacts to public services and facilities.

### **Public Utilities**

The project would not result in significant impacts to water, sewer, solid waste, and communications systems. The *No Project/No Build* alternative would not result in any changes to the existing site conditions. Like the project, public utilities are provided to serve the existing uses of a residential development. Therefore, although the project would not result in significant impacts to public utilities, the *No Project/No Build* alternative would result in less demand on public utilities.

### **Tribal Cultural Resources**

The project area has the possibility for potential tribal cultural resources (in the form of archaeological resources). Therefore, there is the potential for inadvertent discovery of a resource that could be impacted by project implementation. Impacts would be considered significant. Mitigations measure HIST-1, which requires monitoring conducted by a qualified archaeologist and Native American monitor for ground disturbing activities during the project construction phase, would be implemented to reduce project impacts to below a level of significance.

The *No Project/No Build* alternative does not have the potential to affect tribal cultural resources, because neither grading nor construction would occur on the project site. Impacts to tribal cultural resources under the *No Project/No Build* alternative would be less than those associated with the project.

### **Cumulative Effects**

When considered together with other past, present, and reasonably foreseeable future projects, the project would result in a cumulatively considerable and unmitigated impacts with regard to VMT.. Under the *No Project/No Build* alternative, the project site would remain as it is developed today, with 564 multi-family residential dwelling units. This alternative would not result in any new significant cumulative impacts. . This alternative would result in less cumulative impacts than the project.

## Evaluation of Alternative

When compared to the project, the *No Project/No Build* alternative would eliminate the potential for impacts to transportation and circulation (VMT threshold), historic resources (archaeology), and tribal cultural resources associated with the project, as no grading or construction would occur. The *No Project/No Build* alternative would also reduce environmental effects associated with air quality, GHG, and energy, as no new trips would occur under this alternative. This alternative would also result in less noise impacts as no grading would occur; however, there are no noise impacts associated with the project. There would also be less impacts to public services and public utilities, as well as no impacts to schools, libraries, and recreation, as no residential development would occur. However, based on the analysis in this EIR, none of those effects would be regarded as significant under the project. Although the *No Project/No Build* alternative would be less compatible visually and from a neighborhood character perspective than what is proposed by the project, such effects would not reach a level of significance.

The *No Project/No Build* alternative would not meet any of the project objectives. This alternative would not provide additional market rate and affordable housing to serve the urgent needs of the City and where transit is immediately available, and would not result in community benefits that promote access to transit and improve the pedestrian experience.

### 10.6.2 **Alternative 2 –Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources**

A reduced density alternative that eliminates Building 1 was evaluated, which would reduce the potential to encounter subsurface cultural resources (archaeology) and tribal cultural resources. Building 1 fronts on Fortuna Avenue and would include half of the overall new residential units provided by the project. Building 1 involves the construction of 69 units wrapped around a new parking garage that would provide 384 parking spaces.

As identified in Section 5.8, *Historical Resources*, and Section 5.13, *Tribal Cultural Resources*, grading and excavation could affect unknown subsurface resources, resulting in a potentially significant effect to archaeological and tribal cultural resources. Mitigation measure HIST-1 would reduce impacts to below a level of significance. The only way to avoid impacts to archaeological and tribal cultural resources would be to not construct the project – essentially the *No Project/No Build* alternative, addressed as Alternative 1 in subsection 10.6.1 above. To reduce the potential for impacts associated with archaeological and tribal cultural resources, the area proposed for redevelopment would need to be reduced in size such that the overall area graded would be less.

Therefore, a reduced density alternative that eliminates Building 1 would reduce the potential to encounter subsurface cultural resources (archaeology) and tribal cultural resources, as no grading or excavation would occur in that area.

With the elimination of Building 1, this alternative would provide a total of 69 new residential units in Building 2 (21 units) and Building 3 (48 units) and would include three affordable housing units and a total of 250 parking spaces (20 spaces at Building 2 and 230 spaces at Building 3). Proposed landscape and pedestrian improvements along Fortuna Avenue would not occur, because there would be no new construction along that street to warrant improvements to the existing sidewalk and landscaping. Buildings 2 and 3 would be constructed under this alternative as proposed by the project, as well as project amenities associated with those buildings and proposed landscape and pedestrian improvements along Jewell Street and La Playa Avenue. The architecture and design of Buildings 2 and 3 would be the same as the proposed project.

Because of the height limits restriction of the Coastal Height Limit Overlay Zone, the 69 units contained in Building 1 could not be moved to Buildings 2 and/or 3, as those buildings are at the maximum height allowed in the Coastal Height Overlay Zone. Thus, under this alternative, only 69 new units would be provided on the project site. Similar to the project, the intensity of development resulting from this alternative (48 dwelling units per acre) would exceed the residential land use designation of the Community Plan, as well as the density allowed in the existing zone. Therefore, this alternative would require a Community Plan Amendment and Rezone, as the project does.

## **Environmental Analysis**

### **Land Use**

The project would be consistent with all applicable goals, policies, and objectives of the General Plan. The project would require a Community Plan Amendment. With the amendment, the project would be consistent with the Pacific Beach Community Plan's applicable policies and goals relative to residential use. Deviations proposed as part of the project would not result in significant environmental impacts. The project would not divide an established community and would not result in a land use that would be incompatible with the Airport Land Use Compatibility Plans (ALUCPs) of any local airports. The project may result in interior noise levels in excess of the City's Noise Compatibility Guidelines requirements. As a condition of project approval, building design features and an exterior to interior noise analysis would be required during building permit issuance to ensure that appropriate attenuation measures are implemented to achieve a 45 dBA CNEL interior noise level. Thus, the project would result in less than significant land use impacts.

*The Avoidance of Noise Impacts/Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would also require a Community Plan Amendment, like the project, to provide a land use designation that would allow a residential density greater than what is currently allowed in the Community Plan. With the amendment, the project would be consistent with the Pacific Beach Community Plan's applicable policies and goals relative to residential use. This alternative would also require the same deviations as the proposed project, as deviations would apply to Buildings 2 and 3, which would be constructed under this alternative. Thus, when compared

to the project, the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative and the project would result in the same level of no impacts to land use.

### **Transportation and Circulation**

The project would be consistent with the Mobility Element of the General Plan and other adopted policies, plans (including the Pacific Beach Community Plan), and programs supporting the transportation system, including pedestrian and bicycle facilities. The project design includes improvements that would encourage access to existing transit and improve bicycle and pedestrian transportation facilities. As a result, the project would not conflict with any adopted program, plan, ordinance, or policy addressing the transportation system. However, the project is calculated to be 91.9 percent of the regional average VMT/resident, which is not 15 percent below the regional threshold; the project would result in VMT exceeding thresholds identified in the City's TSM. Thus, the project would result in a significant and less than fully mitigated VMT impact. The project would implement mitigation measures TRANS-1 to partially reduce VMT impacts. The project does not propose non-standard design features and would not substantially increase hazards due to design features or incompatible uses and the project would be designed in accordance with applicable safety standards. The project would not result in inadequate emergency access.

The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would reduce the overall traffic generated by the project. However, the transportation VMT impact would not be avoided, as the project site is located in an area that is more than the 85 percent threshold and would result in VMT exceeding thresholds identified in the City's TSM. Thus, this alternative would have the same significant, less than fully less than fully mitigated VMT impact. Transportation impacts would be the same under this alternative as with the proposed project since partial mitigation for VMT impact would be provided.

### **Visual Effects and Neighborhood Character**

The project's impact on the visual character and quality of the surrounding environment is considered less than significant. The project would not block a designated public view corridor or a public viewing area of a public resource that is considered significant; would not impact any landmark trees; and would not substantially change natural landforms. The project would not result in a substantial degradation of the existing visual character or quality of the site or its surroundings. The project would not result in bulk, scale, materials, or style that are incompatible with surrounding development. The project would not result in significant lighting and glare impacts.

Under the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative, Buildings 2 and 3, as well as landscape and pedestrian improvements proposed by the project along fronting Jewell Street and La Playa Avenue, would develop as proposed by the project. As discussed in Section 5.3, *Visual Impacts*, and summarized above, the project would not result in

significant visual impacts. Thus, this alternative would have the same no impact on visual effects and neighborhood character as the project.

### **Air Quality**

As presented in Section 5.4, *Air Quality*, the project was determined to be consistent with the projected growth in the Pacific Beach Community Plan and the growth anticipated by the General Plan because the proposed project growth of 138 units is a small fraction of the projected increase in units in the region, based on SANDAG's 2050 Regional Growth Forecast that estimates that the City will have 592,143 housing units in 2025 and 676,236 units in 2035 representing an increase of 84,093 units or about 8,409 units added per year. As such, the project would be consistent with the applicable air quality control plans, including the RAQS, the SIP, and SANDAG's Transportation Control Measures. Operational emissions would be below the significance thresholds for all pollutants. Additionally, CO impacts would be less than significant because no CO "hot spots" would result from the project. Construction impacts would be temporary and for a short duration. Air quality impacts associated with project operations and construction would not be significant. Impacts would be less than significant.

The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would also be consistent with the projected growth in the Pacific Beach Community Plan and the growth anticipated by the General Plan. This alternative would be consistent with the applicable air quality control plans, including the RAQS, the SIP, and SANDAG's Transportation Control Measures. The project's operational emissions associated with 138 new residential units would be below the significance thresholds for all pollutants; thus, a reduced project of 69 residential units also be below the significance thresholds for all pollutants. Additionally, CO impacts would be less than significant because no CO "hot spots" would result from the project. Like the project, construction impacts would be temporary and for a short duration. Therefore, like the project, air quality impacts associated with operations and construction under the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would not be significant.

### **Greenhouse Gas Emissions**

The project would not conflict with the CAP or any other applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases. The project would not result in a significant impact relative to plans, policies, or regulations aimed at reducing GHG emissions. Impacts associated with GHG emissions would, therefore, be less than significant with the project.

The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would also not conflict with the CAP or any other applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases; and would not result in a significant impact relative to plans, policies, or regulations aimed at reducing GHG emissions. Therefore, impacts

associated with greenhouse gas emissions would be the same as under this alternative as the project.

### **Energy**

The project would increase demand for energy in the project area and SDG&E's service area. However, no adverse effects on non-renewable resources are anticipated. The project would follow UBC and Title 24 requirements for energy efficiency and would be consistent with the CAP by incorporating sustainable design features directed at reducing energy consumption.

This alternative would be required to follow UBC and Title 24 requirements for energy efficiency and would require consistency with the CAP like the project. Impacts relative to energy would not be significant under the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative. While energy consumption would be less under the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative, due to the reduction in the number of residential units, the project was determined not to result in significant impacts relative to energy. Thus, this alternative and the project would result in the same no significant impacts with regard to energy.

### **Noise**

Demolition and construction noise levels at residential property lines and on-site residential facades would not exceed the 75 dBA Leq (12 hours) sound level allowed by the SDMC. Temporary demolition and construction noise would also not substantially interfere with normal business operations or affect any other sensitive receptors. As conditions of approval, the project would restrict demolition activity within a building site boundary during any given day to a duration of no more than two hours and select a combination of demolition equipment that produces an aggregate sound power of no more than 111 dBA. No project demolition or construction noise impacts would occur.

Future exterior composite noise levels would exceed 60 dBA CNEL at some project building façades and interior noise levels in occupied areas could exceed 45 dBA CNEL in residences. As a condition of approval an interior noise analysis would be required. The project would not cause exposure of people to current or future transportation noise levels that exceed standards established in the Transportation Element of the General Plan. Aircraft noise would not be expected to exceed 60 dBA CNEL at the project site. Impacts would be less than significant.

Under the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative, no significant noise impacts would result. However, like the project, future exterior composite noise levels would exceed 60 dBA CNEL at some project building façades and interior noise levels in occupied areas could exceed 45 dBA CNEL in residences. As a condition of project

approval, building design features and an interior noise analysis would be required. Thus, this alternative would result in less impacts relative to noise than the project.

### **Historic Resources**

There are no historic resources on the project site, and no existing religious or sacred uses are located on the project site or within the immediate project vicinity. However, unknown subsurface resources could be found during excavation and grading for the project. Therefore, the project could result in a significant impact to historic resources (archeology). Mitigations measure HIST-1, which requires monitoring conducted by a qualified archaeologist and Native American monitor for ground disturbing activities during the project construction phase, would be implemented to reduce project impacts to below a level of significance.

Like the project, the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would not result in impacts historic resources, religious, or sacred uses. However, as with the project, unknown subsurface resources could be found during excavation and grading for the project. Eliminating Building 1 would reduce impacts, because no grading or excavation would occur in the area of Building 1. This alternative would still have the potential to impact subsurface cultural (archaeological) and tribal cultural resources, as development would occur on the project site for Buildings 2 and 3. Mitigations measures would be required, as with the project, to reduce project impacts to below a level of significance. Therefore, this alternative would have less impacts to historic resources (archeology) than the project.

### **Hydrology**

The project is designed to retain the existing condition discharge locations and flow rates, and there are no negative impacts to the downstream system or adjacent properties. Storm water runoff rates would decrease from existing conditions. Impacts would be less than significant.

The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would result in a similar decrease in storm water runoff from existing conditions, because new storm water control measures would be implemented associated with Buildings 2 and 3. Thus, both the project and the *Avoidance of Noise Impacts/Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would result in less than significant impacts.

### **Water Quality**

The project would adhere to the City storm water standards. Short-term water quality effects from construction would be addressed through adherence to the City's Grading Ordinance and conformance with City storm water standards and the related NPDES Construction General Permit. Once the project is constructed, on-site runoff would be directed to on-site pollutant control BMPs. The project would not result in significant impacts to water quality.



The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would also be required to adhere to the City storm water standards. Like the project, short-term water quality effects from construction would be addressed through adherence to the City's Grading Ordinance and conformance with City storm water standards and the related NPDES Construction General Permit. Once the alternative is constructed, on-site runoff would be directed to on-site pollutant control BMPs. Like the project, this alternative project would not result in significant impacts to water quality. Therefore, both the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative and the project would have the same level of no impact to water quality.

### **Public Services and Facilities**

The project site is served by public service facilities, such as fire/life safety protection and police protection. The project would not result in significant impacts to police protection, fire/life safety protection, libraries, parks or other recreation facilities, or schools.

The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would have a slightly reduced demand on public services for police protection and fire/life safety, as less new residential units would be constructed. This alternative would also generate slightly less school-aged children and a slight reduction in additional resident population that would use school, library, and recreational services. Thus, this alternative would result in no significant impacts on public services and facilities, as would the project.

### **Public Utilities**

The project would not result in significant impacts to water, sewer, solid waste, and communications systems. The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would result in slightly water and sewer use and slightly reduced solid waste generation, as less residential units would be constructed. Like the project, public utilities are provided to serve the existing uses of a residential development and no new or expanded utilities would be required under this alternative. Thus, like the project, the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would result in no significant impact on public utilities.

### **Tribal Cultural Resources**

The project area has the possibility for potential tribal cultural resources (in the form of archaeological resources). Therefore, there is the potential for inadvertent discovery of a resource that could be impacted by project implementation. Impacts would be considered significant. Mitigations measure HIST-1, which requires monitoring conducted by a qualified archaeologist and Native American monitor for ground disturbing activities during the project construction phase, would be implemented to reduce project impacts to below a level of significance.

The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* would reduce impacts to tribal cultural resources, because no grading or excavation would occur in the area of Building 1. This alternative would still have the potential to impact subsurface tribal cultural resources, as development would occur on the project site for Buildings 2 and 3. Mitigation measures would be required, as with the project, to reduce project impacts to below a level of significance. Therefore, this alternative would result in less impacts to tribal cultural resources than the project.

### **Cumulative Effects**

When considered together with other past, present, and reasonably foreseeable future projects, the project would result in a cumulatively considerable and unmitigated impacts with regard to VMT.. The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative, which results in less development intensity than the proposed project, would also result in considerable cumulative impacts in regard to VMT as the project site is located in an area that is more than the 85 percent threshold and would result in VMT exceeding thresholds identified in the City's TSM. Thus, this alternative would have the same level of impact with regard to cumulative effects as the project.

### **Evaluation of Alternative**

When compared to the project, the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would reduce impacts to historic resources (archaeology) and tribal cultural resources. This alternative would result in the same level of impacts to transportation and circulation with regard to VMT, as the project and could implement similar mitigation measures to partially reduce impacts to below a level of significant. This alternative would also result in less noise impacts, as no grading would occur; however, there are no significant noise impacts associated with the project. This alternative would have a slight reduction in effects associated with air quality, GHG, energy, and as less development would occur under this alternative. There would also be a slight reduction in impacts to public services and public utilities, as less residential development would occur. However, based on the analysis in this EIR, none of those effects would be regarded as significant under the project. Impacts relative to visual effects and neighborhood character would be the same as the project and would also not be significant.

The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would meet all of the project objectives, albeit at a much reduced level. This is most evident with Project Objectives 3 and 4. This alternative does not *maximize site efficiency by providing medium-high density residential uses that contribute to meeting the dual housing affordability/availability needs of the City and does not provide for infill redevelopment of underutilized portions of a site within an urban area, where public facilities and amenities are readily available and easily accessed via alternative modes of travel, including transit, bike, and pedestrian* to the extent that the project does.

## 10.7 Environmentally Superior Alternative

The environmental analysis of alternatives presented above is summarized in Table 10-1, *Comparison of Alternatives to Proposed Project*. CEQA requires that the EIR identify the environmentally superior alternative among all of the alternatives considered, including the project. If the No Project alternative is selected as environmentally superior, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

For the project, the *No Project/No Build* alternative would be selected as the environmentally superior alternative, as the *No Project/No Build* alternative would result in less environmental effects. However, this alternative would not meet any of the project objectives.

CEQA requires that, if the No Project alternative is selected as environmentally superior, then the EIR shall also identify an environmentally superior alternative among the other alternatives. For the project, the *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would be selected as the environmentally superior alternative to the project. The *Reduction of Cultural Resources (Archaeology) and Tribal Cultural Resources Impacts* alternative would reduce, although not avoid, the project's significant impacts. This alternative would not result in an efficient use of an infill site, located proximate to transit and well-served by existing infrastructure, and also would not provide for the amount of market rate and affordable housing as the project would, thereby reducing the effect of redeveloping the project site to create housing opportunities in the Pacific Beach community and the City.

**Table 10-1. Comparison of Alternatives to Proposed Project**

| <b>Environmental Issue Area</b>        | <b>Proposed Project</b>   | <b>Alternative 1<br/>No Project/No Build</b>           | <b>Alternative 2<br/>Reduction of Cultural<br/>Resources (Archaeology) and<br/>Tribal Cultural Resources<br/>Impacts</b> |
|--|---|--|--|
| <b>Land Use</b>                        | No significant impacts.   | Same as project.                                       | Same as project.   |
| <b>Transportation/<br/>Circulation</b> | Significant and less than fully mitigated.  | Less than project, because no development would occur. | Same as project.   |
| <b>Visual Effects</b>                  | No significant impacts.   | Same as project.                                       | Same as project.   |
| <b>Air Quality</b>                     | No significant impacts.   | Less than project, because no development would occur. | Same as project.   |
| <b>Greenhouse Gas Emissions</b>        | No significant impacts.   | Less than project, because no development would occur. | Same as project.   |
| <b>Energy</b>                          | No significant impacts.   | Less than project, because no development would occur. | Same as project.   |
| <b>Noise</b>                           | No significant impacts.   | Less than project, because no development would occur. | Less than project, because less development would occur.   |
| <b>Historic Resources</b>              | Potentially significant impact to unknown subsurface historic resources that could be encountered during grading and excavation.        | Less than project, because no development would occur. | Less than project, because no development would occur.   |
| <b>Hydrology</b>                       | No significant impacts.   | Same as project.                                       | Same as project.   |
| <b>Water Quality</b>                   | No significant impacts.   | Greater impact.  | Same as project.   |
| <b>Public Services and Facilities</b>  | No significant impacts.   | Less than project, because no development would occur. | Same as project.   |
| <b>Public Utilities</b>                | No significant impacts.   | Less than project, because no development would occur. | Same as project.   |
| <b>Tribal Cultural Resources</b>       | Potentially significant impact to unknown subsurface tribal cultural resources that could be encountered during grading and excavation. | Less than project, because no development would occur. | Less than project, because less development would occur.   |
| <b>Cumulative Effects</b>              | Significant and less than fully mitigated.  | Less than project, because no development would occur. | Same as project.   |

## 11.0 MITIGATION MONITORING AND REPORTING PROGRAM

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

The EIR, incorporated herein as referenced, focuses on issues determined to be potentially significant by the City of San Diego. The issues addressed in the EIR include land use, transportation/circulation, visual effects and neighborhood character, air quality, greenhouse gas emissions, energy, noise, historical resources, hydrology, water quality, public services and facilities, public utilities, and tribal cultural resources.

Public Resources Code (PRC) Section 21081.6 requires the monitoring of measures proposed to mitigate significant environmental effects. Issues related to transportation and circulation, historical resources, and tribal cultural resources, were determined to be potentially significant and require mitigation as described in this EIR. All impacts associated with these issue areas would be fully mitigated to below a level of significance with implementation of mitigation measures with the exception of Transportation and Circulation (VMT), which would remain significant and less than fully mitigated.

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

### 11.1 Monitoring Activities

Monitoring activities would be accomplished by individuals identified in the *Document Submittal/ Inspection Checklist* table below. The City of San Diego will determine specific consultant qualifications.

### 11.2 Mitigation Measures

#### A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction

Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**

These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>

3. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
4. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

**B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)**

1. **PRE-CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from the MITIGATION MONITORING COORDINATOR (MMC). Attendees must also include the Permit Holder's Representative(s), Job Site Superintendent and the following consultants:

*Qualified Archaeological Monitor*

**Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.**

**CONTACT INFORMATION:**

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant is also required to call **RE and MMC at 858-627-3360.**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 1059329 and/or Environmental Document Number 1059329, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

**Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.**

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency:
  - N/A
4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11"x17" reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

**Note: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects**

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

| DOCUMENT SUBMITTAL/INSPECTION CHECKLIST |   |   |
|---|---|---|
| Issue Area                              | Document Submittal                          | Associated Inspection/Approvals/Notes               |
| General                                 | Consultant Qualification Letters            | Prior to Preconstruction Meeting                    |
| General                                 | Consultant Construction Monitoring Exhibits | Prior to or at Preconstruction Meeting              |
| Transportation and Circulation          | Building Plans                              | Building Permit Issuance                            |
| Archaeology                             | Records Search/Monitoring Report(s)         | Archaeology/Historic Site Observation               |
| Tribal Cultural Resources               | Archaeology Reports                         | Archaeology/Historic Site Observation               |
| Bond Release                            | Request for Bond Release Letter             | Final MMRP Inspections Prior to Bond Release Letter |

### C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

#### **Transportation and Circulation (VMT)**

**TRANS-1:** In accordance with SDMC Section 143.1103(b)(1), the project shall include VMT Reduction Measures totaling five points. Prior to issuance of the first Certificate of Occupancy, the Owner/Permittee shall provide and maintain the following Vehicle Miles Traveled (VMT) reduction measures totaling five points as shown on Exhibit A, satisfactory to the City Engineer.

- Pedestrian Measure 8: Install resting area/recreation node on-site, adjacent to public pedestrian walkway (Four Points)
- Bicycle Measure 12: Provide on-site bicycle repair station (One Point)

#### **Historical Resources**

##### **MM HIST-1 Archaeological Resources**

###### **I. Prior to Permit Issuance**

###### **A. Entitlements Plan Check**

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

###### **B. Letters of Qualification have been submitted to ADD**



1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

## **II. Prior to Start of Construction**

### **A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site-specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

### **B. PI Shall Attend Precon Meetings**

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
  - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted)

- based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
- b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
    - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
    - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

### **III. During Construction**

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
  1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.
  2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
  3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
  4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSVs shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

**B. Discovery Notification Process**

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

**C. Determination of Significance**

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
  - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
  - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

**IV. Discovery of Human Remains**

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

**A. Notification**

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
  2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate discovery site
1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
  2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
  3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains ARE determined to be Native American
1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.
  2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
  3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
  4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
  5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
    - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR;
    - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN

- c. To protect these sites, the landowner shall do one or more of the following:
  - (1) Record the site with the NAHC;
  - (2) Record an open space or conservation easement; or
  - (3) Record a document with the County. The document shall be titled "Notice of Reinternment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

#### **V. Night and/or Weekend Work**

- A. If night and/or weekend work is included in the contract
  - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  - 2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVr and submit to MMC via fax by 8AM of the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV- Discovery of Human Remains shall be followed.
    - d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

#### **VI. Post Construction**

- A. Preparation and Submittal of Draft Monitoring Report
  - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines

(Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
3. The cost for curation is the responsibility of the property owner.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

**Tribal Cultural Resources**

**MM HIST-1: Listed above.**

## 12.0 REFERENCES

A list of the reference materials consulted in the course of the Environmental Impact Reports (EIRs) preparation is included in this section.

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This document has been prepared by the City of San Diego's Development Services Department. The Environmental Impact Report (EIR) is based on independent analysis and determination made pursuant to the San Diego Land Development Code Section 128.0103.

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