



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: January 23, 2020 REPORT NO. PC-20-008

HEARING DATE: January 30, 2020

SUBJECT: MOUNT ETNA COMMUNITY CPA AND REZONE

PROJECT NUMBER: [628374](#)

OWNER/APPLICANT: COUNTY OF SAN DIEGO

SUMMARY

Issue(s): Should the Planning Commission recommend the City Council approve a General Plan Amendment, Community Plan Amendment, Municipal Code and Local Coastal Program Amendment, and Rezone of County-owned property that would allow for residential development on a 4.09-acre site located on Mt. Etna Drive, west of Genesee Avenue, in the Clairemont Mesa Community Plan area?

Staff Recommendation(s):

1. Recommend the City Council APPROVE a resolution certifying that the City Council, as a Responsible Agency, has reviewed and considered the information contained in the Final Environmental Impact Report (EIR) (SCH No. 2018091016) for the Mount Etna Community Plan Amendment and Rezone Project that was prepared and certified by County of San Diego, as Lead Agency, and adopted Mitigation, Monitoring, and Reporting Program, and Findings and a Statement of Overriding Considerations; and
2. Recommend the City Council APPROVE Municipal Code and Local Coastal Program Amendment No. 2387021; and
3. Recommend the City Council APPROVE Community Plan Amendment and General Plan Amendment No. 2387025; and
4. Recommend the City Council APPROVE Rezone No. 2387021.

Community Planning Group Recommendation: On December 3, 2019, the Clairemont Mesa Community Planning Group voted 10-0-1 to recommend denial of the project, noting that while the Planning Group agrees that affordable housing in this location is appropriate, they do not support the Community Plan Amendment as presented.

Other Recommendations: On January 14, 2020, the County of San Diego, as Lead Agency, certified EIR SCH No. 2018091016.

Environmental Review: On January 14, 2020, the County of San Diego, as the Lead Agency, certified [EIR \(SCH No. 2018091016\)](#) for the Mount Etna Community Plan Amendment and Rezone project, and adopted a Mitigation, Monitoring, and Reporting Program. Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15096, the City, as a Responsible Agency, considered the EIR (SCH No. 2018091061). City staff determined that the plan amendments, code amendments, and rezone are covered by EIR SCH No. 2018091016 in accordance with CEQA Guidelines Section 15162 (a): 1) No substantial changes are proposed in the project which would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which would require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and (3) There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, that shows any of the circumstances described in CEQA Guidelines 15162(3)(A) - (D). Therefore, no subsequent environmental document is required, in that no new additional impacts and/or mitigation measures are required beyond those that were analyzed in the original environmental document. All of the impacts were adequately addressed and disclosed in the previously certified EIR.

Fiscal Impact Statement: None with this action. All costs are recovered through a deposit account funded by the applicant.

Housing Impact Statement: The Clairemont Mesa Community Plan (CMCP) designates the project site as Commercial-Community Center and within the Community Plan Implementation Overlay Zone (CPIOZ) Type B, which currently does not allow residential use. The project proposes a General/Community Plan Amendment to redesignate the 4.09-acre site from Commercial-Community Center to Residential-High 45-73 dwelling units per acre and rezone from CO-1-2 to RM-3-9 which would allow 184 to 299 multi-family residential dwelling units, and potentially up to 448 dwelling units onsite through the use of a 50 percent density bonus for affordable housing in accordance with Land Development Code Section 143.0720. Additionally, the project proposes a San Diego Municipal Code and Local Coastal Program Amendment that would redesignate the site from CPIOZ Type B to Type A to allow residential use. Should the amendments and rezone be approved by the City Council, a development including affordable housing of up to 404 units could be permitted and result in a net increase of housing units within the Clairemont community.

BACKGROUND

The 4.09-acre project site is located at 5255 Mount Etna Drive, west of Genesee Avenue, east of Mount Castle Avenue, and north of existing commercial and office development along Balboa Avenue. There are overhead utility lines along the eastern edge of the property, in a 150-foot-wide San Diego Gas & Electric (SDG&E) utility easement, with surface parking located within the easement. The site is owned by the County of San Diego and is developed with a building that housed the San Diego County Crime Lab, which has been relocated to new facilities in a different location. Prior to the use of the site as the San Diego County Crime Lab, the building was the Clairemont Mesa Community Hospital.

The project is within a developed, urban neighborhood. Single dwelling unit development is located immediately west of the project site, and west of the SDG&E easement both north and south of the project site. The areas on the north side of Mount Etna Drive and south of the project site to Balboa Avenue are developed with commercial, retail, and office uses. On the south side of Balboa is multi-dwelling unit housing to the east of the SDG&E easement, with single-dwelling unit housing to the west of the easement. To the east of the project site is commercial development, including the Genesee Plaza shopping center immediately to the east, and the Balboa Mesa shopping center southeast of the project site. At the rear side of both of those shopping centers, there are multi-dwelling unit developments immediately adjacent to the centers, with single-dwelling unit development beyond. In addition, the vicinity includes schools, a fire station, and houses of worship.

The project site is within the "Community Core" area identified in the Clairemont Mesa Community Plan, and is designated as "General Commercial". The site is zoned CO-1-2 (Commercial-Office), which is designed to accommodate a mix of office and residential uses that serve as an employment center, with a maximum density of 1 dwelling unit for each 1,500 square feet of lot area. The site is within the Community Plan Implementation Overlay Zone Type A, Clairemont Mesa Height Limit Overlay, and Airport Influence Overlay Zone Review Area 2.

DISCUSSION

Project Description:

The project consists of regulatory amendments:

- General Plan Amendment (GPA) – The GPA is required to change the designated land uses for the site, as shown on [Figure LU-2, General Plan Land Use and Street System](#), in the General Plan from Commercial Employment, Retail, & Services to Residential (Attachments 7 & 8).
- Community Plan Amendment (CPA) – The CPA is required to change the [CMCP land use](#) designation for the site from Commercial-Community Center to Residential-High (45-73 dwelling units per acre (du/ac)) (Attachments 7 & 8).
- Land Development Code Amendment/Local Coastal Program Amendment (LCPA) – An

amendment to the Land Development Code (LDC) is required to amend the Community Plan Implementation Overlay Zone (CPIOZ) from CPIOZ Type B to CPIOZ Type A. Specifically, Municipal Code Diagram 132-14A would be amended to reflect the change in CPIOZ Type (Attachment 10). Even though the project site is not located in the Coastal Zone, an LCPA is required because the amended diagram includes sites within the LCP and therefore must be amended.

- Rezone – To implement the proposed CMCP Residential-High land use designation, the site would be rezoned from CO-1-2 (Commercial Office) to RM-3-9 (Residential – Multiple Unit) (Attachments 5 & 6). The RM-3-9 zone would allow one unit for each 600 square feet of lot area, or a maximum of 297 dwelling units. Using allowable density bonuses for affordable housing could allow up to 448 dwelling units under the proposed zone.

Community Plan Analysis:

The proposed amendment would implement the City of Villages Strategy of the General Plan by introducing residential development into an existing commercial center and fostering a mixed-use environment within Clairemont's "Commercial Core" where it is served by local transit and will have access to the regional transit system via the Mid-Coast Trolley, which is currently in construction.

The General Plan's Housing Element identifies measurable goals and policies to address the City's critical housing needs by 2020. A key goal is to 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. The proposed amendments, which would have the potential to accommodate additional housing opportunities, would support the implementation of the following recommendations in the Housing Element:

- Policy HE-A.6. Encourage affordable housing on publicly-owned sites not needed for public use. If it is determined that land designated for public use is not currently needed and will not, in the foreseeable future, be needed for public use and is located within close proximity to transit and services, it should be considered for re-designation to mixed-use designations that include housing and promote affordable housing.
- Policy HE-I.4. The City's highest housing priority shall be to provide housing for very low- and low-income families and special needs populations.

The proposed amendment would also meet objectives for residential development identified in the Residential Element of the Clairemont Community Plan associated with providing a diversity of housing options in selected locations in the community and locating higher density housing near commercial areas and along transportation corridors where there are adequate services. As proposed, the community plan amendment could accommodate affordable housing units onsite and that would meet recommendations in the Residential Element of the Community Plan for encouraging the construction of additional affordable housing units in the

Clairemont community.

On December 6, 2019, the Planning Commission approved an initiation of a General/Community Plan Amendment to the Progress Guide and General Plan and Clairemont Mesa Community Plan to re-designate 4.09 acres from Commercial-Community Center to Residential-High 45-73 dwelling units per acre and identified issues to be considered and analyzed related to the proposed plan amendment. An analysis of issues pertaining to proposed General/Community Plan Amendment can be found in Attachment 11 of the staff report.

Environmental Analysis:

[EIR SCH No. 2018091016](#) was prepared for this project and certified by the County of San Diego as the Lead Agency, in accordance with CEQA guidelines and includes a mitigation program to address required mitigation measures. The EIR determined that the project would result in significant but mitigated impacts to Air Quality (construction), Hazards and Hazardous Materials (construction), and Noise and Vibration (construction). There would be significant, unmitigated impacts to Traffic and Transportation. Please see EIR (SCH No. 2018091016) and the associated MMRP for a detailed description of the project impacts and required mitigation. The EIR Findings and Statement of Overriding Considerations are included as attachments to the Environmental Resolution, Attachment 4, to this report.

Project-Related Issues:

The project proposes a GPA, CPA, LDC/LCP amendments, and a rezone. Should those amendments and rezone be approved and go into effect, the site could be redeveloped with a housing project consistent with the newly adopted regulations. The County is anticipating an affordable housing development on the site, with a maximum of 404 multi-dwelling units on the site.

Conclusion:

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies the CMCP, General Plan and regulations of the Land Development Code. Staff has provided draft ordinances and resolutions to support the proposed project. Staff recommends that the Planning Commission recommend City Council approval of the project as conditioned.

ALTERNATIVES

1. RECOMMEND the City Council APPROVE a resolution certifying that the City Council, as a Responsible Agency, has reviewed and considered Environmental Impact Report (EIR SCH No. 2018091016), and adopted a Mitigation, Monitoring, and Reporting Program and Findings and a Statement of Overriding Considerations; and RECOMMEND the City Council APPROVE Municipal Code and Local Coastal Program Amendment No. 2387021; Community Plan Amendment and General Plan Amendment No. 2387025; and Rezone No. 2387021,

with modifications.

2. RECOMMEND the City Council DENY resolution certifying that the City Council, as a Responsible Agency, has reviewed and considered Environmental Impact Report (EIR SCH No. 2018091016), and adopted a Mitigation, Monitoring, and Reporting Program and Findings and a Statement of Overriding Considerations; and RECOMMEND the City Council DENY Municipal Code and Local Coastal Program Amendment No. 2387021; Community Plan Amendment and General Plan Amendment No. 2387025; and Rezone No. 2387021, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



PJ FitzGerald
Assistant Deputy Director
Development Services Department



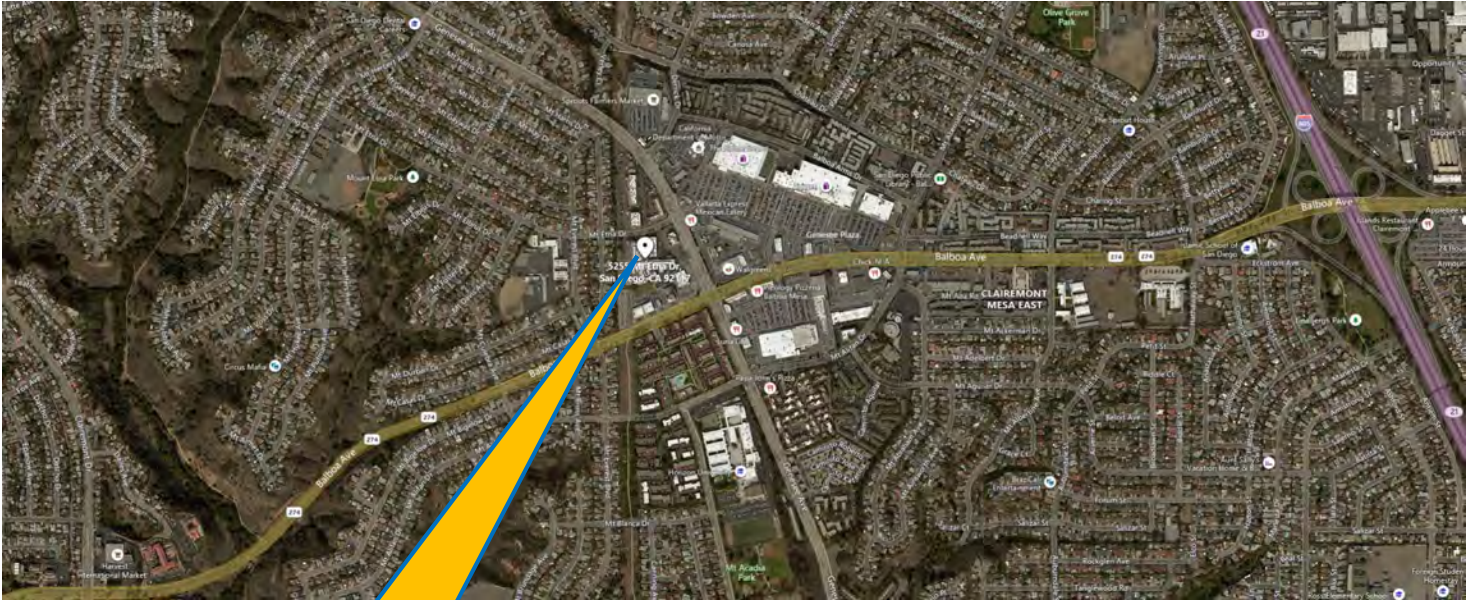
Martha Blake
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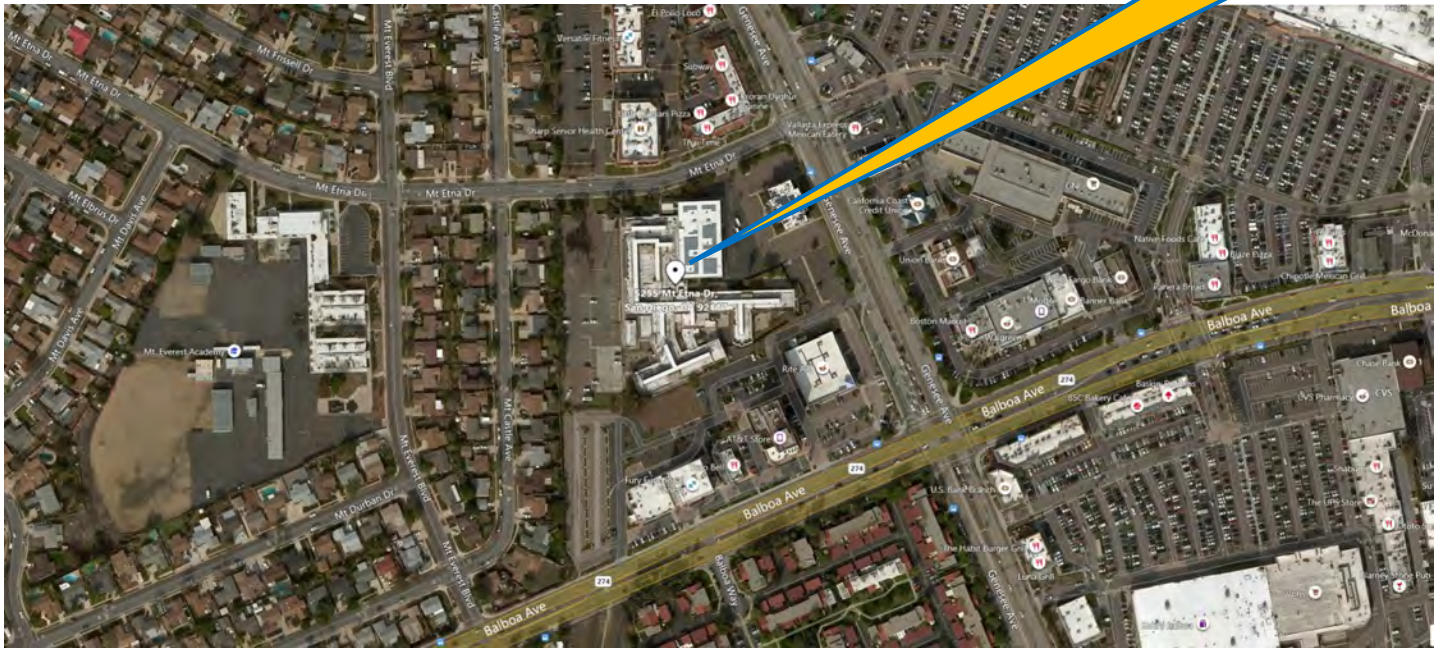
Attachments:

1. Aerial Photographs
2. Community Plan Land Use Map
3. Project Location Map
4. Draft Environmental Resolution with Findings, Overriding Considerations and MMRP
5. Draft Rezone Ordinance
6. Rezone - B Sheet
7. Draft General Plan and Community Plan Amendment Resolution
8. Revised General Plan & Community Plan Land Use Maps
9. Draft Land Development Code/Local Coastal Program Amendment Ordinance
10. Revised Clairemont Mesa Community Plan language (strikethrough/underline format)
11. Community Plan Initiation Responses
12. Community Planning Group Recommendation
13. Ownership Disclosure Statement



Project Site

Project Site



Aerial Photos

Mount Etna CPA & Rezone/5255 Mt. Etna Dr.
PROJECT NO. 628374

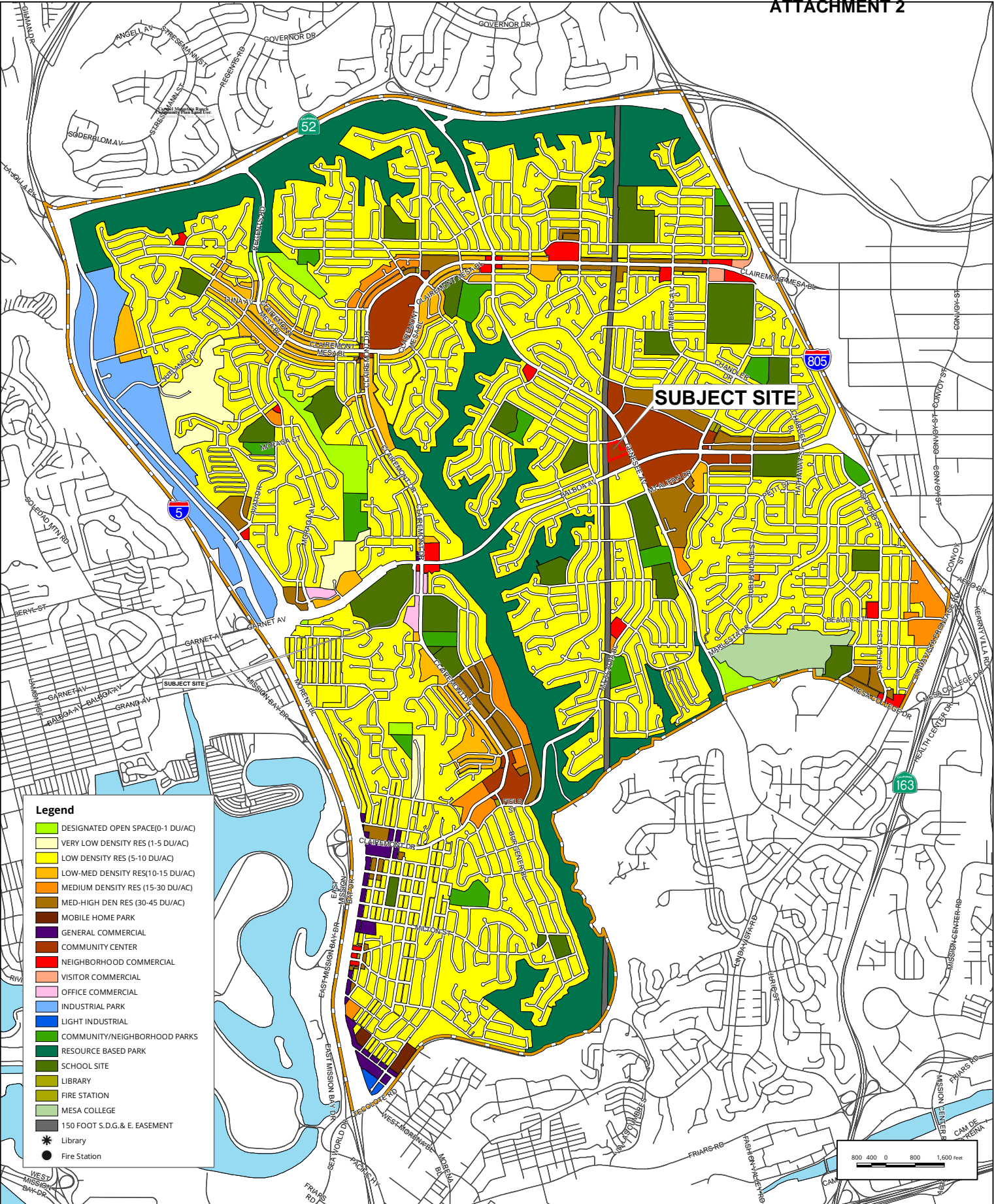
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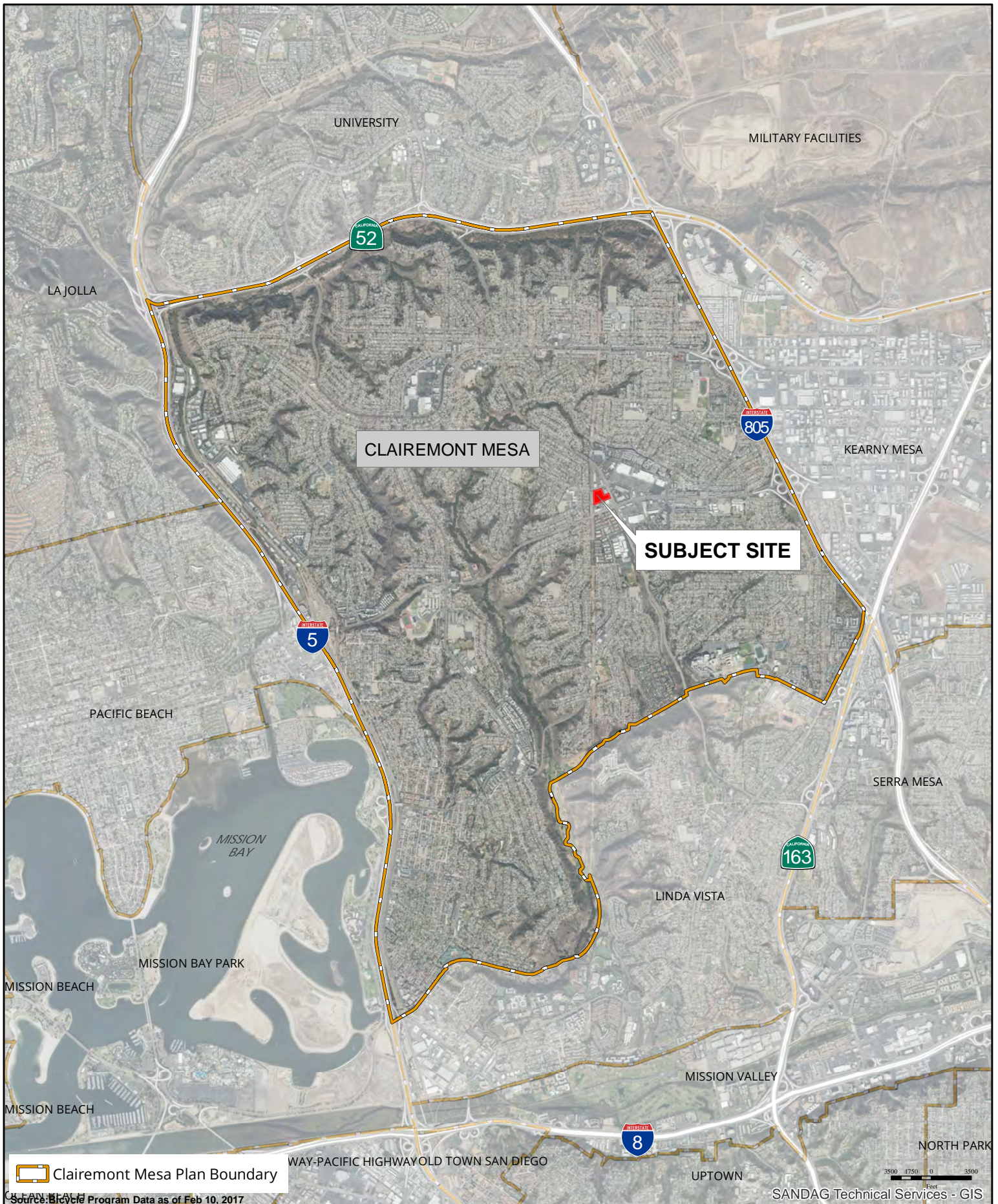




Aerial Photos

Mount Etna CPA & Rezone/5255 Mt. Etna Dr.
PROJECT NO. 628374





RESOLUTION NUMBER R- [REDACTED]

DATE OF FINAL PASSAGE [REDACTED]

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THAT THE CITY COUNCIL OF THE CITY OF SAN DIEGO, AS A RESPONSIBLE AGENCY, HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR) SCH NO. 2018091016 FOR THE MOUNT ETNA COMMUNITY PLAN AMENDMENT AND REZONE PROJECT, THAT WAS PREPARED AND CERTIFIED BY THE COUNTY OF SAN DIEGO, AS LEAD AGENCY, AND ADOPTING FINDINGS AND A MITIGATION, MONITORING, AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT IN APPROVING ACTIONS RELATED TO THE MOUNT ETNA COMMUNITY PLAN AMENDMENT AND REZONE PROJECT NO. 628374

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations Chapter 3, Division 6, Title 14; Article 6, sections 15070 to 15075), the County of San Diego, as the lead agency for the Mount Etna Community Plan Amendment and Rezone Project (the Project), prepared an Environmental Impact Report (SCH No. 2018091016) which documents, describes, discloses, and analyzes the environmental impacts of the Project; and

WHEREAS, on January 14, 2020, the County of San Diego duly certified the Final Environmental Impact Report (SCH No. 2018091016) (Final EIR) for the Project; and

WHEREAS, on January 14, 2020, the County of San Diego adopted Findings of Fact as required by CEQA, together with a Mitigation Monitoring and Reporting Program and also approved the Project; and

WHEREAS, on March 13, 2019, The County of San Diego submitted a Community Plan Amendment and Rezone Project application (Project No. 628374) to the Development Services Department for approval of the Project; and

WHEREAS, the City, with respect to the Community Plan Amendment and Rezone Project application (Project No. 628374), is a responsible agency for the Project as provided in CEQA Guidelines section 15096; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the City Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, prior to taking discretionary actions for approval of the Community Plan Amendment and Rezone Project application (Project No. 628374), including the construction and any other approvals to implement the Project by the City as a responsible agency under CEQA, the City Council desires to make certain findings pursuant to CEQA Guidelines 15050, 15091 and 15096; NOW, THEREFORE,

BE IT RESOLVED, by the City of San Diego City Council, as follows:

1. The City has reviewed and considered the information contained in the Final EIR relevant to the City's approval of discretionary actions within the City's jurisdiction necessary for the Project as described in the Final EIR.
2. The City has reviewed and considered the CEQA Findings and the City Council hereby determines and concludes all of the following:
 - a. In certifying the Final EIR, the County of San Diego has already identified, analyzed, disclosed and adopted the mitigation measures for the Project;
 - b. The City of San Diego City Council has reviewed and considered the Final EIR together with the related CEQA Findings and determines that the information and analyses contained in the Final EIR, together with the

related CEQA Findings, are adequate for the City's use as a responsible agency and for the City's consideration of discretionary actions to approve the Community Plan Amendment and Rezone Project (Project No. 628374);

- c. The City's discretionary action to approve the Community Plan Amendment and Rezone Project (Project No. 628374) is within the scope of the activities described and evaluated in the Final EIR;
 - d. The City has not identified a feasible alternative or additional feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect that the Project would have on the environment; and
 - e. Since the Final EIR was certified, there have been no substantial changes to the Project and no substantial changes in Project circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.
3. The City, as a responsible agency under CEQA, hereby adopts the County of San Diego's CEQA Findings for the Final EIR for the Project as its own findings under CEQA to the fullest possible extent that the CEQA Findings are relevant to the City's discretionary action to approve the Community Plan Amendment and Rezone Project (Project No. 628374), which is attached hereto as Exhibit A.

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

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

APPROVED: MARA W. ELLIOTT, City Attorney

By _____
Lindsey H. Sebastian
Deputy City Attorney

XXX:xxx
0x/0x/xxx
Or.Dept: DSD
Doc. No. xxxxxxx

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

EXHIBIT A

COMMUNITY PLAN AMENDMENT AND REZONE PROJECT (PROJECT NO. 628374)

Findings and Statement of Overriding Considerations regarding Final Environmental Impact Report (EIR) SCH No. 2018091016 for the Community Plan Amendment and Rezone Project, County of San Diego.

See Following Pages:

FINDINGS REGARDING SIGNIFICANT EFFECTS MOUNT ETNA COMMUNITY PLAN AMENDMENT AND REZONE PROJECT

SCH #2018091016

January 14, 2020

1. Pursuant to CEQA Guidelines section 15091(a)(1), the County of San Diego Board of Supervisors finds that, for each of the following significant effects identified in the Final Environmental Impact Report (FEIR), changes or alterations have been required in, or incorporated into, the project which would avoid or substantially lessen (“mitigate”) each significant environmental effect. The significant effects and mitigation measures are stated fully in the FEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

A. Air Quality

Significant Impact AIR-1: The proposed project has potential for short-term health risk impacts to nearby residential receptors related to air emissions produced during construction activities for both site demolition/preparation and future building construction. (FEIR, 2.1-30).

Finding: Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

Mitigation Measure:

MM AIR-1 Construction Equipment: The project shall require all off-road diesel equipment greater than 50 horsepower (hp) used during construction activities to meet USEPA Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including a CARB-certified Level 3 Diesel Particulate Filter or equivalent. (FEIR, 2.1-34)

Rationale: The greatest potential for toxic air contaminants (TAC) emissions during the project’s building construction would be related to diesel particulate matter (DPM) tailpipe emissions associated with the operation of heavy-duty equipment during demolition, excavation and grading activities, building construction, paving and architectural coating. Construction activities associated with the project would be sporadic, transitory, and short-term in nature. Nonetheless, health risk for residential receptors would have the potential to exceed the SCAQMD significance threshold of 10-in-one million for resident receptors. By requiring contractors to use off-road diesel equipment

greater than 50 horsepower (hp) that meets USEPA Tier 4 final off-road emission standards or equivalent, as indicated in MM AIR-1, risk for residential receptors will not exceed the SCAQMD significance threshold of 10-in-one million for residential or school receptors as shown in Table 2.1-9 in the FEIR. To ensure its implementation, Mitigation Measure AIR-1 will be made a condition of approval for the project and must be adhered to during both stages of project construction. Therefore, upon implementation of MM AIR-1, potential impacts relating to health risk during project construction will be reduced to less than significant. (FEIR 2.1-34).

B. Hazards and Hazardous Materials

Significant Impact HAZ-1: Due to removal of the underground storage tanks (UST) and potential to encounter contaminated media, including asbestos and lead materials, the proposed project would result in a potentially significant impact related to handling hazardous materials within a quarter-mile of a school. (FEIR, 2.2-13).

Finding: Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

Mitigation Measure:

MM HAZ-1 Soil Contamination, Lead, and Asbestos Recommendations: During demolition of the existing buildings, site preparation for the future development, and construction of the future development, the construction contractor shall implement the findings and recommendations of the Phase I ESA, including:

- A soil management plan shall be prepared by a qualified specialist and implemented during project construction activities near areas of known contamination or where grading or other soil disturbance activities could encounter contaminated media, undocumented USTs, or other unknown contamination or hazards. The soil management plan shall contain protocols to address site-specific conditions in compliance with local, state, and federal regulations.
- Soil sampling shall be performed at the time of UST removal to evaluate whether an unauthorized release has occurred. If contaminated soil is identified, protocols in the soil management plan shall be implemented in compliance with local, state, and federal regulations.
- A worker health and safety plan shall be prepared and implemented during construction near areas of known contamination.

- The extent of asbestos-containing materials and lead-based paint shall be determined through appropriate testing techniques prior to building demolition. Proper protocols for the removal of asbestos-containing materials and lead-based paint shall be followed in compliance with local, state, and federal regulations. (FEIR, 2.2-18)

Rationale: The Phase 1 ESA provides recommendations for treating hazardous materials and substances that could be encountered during project construction. Prior to and during construction soil sampling and asbestos and lead-based paint assessments and abatement measures will be implemented by the contractor in compliance with protocols for handling and disposing of hazardous materials and/or waste contained in local, state and federal regulations. Mitigation Measure HAZ-1 will be made a condition of approval for the project to ensure its implementation. Adherence to Mitigation Measure HAZ-1 during demolition of the existing buildings and construction of the future development would ensure that hazardous materials impacts will be reduced to less than significant. (FEIR, 2.2-19)

Significant Impact HAZ-2: Due to the potential for lane closures along public roads, the proposed project would result in a potentially significant impact related to interfering, even temporarily, with emergency access. (FEIR, 2.2-14).

Finding: Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

Mitigation Measure:

MM HAZ-2 Traffic Control Plan: Prior to the start of construction of the future development, the construction contractor shall prepare a Traffic Control Plan satisfactory to the City Engineer. The Traffic Control Plan shall show all signage, striping, delineated detours, flagging operations, and any other devices that will be used during construction to guide motorists, pedestrians, and bicyclists through the construction area and allow for adequate access and circulation to the satisfaction of the City Engineer. The Traffic Control Plan shall be prepared in accordance with the City's traffic control guidelines and shall be prepared to ensure that emergency access will be continuously provided. (FEIR 2.2-18).

Rationale: The implementation of a Traffic Control Plan would be required during construction activities involving any lane closures on public streets. Mitigation Measure HAZ-2 will be made a condition of approval for the project to ensure its implementation. Adherence to Mitigation Measure HAZ-2 would ensure that emergency access would not be impeded or interfered with during construction activities and will therefore result in a less than significant impact. (FEIR, 2.2-19)

Significant Impact HAZ-3: The project site is listed on several database searches of known hazardous materials site conducted pursuant to Government Code Section 65962.5 and includes areas of known previous contamination. Grading and other soil disturbance activities could encounter contaminated media or other unknown contamination or hazards. (FEIR, 2.2-16).

Finding: Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

Mitigation Measure:

MM HAZ-1 Soil Contamination, Lead, and Asbestos Recommendations: During demolition of the existing buildings, site preparation for the future development, and construction of the future development, the construction contractor shall implement the findings and recommendations of the Phase I ESA, including:

- A soil management plan shall be prepared by a qualified specialist and implemented during project construction activities near areas of known contamination or where grading or other soil disturbance activities could encounter contaminated media, undocumented USTs, or other unknown contamination or hazards. The soil management plan shall contain protocols to address site-specific conditions in compliance with local, state, and federal regulations.
- Soil sampling shall be performed at the time of UST removal to evaluate whether an unauthorized release has occurred. If contaminated soil is identified, protocols in the soil management plan shall be implemented in compliance with local, state, and federal regulations.
- A worker health and safety plan shall be prepared and implemented during construction near areas of known contamination.
- The extent of asbestos-containing materials and lead-based paint shall be determined through appropriate testing techniques prior to building demolition. Proper protocols for the removal of asbestos-containing materials and lead-based paint shall be followed in compliance with local, state, and federal regulations. (FEIR, 2.2-18)

Rationale: The Phase 1 ESA provides recommendations for treating hazardous materials and substances that could be encountered during project construction. Prior to and during construction soil sampling and asbestos and lead-based paint assessments and abatement measures will be implemented by the contractor in compliance with protocols for handling and disposing of hazardous materials and/or waste contained in local, state and federal regulations. Mitigation Measure HAZ-1 will be made a condition of approval for the project to

ensure its implementation. Adherence to Mitigation Measure HAZ-1 during demolition of the existing buildings and construction of the future development would ensure that hazardous materials impacts will be reduced to less than significant. (FEIR, 2.2-19)

C. Noise and Vibration

Significant Impact NOI-1: A temporary increase in ambient noise levels 10 dBA or more above existing (ambient) conditions at off-site sensitive receivers during construction of the future residential housing project would occur (during both construction of the future development and during site demolition and preparation activities), and impacts would be considered significant. (FEIR, 2.3-19).

Finding: Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

Mitigation Measure:

MM NOI-1 Construction Noise. The following construction noise abatement techniques shall be implemented by the construction contractor to reduce construction-related noise to less than a 10 dBA increase in existing ambient noise levels at nearby noise-sensitive receivers:

- Temporary noise barriers shall be placed to block the line-of-sight between construction equipment operation and the residential land uses in proximity to the proposed project's property line to the north and west. One of the following two options shall be implemented by the construction contractor:
 - a. A temporary noise barrier shall be placed along the entire western property line of the project site and approximately 50 feet to the north from the northwestern corner at a height of 14 feet with noise blankets capable of achieving sound level reductions of at least 8 dBA to block the line-of-sight between construction equipment operations and the offsite noise-sensitive receivers to the south and southwest; or
 - b. A temporary 50-by-50-foot "L-shaped" noise barrier shall be constructed for each small construction area at a height of 14 feet with noise blankets capable of achieving sound level reductions of at least 8 dBA to block the line-of-sight between construction equipment operations and the offsite noise-sensitive receivers. (FEIR 2.3-32).

Rationale: Implementation of Mitigation Measure NOI-1 would reduce the impact associated with the construction noise by requiring the construction contractor to use barriers placed in the specified configuration such that they will

intercept construction noise generated by equipment and ensure that noise levels will comply with the City noise control standards. Mitigation Measure NOI-1 will be made a condition of approval for the project to ensure its implementation. Adherence to Mitigation Measure NOI-1 during both phases of construction would ensure that noise impacts to sensitive receptors will be reduced to less than significant. (FEIR, 2.3-33)

D. Transportation and Traffic

Significant Impact TRA-1: Under the Existing plus Project conditions, the proposed project would result in significant direct impacts to two study area intersections based on the City's Significance Determination Thresholds for delay for two of the three Access Options studied. (FEIR, 2.4-21).

Finding: Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

Mitigation Measures:

MM TRA-1 Mount Everest Boulevard & Balboa Avenue Intersection Modifications (Access Options 1 and 3) Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the restriping of the northbound and southbound approaches on Mount Everest Boulevard to provide an exclusive left-turn lane and a shared through-right turn lane, then convert the northbound and southbound approaches from split phasing to protected left-turn phasing, satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR, 2.4-42)

MM-TRA-2: Genesee Avenue & Balboa Avenue Intersection Modifications (Access Option 3) Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR, 2.4-42)

Rationale: Should either Access Option 1 or 3 be used by the project, the implementation of the intersection modifications identified in Mitigation Measures TRA-1 and/or TRA-2 prior to project operations would reduce or eliminate the increase in average delays caused by project traffic as shown in Table 2.4-14. The combination of restriping and adjustments in the signal phasing at Mount Everest Boulevard & Balboa Avenue (Access Options 1 and 3) and the installation of traffic systems management strategies at Genesee Avenue & Balboa Avenue (Access Option 3) would reduce average delays below the significance criteria and result in less than significant direct impacts to intersection operations.

Mitigation Measures TRA-1 and TRA-2 will be made a conditions of approval for the project to ensure their implementation. (FEIR, 2.4-43)

Significant Impact TRA-2: Under the Near-term plus Project conditions, the proposed project would result in significant direct impacts to three study area intersections based on the City's Significance Determination Thresholds for delay for all three Access Options studied. (FEIR, 2.4-28).

Finding: Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

Mitigation Measures:

MM TRA-1 Mount Everest Boulevard & Balboa Avenue Intersection Modifications (Access Options 1 and 3) Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the restriping of the northbound and southbound approaches on Mount Everest Boulevard to provide an exclusive left-turn lane and a shared through-right turn lane, then convert the northbound and southbound approaches from split phasing to protected left-turn phasing, satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR, 2.4-44)

MM TRA-2: Genesee Avenue & Balboa Avenue Intersection Modifications (Access Option 3) Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR, 2.4-44)

MM TRA-4: Charger Boulevard & Balboa Avenue Intersection Modifications (All Access Options). Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the restriping of the northbound shared through-left turn lane into an exclusive through lane and convert the northbound and southbound signal from split phasing to protective phasing and the installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations, satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR, 2.4-44).

Rationale: Should any of the three access options be used by the project, the implementation of the intersection modifications identified in Mitigation Measures TRA-1, TRA-2, and TRA-4 prior to project operations would reduce or eliminate the increase in average delays caused by project traffic as shown in Table 2.4-15. The combination of restriping and adjustments in the signal phasing at Mount Everest Boulevard & Balboa Avenue (Access Options 1 and 3); the installation of

traffic systems management strategies at Genesee Avenue & Balboa Avenue (Access Option 3); and the restriping and split signal phasing at Charger Boulevard & Balboa Avenue (all access options) combined with the use of traffic systems management strategies would reduce average delays below the significance criteria and result in less than significant direct impacts to intersection operations. Mitigation Measures TRA-1, TRA-2 and TRA-4 will be made a conditions of approval for the project to ensure their implementation. (FEIR, 2.4-45)

Significant Impact TRA-3: Under the Cumulative plus Project conditions, the proposed project would result in significant direct impacts to five study area intersections based on the City's Significance Determination Thresholds for delay for all three Access Options studied. (FEIR, 2.4-35).

Finding: Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

Mitigation Measures:

MM TRA-1 Mount Everest Boulevard & Balboa Avenue Intersection Modifications (Access Options 1 and 3) Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the restriping of the northbound and southbound approaches on Mount Everest Boulevard to provide an exclusive left-turn lane and a shared through-right turn lane, then convert the northbound and southbound approaches from split phasing to protected left-turn phasing, satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR, 2.4-44)

MM TRA-2: Genesee Avenue & Balboa Avenue Intersection Modifications (Access Option 3) Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the optimization of signal timing or installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR, 2.4-44)

MM TRA-4: Charger Boulevard & Balboa Avenue Intersection Modifications (All Access Options). Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the restriping of the northbound shared through-left turn lane into an exclusive through lane and convert the northbound and southbound signal from split phasing to protective phasing and the installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations, satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR,-2.4-44)

Rationale: Should any of the three access options be used by the project, the implementation of the intersection modifications identified in Mitigation Measures TRA-1, TRA-2, and TRA-4 prior to project operations would reduce or eliminate the increase in average delays caused by project traffic at three of the five intersections as shown in Table 2.4-16. The combination of restriping and adjustments in the signal phasing at Mount Everest Boulevard & Balboa Avenue (Access Options 1 and 3); the installation of traffic systems management strategies at Genesee Avenue & Balboa Avenue (Access Option 3); and the restriping and split signal phasing at Charger Boulevard & Balboa Avenue (all access options) combined with the use of traffic systems management strategies would reduce average delays below the significance criteria and result in less than significant cumulative impacts to intersection operations at three of the five impacted locations. Mitigation Measures TRA-1, TRA-2 and TRA-4 will be made conditions of approval for the project to ensure their implementation. (FEIR, 2.4-45)

2. Pursuant to CEQA Guidelines section 15091(a)(3), the County of San Diego Board of Supervisors finds that, for the following significant effects identified in the Final Environmental Impact Report (FEIR), specific economic, legal, social, technological, or other considerations make the mitigation measures or project alternatives infeasible. Thus, the impact is significant and not mitigated. This unavoidable impact is overridden by project benefits as set forth in the statement of overriding considerations. The significant effect, potential mitigation measures and alternatives are stated fully in the FEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

A. Transportation and Traffic

Significant and Unavoidable Impact TRA-1: Under the Existing plus Project conditions, the proposed project would result in significant direct impacts to two roadway segments based on the City's Significance Determination Thresholds for roadway capacity. (FEIR, 2.4-21).

Finding: Pursuant to CEQA Section 15091(a)(3), specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR.

Mitigation Measures:

MM TRA-3: Cannington Drive & Balboa Avenue Intersection Modifications (All Access Options). Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations

satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR, 2.4-47)

MM TRA-4: Charger Boulevard & Balboa Avenue Intersection Modifications (All Access Options). Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the restriping of the northbound shared through-left turn lane into an exclusive through lane and convert the northbound and southbound signal from split phasing to protective phasing and the installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations, satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR,-2.4-44)

Rationale: According to the FEIR, the two impacted segments of Balboa Avenue, between Cannington Drive and Charger Boulevard, and between Charger Boulevard and I-805 Southbound Ramps, are currently built to their ultimate classification per the currently adopted CMCP. Based on the existing land use fronting this roadway (i.e. residential and school uses) as well as the right-of-way constraints, there are no feasible segment improvements that would expand the capacity of the roadway segment. The implementation of adaptive signal controls along the impacted segments of Balboa Avenue recommended in MM TRA-3, as well as signal modifications and adaptive signal controls at the Charger Boulevard & Balboa Avenue intersection recommended in MM TRA-4 would partially mitigate the project's impacts. However, the direct roadway segment impacts would remain significant and unavoidable for all access options. (FEIR, 2.4-47)

Significant and Unavoidable Impact TRA-2: Under the Near-term plus Project conditions, the proposed project would result in significant direct impacts to two roadway segments based on the City's Significance Determination Thresholds for roadway capacity. (FEIR, 2.4-21).

Finding: Pursuant to CEQA Section 15091(a)(3), specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR.

Mitigation Measures:

MM TRA-3: Cannington Drive & Balboa Avenue Intersection Modifications (All Access Options). Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR, 2.4-47)

MM TRA-4: Charger Boulevard & Balboa Avenue Intersection Modifications (All Access Options). Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the restriping of the northbound shared through-left turn lane into an exclusive through lane and convert the northbound and southbound signal from split phasing to protective phasing and the installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations, satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy. (FEIR,-2.4-44)

Rationale: According to the FEIR, the two impacted segments of Balboa Avenue, between Cannington Drive and Charger Boulevard, and between Charger Boulevard and I-805 Southbound Ramps, are currently built to their ultimate classification per the currently adopted CMCP. Based on the existing land use fronting this roadway (i.e. residential and school uses) as well as the right-of-way constraints, there are no feasible segment improvements that would expand the capacity of the roadway segment. The implementation of adaptive signal controls along the impacted segments of Balboa Avenue recommended in MM TRA-3, as well as signal modifications and adaptive signal controls at the Charger Boulevard & Balboa Avenue intersection recommended in MM TRA-4 would partially mitigate the project's impacts. However, the direct roadway segment impacts would remain significant and unavoidable for all access options. (FEIR, 2.4-47)

Significant and Unavoidable Impact TRA-3: Under the Cumulative plus Project conditions, the proposed project would result in significant cumulative impacts to two intersections and two roadway segments based on the City's Significance Determination Thresholds for roadway capacity. (FEIR, 2.4-35).

Finding: Pursuant to CEQA Section 15091(a)(3), specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR.

Mitigation Measures:

MM TRA-5: Genesee Avenue & Clairemont Mesa Boulevard Adaptive Signal Control System (All Access Options). Prior to issuance of the first building permit, Owner/Permittee shall pay its fair share (5.3 percent) toward the cost of installing traffic systems management (TSM) strategies (e.g. adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations, satisfactory to the City Engineer. (FEIR 2.4-46)

MM TRA-6: Clairemont Drive & Balboa Avenue Adaptive Signal Control System (All Access Options). Prior to issuance of the first building permit, Owner/Permittee shall pay its fair share (4.0 percent) toward the cost of installing traffic systems management (TSM) strategies (e.g. adaptive signal technology) to

maximize efficiency of the existing roadway through improved signal communications and operations, satisfactory to the City Engineer. (FEIR, 2.4-48)

Rationale: Implementation of the ITS improvements noted above in MM TRA-5 and MM TRA-6 would partially mitigate the project's Cumulative plus Project impact at the two study intersections listed above for all access options. These intersections are identified in the TSCMP as deficient and in need of repair. Improving signal timings could result in an increase in intersection capacity, vehicle throughput, and reduction in vehicle delays. However, the improvements are not fully funded at this time. Therefore, Cumulative plus Project impacts to these two intersections would remain cumulatively significant and unavoidable even with the fair share payments noted above. (FEIR 2.4-48)

According to the FEIR, the impacted segment of Balboa Avenue, between Charger Boulevard and I-805 Southbound Ramps, is currently built to its ultimate classification per the currently adopted CMCP. Based on the existing land use fronting this roadway (i.e. residential and school uses) as well as the right-of-way constraints, there are no feasible segment improvements that would expand the capacity of the roadway segment. The implementation of adaptive signal controls along Balboa Avenue as part of MM TRA-3, as well as signal modifications and adaptive signal controls at the Charger Boulevard & Balboa Avenue intersection recommended in MM TRA-4 would partially mitigate the project's impacts. Therefore, this roadway segment impact would remain cumulatively significant and unavoidable for all access options. (FEIR, 2.4-48)

As noted in the FEIR, Mount Etna Drive is currently built to its ultimate classification per the currently adopted CMCP. Based on the classification of this roadway, there is insufficient right-of-way and street parking removal limitations that would prevent any improvements to the capacity of the impacted roadway segment. Therefore, this Cumulative plus Project impact would remain cumulatively significant and unavoidable for Access Option 1. (FEIR, 2.4-48)

B. Project Alternatives

NO PROJECT - NO REDEVELOPMENT ALTERNATIVE

This alternative assumes that the project site would not be entitled and prepared to facilitate future affordable housing for seniors and families and would remain developed as is in the future. (FEIR, 4-5)

Project Related Impacts: This alternative would avoid the need for mitigation measures relating to air quality, hazards/hazardous materials, noise, and transportation/traffic. (FEIR, 4-6)

Other Impacts Associated with the No Project/ No Redevelopment Alternative: This alternative would not create any new significant impacts associated with the proposed Project, including no impacts to aesthetics,

biological resources, agriculture and forestry resources, cultural resources, energy, geology/soils/seismicity, greenhouse gas emissions, hydrology, mineral resources, population and housing, recreation, public services, utilities, tribal cultural resources, land use and planning and wildfire would be expected under this alternative. (FEIR, 4-7)

Project Objectives: The No Project / No Redevelopment Alternative does not meet any of the project objectives. Specifically, this alternative would not amend the land use or change the zoning to allow for the future development of affordable housing units; would not expand the range of housing available within the San Diego County region in a TPA; would not deliver a graded and improved site for future development; would not ensure high quality development occurs on the site through site-specific development regulations; and would not increase mobility for pedestrians or improve site access. (FEIR, 4-6)

Conclusion: This alternative is rejected as infeasible because it would not accomplish the main objectives of the proposed project. Furthermore, this alternative would prevent the expansion of affordable housing in an area identified in the City General Plan City of Villages planning strategy as having a moderate village propensity and identified as a TPA in SANDAG's RTP and in the City Climate Action Plan. In addition, it would directly conflict with County Housing Element Policy H-6-4 which suggests that affordable housing could be development on suitable, County-owned surplus properties. The No Project / No Redevelopment Alternative would also conflict with County Housing Element policy which encourages housing near public services (Policy H-1.3); special needs housing near complementary uses (Policy H-1.4); and senior and affordable housing near shopping and services (Policy H-1.5). In addition, this alternative would not assist the County or City in meeting their Regional Housing Needs Assessment (RHNA) allocation from SANDAG, as required by California Government Code Section 65584.05.

NO PROJECT – EXISTING COMMUNITY PLAN AND ZONING ALTERNATIVE

This alternative results in site redevelopment with commercial office land uses permitted under the Commercial-Community Center designation and underlying zoning. It would result in the construction of up to 70,000 square feet (SF) of commercial office development, specifically as medical office use, with supporting retail space, as permitted by the development regulations for the current zoning for the site (i.e., CO-1-2). (FEIR, 4-7)

Project Related Impacts: This alternative would reduce the project's air quality impacts and increase transportation/traffic impacts, while resulting in the same hazards/hazardous materials and noise impacts as the project. It would not, however, avoid the need for mitigation measures relating to air quality, hazards/hazardous materials, noise, and transportation/traffic. (FEIR, 4-8)

Other Impacts Associated with the No Project/ Existing Community Plan and Zoning Alternative: This alternative would not create any new significant impacts associated with the proposed project. Less than significant impacts to aesthetics, biological resources, agriculture and forestry resources, cultural resources, energy, geology/soils/seismicity, greenhouse gas emissions, hydrology, mineral resources, population and housing, recreation, public services, utilities, tribal cultural resources, land use and planning and wildfire would be expected under this alternative. (FEIR, 4-10)

Project Objectives: The No Project / Existing Community Plan and Zoning Alternative would not meet the basic project objectives. It would not amend the site's land use or change the zone to allow for the future development of affordable housing units and would not expand the range of housing available within the San Diego County region in a TPA. The project site could be made development-ready, including demolition and removal of existing onsite structures and related facilities; however, commercial office use would not fulfill the regional housing goals to construct more affordable residential housing, which would be non-existent under this alternative. (FEIR, 4-8)

Conclusion: This alternative is rejected as infeasible because it would not accomplish the main objectives of the proposed project. Furthermore, this alternative would prevent the expansion of affordable housing in an area identified in the City General Plan City of Villages planning strategy as having a moderate village propensity and identified as a TPA in SANDAG's Smart Growth map and in the City Climate Action Plan. In addition, it would directly conflict with County Housing Element Policy H-6-4 which suggests that affordable housing could be development on suitable, County-owned surplus properties. The No Project / Existing Community Plan and Zoning Alternative would also conflict with County Housing Element policy which encourages housing near public services (Policy H-1.3); special needs housing near complementary uses (Policy H-1.4); and senior and affordable housing near shopping and services (Policy H-1.5). In addition, this alternative would not assist the County or City in meeting their RHNA allocation from SANDAG, as required by California Government Code Section 65584.05.

REDUCED INTENSITY PROJECT ALTERNATIVE

Under this alternative, the project site would be entitled for the construction of a 312-unit affordable housing project. All other aspects of the project would remain the same as the proposed, except that the required amount of parking would be reduced to reflect the lower number of residents. (FEIR, 4-11)

Project Related Impacts: This alternative would reduce the project's transportation/traffic impacts, while resulting in the same air quality, hazards/hazardous materials and noise impacts as the project. It would not,

however, avoid the need for mitigation measures relating to air quality, hazards/hazardous materials, noise, and transportation/traffic. (FEIR, 4-11)

Other Impacts Associated with the Reduced Intensity Project Alternative:

This alternative would not create any new significant impacts associated with the proposed project. Less than significant impacts to aesthetics, biological resources, agriculture and forestry resources, cultural resources, energy, geology/soils/seismicity, greenhouse gas emissions, hydrology, mineral resources, population and housing, recreation, public services, utilities, tribal cultural resources, land use and planning and wildfire would be expected under this alternative. (FEIR, 4-14)

Project Objectives: The Reduced Intensity Project Alternative would meet many of the basic project objectives. Specifically, this alternative would amend the land use or change the zone to allow for the future development of affordable housing units; would expand the range of housing available within the region in a TPA; and would ensure high quality development occurs on the site through site-specific development regulations. The project site could be made development-ready, including demolition and removal of existing onsite structures and related facilities; however, this alternative would not provide as much housing supply (i.e., 92 less affordable units) as the proposed project, effectively conflicting with County and City policies maximize affordable housing supply in response to the regional housing crisis. (FEIR, 4-11)

Conclusion: This alternative is rejected as infeasible because it would accomplish the main objectives of the proposed project but not to the degree as the proposed project. Although, this alternative would allow for the expansion of affordable housing in an area identified in the City General Plan City of Villages planning strategy as having a moderate village propensity and identified as a TPA in SANDAG's Smart Growth map and in the City Climate Action Plan, it would result in 92 fewer affordable units being built on a site that is favorable for such development. Most importantly, this alternative would assist the County or City in fulfilling their RHNA allocation from SANDAG, as required by California Government Code Section 65584.05; however, this alternative would require that 92 units be developed on other less conducive sites in the County.

STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE MOUNT ETNA COMMUNITY PLAN AMENDMENT AND REZONE PROJECT

SCH Number 2018091016
January 14, 2020

The Findings required under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.) supporting approval of the San Diego County Mount Etna Community Plan Amendment (CPA) and Rezone project state that the County's approval of the project would result in significant impacts that cannot be substantially lessened or avoided. Despite these impacts, the Board of Supervisors chooses to approve the Mount Etna Community Plan Amendment and Rezone project on the basis that specific economic, social, legal and other benefits of the project outweigh and override these significant and unavoidable impacts.

Each of the reasons for approval cited below is a separate and independent basis that justifies approval of the Mount Etna Community Plan Amendment (CPA) and Rezone project. Thus, even if a court were to set aside any particular reason or reasons, the Board of Supervisors finds that it would stand by its determination that each reason, or any combination of reasons, is a sufficient basis for approving the project notwithstanding the significant and unavoidable impacts that may occur. The substantial evidence supporting the various benefits can be found in the record of proceedings, including the Findings Regarding Mitigation of Significant Effects and the Final EIR.

The County finds that the Mount Etna CPA and Rezone project would have the following economic, social, legal and other benefits that outweigh or override the project's significant impacts that cannot be lessened or avoided and that justify approving this project:

- **Development of affordable housing on the project site will provide necessary housing stock to address San Diego's regional housing affordability crisis.** San Diego County is facing a housing affordability crisis. Over half of the region's residents spend more than 30% of their income on housing costs with the lowest income earners spending approximately 60 % of their income on housing costs. The former Regional Crime Lab (Crime Lab), located at 5255 Mount Etna Drive, San Diego, CA (Assessor Parcel Number 361-661-12), was found to be suitable for the development of affordable home units in the near term.
- **The affordable housing development that will be enabled by the CPA and Rezone is consistent with County Housing Element policies related to the development of housing.** The project will allow for the development of up to 404 affordable housing units in accordance with Housing Policies H-1.3 (Housing Near Public Services), H-1.4

(Special Needs Housing near Complementary Services), and H-1.5 (Senior and Affordable Housing Near Shopping and Services). The project will construct 100% affordable residential units with at least fifty percent (50%) of the units dedicated as affordable to special needs and vulnerable populations in accordance with the County of San Diego Consortium 2015-2019 Consolidated Plan/2017-18 Annual Funding Plan and Section 232.5 of Article XV of the San Diego County Administrative Code. The populations served may include: seniors, persons with disabilities, persons with serious mental illness or substance abuse problems, persons with HIV/AIDS, military personnel and veterans, at-risk youth, survivors of domestic violence, persons who are homeless or at risk of homelessness, transition age youth, and families in need.

- **The affordable housing development that will be enabled by the CPA and Rezone is consistent with County Housing Element policies related to the affordability of housing.** The project will allow for the development of up to 404 affordable housing units in accordance with Housing Policy H-3.3 (Density Bonus as a Means to Develop Affordable Housing). The proposed amendment to the Clairemont Mesa Community Plan and Rezone of the project site will allow 297 multi-family units to be developed on the project site without an affordable housing density bonus. Utilizing the City's Affordable Housing Regulations within the San Diego Municipal Code (SDMC) (Chapter 14, Article 3, Division 7), which allows a density increase of 50 percent, a total of 448 units could be developed on site. However, the CPA and County's Disposition and Development Agreement will cap the site capacity at a maximum of 404 dwelling units onsite, which is the reasonably foreseeable amount of units defined by the affordable housing developer selected by the County, taking into account the site's size and development constraints.
- **The CPA and Rezone will allow for an affordable housing development that will be consistent with County Housing Element policies related to the delivery of housing services.** The project will deliver housing services and programs, in accordance with Housing Policies H-6.4 (Affordable Housing on Suitable County-owned Properties). The former Regional Crime Lab site is vacant and identified as County-owned excess property. A screening process was used to determine whether the site was conducive to affordable housing, in order to maximize the County's efforts to provide affordable housing. The screening process included a land use and zoning analysis, environmental due diligence, screening criteria determination, and development opportunity identification. The development opportunity assessment took into consideration such factors as commercial/retail and public transit proximity and land use compatibility. The Mount Etna site was selected for affordable housing redevelopment because it was not already planned for other land uses; is currently available; is located near shopping, jobs and medical offices associated with the nearby commercial retail/office uses; and is served by public transit to meet the needs of future residents.
- **The future housing development allowed under the CPA and Rezone is consistent with regional policies focused on supplying housing to meet the Regional Housing Needs Assessment (RHNA) and implements smart growth near commercial development and transit.** All of the units will be affordable and proposed in a location that is identified in the Land Use Element of the City's General Plan under the City of Villages planning strategy as having a moderate village propensity and identified as a Smart Growth Opportunity Area and transit priority area (TPA) in

SANDAG's Sustainable Communities Strategy/Regional Transportation Plan (Regional Plan). Therefore, the proposed residential units will be in a TPA and within one half-mile of a major transit stop where nearby commercial land uses could provide shopping opportunities and jobs, advancing the City of Villages planning strategy, the Climate Action Plan goals, and the Regional Plan policies on smart growth.

- **The project will provide supportive services for the tenants' targeted special needs and vulnerable population(s) in order to promote housing stability and independence.** The CPA requires the future affordable housing development to contain 1,500 square feet (SF) of non-residential building area to house supportive services for project residents and the local community.
- **The project proposes site-specific development regulations that will ensure a high-quality affordable housing development.** The supplemental development regulations in the CPA outline site-specific requirements for ground floor uses; building height; building setbacks; landscape/streetscape; building articulation; screening/fencing; residential open space; and environmental protection standards. These supplemental development regulations will supersede the proposed zoning regulations in order to complement the community core by creating visual interest, enhancing the pedestrian experience, assisting in diminishing the overall mass of buildings, and creating variation from an exterior perspective.
- **The CPA and Rezone will allow for the affordable housing project as infill development proposed on an already developed site which avoids impacts to sensitive environmental resources.** The 4.09-acre property has been developed since the 1960s and is devoid of any biological resources, cultural resources, floodplains, and steep slopes that are protected by local, state and federal environmental regulations.
- **The proposed CPA and Rezone will allow for an affordable housing project that will be constructed to minimize its carbon footprint consistent with regional greenhouse gas (GHG) reduction strategies.** The future development will be required to prepare a Climate Action Plan Consistency Checklist to demonstrate its consistency with the GHG reductions outlined the City's CAP and incorporate design features that minimize its GHG emissions into the final project plans as a condition of approval for the building permit. In addition, the project will be built as a Leadership in Energy and Environmental Design (LEED) Silver or equivalent, which will minimize its carbon footprint through the integration of environmentally sensitive design features focused on minimizing energy usage, water demands, waste production, etc.
- **The project will be operated by others and provide the County with annual rental payments for the 99-year term of the Ground Lease.** The rent collected by the County will offset all Ground Lease and Regulatory Agreement administrative costs. This revenue stream also has the potential to provide funding that can be used to further the County's goals with respect to affordable housing and other programs at the Board of Supervisor's discretion.

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM
COMMUNITY PLAN AMENDMENT AND REZONE PROJECT (Project No. 628374)

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the entity responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in Final Environmental Impact Report (EIR) SCH No. 2018091016 shall be made conditions of the Community Plan Amendment and Rezone Project as may be further described below.

MITIGATION MONITORING AND REPORTING PROGRAM

See Following Pages in Table 1:

**MITIGATION MONITORING AND REPORTING PROGRAM
MOUNT ETNA COMMUNITY PLAN AMENDMENT AND
REZONE PROJECT**

SCH #2018091016
January 14, 2020

The County of San Diego would adopt this Mitigation Monitoring and Reporting Program (MMRP) in accordance with Public Resources Code (PRC) Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines. The MMRP for the Mount Etna Community Plan Amendment and Rezone Project (proposed project) would be adopted by the County in conjunction with certification of the Final Environmental Impact Report (FEIR).

The purpose of the MMRP is to provide a vehicle for monitoring feasible mitigation measures identified in the FEIR in order to minimize or avoid significant impacts of the proposed project. The measures applicable to the proposed project include specific mitigation measures to reduce impacts to less than significant, best management practices or design features to minimize or avoid impacts by modifying the degree or magnitude of the action or its implementation.

The identified mitigation measures are organized and referenced by subject category. The implementation time frame, monitoring method, implementation responsibility and the responsible party that would ensure that each measure is implemented is identified. The County of San Diego is the lead agency and is responsible for ensuring implementation of mitigation measures occurs in accordance with the MMRP (CEQA Guidelines Section 15097). The County is thus responsible for review of any additional supporting documentation. The County would rely on information provided by the identified entity responsible for implementation as accurate and up to date and would field check mitigation measure status as needed. All mitigation measures contained in the FEIR shall be made conditions of the proposed project.

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
Air Quality				
AIR-1 Construction Equipment: The project shall require all off-road diesel equipment greater than 50 horsepower (hp) used during construction activities to meet USEPA Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including a CARB-certified Level 3 Diesel Particulate Filter or equivalent.	During construction	Construction monitoring and reporting	Construction Contractor	County of San Diego (site demolition and preparation phase) and City of San Diego (future building construction phase)
Hazards and Hazardous Materials				
HAZ-1 Soil Contamination, Lead, and Asbestos Recommendations: During demolition of the existing buildings, site preparation for the future development, and construction of the future development, the construction contractor shall implement the findings and recommendations of the Phase I ESA, including: <ul style="list-style-type: none"> A soil management plan shall be prepared by a qualified specialist and implemented during project construction activities near areas of known contamination or where grading or other soil disturbance activities could encounter contaminated media, undocumented USTs, or other unknown contamination or hazards. The soil management plan shall contain protocols to address site-specific conditions in compliance with local, state, and federal regulations. Soil sampling shall be performed at the time of UST removal to evaluate whether an unauthorized release has occurred. If contaminated soil is identified, protocols in the soil management plan shall be implemented in compliance with local, state, and federal regulations. 	Prior to and during construction	Construction monitoring and reporting	Construction Contractor	County of San Diego

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<ul style="list-style-type: none"> A worker health and safety plan shall be prepared and implemented during construction near areas of known contamination. The extent of asbestos-containing materials and lead-based paint shall be determined through appropriate testing techniques prior to building demolition. Proper protocols for the removal of asbestos-containing materials and lead-based paint shall be followed in compliance with local, state, and federal regulations. 				
HAZ-2 Traffic Control Plan: Prior to the start of construction of the future development, the construction contractor shall prepare a Traffic Control Plan satisfactory to the City Engineer. The Traffic Control Plan shall show all signage, striping, delineated detours, flagging operations, and any other devices that will be used during construction to guide motorists, pedestrians, and bicyclists through the construction area and allow for adequate access and circulation to the satisfaction of the City Engineer. The Traffic Control Plan shall be prepared in accordance with the City's traffic control guidelines and shall be prepared to ensure that emergency access will be continuously provided.	Prior to and during construction	Preparation and implementation of a Traffic Control Plan	Construction Contractor	City Engineer
Noise and Vibration				
NOI-1 Construction Noise. The following construction noise abatement techniques shall be implemented by the construction contractor to reduce construction-related noise to less than a 10 dBA increase in existing ambient noise levels at nearby noise-sensitive receivers: <ul style="list-style-type: none"> Temporary noise barriers shall be placed to block the line-of-sight between construction equipment operation and the residential land uses in proximity to the proposed project's property line to the north and west. One of the 	Prior to and during construction	Construction monitoring and reporting	Construction Contractor	County of San Diego (site demolition and preparation phase) and City of San Diego (future building construction phase)

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>following two options shall be implemented by the construction contractor:</p> <p>a. A temporary noise barrier shall be placed along the entire western property line of the project site and approximately 50 feet to the north from the northwestern corner at a height of 14 feet with noise blankets capable of achieving sound level reductions of at least 8 dBA to block the line-of-sight between construction equipment operations and the offsite noise-sensitive receivers to the south and southwest; <u>or</u></p> <p>b. A temporary 50-by-50-foot "L-shaped" noise barrier shall be constructed for each small construction area at a height of 14 feet with noise blankets capable of achieving sound level reductions of at least 8 dBA to block the line-of-sight between construction equipment operations and the offsite noise-sensitive receivers.</p>				
Transportation and Traffic				
<p>TRA-1 Mount Everest Boulevard & Balboa Avenue Intersection Modifications (Access Options 1 and 3)</p> <p>Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the restriping of the northbound and southbound approaches on Mount Everest Boulevard to provide an exclusive left-turn lane and a shared through-right turn lane, then convert the northbound and southbound approaches from split phasing to protected left-turn phasing, satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy.</p>	Prior to issuance of the first building permit	Permit and bond	Owner/Permittee	City Engineer

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
TRA-2 Genesee Avenue & Balboa Avenue Intersection Modifications (Access Option 3) Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy.	Prior to issuance of the first building permit	Permit and bond	Owner/Permittee	City Engineer
TRA-3 Cannington Drive & Balboa Avenue Intersection Modifications (All Access Options) Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy.	Prior to issuance of the first building permit	Permit and bond	Owner/Permittee	City Engineer
TRA-4 Charger Boulevard & Balboa Avenue Intersection Modifications (All Access Options) Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the restriping of the northbound shared through-left turn lane into an exclusive through lane and convert the northbound and southbound signal from split phasing to protective phasing and the installation of traffic systems management (TSM) strategies (e.g., adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations, satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy.	Prior to issuance of the first building permit	Permit and bond	Owner/Permittee	City Engineer

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
TRA-5 Genesee Avenue & Clairemont Mesa Boulevard Adaptive Signal Control System (All Access Options) Prior to issuance of the first building permit, Owner/Permittee shall pay its fair share (5.0 percent) toward the cost of installing traffic systems management (TSM) strategies (e.g. adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations, satisfactory to the City Engineer.	Prior to issuance of the first building permit	Fair share payment	Owner/Permittee	City Engineer
TRA-6 Clairemont Drive & Balboa Avenue Adaptive Signal Control System (All Access Options) Prior to issuance of the first building permit, Owner/Permittee shall pay its fair share (4.3 percent) toward installing traffic systems management (TSM) strategies (e.g. adaptive signal technology) to maximize efficiency of the existing roadway through improved signal communications and operations, satisfactory to the City Engineer.	Prior to issuance of the first building permit	Fair share payment	Owner/Permittee	City Engineer

(O-2020-XXXX)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 4.09 ACRES LOCATED AT 5255 MOUNT ETNA DRIVE, IN THE CLAIREMONT MESA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CO-1-2 ZONE INTO THE RM-3-9 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0507; AND REPEALING ORDINANCE NO. O-9030 (NEW SERIES), ADOPTED JUNE 4, 1964, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HERewith.

WHEREAS, under Charter section 280(a)(2) this ordinance is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on evidence presented; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That 4.09 acres located at 5255 Mount Etna Drive, and legally described as a Parcel 1 of Parcel Map No. 9284, in the City of San Diego, County of San Diego, State of California, According to Map Thereof filed in the Office of The County Recorder of San Diego County on October 23, 1979 as File No. 79-443936 of official records, in the Clairemont Mesa Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4345 filed in the office of the City Clerk as Document No. OO- _____, are rezoned from the CO-1-2 zone into the RM-3-9, as the zone is described and defined by San Diego Municipal Code Chapter 13 Article 1 Divisions 5. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-9030 (New Series), adopted June 4, 1964, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.

Section 3. That a full reading of this Ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This Ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this Ordinance shall be issued unless application therefore was made prior to the date of adoption of this Ordinance.

APPROVED: City Attorney

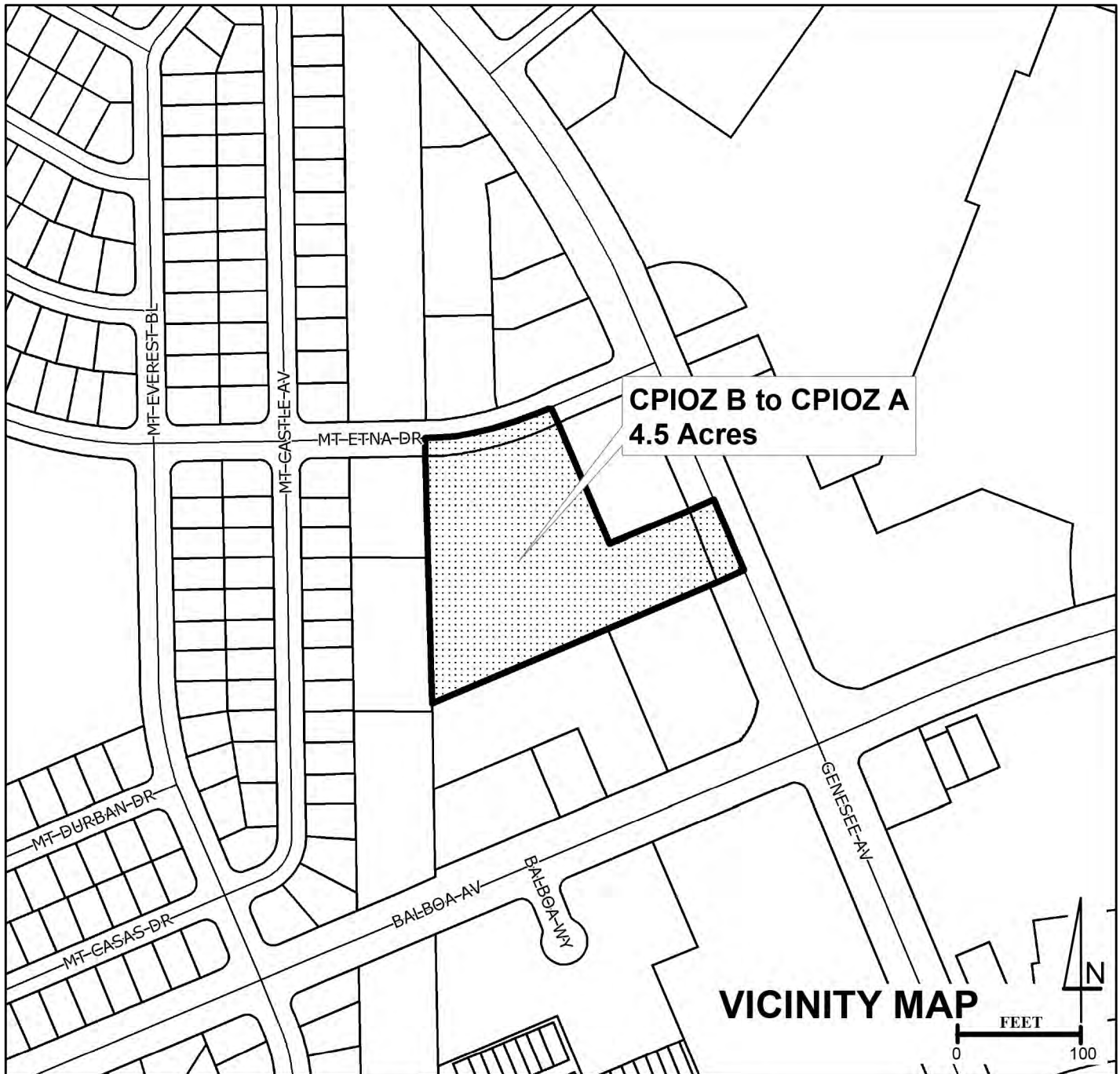
By _____

Deputy City Attorney

Date~
Or.Dept: DSD
O-XXXXX



PROPOSED REZONING

**Clairemont Mesa CPIOZ A**

ORDINANCE NO. _____
EFF. DATE ORD. _____
ZONING SUBJ. TO _____
BEFORE DATE _____
EFF. DATE ZONING _____
MAP NAME AND NO. _____

REQUEST CPIOZ A**PLANNING COMM.
RECOMMENDATION****CITY COUNCIL
ACTION****CASE NO.**

DEVELOPMENT SERVICES MANAGER

B- 4344

APN: 361-661-12

(238-1713)

GENERAL PLAN AND COMMUNITY PLAN
AMENDMENT RESOLUTION

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO
ADOPTING AN AMENDMENT TO THE GENERAL PLAN TO REDESIGNATE
A 4.09-ACRE SITE FROM COMMERCIAL EMPLOYMENT, RETAIL AND
SERVICES TO RESIDENTIAL AND AN AMENDMENT TO THE 1989
CLAIREMONT MESA COMMUNITY PLAN TO REDESIGNATE THE 4.09-
ACRE SITE FROM COMMERCIAL-COMMUNITY CENTER TO RESIDENTIAL-
HIGH 45 TO 73 DWELLING UNITS PER ACRE IN THE CLAIREMONT MESA
COMMUNITY.

WHEREAS, The County of San Diego, Department of General Services requested an amendment to the 1989 Clairemont Mesa Community Plan to redesignate a 4.09-acre site 5255 Mount Etna Drive from Commercial-Community Center to Residential-High 45 to 73 dwelling units per acre; and

WHEREAS, the action includes an amendment to the 2008 General Plan (General Plan) to redesignate the 4.09-acre site from Commercial Employment, Retail and Services to Residential due to the Clairemont Mesa Community Plan being part of the Land Use Element of the 2008 General Plan; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the General Plan, and the Clairemont Mesa Community Plan; and

WHEREAS, on _____ the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the General Plan and the Clairemont Mesa Community Plan; and

WHEREAS, the City Council has considered the Planning Commission record and recommendation, as well as the maps, exhibits, and written documents contained in the file for this amendment on record in the City of San Diego, and has considered the oral presentation given at public hearing; and

WHEREAS, the amendment retains internal consistency with the Clairemont Mesa Community Plan and the General Plan and helps achieve long-term community and citywide goals; NOW, THEREFORE,

ATTACHMENT 7

BE IT RESOLVED, by the City Council of the City of San Diego that the amendment to the
Clairemont Mesa Community Plan and General Plan is approved, a copy of which is on file in the office e
of the City Clerk as Document No. RR-_____.

APPROVED: MARA ELLIOTT, City Attorney

By _____
Corrine Neuffer
Deputy City Attorney

IBL: mm
January XX, 2020
Or.Dept: Planning
Doc. No.: XXXXX

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

ELIZABETH S. MALAND
City Clerk

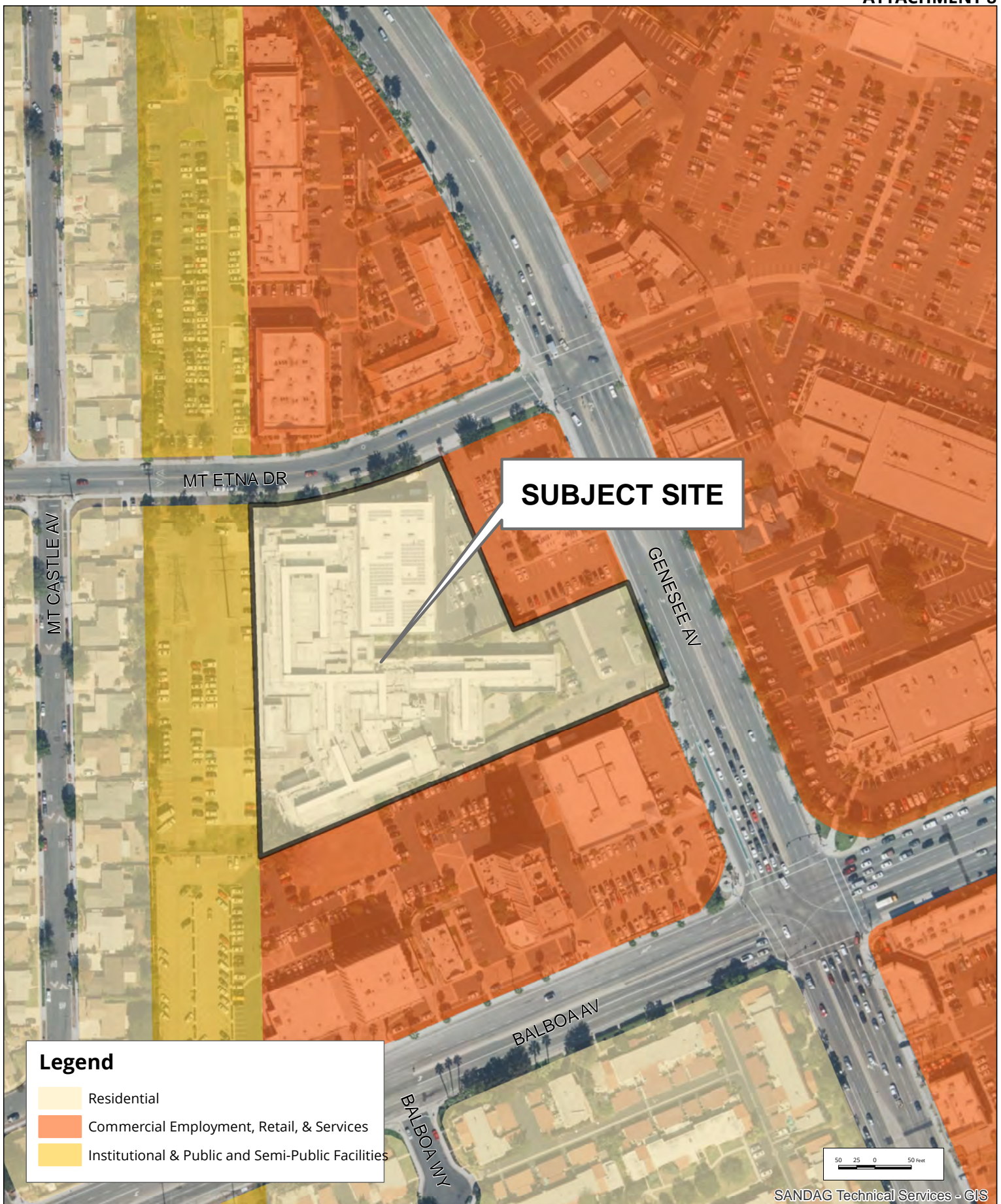
By _____
Deputy City Clerk

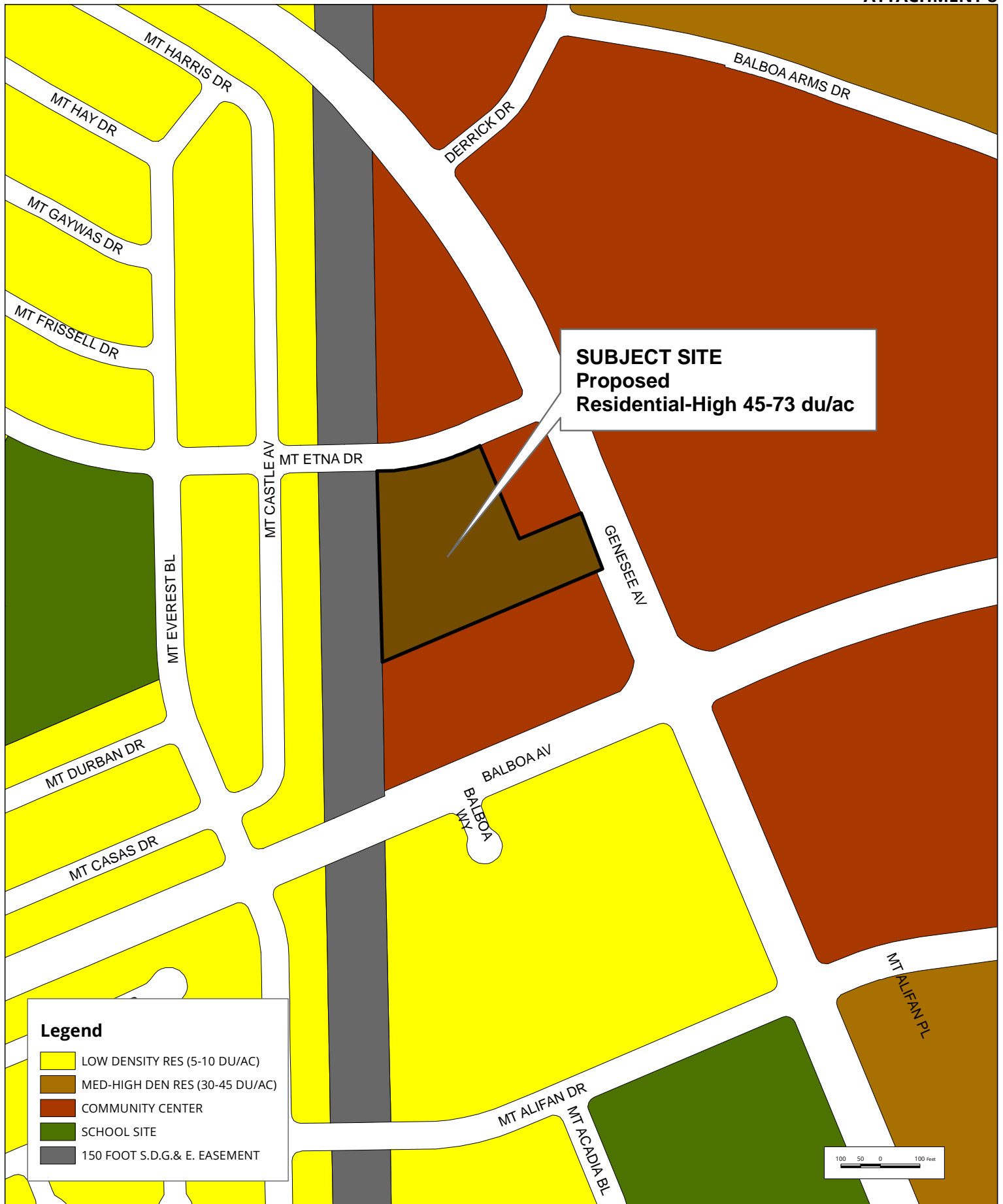
Approved: _____
(date)

KEVIN FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN FAULCONER, Mayor





ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE 2,
DIVISION 14 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING DIAGRAM 132-14A, RELATING TO A PROJECT
AT 5255 MOUNT ETNA DRIVE.

WHEREAS, the County of San Diego desires to update the Clairemont Mesa Community Plan related to a 4.09-acre project site located at 5255 Mount Etna Drive; and

WHEREAS, implementation of the proposed update requires amendments to the San Diego Municipal Code section relating to Community Plan Implementation Overlay Zones (CPIOZ) to implement a new CPIOZ area; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego as follows:

Section 1. That Chapter 13, Article 2, Division 14 of the San Diego Municipal Code is amended by amending Diagram 132-14A to remove the site located at 5255 Mount Etna Drive from the CPIOZ Type B overlay, and replace that overlay with CPIOZ Type A with new map No B-4344 and to amend Table 132-14A to delete reference to Map B-3951 and replace with Map B-4344; and

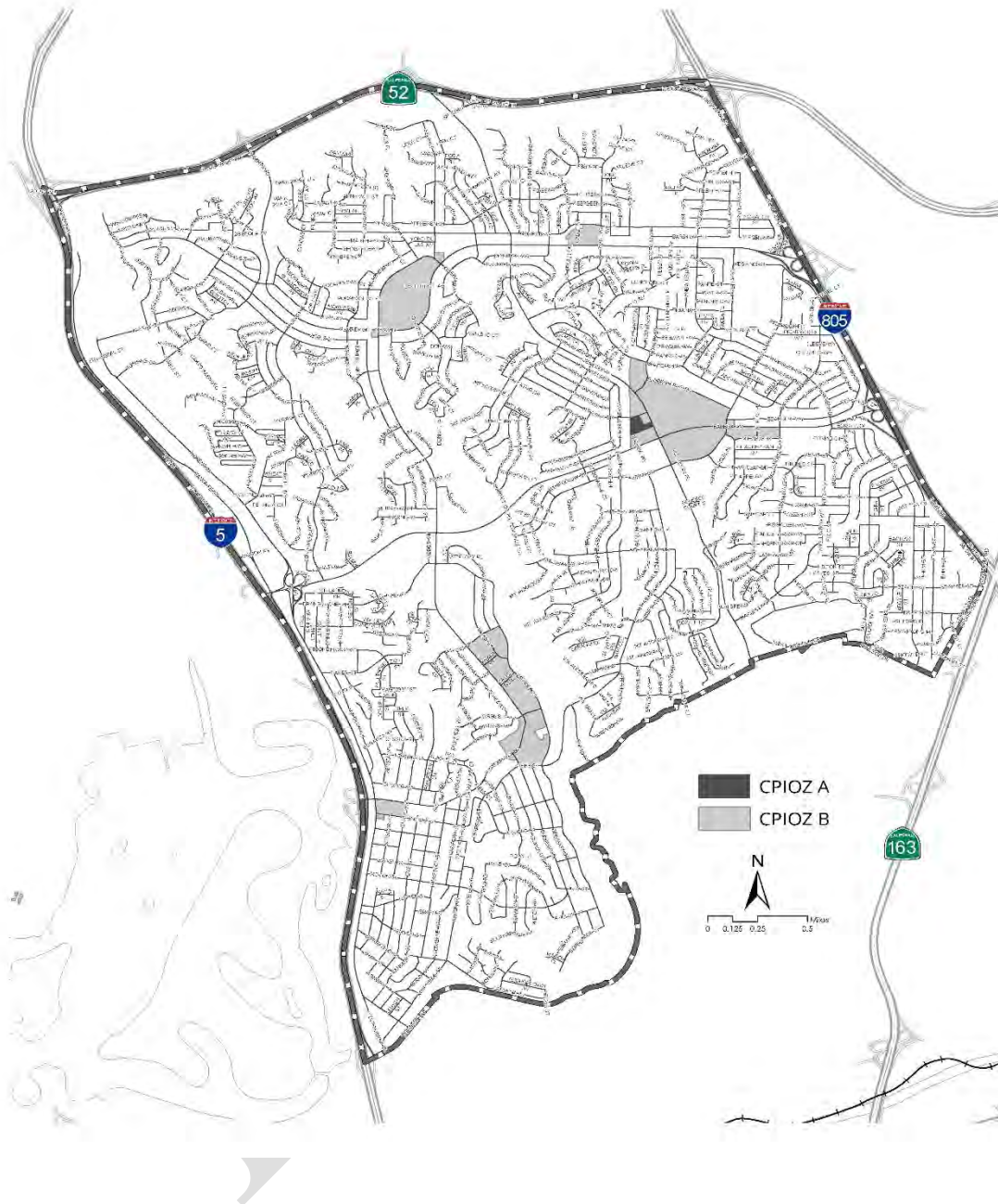


DIAGRAM 132-14A

Clairemont Mesa Community Plan Implementation Overlay Zone

This is a reproduction of Map No. C-771.1 & B-4344 for illustration purposes only.

Section 2. That a full reading of this Ordinance is dispensed with prior to passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 3. No building permits for development inconsistent with the provisions of this Ordinance shall be issued unless complete applications for such permits are submitted to the City prior to the date on which the applicable provisions of this Ordinance become effective, which date is determined in accordance with Section 7, above.

APPROVED: MARA W. ELLIOTT, City Attorney

By _____
Corrine L. Neuffer
Deputy City Attorney

CLN:xxx
Date
Or.Dept: Planning
Doc. No.:

I hereby certify that the foregoing Ordinances were passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

DRAFT

COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE

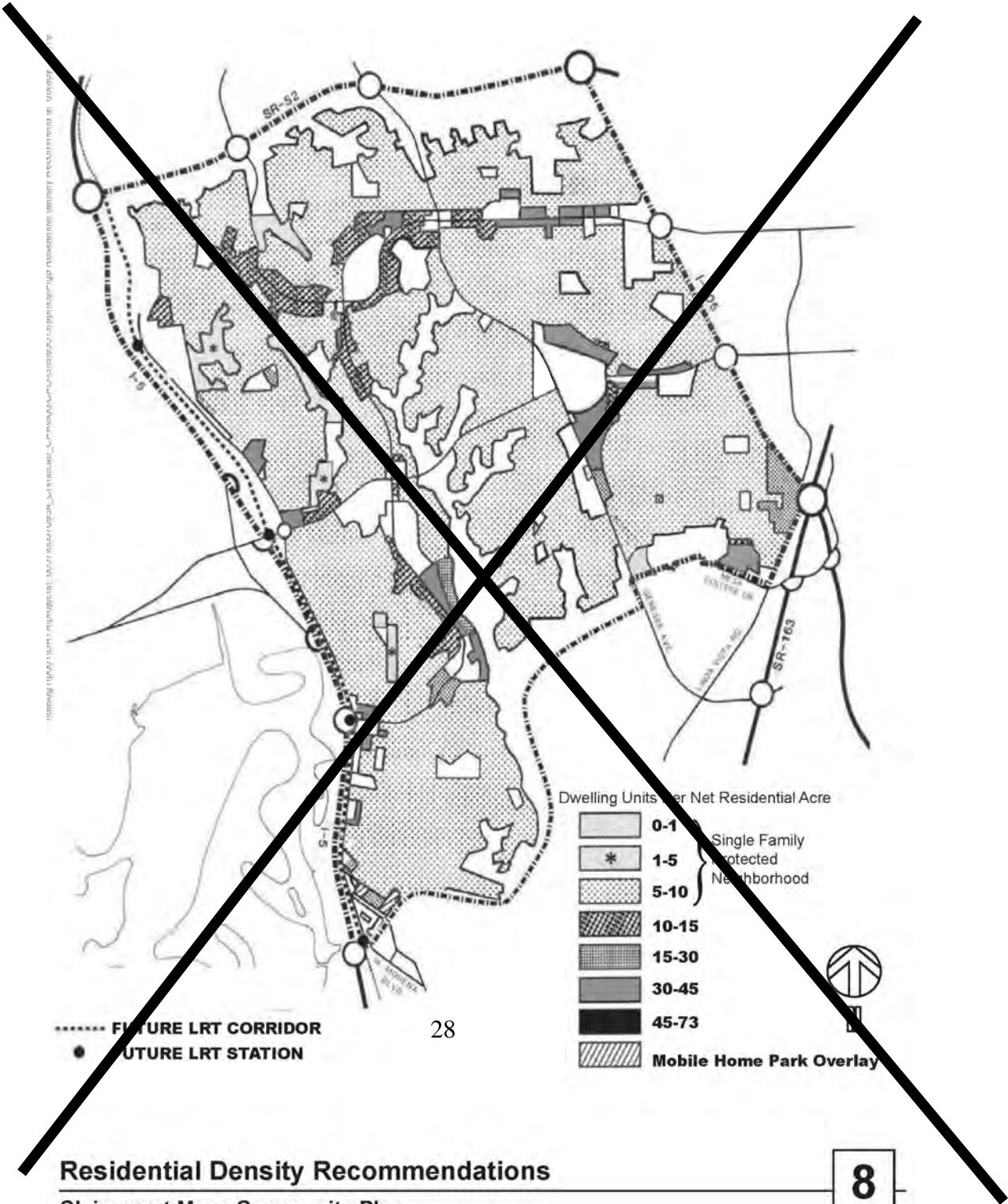
The Community Plan Implementation Overlay Zone (CPIOZ) is applied within the boundaries of the Clairemont Community per Chapter 13, Article 2, Division 14 of the Municipal Code. The purpose of the overlay zone is to supplement the Municipal Code by providing development regulations that are tailored to the three community centers (Clairemont Town Square, Genesee Plaza-Balboa Mesa, and Clairemont Village). These supplemental development regulations are designed to address landscaping, architectural design and establishment of identifiable pedestrian and bicycle circulation elements to visually and functionally integrate the centers with their surrounding neighborhood and improve the pedestrian environment. CPIOZ is also applied to the multifamily areas along Clairemont Drive and Cowley Way between Dakota Drive and Iroquois Avenue to implement a contiguous parkway streetscape environment.

RESIDENTIAL

EXISTING CONDITIONS

Of the 6,755 acres that comprise Clairemont Mesa, 4,213 acres (or 62 percent) are used for housing (**Figure 4**). The demand for housing in the community is due to: its inner-city location; job resources at Kearny Mesa, Centre City, Mission Valley and University; and, the recreational facilities of Mission Bay, Old Town, Tecolote Canyon Natural Park and Marian Bear Memorial Park. Vacant residentially zoned land in Clairemont Mesa is scarce and is predominantly located in the canyons and hillside areas. Most of the housing stock is in good condition, but some single-family homes and duplexes that were built in the 1950s and 1960s need to be renovated. With the lack of significant undeveloped land in the community, changes in housing will undoubtedly occur by the replacement of existing housing with new housing, probably at higher densities and from revitalization.

In 1989, the City Council adopted a 30-foot height limit for almost all of Clairemont Mesa (**Figure 5**). The height limit is intended to maintain the low-scale character of development in the community and to preserve public views of Mission Bay and the Pacific Ocean from western Clairemont. This community-wide height limit replaced the West Clairemont Height Limitation Overlay Zone that applied only to a portion of the community. Residents in the community believe that the number of guest quarters and companion units that have been developed in single-family neighborhoods is changing the character of those neighborhoods. Residents also feel that the conditions of approval for some of those permits are not adhered to. In Clairemont Mesa, approximately eight companion units were constructed as of 1987 and approximately four guest quarters were constructed as of 1987. The City of San Diego requires conditional use permits for these additions when the addition is to be used for guest quarters or companion





Residential Density Identification

Residential development should occur at densities shown on **Table 4** and in **Figure 8**. The density ranges are based upon dwelling units per net residential area (du/nra).

4. Rezoning

- a. The following areas should be rezoned from R-3000 to R1-5000 in order to maintain the low-density character of predominantly single-family neighborhoods: Pocahontas Avenue, north of Luna Avenue; Moraga Avenue, south of Idlewild Way; and, Onodaga Avenue between Clairemont Mesa Boulevard and Willamute Avenue (**Figure 38**).
- b. The duplexes on Clairemont Drive, between Balboa Avenue and Ute Drive should be rezoned from R-3000 to CO to be consistent with the surrounding commercial development (**Figure 38**). The site should redevelop with offices because the area is close to Balboa Avenue with good access from Clairemont Drive. On-street parking is available on Clairemont Drive and Modoc Drive.
- c. The area located east of Cowley Way, south of Dakota Street and north of Iroquois Avenue should be rezoned from R-1000/HR to R-2000/HR (**Figure 38**). Future development at this density will be more compatible with the adjacent Tecolote Canyon Natural Park and single-family development to the north. This rezoning includes the approved residential development project, Villamar, which has developed under the R-2000 zone. The property is subject to the Hillside Review Overlay Zone and the Tecolote Canyon Rim Development Guidelines.

TABLE 4
RECOMMENDED RESIDENTIAL DENSITIES

Designation	Density Range (du/nra)*
Designated Open Space**	0 – 1
Very Low	1 – 5
Low	5 – 10
Low-Medium	10 – 15
Medium	15 – 30
Medium-High	30 – 45
High	45 – 73

* dnu/nra= dwelling units per net residential acre

** See **Open Space and Environmental Resource Element**.

RECOMMENDATIONS FOR RESIDENTIAL DEVELOPMENT – CPIOZ B

The Community Plan Implementation Overlay Zone, Type B should apply to the area west of Cowley Way, south of Dakota Drive and north of Iroquois Avenue (**Figure 38**). The existing development, known as the Buena Vista Gardens, is currently developed with older multifamily housing at a density of less than that permitted by the underlying R-1000 Zone. Mature street trees in the public right-of-way and landscaping in the front yard setback create a parkway streetscape environment in this project. These significant site features could be lost from pressures to redevelop the site with the R-1000 Zone. In order to ensure the continuance of the streetscape environment along Clairemont Drive, Cowley Way and Dakota Drive, the following development features should be incorporated into the site design:

1. Maintain the 25-foot front yard setback and stagger buildings to create breaks between structures. This will help avoid the look of “row housing” along Cowley Way and Clairemont Drive.
2. Provide a landscaped buffer with a 25-foot front yard setback along Dakota Drive to help create a transition area between the new multifamily development and the single-family residential neighborhood to the north.
3. Provide garages that are concealed from the public right-of-way.

MT. ETNA RESIDENTIAL DEVELOPMENT – CPIOZ A

CPIOZ, Type A sets the framework for infill development within the Mt Etna site shown on Figure 8A and provides supplemental development regulations to ensure a high-quality development that provides needed affordable housing opportunities near transit, shopping, and employment. The CPIOZ, Type A regulations are intended to result in development that is integrated within the Community Core, provides frontage elements that promote safe pedestrian activity, non-residential ground floor uses that support and enhance the public realm, supports multi-modal travel, strengthens community connectivity and identity, and promotes village-like development opportunities within the Community Core.

The proposed development shall comply with the following supplemental development regulations of the CPIOZ and be consistent with the general intent of the RM-3-9 zone as modified by these regulations and any incentives or waivers granted pursuant to Article 3: Supplemental Development Regulations, Division 7: Affordable Housing Regulations of the San Diego Municipal Code and any State allowed density bonus incentives. The proposed development will conform to the base density of the RM-3-9 zone and intends to qualify and obtain approval for density bonus at the time of project submittal to permit 404 dwelling units.

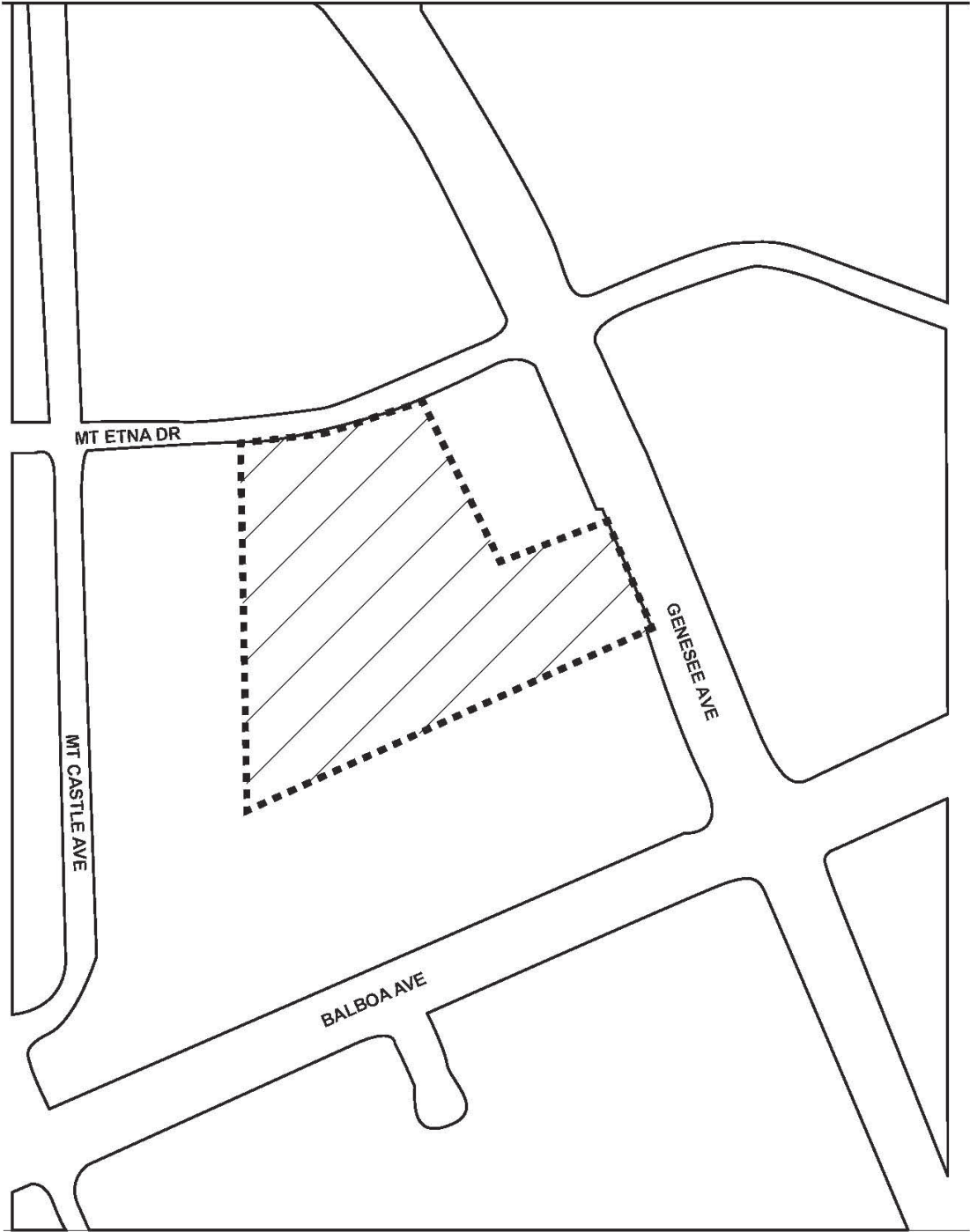


Figure 8A
Mt. Etna CPIOZ Type A Boundary

SUPPLEMENTAL DEVELOPMENT REGULATIONS

SDR 1. Expected Development

The intent of the Mt. Etna CPIOZ, Type A regulations is to provide primarily for multi-family residential uses that complement the surrounding community core and existing single-family residential uses. Additional uses that activate the ground floor and provide community benefit for residents and the surrounding community are also desired. Permitted uses within CPIOZ, Type A area are as follows:

Multiple Dwelling Units

- a. The multiple dwelling units may have on-site support services.

Non-Residential Ground Floor Area

- a. A minimum of 1,500 square feet of non-residential ground floor area is required.
- b. The minimum square footage cited above will be public spaces or uses allowed within the base zone.

SDR 2. Height

The maximum building height shall not exceed 70 feet including all affordable housing incentives.

SDR 3. Building Setbacks

The following building setbacks are intended to encourage pedestrian scale and compatibility with adjacent uses. Any minimum setback not included below would be consistent with the existing San Diego Municipal Code standard for the RM-3-9 zone.

- a. The minimum building setback from Genesee Avenue is 0 feet from the property line.
- b. The minimum building setback from the south property line is 10 feet (this does not apply to Genesee Avenue).
- c. The minimum building setback from the westerly property line is 10 feet.

SDR 4. Landscaping and Streetscape Landscaping

Landscape Requirements

A minimum of 15 percent of the site must be landscaped. Any required landscaping, such as for required setbacks or parking lots, will count towards meeting the minimum amount of required landscaped area.

- a. The minimum required landscaped area may be reduced to 10 percent of site area when the site includes an area with minimum dimensions of 15 feet by 15 feet planted with at least one large-canopy tree. At least 50 percent of the ground area within this space must be planted with ground cover plants and the remainder may be hard-surfaced for use by pedestrians.

- b. Landscaped areas raised above ground level may be used to meet the minimum landscaped area standard when soil depth is a minimum of 30 inches.
- c. Up to 50 percent of the required landscaped area may be for pedestrian use, such as walkways and plazas, if the area is surfaced with pervious pavement approved by the City. If this provision is used, no impervious surfaces can be counted toward meeting the minimum landscaped area standard.

Street Trees

Street trees will be planted and maintained along public street frontages to provide a shaded pedestrian environment and give a pedestrian character to the street. As determined feasible and agreed upon by the City Engineer, the street trees shall conform to the following conditions:

- a. Each street tree shall receive a minimum of 10 cubic feet of below surface volume.
- b. Street trees in tree grates are allowed; however, if trees in tree grates are selected landscaped parkways must incorporate a permeable hardscape that allows water infiltration.

SDR 5. Ground Floor Design

At least 1,500 square feet of non-residential ground floor uses are required to facilitate multi-modal access and community connectivity.

- a. All non-residential ground floor uses shall be oriented so that the primary pedestrian entrance(s) are from an abutting public street.

SDR 6. Building Articulation

The purpose and intent of these regulations is to diminish the overall visual mass of the building, create significant variations of the exterior façade, and enhance the view of the building by pedestrians and passersby.

- a. Building facades shall be varied and articulated to provide visual interest. This can be accomplished by incorporating the following: changes in wall texture and color, changes in material and color, and special architectural elements such as: inset balconies, vertical fins, horizontal shading devices, roof overhangs, varied decorative railings and offsetting planes.
- b. All building elevations fronting a public street or private street shall be composed of offsetting planes that provide relief in the building façade by inseting or projecting surfaces (planes) of the building. The minimum horizontal separation between planes is

based on the length of the new building façade as shown below:

	<u>Length of Building Facade</u>	<u>Offsetting Plane Requirements</u>
<u>1</u>	<u>0-25 feet</u>	<u>Two planes with a minimum separation of 6 inches</u>
<u>2</u>	<u>More than 25 feet but less than or equal to 50 feet</u>	<u>Four planes:</u> <ul style="list-style-type: none"> • <u>Two with a minimum of 6 inches¹</u> • <u>Two with a minimum of 1 foot</u>
<u>3</u>	<u>Each additional 50 feet of façade beyond the first 50 feet</u>	<u>Must incorporate the requirements of #2</u>

¹ This requirement can be satisfied with the substitution of one of the following:

1. Nominal 2 inch recess around windows.
2. The use of two building materials.
3. Building color blocking using two colors.
4. Variation of balcony guardrail design.
5. Inclusion of a court.
6. Addition of bay windows.
7. Insert balconies.
8. Exterior shading devices such as overhangs, shadow boxes, and vertical fins.

c. Roof Designs:

- i. Roof design shall include breaks or variations in the roof line.
- ii. Any appurtenances or mechanical equipment on a flat roof shall be grouped and screened.

d. Pedestrian Entrances and Connections: The purpose and intent of these regulations is to provide a logical interconnected network for pedestrians to facilitate access to the premises and internal circulation within the premise.

- i. Pedestrian Entrances: A minimum of one direct at-grade pedestrian entrance shall be required from the public right-of-way for every 300 feet of street frontage.
- ii. Internal Pedestrian connections: A system of walkways shall connect all pedestrian entrances on the site and provide connections to other areas of the site used by building occupants and visitors, including parking areas, and any pedestrian amenities.

SDR 7. Screening and Fencing

Screening and fencing shall be provided consistent with the following:

- a. All storage areas shall be contained within an enclosed building area. Outdoor storage is prohibited unless completely screened from public view. Storage areas shall not be placed facing a public right-of-way.
- b. Enclosures that surround the development are prohibited. Fencing can be used to delineate property boundaries, but shall not be used to create an enclave separate from the surrounding neighborhood.

- c. Chain link fencing is prohibited.

SDR 8. Residential Open Space

A minimum amount of outdoor living area must be provided for residents as follows:

- a. Private Exterior Open Space: Private open space shall be provided on a balcony, patio, or roof terrace for at least 50 percent of all residential units, with a minimum area of 40 square feet and a minimum dimension of 4 feet in any direction. Balconies should be proportionately distributed throughout the development in relationship to floor levels and sizes of units.
- b. Common Space: Residential development must provide common space either indoor or outdoor at grade, podium level, or roof level. Common indoor or outdoor open space areas shall have a minimum dimension of 15 feet, or 25 feet when bordered by three building walls exceeding a height of 15 feet and may contain active and/or passive areas and a combination of hardscape and landscape features, but a minimum of 10 percent of the common outdoor open space area(s) must be planted. Common outdoor open space may be separate spaces designed for families and/or seniors and must be accessible to residents of the project.
- c. Surfacing materials: Required outdoor areas shall be surfaced with lawn, pavers, decking, or sport court paving to allow the area to be used for active or passive recreational use.
- d. Amenities, such as tables, benches, trees, shrubs, planter boxes, garden plots, pet areas, spas, fitness circuits, or pools, may be counted as common space. Common space may also be developed with amenities such as play areas, plazas, roof-top patios, picnic areas, and open recreational facilities.

SDR 9. Environmental Protection Standards

- a. Any project proposed on-site is required to implement the feasible mitigation measures described in the Final Environmental Impact Report for the Mount Etna Community Plan Amendment and Rezone Project, SCH No. 201891016. Mitigation implementation and timing is subject to the language in the final Mitigation Monitoring and Reporting Program (MMRP).
- b. Any project proposed on-site must submit a complete project-level Climate Action Plan (CAP) Consistency Checklist and have the checklist approved by City staff prior to the issuance of a building permit.
- c. Any project proposed on-site must prepare a project-specific waste management plan and have the plan approved by City staff prior to the issuance of a building permit.
- d. Project site access shall be determined to the satisfaction of the City Engineer prior to the issuance of a building permit.

RECOMMENDATIONS FOR HILLSIDE DEVELOPMENT

- 1. Preservation of Open Space

Sites that should be designated as open space and rezoned to R1-40000/HR (one dwelling unit per 40,000 square feet and the Hillside Review Overlay Zone) in order to preserve existing canyon and natural open space systems (**Figure 32** and see **Open Space and Environmental Resources Element**) include:

- a. Approximately 39 privately owned acres comprising the northern two-thirds of Stevenson Canyon, located north of Ecochee Avenue and west of Clairemont Drive.
- b. A finger canyon of Tecolote Canyon, located south of Marlesta Drive and east of Genesee Avenue.
- c. A finger canyon of San Clemente Canyon, located south of San Clemente and east of Regents Road.
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12
FIGURE

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Balboa Mesa and Genesee Plaza shopping centers consist of 85 acres with over 50 retail stores. These centers are in fair condition and are underutilized with one-story buildings surrounded and separated by excess parking and vacant land. Both centers would benefit from signs that are more compatible with the scale and height of buildings in the center. An improved internal automobile, bicycle and pedestrian circulation system is also needed, in addition to improving the landscaping along the sidewalks on Balboa Avenue.

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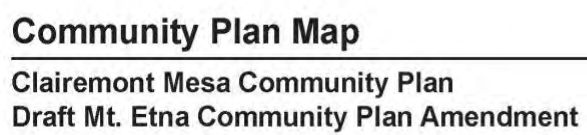
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COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE

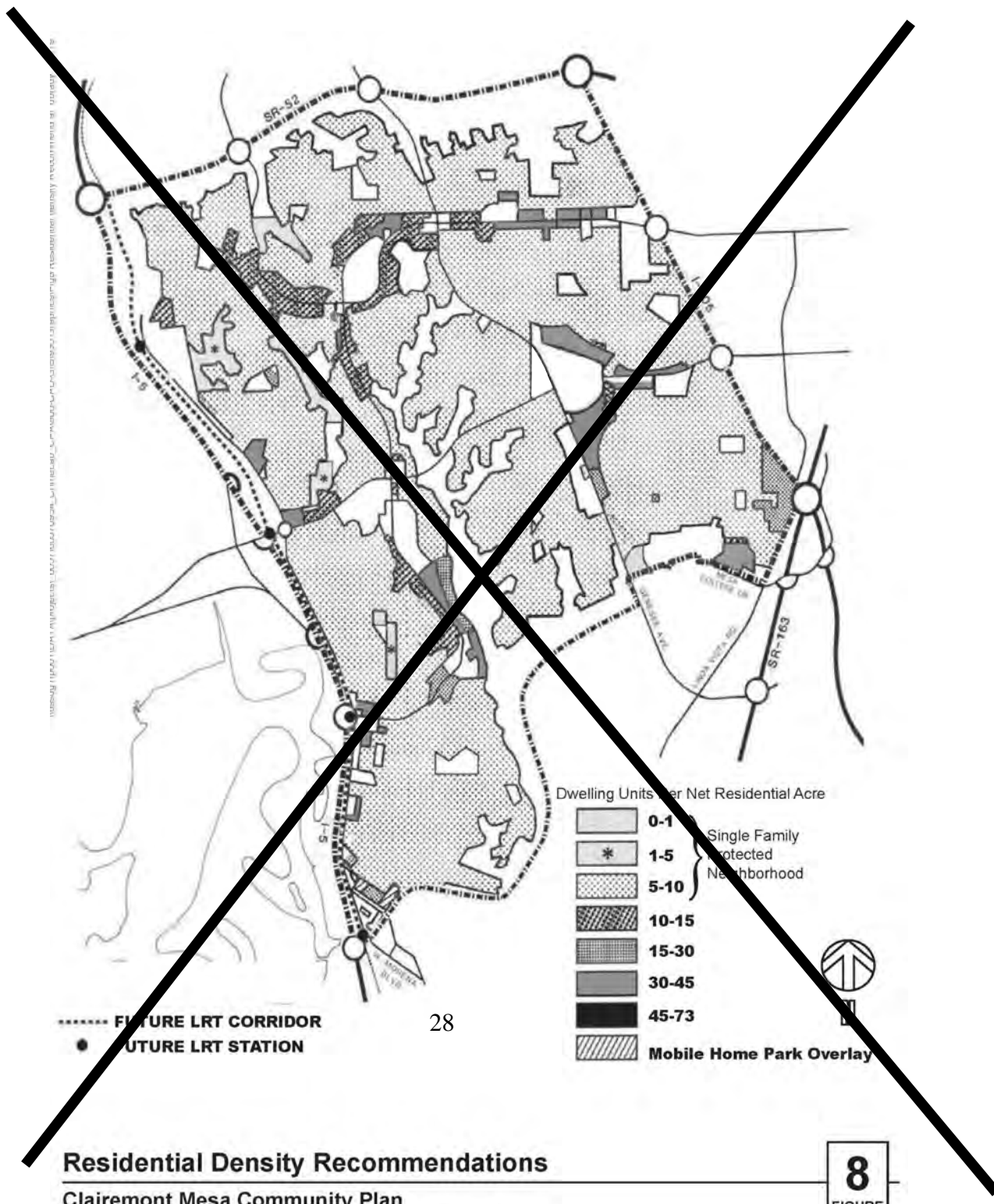
The Community Plan Implementation Overlay Zone (CPIOZ) is applied within the boundaries of the Clairemont Community per Chapter 13, Article 2, Division 14 of the Municipal Code. The purpose of the overlay zone is to supplement the Municipal Code by providing development regulations that are tailored to the three community centers (Clairemont Town Square, Genesee Plaza-Balboa Mesa, and Clairemont Village). These supplemental development regulations are designed to address landscaping, architectural design and establishment of identifiable pedestrian and bicycle circulation elements to visually and functionally integrate the centers with their surrounding neighborhood and improve the pedestrian environment. CPIOZ is also applied to the multifamily areas along Clairemont Drive and Cowley Way between Dakota Drive and Iroquois Avenue to implement a contiguous parkway streetscape environment.

RESIDENTIAL

EXISTING CONDITIONS

Of the 6,755 acres that comprise Clairemont Mesa, 4,213 acres (or 62 percent) are used for housing (**Figure 4**). The demand for housing in the community is due to: its inner-city location; job resources at Kearny Mesa, Centre City, Mission Valley and University; and, the recreational facilities of Mission Bay, Old Town, Tecolote Canyon Natural Park and Marian Bear Memorial Park. Vacant residentially zoned land in Clairemont Mesa is scarce and is predominantly located in the canyons and hillside areas. Most of the housing stock is in good condition, but some single-family homes and duplexes that were built in the 1950s and 1960s need to be renovated. With the lack of significant undeveloped land in the community, changes in housing will undoubtedly occur by the replacement of existing housing with new housing, probably at higher densities and from revitalization.

In 1989, the City Council adopted a 30-foot height limit for almost all of Clairemont Mesa (**Figure 5**). The height limit is intended to maintain the low-scale character of development in the community and to preserve public views of Mission Bay and the Pacific Ocean from western Clairemont. This community-wide height limit replaced the West Clairemont Height Limitation Overlay Zone that applied only to a portion of the community. Residents in the community believe that the number of guest quarters and companion units that have been developed in single-family neighborhoods is changing the character of those neighborhoods. Residents also feel that the conditions of approval for some of those permits are not adhered to. In Clairemont Mesa, approximately eight companion units were constructed as of 1987 and approximately four guest quarters were constructed as of 1987. The City of San Diego requires conditional use permits for these additions when the addition is to be used for guest quarters or companion





Residential Density Identification

Residential development should occur at densities shown on **Table 4** and in **Figure 8**. The density ranges are based upon dwelling units per net residential area (du/nra).

4. Rezoning

- a. The following areas should be rezoned from R-3000 to R1-5000 in order to maintain the low-density character of predominantly single-family neighborhoods: Pocahontas Avenue, north of Luna Avenue; Moraga Avenue, south of Idlewild Way; and, Onodaga Avenue between Clairemont Mesa Boulevard and Willamute Avenue (**Figure 38**).
- b. The duplexes on Clairemont Drive, between Balboa Avenue and Ute Drive should be rezoned from R-3000 to CO to be consistent with the surrounding commercial development (**Figure 38**). The site should redevelop with offices because the area is close to Balboa Avenue with good access from Clairemont Drive. On-street parking is available on Clairemont Drive and Modoc Drive.
- c. The area located east of Cowley Way, south of Dakota Street and north of Iroquois Avenue should be rezoned from R-1000/HR to R-2000/HR (**Figure 38**). Future development at this density will be more compatible with the adjacent Tecolote Canyon Natural Park and single-family development to the north. This rezoning includes the approved residential development project, Villamar, which has developed under the R-2000 zone. The property is subject to the Hillside Review Overlay Zone and the Tecolote Canyon Rim Development Guidelines.

TABLE 4
RECOMMENDED RESIDENTIAL DENSITIES

Designation	Density Range (du/nra)*
Designated Open Space**	0 – 1
Very Low	1 – 5
Low	5 – 10
Low-Medium	10 – 15
Medium	15 – 30
Medium-High	30 – 45
High	45 – 73

* dnu/nra= dwelling units per net residential acre

** See **Open Space and Environmental Resource Element**.

RECOMMENDATIONS FOR RESIDENTIAL DEVELOPMENT – CPIOZ B

The Community Plan Implementation Overlay Zone, Type B should apply to the area west of Cowley Way, south of Dakota Drive and north of Iroquois Avenue (**Figure 38**). The existing development, known as the Buena Vista Gardens, is currently developed with older multifamily housing at a density of less than that permitted by the underlying R-1000 Zone. Mature street trees in the public right-of-way and landscaping in the front yard setback create a parkway streetscape environment in this project. These significant site features could be lost from pressures to redevelop the site with the R-1000 Zone. In order to ensure the continuance of the streetscape environment along Clairemont Drive, Cowley Way and Dakota Drive, the following development features should be incorporated into the site design:

1. Maintain the 25-foot front yard setback and stagger buildings to create breaks between structures. This will help avoid the look of “row housing” along Cowley Way and Clairemont Drive.
2. Provide a landscaped buffer with a 25-foot front yard setback along Dakota Drive to help create a transition area between the new multifamily development and the single-family residential neighborhood to the north.
3. Provide garages that are concealed from the public right-of-way.

MT. ETNA RESIDENTIAL DEVELOPMENT – CPIOZ A

CPIOZ, Type A sets the framework for infill development within the Mt Etna site shown on Figure 8A and provides supplemental development regulations to ensure a high-quality development that provides needed affordable housing opportunities near transit, shopping, and employment. The CPIOZ, Type A regulations are intended to result in development that is integrated within the Community Core, provides frontage elements that promote safe pedestrian activity, non-residential ground floor uses that support and enhance the public realm, supports multi-modal travel, strengthens community connectivity and identity, and promotes village-like development opportunities within the Community Core.

The proposed development shall comply with the following supplemental development regulations of the CPIOZ and be consistent with the general intent of the RM-3-9 zone as modified by these regulations and any incentives or waivers granted pursuant to Article 3: Supplemental Development Regulations, Division 7: Affordable Housing Regulations of the San Diego Municipal Code and any State allowed density bonus incentives. The proposed development will conform to the base density of the RM-3-9 zone and intends to qualify and obtain approval for density bonus at the time of project submittal to permit 404 dwelling units.

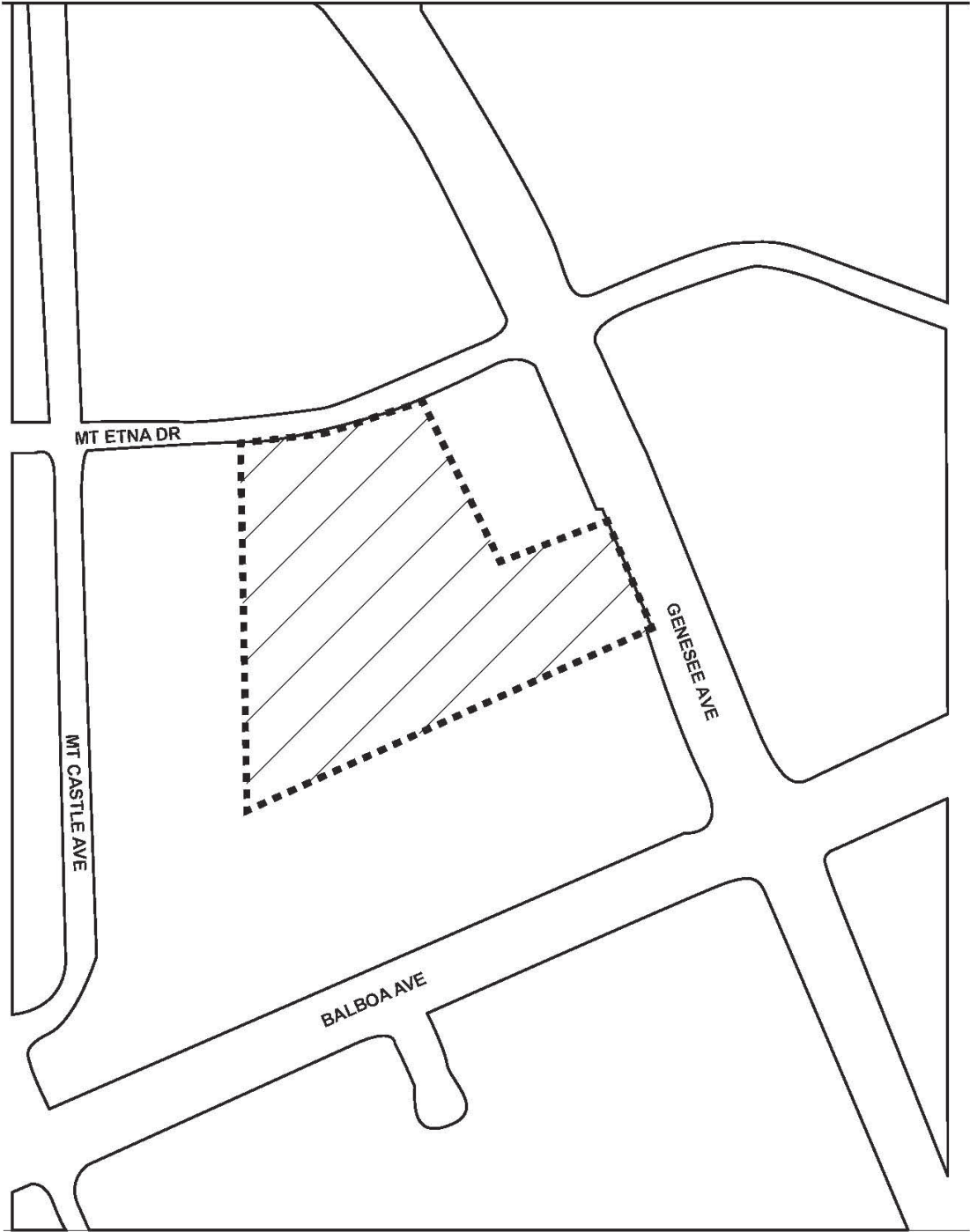


Figure 8A
Mt. Etna CPIOZ Type A Boundary

SUPPLEMENTAL DEVELOPMENT REGULATIONS

SDR 1. Expected Development

The intent of the Mt. Etna CPIOZ, Type A regulations is to provide primarily for multi-family residential uses that complement the surrounding community core and existing single-family residential uses. Additional uses that activate the ground floor and provide community benefit for residents and the surrounding community are also desired. Permitted uses within CPIOZ, Type A area are as follows:

Multiple Dwelling Units

- a. The multiple dwelling units may have on-site support services.

Non-Residential Ground Floor Area

- a. A minimum of 1,500 square feet of non-residential ground floor area is required.
- b. The minimum square footage cited above will be public spaces or uses allowed within the base zone.

SDR 2. Height

The maximum building height shall not exceed 70 feet including all affordable housing incentives.

SDR 3. Building Setbacks

The following building setbacks are intended to encourage pedestrian scale and compatibility with adjacent uses. Any minimum setback not included below would be consistent with the existing San Diego Municipal Code standard for the RM-3-9 zone.

- a. The minimum building setback from Genesee Avenue is 0 feet from the property line.
- b. The minimum building setback from the south property line is 10 feet (this does not apply to Genesee Avenue).
- c. The minimum building setback from the westerly property line is 10 feet.

SDR 4. Landscaping and Streetscape Landscaping

Landscape Requirements

A minimum of 15 percent of the site must be landscaped. Any required landscaping, such as for required setbacks or parking lots, will count towards meeting the minimum amount of required landscaped area.

- a. The minimum required landscaped area may be reduced to 10 percent of site area when the site includes an area with minimum dimensions of 15 feet by 15 feet planted with at least one large-canopy tree. At least 50 percent of the ground area within this space must be planted with ground cover plants and the remainder may be hard-surfaced for use by pedestrians.

- b. Landscaped areas raised above ground level may be used to meet the minimum landscaped area standard when soil depth is a minimum of 30 inches.
- c. Up to 50 percent of the required landscaped area may be for pedestrian use, such as walkways and plazas, if the area is surfaced with pervious pavement approved by the City. If this provision is used, no impervious surfaces can be counted toward meeting the minimum landscaped area standard.

Street Trees

Street trees will be planted and maintained along public street frontages to provide a shaded pedestrian environment and give a pedestrian character to the street. As determined feasible and agreed upon by the City Engineer, the street trees shall conform to the following conditions:

- a. Each street tree shall receive a minimum of 10 cubic feet of below surface volume.
- b. Street trees in tree grates are allowed; however, if trees in tree grates are selected landscaped parkways must incorporate a permeable hardscape that allows water infiltration.

SDR 5. Ground Floor Design

At least 1,500 square feet of non-residential ground floor uses are required to facilitate multi-modal access and community connectivity.

- a. All non-residential ground floor uses shall be oriented so that the primary pedestrian entrance(s) are from an abutting public street.

SDR 6. Building Articulation

The purpose and intent of these regulations is to diminish the overall visual mass of the building, create significant variations of the exterior façade, and enhance the view of the building by pedestrians and passersby.

- a. Building facades shall be varied and articulated to provide visual interest. This can be accomplished by incorporating the following: changes in wall texture and color, changes in material and color, and special architectural elements such as: inset balconies, vertical fins, horizontal shading devices, roof overhangs, varied decorative railings and offsetting planes.
- b. All building elevations fronting a public street or private street shall be composed of offsetting planes that provide relief in the building façade by inseting or projecting surfaces (planes) of the building. The minimum horizontal separation between planes is

based on the length of the new building façade as shown below:

	<u>Length of Building Facade</u>	<u>Offsetting Plane Requirements</u>
<u>1</u>	<u>0-25 feet</u>	<u>Two planes with a minimum separation of 6 inches</u>
<u>2</u>	<u>More than 25 feet but less than or equal to 50 feet</u>	<u>Four planes:</u> <ul style="list-style-type: none"> • <u>Two with a minimum of 6 inches¹</u> • <u>Two with a minimum of 1 foot</u>
<u>3</u>	<u>Each additional 50 feet of façade beyond the first 50 feet</u>	<u>Must incorporate the requirements of #2</u>

¹ This requirement can be satisfied with the substitution of one of the following:

1. Nominal 2 inch recess around windows.
2. The use of two building materials.
3. Building color blocking using two colors.
4. Variation of balcony guardrail design.
5. Inclusion of a court.
6. Addition of bay windows.
7. Insert balconies.
8. Exterior shading devices such as overhangs, shadow boxes, and vertical fins.

c. Roof Designs:

- i. Roof design shall include breaks or variations in the roof line.
- ii. Any appurtenances or mechanical equipment on a flat roof shall be grouped and screened.

d. Pedestrian Entrances and Connections: The purpose and intent of these regulations is to provide a logical interconnected network for pedestrians to facilitate access to the premises and internal circulation within the premise.

- i. Pedestrian Entrances: A minimum of one direct at-grade pedestrian entrance shall be required from the public right-of-way for every 300 feet of street frontage.
- ii. Internal Pedestrian connections: A system of walkways shall connect all pedestrian entrances on the site and provide connections to other areas of the site used by building occupants and visitors, including parking areas, and any pedestrian amenities.

SDR 7. Screening and Fencing

Screening and fencing shall be provided consistent with the following:

- a. All storage areas shall be contained within an enclosed building area. Outdoor storage is prohibited unless completely screened from public view. Storage areas shall not be placed facing a public right-of-way.
- b. Enclosures that surround the development are prohibited. Fencing can be used to delineate property boundaries, but shall not be used to create an enclave separate from the surrounding neighborhood.

- c. Chain link fencing is prohibited.

SDR 8. Residential Open Space

A minimum amount of outdoor living area must be provided for residents as follows:

- a. Private Exterior Open Space: Private open space shall be provided on a balcony, patio, or roof terrace for at least 50 percent of all residential units, with a minimum area of 40 square feet and a minimum dimension of 4 feet in any direction. Balconies should be proportionately distributed throughout the development in relationship to floor levels and sizes of units.
- b. Common Space: Residential development must provide common space either indoor or outdoor at grade, podium level, or roof level. Common indoor or outdoor open space areas shall have a minimum dimension of 15 feet, or 25 feet when bordered by three building walls exceeding a height of 15 feet and may contain active and/or passive areas and a combination of hardscape and landscape features, but a minimum of 10 percent of the common outdoor open space area(s) must be planted. Common outdoor open space may be separate spaces designed for families and/or seniors and must be accessible to residents of the project.
- c. Surfacing materials: Required outdoor areas shall be surfaced with lawn, pavers, decking, or sport court paving to allow the area to be used for active or passive recreational use.
- d. Amenities, such as tables, benches, trees, shrubs, planter boxes, garden plots, pet areas, spas, fitness circuits, or pools, may be counted as common space. Common space may also be developed with amenities such as play areas, plazas, roof-top patios, picnic areas, and open recreational facilities.

SDR 9. Environmental Protection Standards

- a. Any project proposed on-site is required to implement the feasible mitigation measures described in the Final Environmental Impact Report for the Mount Etna Community Plan Amendment and Rezone Project, SCH No. 201891016. Mitigation implementation and timing is subject to the language in the final Mitigation Monitoring and Reporting Program (MMRP).
- b. Any project proposed on-site must submit a complete project-level Climate Action Plan (CAP) Consistency Checklist and have the checklist approved by City staff prior to the issuance of a building permit.
- c. Any project proposed on-site must prepare a project-specific waste management plan and have the plan approved by City staff prior to the issuance of a building permit.
- d. Project site access shall be determined to the satisfaction of the City Engineer prior to the issuance of a building permit.

RECOMMENDATIONS FOR HILLSIDE DEVELOPMENT

- 1. Preservation of Open Space

Sites that should be designated as open space and rezoned to R1-40000/HR (one dwelling unit per 40,000 square feet and the Hillside Review Overlay Zone) in order to preserve existing canyon and natural open space systems (**Figure 32** and see **Open Space and Environmental Resources Element**) include:

- a. Approximately 39 privately owned acres comprising the northern two-thirds of Stevenson Canyon, located north of Ecochee Avenue and west of Clairemont Drive.
- b. A finger canyon of Tecolote Canyon, located south of Marlesta Drive and east of Genesee Avenue.
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The following section provides responses and analysis to the various land use issues identified by staff and the Planning Commission at the December 6, 2018 General/Community Plan Amendment Initiation hearing:

1. **Analysis of impact of potential residential development on public services and facilities.** A complete analysis of public services and facilities is included in the Environmental Impact Report (EIR SCH No. 2018091016) for the Mount Etna Community Plan Amendment and Rezone. No significant impact to public services and facilities was identified in the EIR. Below is a more detailed summary from the EIR.
 - **Water and Wastewater.** The development will be designed to tie into existing City infrastructure and the developer will pay all applicable fees, per City requirements. According to the EIR, the proposed project will not require the construction of new water or wastewater treatment facilities or an expansion of existing treatment facilities, and impacts to water and wastewater resources will be less than significant. See Section 3.8 (Utilities and Service Systems) of the EIR for additional details.
 - **Solid Waste.** Construction and operation of the project would generate solid waste. Construction of the project is expected to generate 486 tons of solid waste per year and operation of the project is expected to generate 382 tons per year, both of which are under the City's direct impact threshold of 1,500 tons of waste. Therefore, the project will not result in the need for new or altered solid waste facilities, and impacts will be less than significant. The project would also comply with all state and local regulations pertaining to solid waste management and diversion including the City's Recycling Ordinance. See Section 3.8 (Utilities and Service Systems) of the EIR for additional details.
 - **Fire Protection/Life Safety and Police Protection.** Clairemont is served by the San Diego Police Department Western Division Station located in the Linda Vista community to the south. Fire and life safety services are provided by the San Diego Fire and Rescue Department which has Fire Stations 25, 27, and 36 within the community with Fire Station 36 located approximately one mile to the east of the project site. The proposed project will not result in a physical impact associated with maintaining response times or performance objectives for any fire protection or police protection services. Assuming an average household size of 2.05 people, maximum buildout of 404 units allowed by the project would have the potential to generate an additional 829 residents in the Clairemont Mesa community. These additional residents would create a net increase in demand for fire protection/life safety and police protection services from the San Diego Fire Department (SDFD) and San Diego Police Department (SDPD). However, because the site is already served by the SDFD and SDPD, project implementation would not expand the service area boundaries or increase the amount of urban land requiring services. Moreover, while the project would allow for a different type of land use on the project site, the change in land use and higher density of the residential development are not anticipated to substantially increase calls for services to the extent that necessitates the construction of new police facilities. The developer

would also pay all applicable development impact fees prior to issuance of a building permit to ensure that adequate funding is provided to SDFD and SDPD to support the project. See Section 3.6 (Public Services) of the EIR for additional details.

- Schools.** Holmes Elementary School is 0.8 miles from the site. The John Muir School and Sequoia Elementary School are both 0.9 miles from the site. Marston Middle School is 1.4 miles from the site. Both Madison High School and Clairemont High School are 1.5 miles from the site. The proposed project will generate between 167 and 335 students at San Diego Unified School District (SDUSD), including between 92 and 184 grades K–5 students, between 34 and 69 grades 6–9 students, and between 41 and 82 grades 9–12 students. According to the EIR and discussions with SDUSD, there is capacity to accommodate grades 6–8 and grades 9–12 students. However, Holmes Elementary School is currently at capacity. Other nearby elementary schools in the Clairemont Mesa community will likely have sufficient capacity to accommodate the projected number of K–5 students, should capacity at Holmes Elementary not be available, per SDUSD input. Furthermore, the need for additional school facilities associated with new development is addressed through compliance with school impact fee assessment. Payment of statutory fees by developers serves as California Environmental Quality Act (CEQA) mitigation to satisfy the impact of development on schools, per Section 66000 et seq. of the California Government Code. See Section 3.6 (Public Services) of the EIR for additional details.
- Parks and Recreation Facilities.** Parks located near the project site include Mt. Etna Neighborhood Park (3.23 acres) located 0.6 miles to the west, Mt. Acadia Neighborhood Park (5.61 acres) approximately one mile to the south, and Olive Grove Community Park (9.18 acres) located approximately 1.2 miles to the northeast. With all residential development, the City requires developers to satisfy one of the following three options to accommodate recreational needs generated by future development within the city: (1) pay the City's established parks development impact fee; (2) pay a portion of the parks development impact fee and provide dedicated parkland; or (3) provide dedicated parkland and pay the recreation center and aquatic complex portion of the development impact fee. Because the project has the potential to generate an additional 829 residents with development of the future residential building, the future developer would be required to either provide approximately 2.32 acres of parkland to accommodate the new residents or pay the applicable recreation and parks development impact fees to the City prior to issuance of a building permit. The actual amount the future developer would have to pay for the park development impact fee depends on the number of units proposed in the future residential development. Because the future developer would be providing for the development of additional parklands, either through the payment of development impact fees or by directly constructing or providing the parkland, the increased use of existing parks and recreational facilities would not result in substantial physical deterioration of the existing facilities. See Section 3.7 (Recreation and Parks) of the EIR for additional details.
- Libraries.** The Balboa Branch Library is located 0.5 miles east from the project site. The proposed project has the potential to generate up to an additional 829 residents in the Clairemont Mesa

community, which would increase the demand for library services from the San Diego Public Library (SDPL) system, especially at the three closest SDPL libraries and at the SDPL Central Library. The future applicant for the residential development would be required to pay the most current City development impact fees related to library facilities prior to issuance of a building permit. Payment of the development impact fees ensures adequate funding is available to ensure library facilities are provided in the community with the addition of the project. See Section 3.6 (Public Services) of the EIR for additional details.

2. **Analysis of traffic impacts associated with increased density.** A complete analysis of traffic is included in the Final EIR. According to the EIR, the proposed project will not result in impacts related to traffic hazards, circulation movements and alternative transportation, and vehicle miles traveled. However, direct and cumulative impacts will occur related to trip generation and roadway/intersection capacity. Project impacts to study intersections and roadway segments will occur during the Existing plus Project phase, Near-term plus Project phase, and Cumulative plus Project phase. These impacts will be mitigated or partially mitigated, with the measures detailed in the EIR (including but not limited to lane restriping, optimization of signal timing, and traffic system management strategies). However, a significant and unavoidable roadway segment impact along Balboa Avenue during each of these phases, and at two intersections and two roadway segments along Mount Etna Drive and Balboa Avenue during the Cumulative plus Project phase, will occur. There are no other feasible improvements that can be implemented for the impacted roadway segments. See Section 2.4 (Transportation and Traffic) of the EIR for additional details.

CEQA requires an EIR to consider a reasonable range of potentially feasible alternatives that would lessen significant impacts of the project and foster informed decision making. As such, the EIR evaluated a No Project/No Redevelopment Alternative (which would retain the vacant crime lab building), a No Project/Existing Community Plan and Zoning Alternative (which would allow for up to 70,000 square feet of commercial office development), and a Reduced Intensity Alternative (which would allow for up to 312 residential units). The Reduced Intensity Alternative was developed to reduce the project's traffic impacts on roadway segments or intersections by decreasing the unit count to a point where at least one roadway segment impact would be reduced (Balboa Avenue from Charger Boulevard to Interstate 805 southbound ramps). However, under the Reduced Intensity Alternative, all other roadway segment and intersection impacts identified for the proposed project will remain and the overall impact will be significant and unavoidable.

The No Project/Existing Community Plan and Zoning Alternative was found to result in increased traffic impacts compared to the proposed project. As described in Section 4.5 of the EIR, the No Project/Existing Community Plan and Zoning Alternative would still produce operational traffic impacts to existing, near-term, or long-term traffic conditions on the roadway network surrounding the project site. Assuming up to 70,000 square feet of medical office space would be developed, this alternative would generate 3,395 daily trips. This is an increase of 1,377 daily trips (68 percent) when compared to the proposed project. Trip generation for the No Project/Existing Community Plan and Zoning Alternative is shown in Table 4-1 of the EIR.

Analysis of bulk and scale simulations in relationship to the adjacent buildings surrounding the neighborhood. As part of the developer's outreach related to the project, the developer's design team has used several renderings of similar projects to show what the development may look like. The examples are consistent with the proposed CPA and its supplemental development regulations (SDRs), and are included as part of this attachment .

3. **Analysis of potential setbacks and setbacks, shadow effects, and development of design guidelines.**

- *Setbacks:* The CPA proposes a minimum 0-foot front setback (along Genesee Avenue), a minimum 10-foot side setback (along south property line), and a minimum 10-foot rear setback (along west property line, adjacent to the San Diego Gas and Electric easement). The front setback is proposed to require pedestrian scale development along the Genesee Avenue frontage in support of the broader objectives for an enhanced pedestrian environment and scale within the Community Core. The side and rear setbacks are proposed to ensure compatibility with adjacent commercial and utility uses, respectively. The minimum street side setback along Mt. Etna Drive will be consistent with the existing standard in the San Diego Municipal Code (10 feet). See SDR 3 of the CPA for additional details.
- *Shadow Effects:* While the height of the structures on-site will be increased from existing one- and two-story-buildings to a maximum height of 70 feet, the proposed height will be consistent with the two existing Balboa Towers located south of the project site, which are seven stories and 10 stories in height. Due to the proposed height of the future development, a shade and shadow analysis was completed to determine the future development's resulting shadows and compatibility with the surrounding development. While shadows would be cast onto a portion of the surrounding development, the shadows would not be cast on areas that rely on sunlight to function properly, such as pedestrian-oriented outdoor eating areas, schools, nurseries, or solar collectors. See Section 3.1 (Aesthetics) of the EIR for additional details.
- *Development of Design Guidelines:* The CPA also proposes several SDRs related to landscaping and streetscaping, ground floor orientation, building articulation (including offsetting building facades, roof design, and pedestrian connectivity), screening and fencing, and residential open space. The SDRs will assist in ensuring future development at the site would be consistent with the vision for high-quality affordable homes connected to the surrounding Community Core and would be compatible with adjacent existing uses. See SDRs 4 through 8 of the CPA for additional details.

4. **Ability to incorporate commercial on-site.** The CPA will redesignate the site from a commercial use to a residential use to reflect the intent to develop a primarily residential home community on the Mt. Etna site. The proposed RM-3-9 zone allows for a variety of commercial uses on-site. The CPA (SDR-1) also requires that a minimum of 1,500 square feet of non-residential uses be provided consistent with the RM-3-9 zone. These non-residential uses could be a variety of commercial uses allowed by the

RM-3-9 zone. In fact, the expected use of a senior center or community center is a Specially Regulated Commercial Use in the Arts and Entertainment category. This commercial use is allowed as a Limited use through Process One (i.e. City Staff decision) of the City's Development Review Process. SDR-1 also requires that the ground floor space serve a public benefit for the local community and be accessible from Genesee Avenue, connecting the site to the surrounding Community Core.

5. **Incorporation of a robust public outreach process as part of the Community Plan Amendment process.** The applicant and larger project team worked with a consultant specializing in public outreach for this project. The official outreach process for the Mt. Etna CPA and Rezone began in September 2018 where County staff attended a Community Planning Group (CPG) meeting to introduce the CPA as part of the City's CPA initiation process. The EIR process also began in September 2018 where there was over a month-long scoping period to inform the public of the CPA and allow the public to provide comments on the analysis for the EIR. Two scoping meetings were also held, one in September and one in October. After the CPG meeting in September, the County attended the Mt. Etna CPG ad-hoc subcommittee meeting in late October followed by a second full CPG meeting in November. In December, the Planning Commission approved initiation of the CPA, which allowed the County to move forward with the CPA and Rezone.

After initiation was accepted, the County held 26 outreach events between February and November 2019, including 2 community events, 6 stakeholder interviews, 9 stakeholder meetings (with a variety of groups such as the Clairemont Town Council, Clairemont Cares, Clairemont Cluster of Schools, Clairemont Coalition on Homeless; 3 elected official briefings, a community workshop; 2 affordable home community tours, 2 Clairemont-Mesa Community Planning Group meetings, and 1 round of door-to-door outreach. The developer also created a project website and the County continues to post important schedule information and FAQs (Frequently Asked Questions) there. Seven separate email blasts have also gone out to the project's running email subscribers list and postcard mailers have been sent to 1,420 addresses in the project area.

Over the summer and into the fall of 2019, the County worked through the City's CPA cycle review process and drafted the associated EIR. The Draft EIR was released for public review on October 9, 2019, and the public review period ended on November 25. In October through December, the County held additional stakeholder interviews and returned to the Mt. Etna CPG ad-hoc subcommittee and full CPG for their recommendations on the CPA.

6. On December 5, the County and larger project team held an open house to inform the public of conceptual designs that incorporate some of the things heard from the community over the past year. A schedule showing the outreach items noted above are in listed in the following:
 - **Outreach Hours:** 78 hours of outreach events since February 2019
 - 429 hours of outreach conducted by the project team since February 2019
 - **Outreach Events:** 29 outreach events since February 2019
 - 2 community events since February 2019

- 6 stakeholder interviews since February 2019
- 9 stakeholder meetings since February 2019
- 3 elected official briefings since February 2019
- 1 community workshop since February 2019
- 1 community meeting open house since February 2019
- 2 affordable home community tours since March 2019
- 4 Clairemont Community Planning Group meetings since February 2019
- 1 round of door-to-door outreach
- **Groups/Stakeholders Met With:** 11 groups/stakeholders met with since February 2019
 - 19 meetings since February 2019
 - City of San Diego—Development Services, Clairemont Chamber of Commerce, Clairemont Town Council, Clairemont Coalition on Homelessness, Clairemont Cares, Circulate, Clairemont Cluster of Schools, Councilmember Chris Cate’s office, Assembly Member Todd Gloria’s office, Supervisor Nathan Fletcher’s office, Mesa College
- **Events Held:** 22 events held since February 2019
 - Bus tour for the public, bus tour for elected officials, community workshop, stakeholder interviews, stakeholder meetings, elected official briefings, community meeting open house.
- **Types of Outreach Conducted:** 9 types of outreach conducted since February 2019
 - Stakeholder interviews
 - Stakeholder meetings
 - Elected official briefings
 - Community workshop
 - Community meeting open house
 - Door-to-door outreach
 - Affordable home bus tours
 - Community events
 - Community planning group meetings
- **E-blasts:** 12 E-blasts sent since March 2019
- **Social Media:**
 - 3 posts to Nextdoor since March 2019
- **Advertisements:** 4 ads ran since February 2019
 - 2 display ads in the Clairemont Times
 - 2 digital ads in the Clairemont Times
 - 15,000 print copies distributed in Clairemont, Bay Park, Linda Vista, Kearny Mesa, University City, Serra Mesa and Pacific Beach
 - 1,126 viewers of the online ad from March 22, 2019 to April 30, 2019
 - 185 hovers and 6 clicks
- **Postcards:** 1 postcard mailer sent since February 2019
 - Sent to 1,420 addresses in the Clairemont area.



MASSING STUDY
5255 MOUNT ETNA DRIVE
06.25.18



From: Nicholas William Reed [REDACTED]
Sent: Thursday, January 16, 2020 12:38 PM
To: Naveen Waney [REDACTED]; Pangilinan, Marlon
<MPangilinan@sandiego.gov>
Subject: Re: Clairemont CPG: Vote on Mt. Etna

Marlon,

We still need to vote on the minutes for the December Special Meeting which will be next week.
12 out of 16 members were present. And the final motion was as follows:

Clairemont Community Planning Group agrees that affordable housing in this location is appropriate, but does not agree with the CPA as presented, as detailed in the subcommittee's presentation and main meeting's minutes.

The vote was 10-0-1, I abstained due to lack of information, and Glen Schmidt recused himself from the entire discussion due to past relationship with developer of project. Both of these items were reflected in the minutes to be approved.

Let me know if you need any more information.

-Nick

FORM

DS-318

October 2017



**City of San Diego
Development Services**
1222 First Ave., MS 302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval(s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit ☐ Variance
☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment • ☒ **Other** Community Plan Amendment and Rezone

Project Title: Mt. Etna Rezone **Project No. For City Use Only:** _____

Project Address: 5255 Mt. Etna Drive, San Diego, CA 92117

Specify Form of Ownership/Legal Status (please check):

☐ Corporation ☐ Limited Liability -or- ☐ General - What State? _____ Corporate Identification No. _____

☐ Partnership ☐ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: County of San Diego, a political subdivision of the State of California ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 5560 Overland Ave #410

City: San Diego State: CA Zip: 92117

Phone No.: 858-694-2301 Fax No.: _____ Email: jody.mays@sdcounty.ca.gov

Signature: _____ Date: 1/17/2020

Additional pages Attached: ☐ Yes ☐ No

Applicant

Name of Individual: Jody Mays, Deputy Director Asset Management Division ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 5560 Overland Ave #410

City: San Diego State: CA Zip: 92123

Phone No.: 858-694-2301 Fax No.: _____ Email: jody.mays@sdcounty.ca.gov

Signature: Mays, Jody Digitally signed by Mays, Jody
Date: 2020.01.17 12:59:42 -0800 Date: 1/17/2020

Additional pages Attached: ☐ Yes ☒ No

Other Financially Interested Persons

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: ☐ Yes ☐ No

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 Upon request, this information is available in alternative formats for persons with disabilities.