

RESOLUTION NO. 2021-114

A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF ESCONDIDO, CALIFORNIA,  
APPROVING AN ADDENDUM TO AN  
ADOPTED EIR PREPARED FOR THE  
DOWNTOWN SPECIFIC PLAN AMENDMENT  
FOR GROUND FLOOR RETAIL.

WHEREAS, in recent years, there have been considerable discussions throughout the State of California regarding the housing shortage, which is associated with rising housing costs and lack of affordable housing options; and

WHEREAS, land use controls provided in the Escondido General Plan and the Zoning Code influence housing production in the City in several ways. The permitted and conditionally permitted uses in each zoning district guide new development and provide both developers and the public with an understanding of how vacant and underutilized land will develop in the future. This includes the density of development that will occur within a particular land use designation or zoning district; and

WHEREAS, Government Code section 65583(c)(3), requires that cities and counties address, and where feasible, remove the constraints to housing production and conservation; and

WHEREAS, ground-floor restrictions on residential uses is construed as a constraint to housing development because the ground-floor requirement has effectively delayed the turn-over recycling of properties, and the build-out of dwelling units in the Downtown Specific Plan; and

WHEREAS, pursuant to CEQA and the CEQA Guidelines (Title 14 of California Code of Regulations, Section 15000 et. seq.), the City is the Lead Agency for the Project, as the public agency with the principal responsibility for approving the proposed Project;

and

WHEREAS, on May 23, 2012, the City Council adopted Resolution No. 2012-53 approving the General Plan Update, Downtown Specific Plan Update, and Climate Action Plan and certifying and approving the Final Environmental Impact Report (“Final EIR”), CEQA Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Project; and

WHEREAS, the first addendum to the Final EIR was prepared for the Downtown Specific Plan Density Transfer Program, and was adopted by City Council Ordinance No. 2019-06 on May 8, 2019; and

WHEREAS, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an EIR has been certified, the lead agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code section 21166 and CEQA Guidelines section 15162 require additional environmental review; and

WHEREAS, City staff evaluated the environmental impact of the proposed modifications to the Project in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166 and CEQA Guidelines section 15162; and

WHEREAS, based on this evaluation, staff concluded that the Final EIR had fully analyzed and mitigated, where feasible, in compliance with CEQA, all potentially significant environmental impacts, if any, that would result from the Project modifications, that the impacts to the environment as a result of the modifications are consistent with and would not create substantial new or increased impacts beyond those that were

evaluated in the EIR, and that, therefore, no subsequent EIR or Mitigated Negative Declaration is now required; and

WHEREAS, as a result of the proposed modifications to the Project, and to document staff's evaluation of the environmental impact of said modifications, staff prepared Addendum #2 to the Final EIR pursuant to CEQA Guidelines section 15164; and

WHEREAS, the City Council has reviewed and considered the information, findings, and conclusions contained in Addendum #2, including without limitation the EIR and supporting documents; and

WHEREAS, City staff provided public notice of the application in accordance with City and State public noticing requirements; and

WHEREAS, the Planning Division scheduled a duly noticed public hearing regarding the Project before the Planning Commission on June 22, 2021, at which interested persons were given the opportunity to appear and present their views with respect to said Project. Following said public hearing, the Planning Commission adopted Resolution No. 2021-07, recommending that the City Council approve the Project and the Addendum to the EIR; and

WHEREAS, prior to adopting or amending a Specific Plan, Government Code section 65453 requires the legislative body to hold at least one public hearing, notice of which shall be given pursuant to Government Code section 65090 and in accordance with City and State public noticing requirements; and

WHEREAS, on August 11, 2021, the City Council of the City of Escondido did hold a duly noticed public hearing as prescribed by law. At said hearing, this City Council

received and considered the reports and recommendations of the Planning Commission and City staff, and gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter. Evidence was submitted to and considered by the City Council, including, without limitation:

- a. Written information including plans, studies, written and graphical information, and other material, submitted as part of the Project;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The staff report, dated August 11, 2021, with its attachments as well as City staff's recommendation on the Project and Addendum #2 to the EIR, which is incorporated herein as though fully set forth herein; and
- d. Additional information submitted during the public hearing; and

WHEREAS, the City Council has reviewed and considered the information, findings, and conclusions contained in Addendum #2, including without limitation the FINAL EIR and supporting documents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California:

1. That the above recitations are true.
2. That, through the adoption of Addendum #2 to the Final EIR, all requirements of CEQA have been met.
3. That, after consideration of all evidence presented, and studies and investigations made by the City Council and on its behalf, the City Council hereby approves and adopts Addendum #2 to the Final EIR, attached hereto as Exhibit "A" to this Resolution.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof the 11<sup>th</sup> day of August, 2021 by the following vote to wit:

AYE : Councilmembers: GARCIA, INSCOE, MARTINEZ, MORASCO, MCNAMARA

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:

DocuSigned by:  
  
CAACE20782954D3...  
PAUL MCNAMARA, Mayor of the  
City of Escondido, California

ATTEST:

DocuSigned by:  
  
A58535D0BDC1430...  
ZACK BECK, City Clerk of the  
City of Escondido, California

RESOLUTION NO. 2021-114

**EXHIBIT "A"****SECOND ADDENDUM TO THE FINAL CERTIFIED  
ESCONDIDO GENERAL PLAN UPDATE, DOWNTOWN SPECIFIC PLAN UPDATE, AND  
CLIMATE ACTION PLAN ENVIRONMENTAL IMPACT REPORT (SCH #2010071064)  
TO AMEND THE DOWNTOWN SPECIFIC PLAN TO ADDRESS  
THE GROUND FLOOR RETAIL REQUIREMENT****EXECUTIVE SUMMARY****Purpose and Background**

This Second Addendum ("Addendum") to the 2012 Final Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Environmental Impact Report ("Final EIR") has been prepared by the City of Escondido ("City") in conformance with the California Environmental Quality Act (Public Resources Code section 21000 et seq.) ("CEQA"), the regulations promulgated thereunder (14 California Code of Regulations section 15000 et seq.) ("CEQA Guidelines"), and the City's Environmental Review Guidelines (Article 47 of the Escondido Zoning Code) to address minor technical changes to the Downtown Specific Plan. The changes consist of the following:

1. A proposed amendment to the Downtown Specific Plan to change zoning regulations to require ground-floor commercial uses only at key locations or preference areas based on context or planning objectives rather than as a blanket requirement to ensure future projects are feasible and the desired community character is preserved. The Project consists of a map amendment to Figure II-4 of the Downtown Specific Plan to eliminate the ground-floor retail requirement in areas where standalone residential uses would not be detrimental to the surrounding commercial districts and goals of the Downtown Specific Plan.

The purpose of this Addendum is to provide updated information to the previously-certified Final EIR. Aside from the update of Figure II-4 of the Downtown Specific Plan, and ancillary text amendments for reference in support, there are no substantial changes in the Downtown Specific Plan. Section 15164(a) of the CEQA Guidelines states that "[t]he lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Section 15162 of the CEQA Guidelines provides that a subsequent EIR is required when (1) substantial changes are proposed in the project or circumstances that will require major revisions of the prior EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (2) 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 prior EIR was certified, shows that (a) the project will have one or more significant effects not discussed in the prior EIR, (b) significant effects previously examined will be substantially more severe than shown in the

prior EIR, (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project but the project proponents decline to adopt the mitigation measure or alternative, or (d) mitigation measures or alternatives that are considerably different from those analyzed in the prior EIR would substantially reduce one or more significant effects on the environment but the project proponents decline to adopt the mitigation measure or alternative.

As discussed in the following sections, the new information and minor technical modifications are not considered "significant" pursuant to CEQA. Specifically, the Addendum to the Final EIR finds that the impacts resulting from implementation of the 2012 General Plan Update and the Climate Action Plan as described in the previous Final EIR, as well as the Downtown Specific Plan Update, remain the same, aside from the Project's proposed modification, and the mitigation measures would remain unchanged and are still valid and enforceable. No considerably different mitigation measures or feasible alternatives have been identified. The Addendum to the Final EIR finds that the previously identified impacts and mitigation measures, as described in the Final EIR, are still applicable to the updated Downtown Specific Plan. Therefore, the Final EIR, as certified, remains adequate and complete. The proposed Specific Plan Amendment to address the ground-floor retail requirement may, therefore, be approved as an activity covered within the scope of the Final EIR.

All other environmental analysis sections are not contained herein because the original Final EIR for those environmental areas are still applicable and do not require updated information. CEQA does not require that the original Final EIR be circulated with the Addendum, but the original Final EIR is available for public review from the City of Escondido upon request. Therefore, please refer to the original Final EIR for other environmental topics not contained in this Addendum.

## **1.0 Introduction**

This section provides information related to CEQA and the revised analysis to the Final EIR, as it relates to the updated Downtown Specific Plan to address the ground floor retail requirement. This section discusses the original Final EIR (SCH #2010071064), which was certified in 2012. This section provides background information on the need to provide updated information to the original analysis in reference to the Downtown Specific Plan Amendment.

### **1.1 Project Description:**

First approved by the City Council in the 1980s, the Downtown Specific Plan has been amended over the years in response to a particular community interest or to accommodate new development. However, the specific plan's primary purpose remains the same: to provide a comprehensive plan for land use, development regulations and incentives, design guidelines and strategies directed at facilitating a dynamic city center and downtown environment. The Downtown Specific Plan currently encompasses approximately 475 acres extending from I-15 and West Valley Parkway to Fig Street, between Washington and Fifth Avenues including the urban core along Grand Avenue. In 2012, there were approximately 1,200 dwelling units existing

in the Downtown Specific Plan planning area. Since then, only 185 units have been constructed within the Downtown Specific Plan. Another 776 units have been approved but not yet constructed.

In 2013, an amendment to the Downtown Specific Plan (Planning Case no. PHG 13-0018) increased the boundaries of the planning area by adding approximately 58 acres by rezoning adjacent properties. The amendment also updated residential densities by increasing the maximum density permitted in some areas from 45 dwelling units to 75 or 100 dwelling units per acre. Among other things, the objectives of the Downtown Specific Plan Amendment were to create a development scheme that encourages economic development and vitality in a more urban environment. Overall, the 2013 Downtown Specific Plan Amendment maintained a buildout of 5,275 dwelling units in the downtown area for the planned horizon year of 2035 as previously analyzed in the certified Final EIR. As of this writing, there are 900 dwelling units approved, but not built. Another 222 dwelling units are still in the entitlement phase. The current remaining balance of available residential units within the Downtown Specific Plan is 3,764 units.

Given the City's built-out character, most of the goals and policies in the existing Downtown Specific Plan continue to represent the City's position on growth and development issues in the downtown area. The overall goals of the General Plan are to preserve and enhance the "downtown core" character of area. The Downtown Specific Plan includes a Land Use Map that identifies the types of uses and densities/intensities of use permitted within the area. Portions of the Downtown Specific Plan have nonresidential zones where residential densities are permitted or allowed. However, the zoning requires ground-floor uses in a storefront location limited to retail-serving or office uses only, and residential uses permitted only above or behind a primary use. It may be difficult, however, to market and develop a property with these blanket ground-floor commercial requirements because there is a finite economic market available to support providing additional commercial services. Mixed-use development thrives when it is focused in a compact area, not over lengthy corridors, as is currently mandated in the Downtown Specific Plan.

The Downtown Specific Plan area was established to encourage the downtown area to be a high-density, mixed-use urban center and a primary hub for business, services, entertainment, and urban residential activities. However, the Downtown Specific Plan area is currently a product of historical land use decisions and functions. Historically the downtown has served more as a retail and office destination. The locations for residential land uses is regulated by Figure II-4 of the Downtown Specific Plan. The map currently identifies four district locations for residential land uses: 1) No Residential Permitted; 2) Ground Floor Residential Allowed with Permit; 3) Residential Only: No Commercial Permitted; and 4) Ground Floor Retail or Office Required: Residential Allowed Above.

The Downtown Specific Plan policies and standards need to be updated to reflect new development priorities, changes in market trends, and a need to bring more housing to the area. One of the goals of the Downtown Specific Plan is to expand downtown properties toward a mix of different uses and encourage people to live in commercial areas. For a downtown to continue its recent success, and develop a wider range of business, services, and entertainment, a

residential base is necessary. Because the ground-floor retail requirement on many properties has effectively delayed the turn-over recycling of properties and the build-out of dwelling units in the Downtown Specific Plan, the existing policy framework acts as a constraint to housing development. The City needs to amend the Downtown Specific Plan to require ground-floor commercial uses only at key locations or preference areas based on context or planning objectives rather than as a blanket requirement to ensure future projects are feasible and the desired community character is preserved. In order to effectively implement reductions in the areas that require ground-floor retail, Figure II-4 of the Downtown Specific Plan needs to be amended to show new locations where residential use may be permitted, and under what terms and limitations. Therefore, the Project consists of a map amendment to Figure II-4 of the Downtown Specific Plan to require ground-floor commercial uses only at key locations. Specific Plan text amendments are also proposed as ancillary, in reference of support of the map amendment.

### **1.1 California Environmental Quality Act:**

CEQA requires that state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects (Public Resources Code sections 21000 et seq.). CEQA also requires that each public agency mitigate or avoid, wherever feasible, the significant environmental impacts of a project that it approves or implements. A significant impact is one that would lead to a substantial adverse change in the physical conditions of the environmental areas affected by the project.

An EIR is an informational document used in state, regional, and local planning and decision-making processes to meet the requirements of CEQA. The EIR for a proposed project must disclose environmental effects that cannot be avoided; growth-inducing effects; effects found not to be significant; and significant cumulative impacts of all past, present and reasonably anticipated future projects. In addition, an EIR must identify potential methods of avoiding or reducing effects (i.e., mitigation measures) and alternatives to the proposed project or program

### **1.2 Final EIR for the 2012 General Plan Update, Downtown Specific Plan Update, and Climate Action Plan:**

The Final EIR addresses a full range of environmental issues associated with the 20-year planning horizon of the 2012 General Plan (2035). The Final EIR was certified on May 23, 2012, by the Escondido City Council (Resolution No. 2012-53.) A Mitigation Monitoring and Reporting Program ("MMRP"); Findings of Fact including significant and unavoidable air quality, biological resources, noise, vibration, housing, traffic, and utilities impacts; and a Statement of Overriding Considerations were also adopted at the same public hearing.

The Addendum constitutes the second addendum to the Final EIR. The first addendum to the Final EIR was prepared for the Downtown Specific Plan Density Transfer Program, which was adopted by City Council Resolution 2019-69 on May 1, 2019.

### **1.3 Lead Agency and Discretionary Approvals:**

This Addendum documents the City's consideration of the potential environmental impacts resulting from the change in the project and explains the City's decision that a subsequent EIR is not required. The City of Escondido is the lead agency and has approval authority over the project and changes.

### **1.4 Documents Incorporated by Reference:**

CEQA Guidelines section 1510 authorizes agencies to incorporate by reference other documents that provide relevant data and analysis into their environmental documents. The following documents are hereby incorporated by reference within this Addendum, and all of these documents are considered part of the Final EIR.

- Draft Environmental Impact Report – City of Escondido General Plan Update, Specific Plan Update, and Climate Action Plan, Draft Environmental Impact Report, State Clearinghouse #2010071064, prepared for the City of Escondido, by Atkins, dated January 10, 2012.
- Draft Environmental Impact Report – City of Escondido General Plan Update, Specific Plan Update, and Climate Action Plan, Draft Environmental Impact Report, State Clearinghouse #2010071064, prepared for the City of Escondido, by Atkins, dated April 23, 2012.
- An Addendum to the previously adopted EIR for 2012 General Plan Update, Downtown Specific Plan Update, and Climate Action Plan, prepared for the City of Escondido, by Harris & Associates, dated March 1, 2019.

### **1.5 Document Availability:**

The Office of the City Clerk is the custodian of the administrative record for the Final EIR. The administrative record is available for public review during normal business hours.

### **1.6 CEQA Requirements for Use of an Addendum:**

Section 15160 of the CEQA Guidelines explains that there are several mechanisms and variations in environmental documents that can be tailored to different situations and intended uses of environmental review. These variations, including Subsequent EIRs, Supplemental EIRs, and Addenda, are not exclusive. "Lead agencies may use other variations consistent with the guidelines to meet the needs of other circumstances." (CEQA Guidelines § 15160.)

Public Resources Code section 21166 sets the standard to determine whether another EIR should be prepared when an original EIR has been prepared. Section 21166 states:

*When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:*

*(a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.*

*(b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.*

*(c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.*

Similarly, CEQA Guidelines section 15162 states:

*(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*

*(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

*(2) Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

*(3) 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 as complete or the Negative Declaration was adopted, shows any of the following:*

*(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*

*(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*

*(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*

*(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

*(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.*

*(c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening that approval. If after the project is approved, any of the conditions described in subsection (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other Responsible Agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.*

*(d) A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.*

Thus, CEQA Guidelines section 15162 clarifies that a subsequent EIR or supplemental EIR is only required when "substantial changes" occur to a project or the circumstances surrounding a project, or "new information" about a project implicates "new significant environmental effects" or a "substantial increase in the severity of previously significant effects." In evaluating whether these thresholds are met, the key is to determine if any circumstances have changed enough to justify repeating a substantial portion of the environmental documentation process. If conditions do not justify a new or supplemental EIR, but minor additional or technical changes are appropriate to keep the document current and useful, an agency may prepare an addendum. (CEQA Guidelines § 15164).

Specifically, CEQA Guidelines section 15164 states:

*(a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred*

*(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*

*(c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.*

*(d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.*

*(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings*

*on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

Here, the City has opted to prepare an Addendum to assess the minor modifications of the Project that have transpired since preparation of the Final EIR. This Addendum will document the character of any changes or additions to support the determination to prepare an Addendum. It will also provide an opportunity to evaluate all components of section 15162 to determine if the Final EIR still reflects the full scope of the environmental impact. Where appropriate, citations to the Final EIR will be made, and assumptions made in the Final EIR will be evaluated for continuing validity.

### **1.7 Summary of Analysis and Findings:**

Based upon the supporting checklist responses (Section 2), other than the minor changes to the Project in reference to map changes and text changes, the environmental effects associated with the changes in the Project do not require additional analysis beyond the analysis previously prepared and distributed in the Final EIR.

Pursuant to CEQA Guidelines section 15164, the City of Escondido finds that only minor modifications are required and that none of the conditions described in Public Resources Code section 21166 or CEQA Guidelines section 15162 requiring preparation of a subsequent or supplemental EIR have occurred. More specifically, the City of Escondido has determined all of the following:

- There are no substantial changes to the Project that would require major revisions of the Final EIR due to new significant environmental effects or a substantial increase in the severity of impacts identified in the previous Final EIR.
- No substantial changes have occurred in the circumstances under which the project is being undertaken that will require major revisions of the Final EIR to disclose new significant environmental effects or that would result in a substantial increase in the severity of the impacts identified in the Final EIR.
- There is no new information of substantial importance, which was not known at the time that the previous Certified Final EIR for the proposed Project was circulated, indicating that:
  - The Project will not have one or more significant effects not previously discussed in the Certified Final EIR;
  - There are no impacts that were determined to be significant in the previous Certified Final EIR that would be substantially more severe.
  - There are no additional mitigation measures or alternatives to the project that would substantially reduce one or more of the significant effects identified in the previous Certified Final EIR; and

- There are no additional mitigation measures or alternatives which were rejected that are considerably different from those analyzed in the previous Certified Final EIR that would substantially reduce any significant impact identified in the Certified Final EIR.

## **2.0 Environmental Analysis**

This section of the Addendum analyzes the potential environmental effects associated with the implementation of the Specific Plan Amendment to address the ground-floor retail requirement as compared to the environmental analysis provided in the Final EIR. Each environmental topic is organized first to identify the impacts and significance level determinations previously identified in the Final EIR, second to identify the impacts of the Project and whether new or increased severity of significant impacts would occur, and third to evaluate whether the Project would result in substantial changes in the circumstances or new information not previously identified in the Final EIR. This section provides substantial evidence to support the findings and basis to prepare the Addendum, which is that the Project would not create substantial changes, or bring to light new information of substantial importance that was not previously examined in the Final EIR, that would trigger the preparation of a subsequent or supplemental EIR as set forth in CEQA Guidelines sections 15162 and 15163. As such, the Addendum is consistent with the provisions of CEQA Guidelines section 15164 because only minor changes and additions to the Final EIR are necessary to address the project.

### **2.1 Aesthetics:**

The Final EIR previously identified the following impacts associated with aesthetics and determined the corresponding level of significance.

Issue 4.1-1 Scenic Vistas (Less than Significant)

Issue 4.1-2 Scenic Resources (Less than Significant)

Issue 4.1-3 Visual Character or Quality (Less than Significant)

Issue 4.1-4 Light or Glare (Less than Significant)

These less than significant impacts were addressed in Section 4.1, Aesthetics, of the Final EIR, on pages 4.1-1 through 4.1-50 under the headings noted above.

The project seeks to amend the Downtown Specific Plan Update, as it was described previously in the Final EIR. The Downtown Specific Plan Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed Downtown Specific Plan Update map and text changes. Those future projects would be subject to future environmental review, as required under CEQA, once sufficient information is available to complete such review. All future projects would be required to adhere

to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.1, Aesthetics, Issues 4.1-1, 4.1-2, 4.1-3, and 4.1-4 would result in less than significant impacts resulting from the implementation of the Escondido General Plan Update ("GP 2012 Update"), Downtown Specific Plan Update ("DSP Update"), and the Escondido Climate Action Plan ("E-CAP"). Implementation of the GP 2012 Update, DSP Update, and E-CAP would not obstruct existing views and resources by complying with existing regulations and the proposed GP 2012 Update and DSP Update policies. Implementation of the City's Grading and Erosion Ordinance and General Plan update policies in the Resource Conservation Element would protect views of ridgelines by requiring development to comply with grading design guidelines for development on all steep slopes, requiring slope analyses and visual analyses for development near skyline ridges, and prohibiting development on skyline ridges. Implementation of the GP 2012, DSP Update, and E-CAP, would have the potential to change the existing visual character or quality in some areas of the City, but not degrade it. Development consistent with the GP 2012 Update and DSP Update would be high quality development designed to be compatible with existing adjacent land uses. Additionally, there would not be substantial impacts in regards to lighting or glare, as all new development would be required to comply with the City's outdoor lighting ordinance. Also, the GP 2012 Update and DSP Update include policies that require new development, including development that would install reflective surfaces as part of the E-CAP implementation, to avoid light and glare impacts, including spillover light and incompatible glare. Therefore, impacts to Issues 4.1-1 through 4.1-4 would be less than significant. Based on the above discussion, the Project is not expected to result in new or more severe impacts to aesthetics. Refer to the Final EIR for the original environmental analysis for aesthetics.

## **2.2 Agricultural Resources:**

The Final EIR previously identified the following impacts associated with agricultural resources and determined the corresponding level of significance.

Issue 4.2-1 Conversion of Agricultural Resources (Less than Significant)

Issue 4.2-2 Land Use Conflicts (Less than Significant)

Issue 4.2-3 Indirect Conversion of Agricultural Resources

These less than significant impacts were addressed in Section 4.2, Agricultural Resources, of the Final EIR on pages 4.2-1 through 4.2-28 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce

environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.2, Agricultural Resources, Issues 4.2-1, 4.2-2, and 4.2-3 would result in less than significant impacts resulting from the implementation of the GP 2012 Update, DSP Update, and the E-CAP. Implementation of the GP 2012 Update would result in the potential direct conversion of 1,846 acres of agricultural resources. However, the GP 2012 update provides multiple policies within various elements that promote preservation and encourage agricultural uses within the City. The E-CAP provides reduction measures that encourage agricultural efficiencies. Additionally, zoning designations would be made consistent with the GP land use designations with the adoption of the GP 2012 Update and would not impact any land under an existing Williamson Act Contract. Implementation of the GP 2012 Update policies and smart growth planning strategies would reduce the potential for agricultural resources to be converted to non-agricultural uses. Therefore, impacts would be less than significant under Issues 4.2-1, 4.2-2, and 4.2-3.

### **2.3 Air Quality:**

The Final EIR previously identified the following impacts associated with air quality and determined the corresponding level of significance.

Issue 4.3-1 Air Quality Plans (Less than Significant)

Issue 4.3-2 Air Quality Violations – Direct and Cumulative (Significant and Unavoidable)

Issue 4.3-3 Sensitive Receptors (Less than Significant with Mitigation)

Issue 4.3-4 Objectionable Odors (Less than Significant)

These issues were addressed in Section 4.3, Air Quality, of the Final EIR on pages 4.3-1 through 4.3-40 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development

standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.3, Air Quality, implementation of the GP 2012 Update, DSP Update, and the E-CAP is consistent with the SANDAG projections accounted for in the Regional Air Quality Strategy (RAQS) and the State Implementation Plan (SIP). Future development would be required to demonstrate compliance with the strategies and measures adopted as part of the RAQS and SIP during the City's environmental review process, as well as with the requirements of the City and/or the San Diego Pollution Control District (SDAPCD) to reduce emissions of particulate matter. Therefore, impacts would be less than significant under Issue 4.3-1.

Annual construction emissions and operational emissions associated with future development under the GP 2012 Update would result in significant emissions of volatile organic carbons (VOCs), particulate matter 10 (PM10), and PM2.5. Realistically, yearly construction emissions for all pollutants may be greater or lower depending on how development is implemented. Future development under the GP 2012 Update would be required to comply with CARB motor vehicle standards, SDAPCD regulations from stationary sources and architectural coatings, and the GP 2012 Update goals and policies. Additionally, the San Diego Air Basin (SDAB) is a nonattainment area for the state standards for ozone, PM10, and PM2.5. Therefore, with the implementation of the GP 2012 Update, DSP Update, and E-CAP, there would be a cumulatively considerable impact for these pollutants. Mitigation measures Air-1 and Air-2 would be incorporated to mitigate these effects. While these measures and policies are intended to reduce impacts associated with air quality violations, these measures cannot guarantee that emissions would be reduced to a less than significant level. Therefore, even with the implementation of mitigation, impacts from construction and operation would remain significant and unavoidable under Issue 4.3-2.

Future development consistent with the GP 2012 Update, DSP Update, and E-CAP, would result in potentially significant emissions of diesel particulate matter ("DPM") and toxic air contaminants ("TACs"). Land development projects are required to comply with AB 2588, SDAPCD RULE 1210, Toxic Air Contaminant Public Health Risks – Public Notification and Risk Reduction, and CARB standards for diesel engines. The GP 2012 Update Air Quality and Climate Protection Element requires future land uses to be sited according to CARB recommendations. However, CARB does not make specific recommendations for certain potential sources of TACS including waste transfer, industrial, medical, and research and development facilities. Incorporation of mitigation measures Air-3 and Air-4 would reduce potential impacts associated with exposure of sensitive receptors to TACs to less than significant under Issue 4.3-3.

While odor sources are present within the GP 2012 Update and DSP Update planning areas, compliance with SDAPCD Rule 51 and the GP Update 2012 would ensure that a substantial number of sensitive receptors would not be exposed to objectionable odors. Therefore, impacts would be less than significant under Issue 4.3-4.

## **2.4 Biological Resources:**

The Final EIR previously identified the following impacts associated with biological resources and determined the corresponding level of significance.

Issue 4.4-1 Special Status Species – Cumulative (Significant and Unavoidable)

Issue 4.4-2 Riparian Habitat and Other Sensitive Natural Communities – Cumulative (Significant and Unavoidable)

Issue 4.4-3 Federally Protected Wetlands (Less than Significant)

Issue 4.4-4 Wildlife Movement Corridors – Cumulative (Significant and Unavoidable)

Issue 4.4-5 Local Policies and Ordinances (Less than Significant)

Issue 4.4-6 Habitat Conservation Plans and Natural Community Conservation Plans (Less than Significant)

These issues were addressed in Section 4.4, Biological Resources, of the Final EIR on pages 4.41 through 4.4-40 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.4, Biological Resources, implementation of the GP 2012 Update, DSP Update, and the E-CAP would have the potential to result in direct and indirect impacts to special status plant and wildlife species and their habitats, riparian habitats, sensitive communities, wildlife corridors, and native wildlife nursery sites. Existing federal and state regulations and land use agreements prohibit the take of sensitive species without permitting from wildlife and limit the amount of habitat that can be impacted by new development. The goals and policies of the GP 2012 Update included in the Resource Conservation Element, Community Health and Services Element, and Land Use and Community Form Element require projects with the potential to impact sensitive species to prepare a biological survey and mitigate any impacts that would occur. Appropriate mitigation is required to be determined through consultation with

the wildlife agencies. Compliance with these goals and policies would lessen impacts from the GP 2012 Update, DSP Update, and the E-CAP under Issues 4.4-1, 4.4-2, and 4.4-4; however, a significant cumulative impact still exists for these issues. Adoption of the City's Multiple Habitat Conservation Program (MHCP) Subarea Plan would establish an implementation program to protect biological resources. Until the City has adopted this plan, these impacts would be cumulatively considerable.

Implementation of the GP 2012 Update, DSP Update, and the E-CAP would have the potential to result in impacts to federal wetlands from future development. However, future development that would potentially impact a wetland would be required to obtain permitting from federal and/or state regulations. Additionally, GP 2012 Update policies included in the Resource Conservation element would ensure impacts would be less than significant under Issue 4.4-3.

Future projects under the GP 2012 Update, DSP Update, and the E-CAP would be required to comply with all applicable sections of the City's Zoning Ordinance, existing regulations, preservation agreements, and applicable habitat conservation plans and Natural Community Conservation Plans ("NCCPs") as well as policies in the GP 2012 Update. Therefore, impacts associated with conflicts with local polices and ordinances and habitat conservation plans and NCCPs would be less than significant under Issues 4.4-5 and 4.4-6.

## **2.5 Cultural and Paleontological Resources:**

The Final EIR previously identified the following impacts associated with cultural and paleontological resources and determined the corresponding level of significance.

Issue 4.5-1 Historical Resources (Less than Significant with Mitigation)

Issue 4.5-2 Archeological Resources (Less than Significant with Mitigation)

Issue 4.5-3 Paleontological Resources (Less than Significant)

Issue 4.5-4 Human Remains (Less than Significant)

These issues were addressed in Section 4.5, Cultural and Paleontological Resources, of the Final EIR on pages 4.5-1 through 4.5-48 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the

projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.5, Cultural and Paleontological Resources, implementation of the GP 2012 Update, DSP Update, and the E-CAP would have potentially significant impacts to historical and archeological resources. Future development projects would have the potential to result in substantial adverse changes to the significance of archeological and historical resources through demolition, destruction, alteration, or structural relocation as well as disturbance of an important archeological site that contains or has the potential to contain information important to history or prehistory. While existing City and County policies and regulations and the GP 2012 Update and DSP Update goals and policies are intended to protect historical and archeological resources, the incorporation of mitigation measures Cul-1, Cul-2, Cul-3, Cul-4, Cul-5, and Cul-6 are necessary to ensure the intended protections are achieved. Therefore, with the inclusion of mitigation, impacts would be less than significant under Issues 4.5-1 and 4.5-2.

Future development under the GP 2012 Update, DSP Update, and E-CAP would have the potential to damage or destroy paleontological resources in the underlying rock units due to construction-related and earth-disturbing actions. The plan areas range from no potential to moderate potential for paleontological resources meaning it is possible for ground-disturbing activities to destroy fossil-bearing geologic formations. However, existing policies and regulations and the GP 2012 Update goals and policies (i.e. Goal 5 of the Resource Conservation Element and Policy 5.2) would protect unique paleontological resources. Therefore, impacts would be less than significant under Issue 4.5-3.

Implementation of the GP 2012 Update, DSP Update, and the E-CAP would have the potential to disturb human remains, including those located outside of formal cemeteries, due to ground disturbing activities from the development of land. However, compliance with existing federal and state policies and regulations (i.e. Health and Safety Code Section 7050.5 and Public Resources Code 5097.98) would reduce impacts associated with human remains to a level below significant under Issue 4.5-4.

## **2.6 Geology and Soils:**

The Final EIR previously identified the following impacts associated with geology and soils and determined the corresponding level of significance.

Issue 4.6-1 Exposure to Seismic-Related Hazards (Less than Significant)

Issue 4.6-2 Soil Erosion or Topsoil Loss (Less than Significant)

Issue 4.6-3 Soil Stability (Less than Significant)

Issue 4.6-4 Expansive Soils (Less than Significant)

#### Issue 4.6-5 Wastewater Disposal Systems (Less than Significant)

These less than significant impacts were addressed in Section 4.6, Geology and Soils, of the Final EIR on pages 4.6-1 through 4.6-38 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.6, Geology and Soils, Issues 4.6-1, 4.6-2, 4.6-3, 4.6-4, and 4.6-5 would result in less than significant impacts on geology and soils with the implementation of the GP 2012 Update, the DSP Update, and the E-CAP. The GP 2012 Update would designate land uses that would allow development to occur in areas with geologic hazards such as seismically-induced ground shaking, liquefaction, and landslides as well as impacts to topsoil, expansive soils, and wastewater disposal systems. Impacts from seismically induced fault rupture would not occur due to the lack of active fault traces in the area. Future development would be required to comply with all relevant federal and state regulations and building standards, including Seismic Design Categories E and F structural design requirements identified in the California Building Code ("CBC") and the National Pollutant Discharge Elimination System ("NPDES") to control erosion of unstable soils. The GP 2012 Update also includes multiple policies intended to reduce seismic hazards, soil erosion, landslides, expansive soils, and soils incapable of adequately supporting the use of septic tanks. Compliance with these regulations and policies would reduce potential impacts to less than significant under Issues 4.61 through 4.6-5.

#### **2.7 Greenhouse Gas Emissions:**

The Final EIR previously identified the following impacts associated with greenhouse gas emissions and determined the corresponding level of significance.

#### Issue 4.7-1 Compliance with AB 32 (Less than Significant)

Issue 4.7-2 Potential Effects of Global Climate Change on the Proposed General Plan Update (Less than Significant)

These less than significant impacts were addressed in Section 4.7, Greenhouse Gas Emissions, of the Final EIR on pages 4.7-1 through 4.7-30 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.7, Greenhouse Gas Emissions, Issues 4.7-1 and 4.7-2 would result in less than significant impacts from the implementation of the GP 2012 Update, DSP Update, and the E-CAP. Implementation of the GP 2012 Update, DSP Update, and the ECAP would be in compliance with Assembly Bill ("AB") 32, which sets reduction targets of statewide greenhouse gas ("GHG") emissions to 1990 levels by 2020 or, as outlined in the AB 32 Scoping Plan, the functional equivalent of 15 percent below current (2005) levels. The GP 2012 Update and E-CAP incorporates GHG-reducing policies and measures that would reduce the City's emissions by 21% from the 2020 emissions inventory. (The E-CAP was recently amended on March 10, 2021, and the new GHG reductions target is 52% by 2035.) Additionally, future development consistent with the policies of the GP Update 2012 and the reduction measures of the E-CAP, particularly those measures designed to conserve water and reduce energy, would work to reduce the effects of global climate change. Therefore, impacts would be less than significant under Issues 4.7-1 and 4.7-2.

### **2.8 Hazards and Hazardous Materials:**

The Final EIR previously identified the following impacts associated with hazards and hazardous materials and determined the corresponding level of significance.

Issue 4.8-1 Transport, Use and Disposal of Hazardous Materials (Less than Significant)

Issue 4.8-2 Accidental Release of Hazardous Materials (Less than Significant)

Issue 4.8-3 Hazards to Schools (Less than Significant)

Issue 4.8-4 Existing Hazardous Materials Sites (Less than Significant)

Issue 4.8-5 Public Airports (Less than Significant)

Issue 4.8-6 Private Airports (Less than Significant)

#### Issue 4.8-7 Emergency Response and Evacuation Plans (Less than Significant)

#### Issue 4.8-8 Wildland Fires (Less than Significant)

These less than significant impacts were addressed in Section 4.8, Hazards and Hazardous Materials, of the Final EIR on pages 4.8-1 through 4.8-54 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.8, Hazards and Hazardous Materials, issues 4.8-1, 4.8-2, 4.8-3, 4.8-4, 4.8-5, 4.8-6, 4.8-7, and 4.8-8 would result in less than significant impacts with the implementation of the GP 2012 Update, DSP Update, and the E-CAP. Future businesses, operations, or facilities developed under the GP 2012 Update, DSP Update, and the E-CAP, would involve an increase in the transport, use, and disposal of hazardous waste as well as potential accidental releases of hazardous waste. Additionally, there is potential for hazardous emissions and hazardous materials handling by future development within one-quarter mile of an existing or proposed school as well as human habitation or occupation on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, all future development allowable under the proposed land use designations identified in the GP 2012 Update would be required to comply with applicable federal, state, and local regulations related to hazardous materials and wastes. Therefore, impacts would be less than significant under Issues 4.8-1, 4.8-2, 4.8-3, and 4.8-4.

Future development with the implementation of the GP 2012 Update, DSP Update, and the ECAP would be predominantly low-density residential land uses or public land/open space within two miles of public or private airports. These land uses have low concentrations of persons, which would reduce the risk of safety hazards for people residing or working in the area. Therefore, significant impacts would not occur under Issues 4.8-5 and 4.8-6.

The GP 2012 Update, DSP Update, and E-CAP does not include measures that would impair emergency response or evacuation plans. However, it is possible that land uses and development implemented under these plans would require the updating of these emergency response plans. Compliance with existing regulations and continual updating of emergency response and evacuation plans would prevent implementation of the GP 2012 Update and DSP Update from

impairing emergency response and evacuation plans. Impacts would be less than significant under Issue 4.8-7.

Implementation of the GP 2012 Update and DSP Update would result in land uses that allow residential, commercial, and industrial development in areas that are prone to wildfires due to a majority of the area being susceptible to wildland fires. However, compliance with existing regulations, including the Community Wildfire Protection Plan by the Escondido Fire Department, and implementation of the proposed General Plan Update policies within the Community Protection Element would reduce impacts to a level below significant under Issue 4.8-8.

## **2.9 Hydrology and Water Quality:**

The Final EIR previously identified the following impacts associated with hydrology and water quality and determined the corresponding level of significance.

Issue 4.9-1 Water Quality Standards and Requirements (Less than Significant)

Issue 4.9-2 Groundwater Supplies and Recharge (Less than Significant)

Issue 4.9-3 Erosion or Siltation (Less than Significant)

Issue 4.9-4 Flooding (Less than Significant)

Issue 4.9-5 Exceed Capacity of Stormwater Systems (Less than Significant)

Issue 4.9-6 Housing within a 100-Year Flood Hazard Area (Less than Significant)

Issue 4.9-7 Impeding or Redirecting Flood Flows (Less than Significant)

Issue 4.9-8 Dam Inundation and Flood Hazards (Less than Significant)

Issue 4.9.9 Seiche, Tsunami and Mudflow Hazards (Less than Significant)

These less than significant impacts were addressed in Section 4.9, Hydrology and Water Quality, of the Final EIR on pages 4.9-1 through 4.9-48 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the

projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.9, Hydrology and Water Quality, Issues 4.9-1, 4.9-2, 4.9-3, 4.9-4, 4.9-5, 4.9-6, 4.9-7, 4.9-8, and 4.9-9 would result in less than significant impacts with the implementation of the GP 2012 Update, DSP Update, and the E-CAP. Construction and operation of future development under the GP 2012 Update and DSP Update would mandatorily comply with all applicable existing regulations including but not limited to the Clean Water Act, NPDES permit program, Porter-Cologne Water Quality Control Act, San Diego Basin Plan, City of Escondido water quality management plans, as well as policies proposed under the GP 2012 Update in the Resource Conservation Element, Community Protection Element, Mobility and Infrastructure Element, and Land Use Element. The plans would not utilize groundwater for any purpose and would, therefore, not deplete groundwater supplies. Further, the GP 2012 Update, DSP Updates, and measures identified in the E-CAP would not result in the placement of development in areas that would expose people to hazards associated with inundation by a tsunami, seiches, or mudflows. Therefore, impacts would be less than significant under Issues 4.9-1, 4.9-2, 4.9-3, 4.9-4, 4.9-5, 4.9-6, 4.9-7, 4.9-8, and 4.9-9.

## **2.10 Land Use:**

The Final EIR previously identified the following impacts associated with land use and determined the corresponding level of significance.

Issue 5.10-1 Physical Division of an Established Community (Less than Significant)

Issue 5.10-2 Conflicts with Land Use Plans, Policies, and Regulations (Less than Significant)

Issue 5.10-3 Conflicts with HCPs or NCCPs (Less than Significant)

These less than significant impacts were addressed in Section 4.10, Land Use, of the Final EIR on pages 4.10-1 through 4.10-38 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.10, Land Use, Issues 4.10-1, 4.10-2, and 4.10-3 would result in less than significant impacts with the implementation of the GP 2012 Update, DSP Update, and the E-CAP. The GP 2012 Update and DSP Update do not propose any new roadways or other specific features that would physically divide an established community. Growth under the GP 2012 Update would be concentrated in 15 designated study areas and would not substantially change physical development patterns in established communities. Development standards in the GP 2012 Update would ensure that new development would not preclude future development as long as it is consistent with the proposed land use plan. The DSP Update would retain the development standards that ensure compatibility with the character and vision for the downtown area. The GP 2012 Update, DSP Update, and the E-CAP would not conflict with ant HCPs or NCCPs and would comply with regulations set forth in the Resource Conservation Element in the GP 2012 Update. Therefore, impacts would be less than significant under Issues 4.10-1, 4.10-2, and 4.10-3.

### **2.11 Mineral Resources:**

The Final EIR previously identified the following impacts associated with mineral resources and determined the corresponding level of significance.

Issue 4.11-1 Mineral Resource Availability (Less than Significant)

Issue 4.11-2 Mineral Resource Recovery Sites (Less than Significant)

These less than significant impacts were addressed in Section 4.11, Mineral Resources, of the Final EIR on pages 4.11-1 through 4.11-14 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.11, Mineral Resources, Issues 4.11-1 and 4.11-2 would result in less than significant impacts from the implementation of the GP 2012 Update, DSP Update, and the E-CAP. The existing GP 2012 Update, DSP Update, and E-CAP does not include any goals or policies specifically related to mineral resources or mineral resource extraction. However, if new mineral extraction facilities were to be approved, it would be required to comply with the goals and policies that apply to all development. The existing GP 2012 Update planning area is developed with land uses that limit the availability of mineral resources. Additionally, only

a small portion of the planning area has been designated as containing known mineral resources of value. New development proposed near existing extraction facilities would be required to demonstrate compatibility with existing land uses as part of project approval. Therefore, impacts would be less than significant under Issue 4.11-1 and 4.11-2.

### **2.12 Noise:**

The Final EIR previously identified the following impacts associated with noise and determined the corresponding level of significance.

Issue 4.12-1 Excessive Noise Levels (Less than Significant)

Issue 4.12-2 Excessive Groundborne Vibration (Significant and Unavoidable)

Issue 4.12-3 Permanent Increase in Ambient Noise Levels - Cumulative (Significant and Unavoidable)

Issue 4.12-4 Temporary Increase in Ambient Noise Levels (Less than Significant)

Issue 4.12-5 Excessive Noise Exposure from Airports (Less than Significant)

These issues were addressed in Section 4.12, Noise, of the Final EIR on pages 4.12-1 through 4.12-54 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.12, Noise, future development under the GP 2012 Update, DSP Update, and E-CAP would have the potential to expose noise-sensitive land uses (NSLU) and new commercial, office, and industrial land uses to excessive noise levels from existing roadway noise and noise related to existing commercial, industrial, and extractive land uses, and the Palomar Energy Center power plant. However, compliance with existing regulations such as the Noise Ordinance, and implementation of the GP 2012 Update's goals and policies, including Noise Policies 5.1 through 5.4 and the Noise Compatibility Guidelines, would reduce impacts under Issue 4.12-1 to less than significant.

Construction of new land uses under the GP 2012 Update, DSP Update, and E-CAP and placement of new development in close proximity to the SPRINTER rail line would have the potential to result in impacts associated with excessive groundborne vibration. This includes significant impacts related to groundborne noise during construction and potential damage to buildings that may be susceptible to vibration damage from construction equipment. The potential also exists for cumulative construction projects to result in combined construction impacts if occurring simultaneously or construction activities in close proximity to the

SPRINTER line. The GP 2012 Update Noise Policy 5.5 requires compliance with the Federal Transit Administration (FTA) vibration criteria for construction that would occur under these plans. However, additional mitigation is necessary to ensure proper setbacks are established. Mitigation measures Noi-1 and Noi-2 would be implemented to reduce direct and cumulative impacts associated with groundborne vibrations, but not to a less than significant level. Impacts would remain significant and unavoidable under Issue 4.12-2.

Future development and redevelopment consistent with the GP 2012 Update, DSP Update, and E-CAP would have the potential to substantially increase ambient noise levels above existing conditions as a result of increases in roadway noise and new operational noise sources. However, implementation of the GP 2012 Update Noise Policy, including Noise Policy 5.6 which requires technical reports be prepared for future development that would have the potential to substantially increase ambient noise levels, the Incremental Noise Impact Standards by the FTA, and the City's Noise Ordinance would reduce direct impacts related to permanent increases in ambient noise to less than significant under Issue 4.12-3. However, land use development in accordance with these plans would still contribute to cumulative future regional noise increases associated with roadway traffic. Two mitigation measures were identified to fully reduce impacts to below a level of significance but the City determined that these measures were infeasible.

Future development under the GP 2012 Update, DSP Update, and E-CAP would have the potential to result in temporary increases in ambient noise levels due to construction of new land uses and infrastructure. However, existing City policies, the GP 2012 Update goals and Policies, and the City's Noise Ordinance would reduce impacts to less than significant under Issue 4.12-4. Future development under the GP 2012 Update, DSP Update, and E-CAP would not expose people residing or working in the GP 2012 Update area to excessive noise levels from a nearby public airport or private airstrip. Impacts would be less than significant under Issue 4.12-5.

### **5.13 Population and Housing**

The Final EIR previously identified the following impacts associated with population and housing and determined the corresponding level of significance.

Issue 4.13-1 Population Growth (Less than Significant)

Issue 4.13-2 Displacement of Housing and People (Significant and Unavoidable)

These issues were addressed in Section 4.13, Population and Housing, of the Final EIR on pages 4.13-1 through 4.13-24 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.13, Population and Housing, implementation of the GP 2012 Update, DSP Update, and E-CAP would directly and indirectly induce population growth that is consistent with forecasted growth for these plan areas. The GP 2012 Update is a comprehensive plan to guide future growth and includes a framework for land use development, as well as goals and policies to prevent unanticipated or inappropriate population growth in the GP and DSP area. Compliance with the GP 2012 Update policies and regulations would reduce impacts to less than significant under Issue 4.13-1.

Future development under the GP 2012 Update, DSP Update, and the E-CAP would result in the displacement of substantial number of existing housing and people, necessitating the construction of replacement housing elsewhere. The GP 2012 Update land uses would displace up to 142 existing residential dwelling units and the GP 2012 Update's proposed Mobility and Infrastructure Element would have the potential to displace up to 300 businesses and residences. Mitigation measure Pop-1 would be implemented to mitigate impacts related to the displacement of homes. Despite compliance with existing regulations, implementation of the proposed GP 2012 Update policies, and mitigation measures Pop-1, the project's direct impact would remain significant and unavoidable.

#### **2.14 Public Services:**

The Final EIR previously identified the following impacts associated with public services and determined the corresponding level of significance.

Issue 4.14-1 Fire Protection Services (Less than Significant)

Issue 4.14-2 Police Protection Services (Less than Significant)

Issue 4.14-3 School Services (Less than Significant)

Issue 4.14-4 Library Services (Less than Significant)

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.14, Public Services, Issues 4.14-1, 4.14-2, 4.14-2, 4.14-3 and 4.14-4 would result in less than significant impacts resulting from the implementation of the GP 2012 Update, DSP Update, and E-CAP. Implementation of the GP 2012 Update, DSP Update, and E-CAP would not increase the demand for fire protection, police protection, school services, and library services. Development consistent with the GP 2012 Update and DSP Update includes policies that help to minimize deterioration of fire and police agency response times and school and library services and environmental impacts related to the construction or expansion of additional facilities. Therefore, impacts would be less than significant under Issues 4.14-1, 4.14-2, 4.14-3 and 4.14-4.

## **2.15 Recreation**

The Final EIR previously identified the following impacts associated with recreation and determined the corresponding level of significance.

Issue 4.15-1 Deterioration of Parks and Recreational Facilities (Less than Significant)

Issue 4.15-2 Construction of New Recreational Facilities (Less than Significant)

These less than significant impacts were addressed in Section 4.15, Recreation, of the Final EIR on pages 4.15-1 through 4.15-24 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.15, Recreation, Issues 4.14-1 and 4.14-2 would result in less than significant impacts resulting from implementing the GP 2012 Update, DSP Update, and E-CAP. As analyzed in the Final EIR, neighborhood and community parks are currently deficient in the City and implementation of the GP 2012 Update, DSP Update, and E-CAP would increase use of existing parks, thereby resulting in accelerated deterioration of recreational facilities. Additionally, the construction or expansion of recreational facilities to address the increased growth, may have an adverse effect on the environment. However, implementation of the proposed General Plan Update policies and Planning Principal and Guideline 1k(1) within the Downtown Specific Plan Update and E-Cap measures would reduce impacts to below a level of significance under Issues 4.14-1 and 4.14-2.

### **2.16 Transportation and Traffic:**

The Final EIR previously identified the following impacts associated with transportation and traffic and determined the corresponding level of significance.

Issue 4.16-1 Traffic and LOS Standards (Significant and Unavoidable)

Issue 4.16-2 Air Traffic (Less than Significant)

Issue 4.16-3 Rural Road Safety (Less than Significant)

Issue 4.16-4 Emergency Access (Less than Significant)

Issue 4.16-5 Alternative Transportation (Less than Significant)

These issues were addressed in Section 4.16, Transportation and Traffic, of the Final EIR on pages 4.16-1 through 4.16-88 under the headings noted above.

As described in the Final EIR Section 4.16, Issues 4.16-2, 4.16-3, 4.16-4 and 4.16-5 would result in less than significant impacts and Issue 4.16-1 would result in significant and unavoidable impacts resulting from the implementation of the GP 2012 Update, DSP Update, and E-CAP. Implementation of the GP 2012 Update, DSP Update, and E-CAP would not result in changes to air traffic patterns, result in increased traffic on roadways with horizontal or vertical curves that are sharper than existing standards, or impair emergency access. In addition, implementation of policies in the DSP Update and E-CAP measures would create provisions for alternative modes of transportation, including multi-modal transit stations, bike lanes, bus stops, trails, and sidewalks. Therefore, impacts would be less than significant under Issues 4.16-2, 4.16-3, 4.16-4 and 4.16-5.

Implementation of the GP 2012 Update, DSP Update, and E-CAP would result in 14 deficient roadway segments and seven deficient intersections throughout the proposed project area resulting in a significant direct and cumulative impact. Implementation of the proposed GP 2012

Update and DSP Update policies and mitigation measures, in addition to compliance with applicable regulations, would reduce nine traffic impacts to a level below significant. However, 11 roadway segment and intersection impacts would remain above a level of significance because mitigation for these impacts has been determined to be infeasible by the City. Therefore, the proposed project would result in significant and unavoidable traffic and level of service (LOS) impacts under Issue 4.16-1.

### **5.17 Utilities and Service Systems:**

The Final EIR previously identified the following impacts associated with utilities and service systems and determined the corresponding level of significance.

Issue 4.17-1 Wastewater Treatment Requirements (Less than Significant)

Issue 4.17-2 New Water or Wastewater Treatment Facilities (Less than Significant)

Issue 4.17-3 Sufficient Stormwater Drainage Facilities (Less than Significant)

Issue 4.17-4 Adequate Water Supplies (Significant and Unavoidable)

Issue 4.17-5 Adequate Wastewater Facilities (Less than Significant)

Issue 4.17-6 Sufficient Landfill Capacity (Significant and Unavoidable)

Issue 4.17-7 Solid Waste Regulations (Less than Significant)

Issue 4.17-8 Energy (Less than Significant)

These issues were addressed in Section 4.17, Utilities and Service Systems, of the Final EIR on pages 4.17-1 through 4.17-58 under the headings noted above.

The Project seeks to amend the DSP Update, as it was characterized previously with the Certified Final EIR. The DSP Update is a policy document and its adoption would not, in itself, produce environmental impacts. However, new land use development projects would implement the proposed DSP Update map and text changes. Those future projects would be subject to future environmental review, as required, under CEQA once sufficient information is available to complete such review. All future projects would be required to adhere to relevant development standards and design guidelines contained in the City's zoning ordinance. The potential impacts of any specific future residential development projects would be assessed at the time when the projects are actually proposed, and mitigation measures would be adopted as necessary, in conformance with CEQA.

As described in the Final EIR Section 4.17, Utilities and Service Systems, Issues 4.17-1, 4.17-2, 4.17-3, 4.17-5, 4.17-7, and 4.17-8 would result in less than significant impacts resulting from the

implementation of the GP 2012 Update, DSP Update, and E-CAP. Issues 4.17-4 and 4.17-6 would result in significant and unavoidable impacts resulting from the implementation of the GP 2012 Update, DSP Update, and E-CAP. Implementation of the GP 2012 Update, DSP Update and E-CAP could result in the demand for wastewater treatment services to increase at a rate disproportionate to facility capabilities, which would result in a violation in wastewater treatment standards. However, compliance with existing regulations and implementation of the GP 2012 Update and E-CAP reduction measures would reduce this impact to below a level of significance. Similarly, the implementation of the GP 2012 Update, DSP Update, and E-CAP could have the potential to increase the demand requiring the construction of new or expanded water, wastewater, and stormwater facilities and increase the demand for wastewater treatment services. However, existing regulations and policies in the GP 2012 Update and E-CAP reduction measures would reduce impacts to these facilities and services to levels below significance. Similarly, implementation of the GP 2012 Update, DSP Update, and E-CAP would increase demand for energy, resulting in the need for new or expanded energy facilities to be constructed, which would have the potential to result in significant environmental effects. However, the construction of new energy facilities would be subject to CEQA and/or NEPA and impacts would be mitigated, to the extent feasible. Additionally, multiple GP 2012 Update and E-CAP policies exist that would reduce energy consumption and the need to build new energy facilities. Therefore, impacts associated with energy would be less than significant under Issues 4.17-1, 4.17-2, 4.17-3, 4.17-5, 4.17-7, and 4.17-8.

Implementation of the GP 2012 Update, DSP Update, and E-CAP would result in significant and unavoidable impacts associated with adequate water supplies. Adequate water supply may not be available to serve the proposed project due to projections of water shortages during multiple dry water years by San Diego County Water Authority ("SDCWA"), Vallecitos Water District ("VWD") and Rincon Del Diablo Water District ("RDD"). Cumulative projects would also result in a significant cumulative impact and the proposed project would contribute to a significant cumulative impact associated with adequate water supplies. Even with compliance with existing regulations, policies contained in the GP 2012 Update policies, E-CAP reduction measures, and mitigation measure Util-1, impacts would remain significant and unavoidable under Issue 4.17-4. Similarly, the 2012 GP Update, DSP Update, and E-CAP has the potential to be served by a landfill with insufficient capacity to accommodate the solid waste disposal needs of the project. Compliance with existing regulations and GP 2012 Update policies and E-CAP reduction measures would reduce impacts associated with sufficient landfill capacity, although not to below a level of significance. Mitigation measures have been identified to reduce impacts to a less than significant level; however, the City finds these measures to be infeasible because they do not meet the project objectives, would prohibit growth, and place undue burden on developers to create additional landfill capacity. Until additional solid waste disposal facilities are permitted and constructed within the San Diego region, the proposed project's impact would remain significant and unavoidable. Therefore, the 2012 GP Update, DSP Update, and E-CAP would result in significant direct and cumulative impacts under Issue 4.17-6.

### **3.0 Findings**

### **3.1 Rationale for Addendum:**

The Addendum to the Final EIR finds that the impacts resulting from implementation of the 2012 GP Update, DSP Update, and E-CAP remain the same, aside from the Project's proposed modification, and the mitigation measures would remain unchanged and are still valid and enforceable. No considerably different mitigation measures or feasible alternatives have been identified. The Addendum finds that the previously identified impacts and mitigation measures, as described in the Final EIR, are still applicable to the DSP Update. Therefore, the Final EIR, as certified, remains adequate and complete. The Project can be approved as an activity covered within the scope of the Final EIR. No circumstances exist calling for the preparation of a subsequent or supplemental EIR pursuant to CEQA Guidelines sections 15162 and 15163.

### **3.2 Substantial Changes in Circumstances, New Information Showing Greater Significant Effects, or the Ability to Reduce Significant Effects in Previous EIR:**

There are no substantial changes to the circumstances under which the proposed Project is undertaken that would require major revisions to the Final EIR. There is no new information of substantial importance that was not known or could not have been known at the time the Final EIR was certified that shows the proposed Project would have significant effects not discussed previously; a substantial increase in severity of a previously identified significant impact; mitigation measures or alternatives previously found infeasible that would now be feasible and would substantially reduce one or more significant effects; or mitigation measures or alternatives that are considerably different from those analyzed in the Final EIR that would substantially reduce one or more significant effects on the environment. Environmental effects associated with the Project were evaluated in the Final EIR. The Project would not result in new or more severe impacts beyond those addressed in the Final EIR, and would not meet any other standards for requiring further environmental review under CEQA Guidelines sections 15162 and 15163. No further analysis is required.