

## PLANNING COMMISSION

Agenda Item No.: G.1  
Date: May 7, 2012

**CASE NUMBER:** PHG 09-0020

**APPLICANT:** City of Escondido

**LOCATION:** Citywide, Sphere of Influence, and additional surrounding unincorporated areas constituting Escondido's General Plan boundaries (GP Page I-4 and II-3).

**TYPE OF PROJECT:**

General Plan adoption and Final Environmental Impact Report (EIR) certification public hearing, no development proposals are associated with this request. These documents are online at:  
[www.escondido.org/general-plan-update.aspx](http://www.escondido.org/general-plan-update.aspx)

**PROJECT DESCRIPTION:**

- 1) A comprehensive update to the General Plan including Land Use & Community Form (certain land use changes are subject to a public vote), Mobility & Infrastructure, Community Protection, Resource Conservation, Health & Services, Growth Management, and Economic Prosperity Elements (but excluding the Housing Element) (refer to General Plan document under separate cover);
- 2) Final EIR, CEQA Findings, Statement of Overriding Considerations for significant and unavoidable air quality, biological resources, noise, vibration, housing, traffic, utilities impacts; and a Mitigation Monitoring and Reporting Program (refer to Final EIR under separate cover).

*Note: The Final EIR also assessed preparation of a Housing Element, Climate Action Plan and Downtown Specific Plan Update. These projects are not proposed for consideration at this time and will be scheduled for a public hearing(s) at a later date.*

**STAFF RECOMMENDATION:**

Recommend adoption of the General Plan Update and certification of the Final EIR to the City Council prior to public vote on certain General Plan land use designations and policy amendments.

**GENERAL PLAN DESIGNATION/TIER:** N/A

**ZONING:** N/A

**BACKGROUND/SUMMARY OF ISSUES:**

**State Requirements:**

State law requires jurisdictions to adopt a General Plan that establishes a unified 'build out' vision for the community to guide future development actions. Consistency must be provided between the General Plan policies and its implementation programs; such as zoning and subdivision ordinances, building and housing codes, growth management policies, capital improvements programming, specific plans, environmental review procedures, and plans for redevelopment.

General Plans are required to include seven topics or “elements:” Land Use, Circulation, Open Space, Conservation, Noise, Safety, and Housing. Jurisdictions also have the ability to include optional elements of local concern. State law prescribes timeframes for amending General Plan elements, which are limited to four times per calendar year. The State’s Office of Planning and Research (OPR) monitors the status of General Plans and begins to encourage jurisdictions to update their entire plans after 8-10 years. Escondido’s current General Plan was originally adopted in 1990 and updated in 2000.

**Public Participation:**

Because the General Plan incorporates community issues, concerns and desires, a collaborative effort involving input from a variety sources is required to prepare the plan. Staff has conducted numerous General Plan public meetings and outreach efforts over the past 30 months that included community-wide workshops, forums, surveys, questionnaires, and focused meetings with a variety of organizations that include school children, residents, business and service organizations, as well as School Board, Planning Commission and City Council briefings. A 15-member, City Council-appointed General Plan Issues Committee met nine times to discuss a variety of General Plan issues between July 2009, and October 2010. Information, reports, and presentations have been posted on the General Plan website (see link on page 1). Additionally, all reports, updates, and agendas continue to be transmitted to an email list of approximately 200 contacts. Over the course of preparing the draft General Plan Update the following issues have been raised:

1. Whether sufficient progress has been made in achieving the current General Plan’s vision;
2. Support for the General Plan’s long term vision that includes a healthy environment;
3. Blighted areas including insufficient lighting and crime that need to be addressed;
4. Single family character in established neighborhoods and agricultural operations in outlying areas that need to be preserved;
5. An exciting vibrant downtown with a variety of land uses that attract residents and visitors;
6. Limits on water availability that may impact existing and planned development;
7. Public services / safety that support a healthy quality of life (police, fire, parks, libraries, schools, natural/cultural resources, aesthetics, utilities, etc.) that require funding, maintaining and enhancing;
8. Traffic impacts on specific street segments resulting in reduced level of service;
9. Components of the ratified and reaffirmed General Plan by prior voter action to be retained;
10. Manage growth and ensure the timely development of necessary infrastructure;
11. Non-conforming status for existing residential uses designated as employment land and the ability to make improvements or expand;
12. Concern that the city might condemn properties;
13. More flexibility is needed in employment lands to allow greater opportunities for job growth;
14. Potential restrictions on existing industrial businesses to expand or relocate if they are designated as non-conforming uses;
15. The General Plan Committee’s focus on business’ rather than residents’ interests;
16. Residents in unincorporated area should be allowed to vote on the plan’s adoption;
17. Ensuring compatibility where employment land transitions to adjacent residential neighborhoods, (i.e. landscaped buffers, lower heights, building separation, reduced bulk and mass, etc.);
18. High intensity development in the urban core is too dense;
19. Policies pertaining to Smart Growth, Sustainability, Complete Streets, and Climate Action Planning are derived from United Nations Agenda 21 principles which restrict individual rights and local control and ultimately will sacrifice facilities and service in outlying areas while draining resources to serve the urban core.

**Proposed General Plan Land Use Mapping Changes**

Most of Escondido's planning area contains established land use patterns that residents preferred to retain in the updated General Plan. These established land use patterns include a walkable downtown, higher land use intensities close to downtown and along primary transportation corridors, as well as established single family and rural neighborhoods. These features are retained in the updated General Plan. The Plan incorporates targeted land use mapping changes that address specific goals raised by the community and directed by the City Council (Refer to Land use and Community Form Element).

Fifteen (15) Land Use Study Areas (constituting less than 5% of the total General Plan land area) are focused in the urban core and along transportation corridors where opportunity exists to enhance employment and residential mixed-use opportunities (GP page II-3). These area involve:

- 1) Amending approximately 458 acres of existing residentially designated land for employment uses to enhance opportunities for jobs and job growth. These land use changes are subject to voter approval:
  - a. Planned Office designation at the I-15 / Felicita Road interchange for up-scale office development (65 acres)
  - b. Light Industrial on Harmony Grove Road immediately west of Escondido Creek (17 acres)
  - c. Mixed-use commercial/office in existing residential areas 1) south of Ninth Avenue and 2) between 6<sup>th</sup> and 13<sup>th</sup> Avenues, Centre City Parkway and Redwood Street (71 acres)
  - d. Employment Specific Planning Areas 1) north and south of the Escondido Research Technology Center and 2) north of the I-15 / El Norte Parkway interchange (298 acres)
  - e. Office designation at the northern juncture of I-15 and Centre City Parkway (7 acres)

Note: Re-designating these areas would eliminate up to 1,400 dwelling units from the General Plan.

- 2) Amending approximately 66 acres of residentially designated land to accommodate more residential development to enhance housing options. These land use changes are subject to voter approval:
  - a. Redesignation from 24 units per acre (Urban IV) to 45 units per acre (Urban V) (44 acres)
  - b. Redesignation from 1 unit per acre (Estate I) to 2 units per acre (Estate II) (22 acres)

Note: The action of re-designating these areas would add up to 940 units to the General Plan.

- 3) Mixed Use Overlays are proposed for residential areas along Escondido Boulevard and East Valley Parkway to accommodate employment/residential smart growth development opportunities.
- 4) Establishing Specific Plans, Area Plans or other types of "Overlay Districts" on approximately 800 acres of existing employment lands with goals of attracting high-wage employers, intensifying land uses to raise employee densities;

*Other General Plan land uses changes include:*

- 5) Tribal Land designation for federally recognized Native American Tribal land;
- 6) Public Facility Overlay is proposed for single-use properties to identify individual public facilities such as fire stations, treatment plants, public school sites, etc.

**Proposed General Plan Text and Supporting Documentation Changes**

The General Plan text contains detailed Quality of Life standards, an overall vision for build out, policies for guiding decision makers, assessments of issues affecting the community, and supporting documentation (maps, charts, graphs, etc.). The Draft General Plan proposes a comprehensive update of supporting documentation including:

- 1) Refining Quality of Life thresholds pertaining to:
  - a. Traffic and Transportation – Establishing LOS “D” as threshold for implementing mitigation, and an alternative LOS in the downtown core area (GP pages III-2, III-3).
  - b. Water System – Establishing 540 gpd capacity in concert with state-mandated conservation measures (GP page III-24).
  - c. Parks System – Prioritizing Grape Day Park expansion north of Woodward Avenue (GP page V-4).
  - d. Library Service – Establishing two (2) collection-items per capita and prioritizing expansion of technology to disseminate information (GP page V-9).
  - e. Air Quality – Establishing a Climate Action Plan with measures for reducing greenhouse gas emissions (GP page VII-18).
  
- 2) New policies, including the General Plan Land Uses, are restructured as a table (see attached Figure II-6). New land use categories are: Tribal Lands, Public Facility Overlay, and Mixed Use. Future General Plan changes involving intensifying residential densities and / or residential land use categories, and modifying certain General Plan policy text will still be subject to voter approval (Policy 17.6, GP page II-123). The following policy addition is subject to voter approval:
  - Text establishing a new residential land use category for Urban V – Multi-family Residential; up to 45 units/acre (GP page II-22).
  
- 3) Edited policies reflect conditions that have changed since the last General Plan update, such as reference to a previously vacant site that is now developed, or a policy calling for an ordinance or other action that has since been implemented. Most recently, certain General Plan policies that were ratified and reaffirmed in a 1998 voter initiative (Proposition S) are maintained in the General Plan based on City Council direction.
  
- 4) Deleted policies were out-of-date, unable or inappropriate to be implemented based on changed conditions, legislation or circumstances, or consolidated in another policy. The following policy deletion is subject to voter approval:
  - A single policy related to residential clustering proposed requires that one-half of all homes in a clustered residential development be adjacent to on-site open space areas. Eliminating this policy would afford more flexibility in designing projects; all other policies related to clustering residential units would remain unchanged (GP page II-108).
  
- 5) New text has been added throughout the General Plan to reflect trends in planning (smart growth and Complete Streets principles) reflect new legislation, and updated community vision, and City Council direction.

**Escondido's General Plan Outline:**

Escondido's Draft General Plan contains all state-mandated elements, as well as three optional elements: Community Health and Services, Growth Management, and Economic Prosperity. Topics of local importance that have been woven into elements include Community Form, and Infrastructure. The proposed General Plan incorporates updated planning principles, trends and adopted legislation as well as refines the City's Vision for 2050 to establish a basis for current and future City Council actions. The following matrix highlights each chapter's purpose and primary components.

GENERAL PLAN CHAPTER	CHAPTER PURPOSE	PRIMARY CHAPTER COMPONENTS
I. Vision and Purpose	Describes planning area, plan preparation, and background information.	1) Community context and vision 2) Quality of Life Standards 3) Community Goals
II. Land Use and Community Form	Prescribes a balance of residential, employment, commercial, recreational, civic/cultural and open space land uses at appropriate intensities, locations and combinations to enhance sustainability.	1) Land use categories, descriptions, standards and character 2) General Plan core themes a. Live / work / play, b. Protect / preserve /revitalize key areas c. Conserve / sustain resources 3) Strategies to implement core themes (smart growth, transit oriented design, educational promotion) 4) Land use designations 5) Opportunity areas 6) Special application measures 7) Unincorporated areas 8) Goals and policies
III. Mobility and Infrastructure	Identifies the types, locations and extent of existing and proposed transportation and utility facilities, and establishes goals and guiding policies for implementing improvements necessary to serve existing and future residents.	1) Regional transportation planning 2) 'Complete Streets' (pedestrians, bicycles, transit, traffic calming, street network) 3) Goods and services transport 4) Aviation 5) Utility infrastructure )water, wastewater, stormwater, solid waste / recycling, gas & electric energy, telecommunications 6) Goals and policies
IV. Housing	To be adopted at a later date	To be adopted at a later date

GENERAL PLAN CHAPTER	CHAPTER PURPOSE	PRIMARY CHAPTER COMPONENTS
V. Community Health and Services	Promotes land use planning to enhance community health and welfare including access to healthy foods, availability of parks, recreational opportunities, libraries and cultural services, as well as educational advancement and civic engagement.	<ol style="list-style-type: none"> <li>1) Comprehensive health and wellness</li> <li>2) Parks and recreation</li> <li>3) Library services</li> <li>4) Schools and education</li> <li>5) Cultural enrichment</li> <li>6) Healthy lifestyles</li> <li>7) Healthcare services</li> <li>8) Health and wellbeing</li> <li>9) Goals and policies</li> </ol>
VI. Community Protection	Identifies and addresses public safety issues affecting the community. Describes solutions and establishes standards and policies for proactively addressing and minimizing threats to life and property.	<ol style="list-style-type: none"> <li>1) Emergency preparedness, disaster response and recovery</li> <li>2) Fire protection</li> <li>3) Police services</li> <li>4) Code enforcement</li> <li>5) Community safety</li> <li>6) Noise</li> <li>7) Goals and policies</li> </ol>
VII. Resource Conservation	Promotes a comprehensive system of biologically important areas in concert with planned park and trail recreational amenities. Promotes Conservation of air, water, cultural, and agricultural resources as well as the, protection of view corridors, unique landforms and visual gateways.	<ol style="list-style-type: none"> <li>1) Coordinated resource conservation</li> <li>2) Sustainable biological open space</li> <li>3) Trail network</li> <li>4) Visual resources</li> <li>5) Agricultural resources</li> <li>6) Air and climate</li> <li>7) Goals and policies</li> </ol>
VIII. Growth Management	Integrates General Plan goals and objectives with adopted Quality of Life Standards to facilitate the orderly development of public and private improvements. Promotes the phasing capital facility improvements concurrent with population growth. Establishes parameters for monitoring growth impacts to efficiently prioritize capital improvements.	<ol style="list-style-type: none"> <li>1) Public facility master planning</li> <li>2) Public facility financing</li> <li>3) Public facility improvement phasing</li> <li>4) Public facility deficiencies</li> <li>5) Growth management monitoring</li> <li>6) Goals and policies</li> </ol>

GENERAL PLAN CHAPTER	CHAPTER PURPOSE	PRIMARY CHAPTER COMPONENTS
IX. Economic Prosperity	<p>Promotes employment and business opportunities and appropriate economic and business development.</p> <p>Promotes a sustainable local economy to benefit current and future generations without compromising resources, and favorably influence the balance between employment and housing.</p>	<ol style="list-style-type: none"> <li>1) Supply of employment acreage to support economic growth</li> <li>2) Raising median income, balancing jobs and housing</li> <li>3) Promoting small business and entrepreneurial opportunities</li> <li>4) Attracting 21<sup>st</sup> century high paying industries</li> <li>5) Promoting tourism and recreation</li> <li>6) Strengthening existing economic districts</li> <li>7) Enhancing marketability and image</li> <li>8) Long-term revitalization</li> <li>9) Minimizing impediments for businesses attraction and expansion</li> <li>10) Education to strengthen workforce qualifications</li> <li>11) Government leadership promoting economic development</li> <li>12) Monitoring economic development</li> <li>13) Goals and policies</li> </ol>
X. Implementation Program	<p>Describes the specific actions Escondido will require of new developments, and will undertake itself, to achieve the community's vision for its future as expressed in the General Plan goals, objectives, and policies.</p>	<ol style="list-style-type: none"> <li>1) Implementation responsibilities</li> <li>2) Policy implementation</li> <li>3) Primary implementation tools             <ol style="list-style-type: none"> <li>a. Development plans, policies, regulations</li> <li>b. Citywide plans and programs</li> <li>c. Ongoing city and agency services and operations</li> <li>d. Intergovernmental coordination and collaboration</li> <li>e. Public / private partnerships</li> <li>f. Strategies, programs, public information</li> </ol> </li> <li>4) Implementation Matrix</li> </ol>

**Subsequent General Plan Land Use Amendment Requests:**

During the General Plan public review period (after the Draft Environmental Impact Report was prepared) two (2) private requests were made for amending the current General Plan designation. A consideration of the requests is the degree in which the land use changes will impact the General Plan Environmental Impact Review (EIR) findings because these requests were not factored into the EIR that assessed the General Plan Update. The criteria for considering General Plan Amendment requests focuses on substantiating whether physical, social, or city-wide economic factors or changes have made the current General Plan designation inappropriate. The amendments would not trigger a public vote because the land use changes involve two non-residential designations. The requests involve:

- a. Approximately 2.1 acres located at 2120 – 2122 W. Mission Road for re-designation from Light Industrial to General Commercial (see Attachment A).
- b. Approximately 0.88 acre located at 812 W. Washington Avenue from General Industrial to Planned Commercial (see Attachment B).

**Analysis:**

*2120 – 2122 Mission Road:*

The property is located near the east-bound off-ramp of Highway 78 and Nordahl Road, adjacent to two General Commercial properties. Improvements in the immediate vicinity since the last General Plan update have altered the dynamics of the area including improvements to Mission Road, completion of the SPRINTER station, and widening of the Highway 78 / Nordahl Road overpass, which justify the land use change from Light Industrial to General Commercial. Improvements currently include 35,400 sq.ft. of building area and 79 parking spaces (parking ratio=1:450) which is less than General Commercial of 1:250 or professional office 1:300. Rezoning the property to Commercial will establish a non-conforming use until the property redevelops, however such situations do exist elsewhere in the community. As part of the future zone change the applicant would need to work with the city regarding a plan that addresses the parking limitations. The property is adjacent to an intersection and street segment that require adoption of overriding findings for significant and unavoidable traffic impacts. However, given the property's small size, the fact that it is currently developed with industrial offices, and is adjacent to other commercial property, staff feels that the any adjustment in traffic would be incremental and not substantially degrade levels of service.

*812 W. Washington Avenue:*

The property has been purchased by the owners of adjacent Planned Commercial properties (existing swap meet site). The site is constructed as an industrial office / warehouse use immediately west of the Reidy Creek Channel and is not integrated into the swap meet property. Combining the properties with the adjacent Planned Commercial will allow for a more coordinated development in the future that would benefit the community. The property on W. Washington is not adjacent to any facilities or infrastructure that is subject to overriding findings for environmental impacts. The 0.88-acre subject site will be integrated into the overall design parameters and traffic limitations assigned to the future development of the adjacent Planned Commercial site resulting in no net increase of traffic volumes.

**Recommendation:** Approve the two requested General Plan amendments based compliance with the General Plan Amendment Policy



**Environmental Impact Report (EIR):**

The EIR examined the potential environmental effects from implementation of the General Plan Update in the following areas:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural and Paleontological Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems

As required by the California Environmental Quality Act (CEQA) the EIR:

- 1) Assessed the potentially significant direct and indirect environmental effects of the proposed project as well as the potentially significant cumulative impacts that could occur from implementation of the proposed project;
- 2) Identified potential feasible means of avoiding or substantially lessening significant adverse impacts;
- 3) Evaluated a range of reasonable alternatives to the proposed project, including the required No Project Alternative.

Guidelines for determining the significance level of environmental effects are primarily based upon adopted CEQA Guidelines, the City's quality of life standards, and regulatory ordinances. The significance criteria for some environmental topics are quantitative (such as for air quality, traffic, and noise), while qualitative standards are used for other topics (such as aesthetics and land use/community character). This EIR utilizes the following categories to describe the level of significance of impacts identified during the course of the environmental analysis:

- 1) ***Less than Significant.*** This term is used to refer to: 1) environmental impacts resulting from implementation of the proposed project that are not likely to exceed the defined standards of significance; and 2) potentially significant impacts that are reduced to a level that does not exceed the defined standards of significance after implementation of mitigation measures.
- 2) ***Significant.*** This term is used to refer to environmental impacts resulting from implementation of the proposed project that exceed the defined standards of significance before identification of mitigation measures. A "significant effect" is defined by Section 15382 of the CEQA Guidelines as: "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment but may be considered in determining whether the physical change is significant."
- 3) ***Significant and Unavoidable.*** This term is used to refer to significant impacts resulting from implementation of the proposed project that cannot be eliminated or reduced to below standards of significance through implementation of feasible mitigation measures.

The EIR concludes that implementing the project would result in Less than Significant Impacts for the following categories:

Aesthetics, Agricultural Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Mineral Resources, Public Services, and Recreation.

The EIR concludes that implementing the project would result in Significant and Unavoidable Impacts for the following categories:

- 1) Air Quality (Construction Dust)
- 2) Biological Resources (Special Status plant and animal species, Riparian Habitat, Wildlife Movement / Nursery Sites)
- 3) Noise (Ambient Noise, Construction Vibration)
- 4) Population and Housing (Population Displacement)
- 5) Transportation and Traffic (Level of Service for five roadway segments/six intersections):

a. Roadway Segments:

- i. Mission Road between Barham Drive and Auto Park Way (LOS E)
- ii. Valley Parkway between Hickory Street and Fig Street (LOS F)
- iii. Valley Parkway between Fig Street and Date Street (LOS F)
- iv. Valley Parkway between Date Street and Ash Street (LOS F)
- v. Montiel Road between Nordahl Road and Deodar Road (San Marcos) (LOS F)

b. Intersections:

- i. Nordahl Road/Auto Park Way/Mission Road (LOS E, PM peak hour)
- ii. Centre City Parkway/Felicita Avenue (LOS F, PM peak hour)
- iii. Escondido Boulevard/Felicita Avenue (LOS E/F, AM/PM peak hours, respectively)
- iv. Ash Street/Valley Parkway (LOS E, both AM/PM peak hours)
- v. I-15 Southbound Ramps/Via Rancho Parkway (LOS E/F, AM/PM peak hours, respectively)
- vi. El Norte Parkway/Centre City Parkway (LOS E/F, AM/PM peak hours, respectively)

- 6) Utilities and Service Systems, (Water Supplies, Landfill Capacities)

Because adopting the General Plan Update involves Significant and Unavoidable Impacts, a Statement of Overriding Findings is included for adoption by the Planning Commission (Attachment C). This document concludes that the economic and social benefits of the project outweighs the impacts associated with implementation and is required as a component of the Final EIR's certification. The Final EIR includes a Mitigation and Monitoring Plan (Attachment D) where staff has assigned responsibility and tracking of the implementation of Mitigation Measures identified in the document.

Comments were received during the public review period that concluded on February 27, 2012 and incorporated into the Final EIR (refer to document). Late comments were received from the Escondido Elementary School District after the EIR public review period concluded expressing concern regarding school finances, continuity of educational programs, growth, and traffic/safety. The Department of Fish and Game (DFG) has requested clarification on General Plan policies related to open space preservation. The Chamber of Citizens submitted a follow-up letter expressing concern about General Plan population and compliance with an existing policy that limits Escondido's build-out population to 155,000 persons. Follow up responses have been prepared for the School District and DFG (Attachment E) for incorporation in the public record. The Chamber of Citizens concern is addressed below.

**Primary General Plan Issues Raised:**

Staff has conducted several workshops the meetings since the draft General Plan text was released for public review. Following is a summary of primary issues raised by the public, which are discussed below:

- 1) The proposed residential designation of Urban V (multifamily up to 45 units / acre) is too intense and could degrade community character and lead to blight.
- 2) Amending the Traffic Quality of Life threshold establishing Level of Service (LOS) "D" citywide, and LOS "E" for certain Downtown streets, as the threshold for implementing mitigation measures represents an unacceptable degradation of service.
- 3) Growth Management policies requiring infrastructure and services to keep pace with growth have not been effectively implemented; and fees collected do not adequately address the true impacts of new development.
- 4) Policies pertaining to Smart Growth, Sustainability, Complete Streets, and Climate Action Planning are derived from United Nations Agenda 21 principles which restrict individual rights and local control and ultimately will sacrifice facilities and service in outlying areas while draining resources to serve the urban core.
- 5) Informing the community and drafting the General Plan ballot measures should be in a manner that fosters an educated decision by the voters.
- 6) The existing General Plan Population Policy F1.1 limits Escondido's build-out population to 165,000 persons and the Update should not accommodate more people unless approved by the voters.

- 1) **Issue:** The proposed residential designation of Urban V (multifamily up to 45 units / acre) is too intense and could degrade community character and lead to blight.

**Recommendation:** Advance the Urban V land use policy and associated map designation for voter consideration as a separate ballot measure.

**Discussion:** The adopted General Plan's most intense multifamily designation of Urban IV allows up to 24 units per acre. The General Plan Update's proposal involves reclassifying 44 acres of Urban IV to Urban V to expand housing opportunities in an urbanized environment which will establish a population base to support amenities and generate activity for a dynamic, vibrant urban core.

A consistent apprehension among attendees at the public workshops is the General Plan Update's inclusion of residential densities that are significantly higher than current provisions. Residents' particular concern is that the dramatic increase of densities in the Urban V area will adversely impact the character of the community, and that the additional multi-family development could lead to blight.

The Environmental Impact Report evaluated the Draft General Plan at the densities and intensities described above. However, in structuring the ballot measures it may be appropriate to isolate residential and employment land use amendments to allow voters the ability to decide whether the Urban V land use designation is suitable for the community.

- 2) **Issue:** Amending the Traffic Quality of Life threshold establishing Level of Service (LOS) "D" citywide, and LOS "E" for certain Downtown streets, as the threshold for implementing mitigation measures represents an unacceptable degradation of service.

**Recommendation:** Retain draft language based on the reasons discussed below.

**Discussion:** Both the adopted General Plan *and* the Draft General Plan Update include the Traffic Quality of Life standard stating: "Circulation Element Streets and intersections to be planned and developed to achieve a minimum Level of Service (LOS) "C." The *adopted* Traffic Quality of Life Standard states that: "Due to physical design characteristics, environmental resource considerations, existing development, freeway interchange impacts and incomplete system improvements, level of service "C" may not be feasible in all areas." The updated General Plan is intended to further qualify situations where LOS "C" may not be feasible, and establishes LOS "D" as the threshold for determining significant impacts that require mitigation on a city-wide basis, and LOS "E" for a confined area within the Downtown Specific Plan.

Updating the General Plan incorporates "industry standards" for the development and provision of *all* infrastructure and services (including sewer, water, traffic, libraries, etc.). The Draft General Plan's circulation system that incorporates LOS "D" and LOS "E" thresholds described above is developed on a traffic modeling platform that utilizes adopted regional standards and conditions. This methodology also facilitates the pursuit of future traffic improvement grants because of the traffic model's standardized approach.

It should also be noted that the existing circulation system is not fully implemented, and that existing deficiencies are not indicative of long term conditions. Additionally, traffic LOS signifies conditions during limited periods of peak flows, which typically occur during weekday morning and evening commutes. Roadways and intersections will be generally free-flowing over the course of 24 hours. Further, it should be acknowledged that widening streets to achieve LOS "C" in all situations would be extremely costly, impact many properties, and potentially degrade community character.

The traffic model analyzed over 300 street segments and 40 intersections in the community and concluded that build out of the Draft General Plan would only result in significant and unavoidable impacts to the four (4) street segments and six (6) intersections identified on page 10 of the staff report. The Planning Commission will need to adopt a Statement of Overriding Findings acknowledging significant and unavoidable impacts associated with the project.

**3) Issue:** Growth Management policies requiring infrastructure and services to keep pace with growth have not been effectively implemented; and fees collected do not adequately address the true impacts of new development.

**Recommendation:** Retain draft language based on the reasons discussed below.

**Discussion:** The purpose of the Growth Management Element is to provide a link between the Land Use and Community Form, Mobility and Infrastructure, and Resource Conservation Elements, and specific implementation techniques to ensure that services are available to meet citizens' demands as the population grows. Residents expressed concerns that the General Plan's policies calling for the timely installation of infrastructure improvements have not kept pace with population growth, and that existing development fees need more thorough scrutiny and adjustment to reflect their ability to finance each project's impacts.

It should be noted that all standards cannot be met at all times because facilities are often built in increments that do not match the rate of development. For example, a deficiency may exist while funding is being collected to improve a park, construct a library, or widen a street etc. When that park, library or street improvement is made there may be a surplus of capacity. The acceptable lag in the service standards is determined through Capital Improvement Programing and discussed in the Quality of Life Status Report and Citywide Facility Plan.

The Draft General Plan Update maintains policies calling for the development of public facility master plans based on anticipated growth projections and to periodically update development fees to fund those public facilities. Development fees cannot be collected to correct existing deficiencies but are established to fund projects' fair share payment of infrastructure. The Updated General Plan also acknowledges that deficiencies in facility service levels may arise based on the incremental nature of installing infrastructure. In addition, policies are included that call for withholding discretionary approvals and subsequent building permits from projects demonstrated to be out of compliance with applicable service standards.

**4) Issue:** Policies pertaining to Smart Growth, Sustainability, Complete Streets, and Climate Action Planning are derived from United Nations Agenda 21 principles which restrict individual rights and local control and ultimately will sacrifice facilities and service in outlying areas while draining resources to serve the urban core.

**Recommendation:** Retain draft Smart Growth, Sustainability, Complete Streets and Climate Action Planning policies based on the reasons discussed below. Address increased urban density and intensity concerns in concert with staff's recommendation pertaining to Issue #2 above.

**Discussion:** A large and vocal contingent expressed strong opposition to the General Plan's sustainability, smart growth, complete streets, and climate action planning principles at a community meeting on March 6, 2012. Their opposition appeared to be based on a belief that Agenda 21's goal ultimately restricts individual rights and local control, forces residents into high density inner city housing only accessed by mass transit, and sacrifices facilities and service in outlying areas by draining resources to serve the urban core. Their sentiments extended to Complete Streets policies that promote wider sidewalks, shade and seating for pedestrians, as well as improvements for bicyclists and transit, by advocating for wider streets to accommodate more lanes of traffic for automobiles. Comments included concerns regarding the City's lack of street maintenance and other infrastructure deficiencies. The group expressed opposition to climate action planning efforts to curb greenhouse gas emissions, but acknowledged that the City was required to follow state law.

Staff attempted to clarify the General Plan's vision incorporated specific community preferences of preserving establish single family residential character in the areas beyond downtown and nearby arterial corridors. Further, that the General Plan accommodates additional single family development at existing General Plan densities outside the downtown area which also aligns with residents' input gathered over the past several years. Staff noted that Facility Master Plans have been, or are in the process of being, updated and that those Plans incorporate "citywide" standards rather than differentiating between "urban" and "rural" areas. Staff countered that widening streets to accommodate automobiles without accommodating transit, cyclists and pedestrians would significantly impact adjacent properties in many areas.

**5) Issue:** Informing the community and drafting the General Plan ballot measures should be in a manner that fosters an educated decision by the voters.

**Recommendation:** Propose ballot options for City Council consideration and continue to meet with citizen groups to further inform the public on General Plan amendments proposed for the November election.

**Discussion:** Questions regarding the format and arrangement of General Plan ballot measures for the November election have been a common inquiry. While less opposition has been expressed regarding the re-designation of residential land to employment land, citizens have commented that the arrangement and grouping of land use measures on the ballot should be carefully considered in order to avoid confusion and / or overwhelm the voters. The City Council has expressed a desire to minimize the number of General Plan-related propositions that would appear on the ballot. Staff proposes three options for consideration and is seeking Planning Commission input for transmission to City Council:

- a. A single General Plan Update proposition that would encompass all employment and residential land use changes described on page 3 of this staff report, as well as text pertaining to establishing a new Urban V (multi-family residential up to 45 du/acre) residential category, and deleting one policy pertaining to residential clustering.
  - b. Two General Plan Update propositions that would include
    - i. all employment land use changes
    - ii. all residential land use changes (Estate II, Urban V, and residential clustering policy)
  - c. Three or more General Plan propositions that would include individual or grouped amendments.
- 6) The existing General Plan Population Policy F1.1 limits Escondido's build-out population to 165,000 persons and the updated General Plan should not accommodate more people unless approved by the voters.**

**Recommendation:** Modify Draft General Plan Community Character Policy 1.14 to reflect the adopted General Plan Population Policy F1.1. Include reference to demographic trends in the General Plan 'Community Context and Vision.'

**Discussion:** General Plan Population Policy F1.1 was ratified and reaffirmed by the voters in the 1998 'Proposition S' ballot measure and it states:

The City Council will consider ordinances or policies intended to meet the maximum population objective of 150,000 to 165,000 with a maximum anticipated population of 155,000.  
**(Amendment to this policy is subject to voter approval.)**

A concern expressed by the Chamber of Citizens is that the Draft General Plan anticipates more dwelling units than the adopted General Plan, which will result in exceeding the current population objectives. This issue was discussed by the General Plan Issues Committee. The majority membership felt strongly that the city should establish a build out vision that included more employment opportunities, a vibrant downtown environment, diverse housing types, convenient transportation options, etc. and that the updated General Plan should include dwelling units to compliment that vision.

It should be noted that when General Plan Population Policy F1.1 was adopted 20 years ago the persons per household (pph) was significantly less than current demographics (2.44 pph in 1990 versus 3.11 pph in 2012). Because of this trend, the General Plan *currently exceeds* the 155,000 population objective.

It is also significant to note that the adopted 1990 General Plan multi-family land use designations incorporated a 20% density reduction as follows:

General Plan Designation	Pre-1990 General Plan	Post 1990 General Plan
Urban II	Up to 15 units / acre	Up to 12 units / acre
Urban III	Up to 24 units / acre	Up to 18 units / acre
Urban IV	Up to 30 units / acre	Up to 24 units / acre

The post-1990 General Plan intensities are one of the factors incorporated into build-out scenarios for public facility planning purposes. However, *a majority of Escondido's multi-family zoning is constructed at pre-1990 General Plan intensities*, which further challenges the ability to meet the population objective in Policy F1.1. Provisions in the city's non-conforming use ordinance intend that multi-family developments with more units than allowed under current General Plan densities be brought into compliance as quickly as the fair interests of the parties permit. However, the timeframe for such action is considered lengthy at best.

Reconciling the population objective in Policy F1.1 with present-day demographics and development conditions described above would require an aggressive program of eliminating existing non-conforming dwelling units in developments that exceed adopted land use intensities, and/or acquiring significant residential acreage for open space purposes.

Another consideration is the adopted policy language directs the City Council to *'consider'* ordinances or policies intended to meet the maximum population objective. There is *no* requirement that the Council *adopt* such ordinances or policies. Recognizing that amending the adopted policy is subject to voter approval, staff proposed to include demographic information in Draft General Plan Community Character Policy 1.14 to provide insight regarding the ability to meet the population objective (GP page II-98):

The City Council will consider ordinances or policies intended to meet the maximum population objective of 150,000 to 165,000 with a maximum anticipated population of 155,000. Demographic trends may affect these population objectives (**Amendment to this policy will continue to require voter approval**).

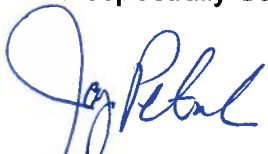
The concern by the Chamber of Citizens of exceeding 155,000-population objective is noted. As explained above, Escondido and the surrounding planning area currently exceed this population based on demographics and existing building conditions. In an effort to retain the original policy, staff proposes to delete the text 'Demographic trends may affect these population objective' from the draft policy. The reference to demographic trends is proposed for inserting on page I-8 in Section E "Community Context and Vision" in the second paragraph, first sentence:

With the land use designations, environmental policies, *demographic trends*, and growth management policies, it is anticipated that the number of residential units and non-residential development associated with Escondido's General Plan build-out (including city limits and surrounding unincorporated area) by the year 2035 will be consistent with the development capacities depicted in Figure II-5.

**Next Steps in the Process:**

After Planning Commission has recommended action on the General Plan Update and Final EIR the project is scheduled for City Council consideration on May 23, 2012. General Plan Amendments slated for November's election will be forwarded to the Registrars of Voter who will coordinate translation, printing and distribution of election materials. Staff will continue to meet with individuals, agencies and organizations to provide information regarding the General Plan Update in advance of the election. The Downtown Specific Plan update, Climate Action Plan, and Housing Elements are implementation features of the General Plan and will be scheduled for public hearings in the next several months.

Respectfully Submitted,



Jay Petrek  
Principal Planner



ATTACHMENT A  
Law Offices of  
**STEPHEN H. ARNOLD**  
Attorney at Law

March 7, 2012

Barbara Redlitz  
Director of Community Development  
201 N. Broadway  
Escondido, CA 92025  
Email: [bredlitz@escondido.org](mailto:bredlitz@escondido.org)

Re: **Request for Initiation of Amendment to General Plan  
2120-2122 W. Mission Road, Escondido, CA**

Dear Ms. Redlitz:

I represent Helix REIT who owns commercial property located at 2120-2122 W. Mission Road in Escondido. As an easy reference, the M1 zoned property is located directly across the street from the new Sprinter light rail commuter station on W. Mission Road and Nordahl Road.

My client requests to be included in re-designation of the property from Light Industrial to General Commercial during the General Plan Amendment (GPA) currently under process.

Pursuant to Policy E2.2 the following written findings are submitted to substantiate the need for the land use change. Specifically, this request documents the physical, social, and/or city-wide economic factors or changes that have made the (industrial) General Plan designation inappropriate from the standpoint of the general public welfare.

- The Sprinter commuter station has significantly increased the make-up of foot traffic in the area. It now serves the community's best interest to allow for retail/office use of the property located, as it is, directly across the street from the station.
- The property is located on the main thoroughfares leading directly to the soon to be opened hospital nearby. This major new neighboring use will add to the viability of foot traffic and ease of access for the public with appropriate intended commercial space/location as a designation.

1850 Fifth Avenue, Suite A \* San Diego, CA 92101 \* Tel: (619) 240-4263 \* Fax: (619) 238-6139

Barbara Redlitz

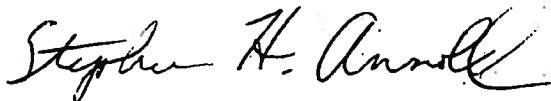
March 7, 2012

Page 2

- Prospective commercial tenants have been prohibited from locating viable commercial business at the property because of the current land use designation and zoning.
- There has very recently been a prospective tenant in the medical supply business who could not seriously explore **occupying/leasing** space at the property as the present zoning would present a challenge to his retail needs despite their small parking requirement.
- The businesses established at the property will be of a nature to attract higher-paying job opportunities for the community.
- The property has had a long 2+ year history of extreme vacancy which has invited an on-going battle with the homeless. The property owner has worked extensively with the city police to maintain the security of the property and to combat a constant amount of illegal trespass.
- The requested land use re-designation and rezoning is a lateral one; that is, non-residential to non-residential. The requested change would impose little, if any, impact on the surrounding area but will increase the cities viable taxation base. The two lots adjacent to and abutting the property on its west side are already zoned as General Commercial.
- Caltrans is currently undergoing major revisions to its Nordahl Road overpass and adjacent ramps. These changes will greatly improve the flow of traffic in the immediate area, particularly on W. Mission road in front of the property which further facilitates the impact of any possible traffic increases due to the proposed plan amendment.

Thank you for your serious consideration of my client's proposed initiating request. Please contact me at your convenience if any further information is required at this time.

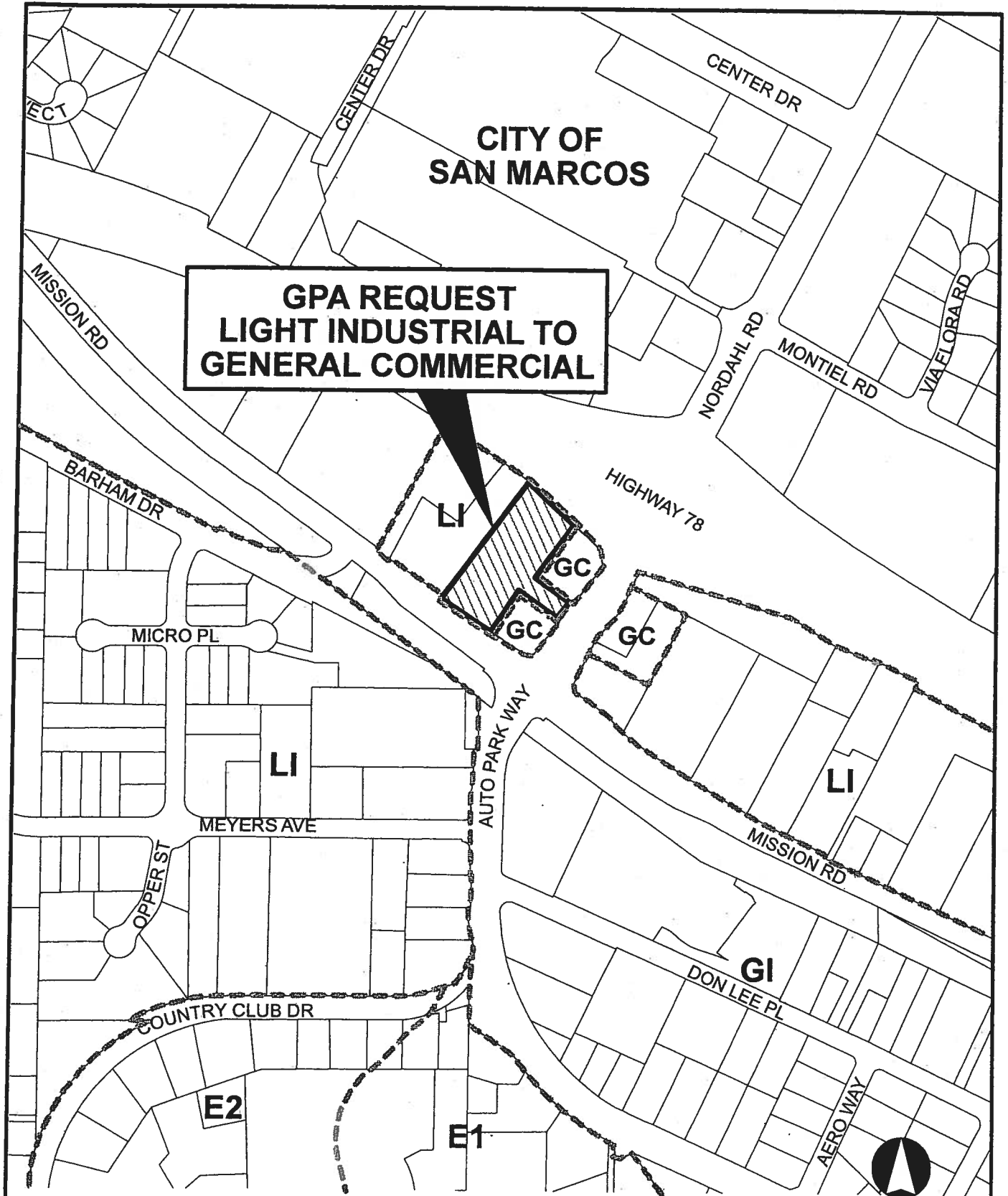
Very truly yours,



Stephen H. Arnold  
Attorney for Helix REIT  
cc: Client

**CITY OF  
SAN MARCOS**

**GPA REQUEST  
LIGHT INDUSTRIAL TO  
GENERAL COMMERCIAL**



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**PROPOSED PROJECT  
PHG 09-0020**



GENERAL PLAN

**From:** David Ferguson <dwf@lfap.com>  
**Sent:** Monday, April 02, 2012 3:40 PM  
**To:** Jay Petrek  
**Subject:** Planned Commercial Area #15 - Additon of Parcel 228-270-87  
**Attachments:** Planned Commercial Area .pdf; Planned Commerical Text.pdf; Planned Commercial Parcels.pdf; Parcel 228-270-46-87 .pdf; 11-01039-5 recorded TDUS.pdf

Dear Mr. Petrek,

As you know, this firm represents Escondido Drive-Inn, LP (EDI), the owner of 12.5 acres on the corner of Washington Avenue and N. Quince Street in the City of Escondido (APN's 228-270-77; 228-270-73; 228-270-72, and 228-270-46, now 228-270-87).

On April 6, 2011 the City Council approved a General Plan Amendment changing the designation for 3 of these parcels (APN's 228-270-77; 228-270-73 and 228-270-72) to Planned Commercial. The approved Planned Commercial area also included a City-owned parcel (APN 228-270-57). For your convenience, I am attaching a map of the Planned Commercial area, a map showing the parcels included in the area, and the Planned Commercial text adopted by the City Council.

When EDI originally applied for the General Plan Amendment, it did not own parcel 228-270-87. On August 11, 2011, however, EDI obtained title to the parcel. The Trustee's Deed Upon Sale is attached for your review.

Currently, all four EDI properties are subject to Conditional Use Permit 95-12-CUP and are being used as a single operation.

The Planned Commercial area and designation for EDI's properties is included in the proposed General Plan Update as Planned Commercial Area #15. It is part of the Downtown Transit Station Target Area.

EDI requests that, as part of the General Plan Update, parcel 228-270-87 be added to the Planned Commercial area. In order to avoid any additional impacts (traffic, air quality, green house gas, etc.), EDI also requests that cumulative total vehicle trips per day allowed for the Planned Commercial site remain unchanged at 12,160. If anything, this inclusion should decrease the total development impacts for the area since parcel 228-270-87 would be allowed its own additional vehicle trips if it developed separately.

A map of the existing Planned Commercial area showing the addition of parcel 228-270-87 is attached for your convenience. The additional parcel is .88 acres, so the addition would increase the total acreage of the Planned Commercial site from 14.16 to 15.04 acres.

EDI believes that the inclusion of the additional parcel will have minimal impact to the area since it is already approved for industrial use, is subject to the same CUP as the balance of the Planned Commercial area, and will not increase the total amount of traffic or usage of the site (due to the pre-existing cap). On the other hand, inclusion of the parcel will improve the future development of the area because it will subject parcel 228-270-87 to higher design standards, encourage comprehensive planning of the entire site, and provide for superior ingress and egress on Washington.

Please let me know if I can provide any further information or background on this parcel.

Thank you for your consideration.

Dave

David W. Ferguson  
Lounsbery Ferguson Altona & Peak  
[dwf@lfap.com](mailto:dwf@lfap.com)  
760-743-1201

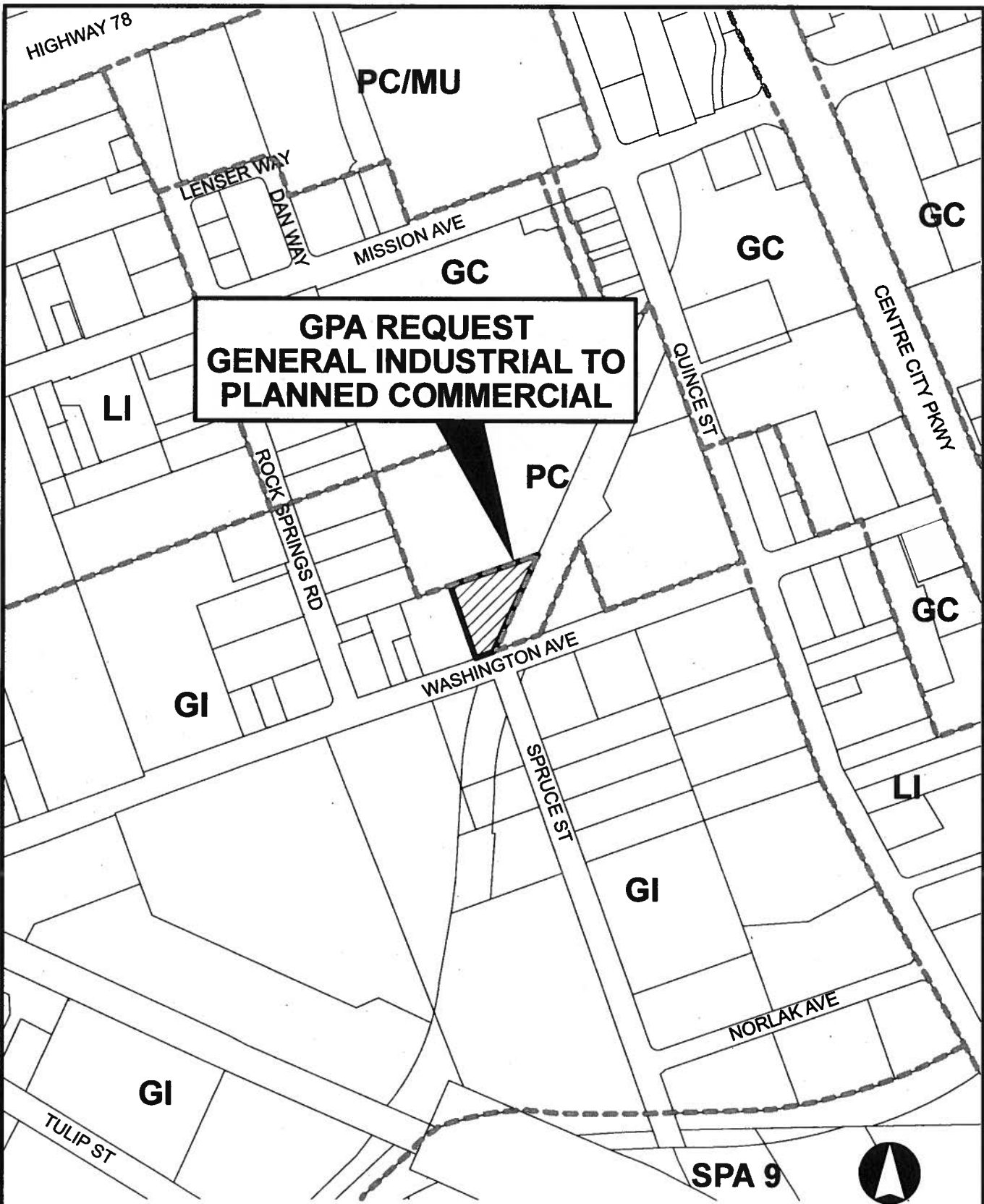
# **'ATTACHMENT 1'**

## **Proposed General Plan Language**

### **20) Quince Street and Washington Ave (Escondido Drive In)**

The 14.16 acres consists of three privately-owned parcels and one City-owned parcel (APNs 228-270-57, -72, -73 and -77) located at the northwestern corner of Quince Street and Washington Avenue, and also fronts onto and takes access from Mission Avenue. Reidy Creek bisects the property from northeast to southwest with a crossing over the channel. The property formerly was the Escondido Drive In and currently is used for an outdoor swap meet. The site may continue to operate as an outdoor swap meet in accordance with the previously approved Conditional Use Permits for the use until such time the site is redeveloped, and also may be used or developed consistent with existing zoning designations, but development of any parcel that requires a zone change or requests City participation in the nature of fee reductions, off-site improvements or tax sharing shall require a Planned Development approval.

The site is designated Planned Commercial and the site may be developed with a mix of commercial, retail, restaurant, office, and light industrial uses that support revitalization efforts throughout the area and to take advantage of the Escondido Transit Center and Sprinter Light Rail located two blocks to the south along Quince Street. New development should encourage consolidation of properties and incorporate "smart growth" design principles. The development also may include crossing or covering of the existing flood control channel. Enhancement along the channel (such as decorative fencing, landscaping, pedestrian-oriented features/amenities, etc.) also should be incorporated into future projects where appropriate. Traffic circulation and pedestrian patterns shall be coordinated when future development of the site is proposed to provide integrated access points and to ensure appropriate vehicular and pedestrian access between the individual parcels and adjacent streets. In order to maintain appropriate levels-of-service on the surrounding street system and minimize potential air-quality impacts, the scale of development and nature of the uses shall be limited as necessary in order to generate no more than a cumulative total of 12,160 vehicle trips per day. Specific site and technical studies may be required, to address and/or mitigate any project specific impacts related to traffic/circulation, utilities, air quality, noise and hazardous materials associated with future development of the site, and as identified in the Mitigated Negative Declaration.



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**PROPOSED PROJECT  
PHG 09-0020**



ATTACHMENT C  
CEQA Findings Regarding Significant Effects

**CEQA FINDINGS REGARDING SIGNIFICANT EFFECTS FOR THE  
ESCONDIDO GENERAL PLAN UPDATE, DOWNTOWN SPECIFIC PLAN UPDATE, AND  
CLIMATE ACTION PLAN  
City File # PHG 09-0020 / PHG 10-0016  
SCH # 2010071064**

The following Findings are made for the City of Escondido General Plan Update (hereinafter referred to as the "project"), which is scheduled to go before the City Council for review and approval in May 2012. The environmental effects of the General Plan Update, along with the Downtown Specific Plan Update, and E-CAP are addressed in a Program Final Environmental Impact Report (EIR) dated April 23, 2012, which is incorporated by reference herein. The Downtown Specific Plan Update and E-CAP will be brought before the City Council for review and approval at a later date. Findings for those documents will be prepared as separate documents.

The Final EIR prepared for the project consists of three volumes:

- Volume 1: Program EIR evaluating the proposed project and a reasonable range of alternatives
- Volume 2: Technical Appendices to the EIR
- Volume 3: Summary of Changes to the Draft EIR, Comment Letters and Responses to  
Comments on the Draft EIR

The Final EIR evaluated potentially significant effects for the following environmental areas of potential concern: 1) Aesthetics; 2) Agricultural Resources; 3) Air Quality; 4) Biological Resources; 5) Cultural and Paleontological Resources; 6) Geology and Soils; 7) Greenhouse Gas Emissions; 8) Hazards and Hazardous Materials; 9) Hydrology and Water Quality; 10) Land Use; 11) Mineral Resources; 12) Noise; 13) Population and Housing; 14) Public Services; 15) Recreation; 16) Transportation and Traffic; and 17) Utilities and Service Systems.

Of these seventeen environmental subject areas, the City Council concurs with the conclusions in the Final EIR that project impacts related to Air Quality, Biological Resources, Cultural and Paleontological Resources, Noise, Population and Housing, Transportation and Traffic, and Utilities and Service Systems will involve potentially significant impacts. Moreover, these environmental issues will include impacts that are significant and unavoidable with the exception of Cultural and Paleontological Resources, for which all impacts will be mitigated below a level of significance. For those areas in which environmental impacts will remain significant and unavoidable, even with the implementation of mitigation measures, overriding considerations exist which make the impacts acceptable.

The California Environmental Quality Act (CEQA) (California Public Resources Code §21000 *et. seq.*) and the State CEQA Guidelines (Title 14, California Code of Regulations, §15000 *et. seq.*) require that no public agency shall approve or carry out a project which identifies one or more significant environmental effects of a project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:



ATTACHMENT C  
CEQA Findings Regarding Significant Effects

- 1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment (refer to Section A below);
- 2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been or can or should be adopted by that other agency (refer to Section B below); or
- 3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR (refer to Section C below) (CEQA, §21081(a); Guidelines, §15091(a)).

For each significant effect identified for the project, one of the above three findings applies. Therefore, the discussion of significant impacts and mitigation measures is organized below by finding rather than by environmental subject area.

### **Section A – Finding (1)**

Pursuant to Section 15091(a)(1) of the State CEQA Guidelines, the Escondido City Council finds that, for each of the following significant effects identified in the Final EIR, changes or alterations (mitigation measures) have been required in, or incorporated into, the project which avoid or substantially lessen each of the significant environmental effects identified in the Final EIR. The significant effects (impacts) and mitigation measures are stated fully in the Final EIR. The rationale for this finding for each impact is as follows:

#### **AIR QUALITY**

**A-1 Direct/Indirect Significant Effect – Sensitive Receptors:** Implementation of the project would have the potential to expose sensitive receptors to toxic air contaminants (TACs) from the following types of facilities: waste transfer, industrial, medical, and research and development facilities.

**Mitigation Measures:** The project includes the following mitigation measures which would mitigate potentially significant impacts associated with these facilities to below a level of significance:

**Mitigation Measure Air-3 (Siting Sensitive Receptors near Waste Transfer Facility)** requires a Health Risk Assessment (HRA) to be prepared by a qualified air quality professional for development of new sensitive receptors proposed in the General Plan Update planning area within 500 feet of a waste transfer facility. The project cannot be considered for approval until an HRA has been completed and approved by the City. If a potentially significant health risk is identified, the HRA must identify appropriate measures to reduce the potential health risk to below a significant level or the sensitive receptor shall be sited in another location.

- **Mitigation Measure Air-4 (Siting Sensitive Receptors near Industrial, Medical, or Research and Development Facilities)** requires an HRA to be prepared by a qualified air quality professional for development of new sensitive receptors in the General Plan Update

ATTACHMENT C  
CEQA Findings Regarding Significant Effects

planning area proposed within one mile of industrial land uses, medical facilities, or research and development facilities that generate a potential source of TACs. An HRA would also be required for such facilities proposed within one mile of a sensitive receptor. Sensitive receptors include day care centers, schools, retirement homes, hospitals, medical patients in residential homes, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The project cannot be considered for approval until an HRA has been completed and approved by the City. If a potentially significant health risk is identified, the HRA must identify appropriate measures to reduce the potential health risk to below a significant level, or the sensitive receptor or proposed facility shall be sited in another location.

**Facts in Support of Finding:** Implementation of the General Plan Update would have the potential to locate new residences in close proximity to land uses that emits TACs, including within 500 feet of a freeway; in close proximity to dry cleaning facilities, gas stations, automotive repair facilities, or industrial operations; or in an area that contains an existing source of TAC emissions.

Future development consistent with the proposed project would result in potentially significant emissions of diesel particulate matter (DPM) and other 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 California Air Resources Board (CARB) standards for diesel engines. The General Plan Update Air Quality and Climate Protection Element requires future land uses to be sited according to CARB recommendations. Therefore, impacts related to TACs from freeways, dry cleaning facilities, and gas stations would be less than significant.

The General Plan Update Resource Conservation Element includes Air Quality and Climate Protection Policy 7.4, which would locate uses and facilities/operations that may produce toxic or hazardous air pollutants an adequate distance from each other and sensitive uses such as housing and schools, consistent with CARB recommendations. This policy will prevent new sensitive receptors from being located within the CARB siting distances for freeways, dry cleaning facilities, gas stations, and automotive repair facilities.

CARB does not make specific recommendations for other potential sources of TACs in the project planning area, including waste transfer, industrial, medical, and research and development facilities. Therefore, the proposed project would result in a potentially significant impact to sensitive receptors associated with these uses. Mitigation measures Air-3 and Air-4 would be implemented to reduce impacts associated with facilities that CARB has not made specific recommendations for to a less than significant level, such as waste transfer, industrial, medical, and research and development facilities.

ATTACHMENT C  
CEQA Findings Regarding Significant Effects

**CULTURAL RESOURCES**

**A-2 Direct/Indirect Significant Effect – Historical Resources:** Implementation of the proposed project would have the potential to result in substantial adverse changes to the significance of historical resources from disturbance due to demolition, destruction, alteration, or structural relocation as a result of new private or public development or redevelopment allowable under the proposed General Plan Update, Downtown Specific Plan and E-CAP.

**Mitigation Measures:** The proposed project includes the following mitigation measures which would mitigate potentially significant impacts to historical resources to below a level of significance:

- **Mitigation Measure Cul-1** requires enhanced community appreciation of the importance of the City's historic sites and buildings, and protection and preservation of significant historical resources to the extent feasible through the identification of features of cultural and historical significance to the community and designation of these features as landmarks, structures and sites of historic, aesthetic, and special character. The incorporation of historical resources into historical parks and multiple use recreation parks shall be encouraged.
- **Mitigation Measure Cul-2** ensures landmarking and historical listing of City-owned historic sites in order to protect these historic sites.

**Facts in Support of Finding:** Impacts to historical resources would occur if development or redevelopment would result in the destruction of historical resources through activities such as grading, clearing, demolition, alteration, or structural relocation. The project could also result in an increase in development intensity which could adversely affect historical sites through the introduction of visual, audible, or atmospheric effects that are out of character with the historical resources or alter the setting of the resources when the setting contributes to the resources' significance. The proposed project may also result in the redevelopment of a historical structure or site that may result in the remodeling, alteration, addition, or demolition of a historical resource, or a change in use that is not compatible with the authenticity of the resource and that would substantially alter its significance. Additionally, infrastructure or other public works improvements associated with development allowable under the proposed General Plan Update, Downtown Specific Plan Update and E-CAP could result in damage to or demolition of historical features.

The City utilizes CEQA and the City Municipal Code to identify and protect important historic and archaeological resources. The City requires an assessment of the significance of potentially historic structures by a professional historic resource consultant as part of the development application. If the resource is considered historical per CEQA, the City requires the assessment to include recommendations for mitigating potential impacts to the structure, or identify requirements for the proper documentation per state or federal guidelines of any significant historic structure proposed for demolition, which shall be made conditions of project approval.

ATTACHMENT C  
CEQA Findings Regarding Significant Effects

Further, the City provides incentives, such as reduced property taxes on eligible historic properties, through the Mills Act to encourage the restoration, renovation, or adaptive reuse of historic resources.

The proposed Resource Conservation Element includes a goal and supporting policies to prevent adverse impacts to historical resources. Goal 5 of the Resource Conservation Element calls for the preservation of important cultural and paleontological resources that contribute to the unique identity and character of Escondido. Policies 5.1 through 5.9 support this goal by encouraging preservation, adaptive reuse and rehabilitation, compliance with appropriate regulations, maintenance of the Escondido Historic Sites Survey, and education of the public.

While the proposed General Plan Update goals and policies are intended to protect historical resources, specific measures are necessary to ensure that the intended protections are achieved. The project would implement mitigation measures Cul-1 and Cul-2 (described above), to reduce impacts to a less than significant level. ,

**A-3 Cumulative Significant Effect – Historical Resources:** Projects located in the southern California region would have the potential to result in a cumulative impact associated with the loss of historical resources through the physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. Past projects involving development and construction have already impacted historical resources within the region. Additionally, the project would result in a potentially significant cumulative impact prior to mitigation. However, the mitigation measures identified above would reduce potentially significant cumulative impacts identified for the project to a less than significant level by ensuring protection of the City’s historical resources.

**A-4 Direct/Indirect Significant Effect – Archaeological Resources:** Implementation of the proposed project would have the potential to result in substantial adverse changes to the significance of archaeological resources from ground-disturbing construction activities such as clearing, excavation and grading.

**Mitigation Measures:** The project includes the following mitigation measures which would reduce potentially significant impacts to below a level of significance:

- **Mitigation Measure Cul-3** requires that significant archaeological resources be preserved in-situ, as feasible. The incorporation of resources into historical parks and multiple use recreation parks shall be encouraged. When avoidance of impacts is not possible, data recovery mitigation shall be required for all significant resources. Any significant artifacts recovered during excavation, other than cultural material subject to repatriation, shall be curated with its associated records at a curation facility approved by the City. Excavation of deposits of Native American origin shall be coordinated with and monitored by local Native American representatives. This measure would prevent or ameliorate adverse changes to significant archaeological resources.

ATTACHMENT C  
CEQA Findings Regarding Significant Effects

- **Mitigation Measure Cul-4** requires the development of management and restoration plans for identified and acquired properties with cultural resources. Such plans would be implemented to preserve cultural resources.
- **Mitigation Measure Cul-5** supports the dedication of easements that protect important cultural resources by using a variety of funding methods, such as grant or matching funds, or funds from private organizations. Such easements would preserve cultural resources in their existing site locations and thus, help to minimize potential direct or indirect impacts.
- **Mitigation Measure Cul-6** requires protection of significant cultural resources through coordination and consultation with the NAHC and local tribal governments, including SB-18 review. These cooperative efforts would ensure that significant sites are identified and preserved to the satisfaction of all parties.

**Facts in Support of Finding:** The proposed project would result in impacts to archaeological resources if ground-disturbing activities associated with development of land uses allowed under the General Plan Update would occur without proper regulation and monitoring. Such alteration of archaeological resources may result in a loss of valuable information that could be gained from the resources, or prevent potentially eligible sites from being listed on a register of cultural resources. Additionally, archaeological resources may also be subject to indirect impacts as a result of development activities that increase erosion, fugitive dust, or the accessibility of a surface or subsurface resource, and thus increase the potential for the degradation of the resource.

The proposed project would comply with all applicable regulations pertaining to archaeological resources, such as the Native American Graves Protection and Repatriation Act (NAGPRA), Cal NAGPRA, PRC Section 5097, and PRC Section 210831. The City also requires that areas proposed for discretionary development projects, which are subject to CEQA review and found in areas exhibiting observable ground surface, be investigated for artifacts on the ground surface by a professional archaeological resource consultant.

The proposed General Plan Update includes a goal and supporting policies to prevent the proposed General Plan Update from adversely impacting cultural resources. Goal 5 of the Resource Conservation Element calls for the preservation of important cultural and paleontological resources that contribute to the unique identity and character of Escondido.

While the proposed General Plan Update goals and policies are intended to protect archaeological resources, specific measures are necessary to ensure that the intended protections are achieved. Implementation of mitigation measures Cul-3 through Cul-6 would reduce impacts to a less than significant level.

- A-5 Cumulative Significant Effect – Archaeological Resources:** Cumulative projects located in the San Diego region would have the potential to result in a significant cumulative impact associated with the loss of archaeological resources from extensive grading, excavation or other ground-disturbing activities associated with the development of land uses. Past projects involving

ATTACHMENT C  
CEQA Findings Regarding Significant Effects

development and construction have already impacted archaeological resources within the region. Additionally, the project would result in a potentially significant cumulative impact prior to mitigation. However, implementation of the mitigation measures identified above would reduce the project's potentially significant cumulative impacts related to archaeological resources to a less than significant level by ensuring adequate protection of archaeological resources.

**NOISE**

**A-6 Direct/Indirect Significant Effect – Excessive Groundborne Vibration from SPURTER Rail Line:** Implementation of the proposed project would result in significant impacts related to the exposure of vibration sensitive land uses to groundborne vibration in close proximity to the SPURTER rail line.

**Mitigation Measures:** The project includes the following mitigation measure which would reduce potentially significant impacts to below a level of significance:

- **Mitigation Measure Noi-2 (Setback of Vibration-Sensitive Land Uses from SPURTER Alignment)** requires future development of vibration-sensitive land uses within 450 feet of the SPURTER right-of-way (ROW) or places where people sleep within 230 feet of the SPURTER ROW to prepare a site-specific groundborne vibration analysis conducted by a qualified vibration analyst to determine that vibration levels generated by the SPURTER at the proposed project site would not exceed the Federal Transit Administration's groundborne vibration standards for vibration sensitive equipment and sleep disturbance. If necessary, mitigation would be required for land uses in compliance with the standards listed in EIR Table 4.12-10, General Plan Update Groundborne Vibration Impact Criteria. This measure would minimize effects of groundborne vibration from operation of the SPURTER rail line.

**Facts in Support of Finding:** Placement of new development in close proximity to the SPURTER rail line would have the potential to result in impacts associated with excessive groundborne vibration. The General Plan Update Community Protection Element includes Noise Policy 5.5, which requires compliance with the Federal Transit Administration's vibration criteria for construction that would occur under the General Plan Update, Specific Plan Update and E-CAP. Compliance with this policy and implementation of mitigation measure Noi-2, which requires compliance with the standards listed in EIR Table 4.12-10, General Plan Update Groundborne Vibration Impact Criteria, would reduce potential groundborne vibration impacts related to future development to a less than significant level.

**TRANSPORTATION AND TRAFFIC**

**A-7 Direct/Indirect Significant Effect – Traffic and Level of Service Standards:** Implementation of the proposed project would result in a significant impact to the following nine roadway segments and one intersection throughout the proposed project area.

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1. Escondido Boulevard between 13<sup>th</sup> Avenue and 15<sup>th</sup> Avenue (LOS E)
2. Escondido Boulevard between 15<sup>th</sup> Avenue and Felicita Avenue (LOS E)
3. Escondido Boulevard between Felicita Avenue and Sunset Drive (LOS E)
4. Centre City Parkway between 13<sup>th</sup> Avenue and Felicita Avenue (LOS E)
5. Citrus Avenue between Washington Avenue and Valley Parkway (LOS E)
6. Citrus Avenue between Bear Valley Parkway and Glen Ridge Road (LOS E)
7. 9<sup>th</sup> Avenue between La Terraza Boulevard and Tulip Street (LOS E)
8. Lincoln Avenue between Lincoln Parkway (SR-78) and Fig Street (LOS E)
9. Mission Avenue between Rose Street and Midway Drive (LOS E)

Intersections

1. I-15 SB Ramps/Valley Parkway (LOS F, PM peak hour)

**Mitigation Measures:** Implementation of the following feasible mitigation measures identified in the Final EIR would reduce impacts to the following roadways and intersections to a less than significant level.

- **Mitigation Measure Tra-3** (Escondido Boulevard between 13th Avenue and 15th Avenue) requires the City of Escondido to implement adaptive traffic signal control technology along Escondido Boulevard between 13th Avenue and 15th Avenue prior to the segment reaching a Level of Service (LOS) of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction. This measure would reduce impacts to the segment of Escondido Boulevard between 13<sup>th</sup> Avenue and 15<sup>th</sup> Avenue to a less than significant level.
- **Mitigation Measure Tra-4** (Centre City Parkway between 13th Avenue and Felicita Avenue) requires the City of Escondido to implement adaptive traffic signal control technology along Centre City Parkway between 13th Avenue and Felicita Avenue prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction. This measure would reduce impacts to the segment of Centre City Parkway between 13<sup>th</sup> Avenue and Felicita Avenue to a less than significant level.
- **Mitigation Measure Tra-5** (Escondido Boulevard between 15th Avenue and Felicita Avenue) states that implementation of mitigation measure Tra-10 would reduce impacts to Escondido Boulevard between 15<sup>th</sup> Avenue and Felicita Avenue to a level below significant. Mitigation measure Tra-10 is discussed below.
- **Mitigation Measure Tra-6** (Escondido Boulevard between Felicita Avenue and Sunset Drive) states that implementation of mitigation measure Tra-10 would reduce impacts to Escondido Boulevard between Felicita Avenue and Sunset Drive to a level below significant. Mitigation measure Tra-10 is discussed below.

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- **Mitigation Measure Tra-7** (Citrus Avenue between Washington Avenue and Valley Parkway) requires the City of Escondido to implement adaptive traffic signal control technology along Citrus Avenue between Washington Avenue and Valley Parkway prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction. This measure would reduce impacts to the segment of Citrus Avenue between Washington Avenue and Valley Parkway to a less than significant level.
- **Mitigation Measure Tra-8** (Citrus Avenue between Bear Valley Parkway and Glen Ridge Road) requires the City of Escondido to implement adaptive traffic signal control technology along Citrus Avenue between Bear Valley Parkway and Glen Ridge Road prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction. This measure would reduce impacts to the segment of Citrus Avenue between Bear Valley Parkway and Glen Ridge Road to a less than significant level.
- **Mitigation Measure Tra-9** (9<sup>th</sup> Avenue between La Terraza Boulevard and Tulip Street) requires the City of Escondido to implement adaptive traffic signal control technology along 9<sup>th</sup> Avenue between La Terraza Boulevard and Tulip Street prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction. This measure would reduce impacts to the segment of 9<sup>th</sup> Avenue between La Terraza Boulevard and Tulip Street to a less than significant level.
- **Mitigation Measure Tra-10** (Lincoln Avenue between Lincoln Parkway (SR-78) and Fig Street) requires the City of Escondido to implement adaptive traffic signal control technology along Lincoln Avenue between Lincoln Parkway (SR-78) and Fig Street prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction. This measure would reduce impacts to the segment of Lincoln Avenue between Lincoln Parkway (SR-78) and Fig Street to a less than significant level. As stated above, it would also reduce impacts to two segments of Escondido Boulevard (15<sup>th</sup> Avenue to Felicita Avenue and Felicita Avenue to Sunset Drive) to a less than significant level.
- **Mitigation Measure Tra-11** (Mission Avenue between Rose Street and Midway Drive) requires the City of Escondido to implement adaptive traffic signal control technology along Mission Avenue between Rose Street and Midway Drive prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction. This measure would reduce impacts to the segment of Mission Avenue between Rose Street and Midway Drive to a less than significant level.



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- **Mitigation Measure Tra-12** (Interstate 15 Southbound Ramps/Valley Parkway Intersection) required the City of Escondido to provide a second right turn lane at the I-15 Northbound ramps to partially mitigate the impacts at this intersection. Future land developments would be required to contribute a fair share towards this improvement as well as any other improvements that may be needed in the future to mitigate this impact to below a level of significance.

**Facts in Support of Finding.** The roadway improvements proposed in mitigation measures Tra-3 through Tra-12 would improve traffic flow on the roadway segments and intersections listed above to an LOS D or better. Impacts would be mitigated to a less than significant level.

**UTILITIES AND SERVICE SYSTEMS**

- A-8 Direct/Indirect Significant Effect – Adequate Wastewater Facilities (City of Escondido Wastewater Division):** Implementation of the proposed project would have the potential to result in significant impacts related to wastewater facilities because the General Plan Update and Downtown Specific Plan Update would result in increased demand on existing wastewater systems due to increased sewage flows associated with the new development. Some E-CAP measures may also minimally increase wastewater flows within the proposed project area.

**Mitigation Measures:** The project includes the following mitigation measure which would reduce impacts to below a level of significance.

- **Mitigation Measure Util-2** requires the EWWD Wastewater Master Plan to be updated to accommodate the buildout of the proposed General Plan Update. This shall be achieved by increasing and/or expanding existing wastewater infrastructure and other measures/strategies that shall achieve the goal of providing adequate wastewater facilities to serve the buildout of the General Plan Update. The City shall also coordinate with VWD during its next Master Plan Update process to ensure that it provides the necessary wastewater facilities to adequately account for the growth identified in the General Plan Update.

**Facts in Support of Finding:** An increase in wastewater flows due to implementation of the proposed project could result in the Escondido Wastewater Division (EWWD) having inadequate capacity to serve the projected demand associated with the buildout of the General Plan Update, Downtown Specific Plan Update and implementation of the E-CAP. EWWD maintains a Wastewater Collections Master Plan that considers existing and proposed land uses as well as growth projections to evaluate system adequacy for wastewater service. The City is currently in the process of updating the Wastewater Collections Master Plan to incorporate the proposed project's growth projections. However, until the updated Master Plan is adopted, the current Master Plan would remain in effect, which may not provide adequate capacity to serve the buildout of the proposed project.

Several elements of the General Plan Update address wastewater facilities. Within the Economic Prosperity Element, Minimizing Infrastructure Impediments Policies 9.1, 9.2 and 9.3 require the

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City to plan for and coordinate sufficient wastewater infrastructure; work with agencies to develop and implement infrastructure improvements; and identify ways to obtain funding for infrastructure improvements. Within the Growth Management Element, Policies 2.1, 2.2, 3.1, 3.2, 3.3, 4.1 and 4.2 deal with public facility master plan policies, financing and phasing. Growth Management Monitoring Policies 6.1, 6.2 and 6.3 require interagency coordination and monitoring, capital improvement planning efforts, and development proposals to minimize their environmental impacts. Within the Mobility and Infrastructure Element, Wastewater System Policies 11.1 through 11.11 relate specifically to wastewater treatment services. Wastewater System Policy 11.1 requires regular updates to EWWD's Wastewater Master Plan.

While the proposed General Plan Update policies are intended to provide adequate wastewater facilities, specific measures are necessary to ensure that adequate facilities are available when needed. Therefore, mitigation measure Util-2 would be implemented to reduce the project's potentially significant impact associated with wastewater facilities to below a level of significant.

## **Section B – Finding 2**

Pursuant to Section 15091(a)(2) of the State CEQA Guidelines, the Escondido City Council finds that, for each of the following significant effects as identified in the Final EIR, changes or alterations which would avoid or substantially lessen these significant effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. The significant effects (impacts) and mitigation measures are stated fully in the Final EIR. The following are brief explanations of the rationale for this finding for each impact:

### ***BIOLOGICAL RESOURCES***

**B-1 Cumulative Significant Effect – Special Status Plant and Wildlife Species:** Implementation of the proposed project would have the potential to contribute to a significant cumulative impact associated with the loss of habitat supporting special status plant and wildlife species. The impact is attributable to the lack of a comprehensive Natural Community Conservation Plan (NCCP) in place for the long-term protection of special status plant and wildlife species for the entire San Diego region. Without this plan in place, a cumulative loss of habitat supporting special status plant and wildlife species would occur, even after mitigation has been implemented for individual projects. A Multiple Habitat Conservation Plan (MHCP) has been developed for the northwest incorporated cities, but the City of Escondido is still developing its MHCP Subarea Plan. Adoption of the City's subarea plan would establish the City's contribution to the regional protection of biological resources and establish an implementation program to protect the resources identified in the plan, including requirements for new development. Therefore, until the City has adopted the MHCP Subarea Plan, the proposed project's contribution, in combination with other cumulative projects, would be cumulatively considerable.

**Mitigation Measures:** No feasible mitigation measures are available to mitigate this impact.

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**Facts in Support of Finding:** Future development of land uses allowed under the General Plan Update and Downtown Specific Plan Update would have the potential to result in impacts to sensitive species. Compliance with existing regulations and the General Plan Update goals and policies would reduce the project's direct and indirect impacts to special status species to a less than significant level. However, until the City's MHCP Subarea Plan is adopted, the proposed project would contribute to a significant cumulative impact to species identified as a candidate, sensitive, or special status species. Adoption of the MHCP Subarea Plan, and subsequent compliance with the plan, would reduce the project's cumulative contribution to a less than significant level; however, adoption of the conservation plan requires approval at the federal and state levels, which the City cannot guarantee ahead of time. In addition, the timing of the MHCP Subarea Plan adoption may not coincide with General Plan Update impacts in these areas. Therefore, requiring adoption of the MHCP Subarea Plan cannot be considered feasible mitigation for the proposed project. Until the City's MHCP Subarea Plan is adopted, the project's cumulatively considerable contribution to a significant cumulative impact to sensitive species would be significant and unavoidable. None of the proposed project alternatives would reduce impacts associated with special status species to below a level of significance because any alternative that would accommodate new city-wide development would have the potential to result in a cumulative impact until the MHCP Subarea Plan is adopted.

**Conclusion:** Because there are no feasible measures that would achieve a level less than significant; because application of all General Plan policies and existing regulations would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant; the project's cumulative impacts to special status species would remain significant and unavoidable.

**B-2 Cumulative Significant Effect – Riparian Habitat and Other Sensitive Natural Communities:** Implementation of the proposed project would have the potential to contribute to a significant cumulative impact associated with the loss of riparian habitat and other sensitive natural communities due to the lack of a comprehensive NCCP in place for the long-term protection of sensitive natural communities for the entire San Diego region. Without this plan in place, a cumulative loss of riparian and other sensitive habitat would occur, even after mitigation has been implemented for individual projects. A MHCP has been developed for the northwest incorporated cities, but the City of Escondido is still developing its MHCP Subarea Plan. Adoption of the City's Subarea Plan would establish the City's contribution to the regional protection of biological resources and establish an implementation program to protect the resources identified in the plan, including riparian habitat and other sensitive natural communities. Therefore, until the City has adopted the MHCP Subarea Plan, the proposed project's contribution, in combination with other cumulative projects, would be cumulatively considerable.

**Mitigation Measures:** No feasible mitigation measures are available to mitigate this impact.

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**Facts in Support of Finding:** Future development of land uses allowed under the General Plan Update and Downtown Specific Plan Update would have the potential to result in impacts to riparian habitat and other sensitive natural communities. Compliance with existing regulations, existing land use agreements, and the General Plan Update goals and policies would reduce the project's direct and indirect impacts to sensitive natural communities to a less than significant level. However, until the City's MHCP Subarea Plan is adopted, the proposed project would contribute to a significant cumulative impact to sensitive natural communities. Adoption of the MHCP Subarea Plan, and subsequent compliance with the plan, would reduce the project's contribution to this cumulative impact to a less than significant level; however, adoption of the conservation plan requires approval at the federal and state levels, which the City cannot guarantee ahead of time. In addition, the timing of the MHCP Subarea Plan adoption may not coincide with General Plan Update impacts in these areas. Therefore, requiring adoption of the MHCP Subarea Plan cannot be considered feasible mitigation for the proposed project. Until the City's MHCP Subarea Plan is adopted, the project's contribution to a significant cumulative impact to sensitive natural communities would be significant and unavoidable. None of the proposed project alternatives would reduce impacts associated with sensitive natural communities to below significant because any alternative that would accommodate new city-wide development would have the potential to result in a cumulative impact until the MHCP Subarea Plan is adopted.

**Conclusion:** Because there are no feasible measures that would achieve a level less than significant; because application of all General Plan policies and existing regulations would not achieve a level of less than significant; and because there are no feasible Project alternatives that would achieve a level of less than significant, impacts to riparian habitat and other sensitive natural communities would remain significant and unavoidable.

**B-3 Cumulative Significant Effect – Wildlife Movement Corridors and Nursery Sites:**

Implementation of the proposed project would have the potential to contribute to a significant cumulative impact associated with impacts to wildlife movement corridors and nursery sites due to the lack of a comprehensive NCCP in place for the long-term protection of wildlife movement corridors and nursery sites for the entire San Diego region. Without this plan in place, a cumulative loss of wildlife movement corridors and nursery sites would occur, even after mitigation has been implemented for individual projects. A MHCP has been developed for the northwest incorporated cities, but the City of Escondido is still developing its MHCP Subarea Plan. Adoption of the City's Subarea Plan would establish the City's contribution to the regional protection of biological resources and establish an implementation program to protect the resources identified in the plan, including wildlife movement corridors and nursery sites. Therefore, until the City has adopted the MHCP Subarea Plan, the proposed project's contribution, in combination with other cumulative projects, would be cumulatively considerable.

**Mitigation Measures:** No feasible mitigation measures are available to mitigate this impact.

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**Facts in Support of Finding:** Future development of land uses allowed under the General Plan Update and Downtown Specific Plan Update would have the potential to result in impacts to wildlife movement corridors and native wildlife nursery sites. Compliance with existing regulations and the General Plan Update goals and policies would reduce direct and indirect impacts to sensitive natural communities to a less than significant level. However, until the City's MHCP Subarea Plan is adopted, the proposed project would contribute to a significant cumulative impact to wildlife movement corridors and nursery sites. Adoption of the MHCP Subarea Plan, and subsequent compliance with the plan, would reduce the project's cumulative contribution to a less than significant level; however, adoption of the conservation plan requires approval at the federal and state levels, which the City cannot guarantee ahead of time. In addition, the timing of the MHCP Subarea Plan adoption may not coincide with General Plan Update impacts in these areas. Therefore, requiring adoption of the MHCP Subarea Plan cannot be considered feasible mitigation for the proposed project. Until the City's MHCP Subarea Plan is adopted, the project's contribution to a significant cumulative impact to wildlife movement corridors and nursery sites would be significant and unavoidable. None of the proposed project alternatives would reduce impacts associated with wildlife movement corridors and nursery sites to below a level of significance because any alternative that would accommodate new city-wide development would have the potential to result in a cumulative impact until the MHCP Subarea Plan is adopted.

**Conclusion:** Because there are no feasible measures that would achieve a level less than significant; because application of all General Plan policies and existing regulations would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant, impacts to wildlife movement corridors and nursery sites would remain significant and unavoidable.

**TRANSPORTATION AND TRAFFIC**

**B-4 Direct/Indirect Significant Effect – Traffic and Level of Service Standards:** Implementation of the proposed project would result in a significant impact to the segment of Montiel Road between Nordahl Road and Deodar Road (LOS E).

**Mitigation Measures:** The following mitigation measure would reduce this impact to a less than significant level. However, the City has determined that this measure would be infeasible, as described below.

- **Mitigation Measure Tra-2 (Montiel Road between Nordahl Road and Deodar Road)** requires the City of Escondido to implement adaptive traffic signal control technology along Montiel Road between Nordahl Road and Deodar Road prior to the segment reaching an LOS of E or F. Adaptive traffic signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction.

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**Rationale for Rejection.** The mitigation for the proposed project's impact to the segment of Montiel Road between Nordahl Road and Deodar Road is considered to be infeasible because the timing and implementation of the mitigation measure is within the jurisdiction of another city and cannot be guaranteed by the City of Escondido. If and when the City of San Marcos desires to mitigate the impact to this segment, the City of Escondido would coordinate with San Marcos when significant traffic impacts to this segment are attributed to specific projects being processed in the City of Escondido. These projects would be required to undertake mitigation, such as a fair share contribution, pursuant to city direction. However, because the City of Escondido cannot guarantee the timing of implementation of the mitigation measure for this segment impact, the impact is considered to be significant and unavoidable.

**Facts in Support of Finding.** The proposed project would result in a roadway segment impact to Montiel Road between Nordahl Road and Deodar Road, which is located within the City of San Marcos. Mitigation measure Tra-2 would reduce this impact to a less than significant level. However, the City has determined that this measure would be infeasible as described above.

The General Plan Update includes policies that would reduce traffic and prevent the substantial deterioration of transportation resources within the proposed project area. Within the Mobility and Infrastructure Element, Transportation Demand Management (TDM) Policies 6.1, 6.2 and 6.3 require implementation of a TDM and complete streets program; employers to promote alternative transportation methods; and a TDM program for City employees. Street Network Policies 7.1, 7.2 and 7.3 require regulation of roadways in accordance with the Mobility and Infrastructure Element; specific alignment plans for unique situations; and the goal of meeting LOS C or better throughout the City and establishing LOS D as the threshold for determining significant impacts and appropriate mitigation. Due to physical design characteristics, implementation of pedestrian-oriented 'smart growth' and Complete Streets design improvements, high density infill areas, environmental resource considerations, existing development, freeway interchange impacts, and incomplete system improvements, the policies recognize that alternative levels of service may be appropriate for isolated areas as determined by the City.

Street Network Policies 7.4, 7.5 and 7.6 require adequate safety measures on new roadways; CIP funding for roadway projects; and the timely development of the mobility system. Street Network Policies 7.7 through 7.10 require analysis of traffic impacts on the regional transportation system, synchronizing traffic signals, and street beautification programs.

Traffic Calming Policies 9.1, 9.2, and 9.3 require effective traffic management solutions, innovative traffic control methods, and implementation of traffic calming measures. Goods and Services Transport Policies 10.1, 10.2 and 10.3 require designation of truck routes; minimization of impacts from truck traffic; and discourage the use of public streets for freight loading and unloading. Goods and Services Transport Policies 10.4, 10.5, and 10.6 require deliveries during off-peak traffic hours and cooperation with railroad operators.

Within the E-CAP, reduction measure R1-T7, Goods Movement and Efficiency Measures, promotes system-wide efficiency improvements in goods movement. Reduction measure R2-T1,

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Land Use Based Trips and Vehicle Miles Traveled (VMT) Reduction Policies, identifies land use strategies, consistent with the proposed General Plan Update, which would reduce VMT within the proposed Project area. Reduction measure R2-T3, Transit Improvements, encourages coordination to improve public transit facilities and reduce VMT. Reduction measure R2-T4, Transportation Demand Management, encourages ride-sharing, carpooling and alternative modes of transportation to reduce automobile travel.

None of the project alternatives would reduce impacts associated with traffic and level of service standards to below a significant level because all of the alternatives would allow for future development that would result in increases in traffic on project area roadways. The Reduced Employment Alternative, Reduced Residential Alternative, and Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would reduce impacts as compared to the proposed project due to reduced growth allowed under these alternatives; however, these alternatives would still contribute to a significant increase in traffic and impacts would be significant and unavoidable.

Because the mitigation measure Tra-2 listed above has been found to be infeasible; because no additional feasible mitigation measures are available to mitigate the impacts to a level below significant; because application of all General Plan goals and policies would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant, impacts associated with traffic and level of service standards associated with Montiel Road between Nordahl Road and Deodar Road would be significant and unavoidable.

### **Section C – Finding 3**

Pursuant to Section 15091(a)(3) of the State CEQA Guidelines, the City of Escondido City Council finds that, for each of the following significant effects identified in the Final EIR, specific economic, legal, social, technological, or other considerations make the mitigation measures or Project alternatives infeasible:

#### ***AIR QUALITY***

**C-1 Direct/Indirect Significant Effect – Air Quality Violations:** Implementation of the proposed project would result in significant impacts related to the emission of volatile organic compounds (VOCs) and particulate matter less than 10 microns in diameter (PM<sub>10</sub>) during construction. In addition, operational emissions of criteria air pollutants associated with future development occurring under the General Plan Update would exceed the significance thresholds for PM<sub>10</sub> and particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>).

**Mitigation Measures:** The following mitigation measures identified in the Final EIR would partially mitigate the significant impacts as follows:

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- **Mitigation Measure Air-1** (Construction Dust Control Measures) requires grading activities for any future development within the General Plan Update planning area boundary to implement standard best management practices to reduce the emissions of fugitive dust. Five measures are identified, including watering of exposed soils, temporary hydroseeding, vehicle speed limits, covering stockpiles and PM<sub>10</sub>-efficient street sweepers. Application of best management practices would prevent the release of construction-related pollutants and substantially reduce the potential for air quality violations.
- **Mitigation Measure Air-2** (Air Quality Impact Assessment) requires an Air Quality Impact Analysis to be prepared for projects within the General Plan Update boundary that exceed one of the air quality study trigger criteria identified in the Final EIR. The air quality impact assessment would require the identification and implementation of measures to prevent the release of operational pollutants, which would and substantially reduce the potential for air quality violations.

**Facts in Support of Finding:** The proposed project would result in a significant impact associated with the violation of an air quality standard because emissions of criteria pollutants associated with construction and operation of new residential, commercial, and industrial land uses allowable under the General Plan Update would exceed the screening-level thresholds for air pollutants. Specifically, implementation of the proposed project would result in significant impacts related to the emission of VOCs and PM<sub>10</sub> during construction and PM<sub>10</sub> and PM<sub>2.5</sub> associated with operational emissions.

The General Plan Update identified goals and policies to reduce impacts associated with criteria air pollutants. Air Quality and Climate Protection goal 7, aims improve air quality in the City and the region to maintain the community's health and reduce greenhouse gas emissions that contribute to climate change. This goal is supported by Air Quality and Climate Protection Policies 7.1 through 7.3 and 7.5 through 7.10. These policies require the City to participate in regional planning efforts to reduce air quality impacts and attain state and federal air quality standards; reduce regional greenhouse gas emissions through reducing vehicle trips and using non-polluting alternative energy; require that new development projects incorporate feasible measures that reduce construction and operational emissions; consider the development of park and ride facilities within the City in coordination with Caltrans; restrict the location of drive-through facilities in the City and require site layouts that reduce the amount of time vehicles wait for service; encourage businesses to alter local truck delivery schedules to occur during non-peak hours; encourage City employees to use public transit, carpool, and other alternate modes of transportation for their home to work commutes; require the City to purchase low-emission vehicles for the City's fleet and use clean fuel sources for trucks and heavy equipment; and require the City to educate the public about air quality, its effect on health, and efforts the public can make to improve air quality.

The proposed General Plan Update policies and mitigation measures listed above would reduce direct impacts to air quality violations; however, the construction schedules and specifications of future projects in the City are not known at this time. Realistically, yearly construction and



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operational emissions for all pollutants may be greater or lower depending on how development is implemented, where it is located, type of development, and how development is operated. Therefore, it cannot be determined with certainty whether the proposed mitigation measures, or any measures, would reduce impacts to a less than significant level. The proposed mitigation measures cannot guarantee that construction and operational emissions would be reduced to a less than significant level; therefore, this impact remains significant and unavoidable.

None of the proposed project alternatives would reduce impacts associated with air quality violations to below a significant level because any alternative that would allow for future development would result in construction and operational air pollutant emissions. The Reduced Employment Alternative, Reduced Residential Alternative, and Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would reduce impacts as compared to the proposed project due to reduced growth allowed under these alternatives; however, these alternatives would still result in new construction and new growth and the implementation of mitigation measures Air-1 and Air-2 as part of these alternatives cannot be guaranteed to reduce impacts to a less than significant level.

- C-2 Cumulative Significant Effect – Air Quality Violations:** As described above, implementation of the proposed project would result in a direct significant impact associated with the violation of an air quality standard during both construction and operation. In combination with other cumulative projects, the Project would have the potential to result in cumulatively considerable impacts.

**Mitigation Measures:** Mitigation measures Air-1 and Air-2 identified above would partially mitigate the project's significant cumulative impact associated with air quality violations, but not to below a level of significance.

**Facts in Support of Finding:** The potential exists for construction projects associated with the General Plan Update and those associated with other cumulative projects to take place in close proximity to each other and at the same time, particularly in the 15 project study areas where the greatest amount of growth and redevelopment would occur. The emissions of VOCs and PM<sub>10</sub> during construction under the General Plan Update would potentially exceed the threshold of significance. Therefore, a potentially significant cumulative impact would occur when the project's construction emissions are combined with other cumulative projects.

Similarly, operation of future development under the General Plan Update would have the potential to result in significant direct impacts to air quality from particulate matter emissions (PM<sub>10</sub> and PM<sub>2.5</sub>) from vehicular sources. New stationary sources of criteria pollutants or projects that would increase vehicle trips may result in increases in pollutant emissions that result in significant unavoidable air quality impacts. In combination with other cumulative projects in the region, the proposed project would have the potential to exceed screening level thresholds for operational emissions. Therefore, the project's contribution to the regional air

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quality impacts related to particulate matter emissions (PM<sub>10</sub> and PM<sub>2.5</sub>) would be cumulatively considerable.

General Plan Update policies and mitigation measures would reduce cumulative impacts to air quality violations, but they cannot guarantee that impacts would be reduced to below a level of significance. Therefore, proposed project impacts to air quality violations would remain cumulatively considerable.

**NOISE**

**C-3 Direct/Indirect Significant Effect – Excessive Groundborne Vibration During Construction:** Implementation of the proposed project would result in significant impacts related to the exposure of vibration sensitive land uses to groundborne vibration from construction of new land uses that may result in groundborne vibration.

**Mitigation Measures:** The following mitigation measures identified in the Final EIR would reduce the proposed project's significant impacts associated with groundborne vibration. Mitigation measure Noi-1 would partially mitigate the project's groundborne vibration impacts from construction.

- **Mitigation Measure Noi-1 (Construction Vibration Best Management Practices)** requires all general construction activities that take place within 100 feet of a building with the potential to be damaged by excessive vibration, or use pile-driving, blasting, or other high-impact construction equipment within 200 feet of a daytime noise sensitive land use to implement the construction best management practices recommended by the Federal Railroad Administration in the High Speed Ground Transportation Noise and Vibration Impact Assessment (2005). This measure would minimize effects of groundborne vibration and noise during construction.

**Facts in Support of Finding:** Construction of new land uses under the proposed project would have the potential to result in impacts associated with excessive groundborne vibration. The proposed project would also result in a significant impact related to groundborne noise during construction resulting in potential damage to buildings that may be susceptible to vibration damage from construction equipment. Sections 17-234, 17-238, and 17-240 of the City's Noise Ordinance limit operation of construction equipment to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Grading activities on Saturday may not begin until 10:00 a.m. and must end by 5:00 p.m. Compliance with the Noise Ordinance would restrict construction groundborne vibration and noise impacts from disturbing sleep. Implementation of mitigation Measure Noi-1 would reduce project-related groundborne vibration impacts from construction; however, because it is unknown at this time where future projects would be located or the construction schedules and construction equipment required for future development under the General Plan Update, it cannot be determined with certainty that the recommended best management practices (BMPs), or any other measures, would

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reduce impacts to a less than significant level. Therefore, impacts from groundborne vibration during construction would be temporarily significant and unavoidable.

None of the proposed project alternatives would reduce impacts associated with groundborne vibration and noise during construction to below a significant level because any alternative that would allow for future development would result in potential construction impacts. The Reduced Employment Alternative, Reduced Residential Alternative, and Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would reduce impacts as compared to the proposed project due to the reduced growth and associated construction allowed under these alternatives. However, these alternatives would still result in new construction and implementation of the BMPs proposed in mitigation measure Noi-1 cannot be guaranteed to reduce impacts from this growth to a less than significant level.

- C-4 Cumulative Significant Effect – Excessive Groundborne Vibration:** the proposed project, in combination with other proposed cumulative projects, would result in a potentially significant cumulative groundborne vibration impact due to construction activities and potential increases in rail operations.

**Mitigation Measures:** Mitigation measures Noi-1 and Noi-2 identified above would partially mitigate the project's significant cumulative impact regarding groundborne vibration associated with construction, but not to below a level of significance.

**Facts in Support of Finding:** The potential exists for the proposed project, in combination with cumulative construction projects in the vicinity of the proposed project, to result in combined vibration impacts if occurring simultaneously. Additionally, construction in close proximity to the SPRINTER right-of-way or existing extraction operations could result in combined vibration impacts. Cumulative projects in the proposed project vicinity include potential increases in rail operations that would result in additional vibration. As discussed above, the proposed project would result in a significant direct impact associated with vibration from construction activities. Therefore, the proposed project, in combination with other proposed cumulative projects, would result in a potentially significant cumulative groundborne vibration impact due to construction activities and potential increases in rail operations.

General Plan Update policies and mitigation measures would reduce cumulative impacts to groundborne vibration impacts associated with construction, but they cannot guarantee that impact would be reduced to below a level of significance. Therefore, proposed project impacts to groundborne vibration and noise would remain cumulatively considerable.

- C-5 Cumulative Significant Effect – Permanent Increase in Ambient Noise Levels:** Implementation of the proposed project would result in a significant cumulative noise impact related to regional increases in traffic noise. Land use development proposed in accordance with the proposed project would contribute to cumulative future roadway traffic which would contribute to a cumulative increase in ambient noise levels.

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**Mitigation Measures:** No feasible mitigation measures are available to mitigate this impact.

The following mitigation measures were considered to reduce impacts associated with the permanent increase of ambient noise levels to below a significant level. However, the City has determined that these measures would be infeasible, as described below. Therefore, the following mitigation measures will not be implemented.

- (1) Require future development to construct walls or other barriers that would attenuate noise to the sensitive receptors behind the barrier for any potential increases in regional roadway noise for which no other mitigation is available.

**Rationale for Rejection:** This measure is considered to be infeasible because it would potentially require installation of noise walls within private property, within designated rights-of-way, or otherwise outside of the City's jurisdiction, which may not be allowed by a property owner or by the jurisdiction in which the sound barrier would be located. The feasibility of noise walls is also restricted by access requirements for driveways, presence of local cross streets, underground utilities, other noise sources in the area, and safety considerations. Breaks in the noise wall for access would not provide any noise attenuation and would render the wall ineffective.

Additionally, for safety reasons, Caltrans states that noise barriers should not exceed 14 feet in height<sup>1</sup>. Due to high existing noise levels, particularly along I-15, a noise barrier of more than 14 feet may be required to reduce noise levels along some roadway segments to an acceptable noise level for noise sensitive land uses. Finally, construction of a noise barrier would potentially wall off existing neighborhoods or individual residences from the surrounding community, which could result in adverse impacts to aesthetics, land use, and potentially public safety because the noise walls would limit the visibility of residences from the surrounding area<sup>2</sup>. Natural surveillance is one of the four principles of Crime Prevention through Environmental Design<sup>3</sup>. Therefore, for the reasons listed above, this mitigation measure would not be implemented.

- (2) Implement a Citywide moratorium on building permits for projects that would result in a potentially significant increase in regional roadway noise for which no feasible mitigation is available.

**Rationale for Rejection:** This measure is considered to be infeasible because it would impede the City's ability to implement the General Plan Update and Downtown Specific Plan Update by prohibiting future development in areas identified for increased growth in the proposed project area. This mitigation measure would also conflict with the project objective to meet the housing needs of existing and future residents. Therefore, for the reasons listed above, this mitigation measure would not be implemented.

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<sup>1</sup> Caltrans 2011

<sup>2</sup> FHWA 2011

<sup>3</sup> NCPC 2003

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**Facts in Support of Finding:** The Final EIR prepared for the SANDAG 2050 RTP (SCH # 2010041061) determined that regional transportation improvements and increased regional traffic volumes associated with regional growth would have the potential to result in a substantial permanent increase in ambient noise levels. The EIR also concluded that impacts would be cumulatively considerable and unavoidable. Consistent with these findings, the EIR prepared for the proposed project determined that a significant cumulative impact related to regional increases in traffic noise would occur. Because the proposed project would allow for the development of future land uses that would result in increased future roadway traffic, the proposed project was determined to have a cumulatively considerable contribution to this significant cumulative noise impact.

Implementation of General Plan Noise Policy 5.6 from the Community Protection Element would require future development with the potential to substantially increase noise levels to prepare a noise technical report and attenuate increases in noise levels at nearby sensitive receptors. However, implementation of this policy would not reduce cumulative impacts to a less than significant level because it cannot be guaranteed that noise levels would be reduced to below the applicable threshold.

None of the proposed project alternatives would reduce impacts associated with the permanent increase in ambient noise levels to below a significant level because all of the alternatives would allow for future development which would result in an increase in regional traffic noise. The Reduced Employment Alternative, Reduced Residential Alternative, and Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would reduce impacts as compared to the proposed project due to reduced overall growth under these alternatives; however, these alternatives would still contribute to an increase in regional traffic noise and impacts would be cumulatively considerable and unavoidable.

Because the measure listed above has been found to be infeasible; because application of all General Plan goals and policies would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant; impacts associated with the permanent increase in ambient noise levels would remain cumulatively considerable and unavoidable.

**POPULATION AND HOUSING**

**C-6 Direct/Indirect Significant Effect – Displacement of Housing and People:** Implementation of the proposed project would result in a significant impact associated with the potential future displacement of up to 142 existing residential dwelling units as a result of the General Plan land use designations and up to 300 homes and as a result of expansion or construction of the proposed circulation system.

**Mitigation Measures:** The following mitigation measure identified in the Final EIR would partially mitigate the project's direct significant impact associated with the displacement of housing and people, although not to below a level of significance.

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- **Mitigation Measure Pop-1** requires the City of Escondido to coordinate with property owners that would experience displacement under the proposed General Plan Update to communicate the implications of the proposed project on their property and to address public concerns and comments. This mitigation measure would ensure communication with property owners regarding displacement of housing and people.

The following mitigation measure was also considered to reduce impacts associated with residential displacement to a less than significant level. However, the City has determined that this measure would be infeasible, as described below. Therefore, the following mitigation measure will not be implemented.

- (1) The City shall retain the residential land use designation for each of the 142 residential parcels within the proposed project area that would receive a non-residential land use designation under implementation of the General Plan Update. Additionally, the City shall preclude the expansion or construction of roadways or pedestrian facilities identified for improvements in the proposed General Plan Mobility and Infrastructure Element in all areas that would result in the displacement of residences or businesses.

**Rationale for Rejection:** This measure would effectively result in no displacement of residential homes or people within the General Plan Update area. However, this measure would impede the City's ability to implement the General Plan Update and Downtown Specific Plan Update because it would prohibit future commercial, office and industrial and transportation-related development in areas identified for mixed use, smart growth and employment lands in the proposed project area. Additionally, retaining the residential land use designation for these parcels would result in a land use compatibility conflict by allowing future residential development to occur immediately adjacent to new industrial, office or commercial development. This mitigation measure would also conflict with the project's objective to maintain areas for high quality, diversified and employee-intensive industrial, retail, technology, manufacturing and service-oriented businesses that create and sustain a strong economic based and provide employment opportunities, create an economically viable urban downtown and urban core with exciting activities and unique land uses that attract local residents and tourists, such as retail, office, high density residential, entertainment and cultural uses. For the reasons listed above, this mitigation measure is considered infeasible and would not be implemented.

**Facts in Support of Finding:** The proposed General Plan Update land use designations would result in the displacement of up to 142 existing residential dwelling units. Additionally, up to 300 homes and businesses have the potential to be displaced from the expansion or construction of the proposed project's circulation system. Compared to existing conditions, implementation of the General Plan Update would accommodate an additional 9,924 dwelling units by year 2035. Although this increase in new residences would more than offset the displacement of a combined maximum of 442 residences and businesses, the displacement of residences is still considered to be a significant impact because the City considers any residential housing displacement to be a significant impact.

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Section I, General Plan Opportunity Areas, within the Land Use and Community Form Element of the proposed General Plan Update relates specifically to the preservation of existing housing within areas proposed for non-residential land uses. As stated in the Land Use and Community Form Element, criteria and standards for proposed grading, circulation, and utility extensions should avoid adverse impacts to existing residential properties and allow integration of adjacent SPA properties.

None of the project alternatives would reduce impacts associated with displacement of housing to below a significant level because all of the project alternatives would allow for future development that would potentially result in some residential displacement. The Reduced Employment Alternative would reduce this impact as compared to the proposed project because of the reduction in new employment land uses that would allowed under this alternative; however, displacement of some housing would still occur under this alternative which would be considered significant and unavoidable.

Because the mitigation measure listed above has been found to be infeasible; because application of all General Plan goals and policies would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant, impacts associated with the displacement of housing and people would be cumulatively considerable and unavoidable.

**TRANSPORTATION AND TRAFFIC**

**C-7 Direct/Indirect Significant Effect – Traffic and Level of Service Standards:** Implementation of the proposed project would result in a significant impact to the following four roadway segments and six intersections throughout the proposed project area:

Roadway Segments

1. Mission Road between Barham Drive and Auto Park Way (LOS E)
2. Valley Parkway between Hickory Street and Fig Street (LOS F)
3. Valley Parkway between Fig Street and Date Street (LOS F)
4. Valley Parkway between Date Street and Ash Street (LOSF)

Intersections

1. Nordahl Road/Auto Park Way/Mission Road (LOS E, PM peak hour)
2. Centre City Parkway/Felicita Avenue (LOS F, PM peak hour)
3. Escondido Boulevard/Felicita Avenue (LOS E/F, AM/PM peak hours, respectively)
4. Ash Street/Valley Parkway (LOS E, both AM/PM peak hours)
5. I-15 SB Ramps/Via Rancho Parkway (LOS E/F, AM/PM peak hours, respectively)
6. El Norte Parkway/Centre City Parkway (LOS E/F, AM/PM peak hours, respectively)

**Mitigation Measures:** The following mitigation measure identified in the Final EIR would partially mitigate the project's significant impact to four roadway segments and six intersections, although not to below a level of significance. Even with implementation of the

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identified mitigation measure, these roadway segments and intersections would operate at an unacceptable LOS. No additional feasible mitigation measures are available to reduce impacts associated with these roadways and intersections to a less than significant level.

- **Mitigation Measure Tra-1** requested the City of Escondido to implement intersection improvement treatment and adaptive traffic signal control technology along the following roadway segments and at the following intersections prior to reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction.

Roadway Segments

1. Mission Road between Barham Drive and Auto Park Way (LOS E)
2. Valley Parkway between Hickory Street and Fig Street (LOS F)
3. Valley Parkway between Fig Street and Date Street (LOS F)
4. Valley Parkway between Date Street and Ash Street (LOSF)

Intersections

1. Nordahl Road/Auto Park Way/Mission Road (LOS E, PM peak hour)
2. Centre City Parkway/Felicita Avenue (LOS F, PM peak hour)
3. Escondido Boulevard/Felicita Avenue (LOS E/F, AM/PM peak hours, respectively)
4. Ash Street/Valley Parkway (LOS E, both AM/PM peak hours)
5. I-15 SB Ramps/Via Rancho Parkway (LOS E/F, AM/PM peak hours, respectively)
6. El Norte Parkway/Centre City Parkway (LOS E/F, AM/PM peak hours, respectively)

**Facts in Support of Finding.** Implementation of the General Plan Update would result in four roadway segments and six intersections experiencing significant and unavoidable traffic impacts. To offset the impacts, these segments and intersections would undergo intersection improvement treatment and adaptive traffic signal control technology to improve traffic flow. However, even after implementing such treatment/technology improvements, these street segments and intersections would continue to operate at an unacceptable LOS.

The General Plan Update includes policies that would reduce traffic and prevent the substantial deterioration of transportation resources within the proposed project area. Within the Mobility and Infrastructure Element, Transportation Demand Management (TDM) Policies 6.1, 6.2 and 6.3 require implementation of a TDM and complete streets program; employers to promote alternative transportation methods; and a TDM program for City employees. Street Network Policies 7.1, 7.2 and 7.3 require regulation of roadways in accordance with the Mobility and Infrastructure Element; specific alignment plans for unique situations; and the goal of meeting LOS C or better throughout the City and establishing LOS D as the threshold for determining significant impacts and appropriate mitigation. Due to physical design characteristics, implementation of pedestrian-oriented 'smart growth' and Complete Streets design improvements, high density infill areas, environmental resource considerations, existing development, freeway



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interchange impacts, and incomplete system improvements, the policies recognize that alternative levels of service may be appropriate for isolated areas as determined by the City.

Street Network Policies 7.4, 7.5 and 7.6 require adequate safety measures on new roadways; CIP funding for roadway projects; and the timely development of the mobility system. Street Network Policies 7.7 through 7.10 require analysis of traffic impacts on the regional transportation system, synchronizing traffic signals, and street beautification programs.

Traffic Calming Policies 9.1, 9.2, and 9.3 require effective traffic management solutions, innovative traffic control methods, and implementation of traffic calming measures. Goods and Services Transport Policies 10.1, 10.2 and 10.3 require designation of truck routes; minimization of impacts from truck traffic; and discourage the use of public streets for freight loading and unloading. Goods and Services Transport Policies 10.4, 10.5, and 10.6 require deliveries during off-peak traffic hours and cooperation with railroad operators.

Within the E-CAP, reduction measure R1-T7, Goods Movement and Efficiency Measures, promotes system-wide efficiency improvements in goods movement. Reduction measure R2-T1, Land Use Based Trips and Vehicle Miles Traveled (VMT) Reduction Policies, identifies land use strategies, consistent with the proposed General Plan Update, which would reduce VMT within the proposed Project area. Reduction measure R2-T3, Transit Improvements, encourages coordination to improve public transit facilities and reduce VMT. Reduction measure R2-T4, Transportation Demand Management, encourages ride-sharing, carpooling and alternative modes of transportation to reduce automobile travel.

None of the project alternatives would reduce impacts associated with traffic and level of service standards to below a significant level because all of the alternatives would allow for future development that would result in increases in traffic on project area roadways. The Reduced Employment Alternative, Reduced Residential Alternative, and Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would reduce impacts as compared to the proposed project due to reduced growth allowed under these alternatives; however, these alternatives would still contribute to a significant increase in traffic and impacts would be significant and unavoidable.

Because no feasible mitigation measures are available to mitigate the four segment impacts and six intersection impacts to a level below significant; because application of all General Plan goals and policies would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant, impacts associated with traffic and level of service standards would be significant and unavoidable.

- C-8 Cumulative Significant Effect – Traffic and Level of Service Standards:** Implementation of the proposed project would result in a significant cumulative impact to traffic and level of service standards associated with 14 deficient roadway segments and seven deficient intersections in the year 2035.

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**Facts in Support of Finding:** The discussion provided above for the project's direct/indirect impacts to traffic and level of service standards also applies to the project's cumulative impact, since it analyzes the cumulative 2035 buildout scenario. The proposed General Plan Update, in combination with other cumulative projects, would result in a significant cumulative impact to 14 roadway segments and seven intersections in the project area. The proposed project's contribution to the significant impacts would be cumulatively considerable. General Plan Update policies and mitigation measures would reduce some cumulative impacts to a less than significant level, but not all. No feasible mitigation measures or alternatives are available to achieve an acceptable LOS at all project area intersections and roadway segments. Therefore, project impacts to the specified traffic and level of service standards would remain cumulatively considerable.

**UTILITIES AND SERVICE SYSTEMS**

- C-9 Direct/Indirect Significant Effect – Adequate Water Supplies:** Implementation of the proposed project would result in a significant impact related to adequate water supplies due to an increase in water demand that would exceed existing entitlement and resources, or necessitate new or expanded entitlements.

**Feasible Mitigation Measures:** Implementation of the following feasible mitigation measure identified in the Final EIR would partially mitigate the proposed project's impact, although not to below a level of significance.

- **Mitigation Measure Util-1** requires the Escondido Water and Wastewater Division (EWWD) Water Distribution Master Plan to be updated to accommodate the buildout of the proposed General Plan Update. This would be achieved by increasing and/or expanding existing water infrastructure, providing recycled water distribution facilities throughout the City to offset potable water demand for landscaping and other purposes and other measures/strategies that achieve the goal of providing an adequate water supply to serve the buildout of the General Plan Update.

**Infeasible Mitigation Measures**

The following mitigation measure would fully reduce the proposed project's impact to adequate water supply to below a level of significance. However, this measure has been determined by the City to be infeasible, as discussed below.

- (1) Implement a Citywide moratorium on building permits and development applications in any areas of the City that would have an inadequate imported water supply to serve future development until adequate supplies are procured.

**Rationale for Rejection:** This measure would effectively result in no increase in the amount of imported water demand within the General Plan Update area. However, this measure would impede the City's ability to implement the General Plan Update and Downtown Specific Plan Update because it would prohibit future development in areas identified for increased growth in

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the proposed project area. This mitigation measure would also conflict with the project objective to meet the housing needs of existing and future residents. Therefore, this mitigation measure would not be implemented.

**Facts in Support of Finding:** Implementation of the proposed project would accommodate an increase in population, housing and other development within the project area, which would increase water demand and potentially result in an inadequate water supply based on water supply shortages predicted during multiple dry-water years in the San Diego County Water Authority (SDCWA) 2010 Urban Water Management Plan (UWMP).

While the City's allocation of water is controlled by the SDCWA and not within the jurisdiction of the City of Escondido, multiple policies in the Mobility and Infrastructure Element of the General Plan Update relate to the provision of an adequate water supply. In the Mobility and Infrastructure Element, Water System Policies 10.1 through 10.14 relate specifically to potable water infrastructure. Policies 10.1 through 10.4 require regular updates of the Water Master Plan; maintenance of an adequate water supply, treatment, and distribution system to meet normal and emergency situations; and design of the water supply and distribution system, including the Escondido-Vista Water Treatment Plant, to address the General Plan Update land use projections. Water System Policies 10.5 and 10.6 address financing of new water infrastructure and require new development to provide adequate water facilities or finance the costs of improvements. Water System Policies 10.7 through 10.14 require the proper construction of new water infrastructure; improvements to target areas; reduced costs and GHG emissions; adherence to federal and state drinking water quality standards; implementation of water conservation programs; incorporation of water conservation techniques into building and site design; increased recycled water use; and education about water conservation and reclamation.

The proposed E-CAP contains a number of reduction measures that would promote water conservation, which would subsequently reduce potable water demand. Reduction measure R2-W2, Water Conservation Strategies, aims to increase the use of recycled water and the incorporation of water efficient fixtures, drought tolerant landscaping, permeable hardscapes, and onsite stormwater capture and reuse facilities. Reduction measure R2-W3, Increased Recycled Water Use, promotes development that incorporates the use of recycled water. Reduction measure R3-W1, Water Efficiency and Conservation Education, promotes water conservation strategies.

The General Plan Update policies and E-CAP reduction measures listed above would minimize the proposed project's potentially significant impacts associated with adequate water supply. However, even with these policies and reduction measures in place, implementation of the proposed project would accommodate an increase in population, housing and other development within the project area, which would increase water demand and potentially result in inadequate water supplies. Impacts would remain significant and unavoidable, even with implementation of mitigation measure Util-1.

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None of the project alternatives would reduce impacts associated with adequate water supply to below a significant level because all of the alternatives would increase future water demand by accommodating new growth. The Reduced Employment Alternative, Reduced Residential Alternative, and Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would reduce impacts compared to the proposed project due to reduced overall growth under these alternatives; however, these alternatives would still contribute to an increase in water demand that would have the potential to exceed available supply and result in a significant and unavoidable impact.

Because mitigation measure Util-1 would not reduce the project's impact to a less than significant level; because the only mitigation measure that would fully mitigate the project's significant impact has been found to be infeasible; because application of all General Plan goals and policies would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant; impacts associated with adequate water supply would be significant and unavoidable.

- C-10 Cumulative Significant Effect – Adequate Water Supplies:** Implementation of the proposed project would result in a significant cumulative impact related to inadequate water supplies.

**Facts in Support of Finding:** The SDCWA 2010 UWMP predicts water shortages during multiple dry water year conditions. The proposed project, in combination with other cumulative projects, would increase the demand for potable water in the service area of SDCWA and would be subject to, and potentially exacerbate, the water shortage during multiple dry water years. Additionally, the proposed General Plan Update and Downtown Specific Plan Update growth projections are not accounted for in the various 2010 UWMPs prepared by water district's serving the proposed project area and would potentially be subject to inadequate water supplies. Therefore, the proposed project would result in a cumulatively considerable contribution to a significant cumulative impact related to future water demand. General Plan Update and E-CAP policies and mitigation measures would reduce future water demand, but not to below a level for which adequate water supply could be ensured. No feasible mitigation measures or alternatives are available to achieve a less than significant impact. Therefore, project impacts related to adequate water supply would remain cumulatively considerable.

- C-11 Direct/Indirect Significant Effect – Sufficient Landfill Capacity:** Implementation of the proposed project would result in a significant impact related to sufficient landfill capacity because the proposed project would allow for the development of land uses that would increase the demand for solid waste disposal, which may not be served by landfills with adequate capacity to accommodate the project's future solid waste disposal needs.

**Feasible Mitigation Measures:** No feasible mitigation measures are available to mitigate this impact to a less than significant level.

**Infeasible Mitigation Measures:** The following mitigation measures (and variations of these measures) were considered in attempting to reduce impacts associated with sufficient landfill capacity to below a level of significance. However, the City has determined these measures to

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be infeasible for the reasons listed below. Therefore, these mitigation measures would not be implemented.

- (1) Require all proposed development to obtain written verification of sufficient landfill capacity for the next 20 years.

**Rationale for Rejection:** This mitigation measure would prove infeasible because existing landfill facilities are not projected to have sufficient capacity to serve future demand. Therefore, this measure would impede the City's ability to implement the General Plan Update and Downtown Specific Plan Update because it would prohibit future development in areas identified for increased growth in the proposed project area. This mitigation measure would conflict with the project objective to meet the housing needs of existing and future residents because new development would be unable to obtain verification of adequate landfill capacity for the next 20 years and, therefore, future growth in the City would be prohibited. For the reasons listed above, this mitigation measure would not be implemented.

- (2) Require any proposed project that is expected to result in an increase in solid waste disposal demand to construct a solid waste disposal facility, concurrent with development, to meet the needs of the project.

**Rationale for Rejection:** This mitigation measure would prove infeasible because it places the burden of development of new solid waste disposal facilities on the developer, would require permits from local and state agencies, and would have the potential result in significant environmental impacts from the construction of multiple solid waste facilities throughout the proposed project area. Implementing multiple solid waste disposal sites would increase environmental degradation throughout the proposed project area.

**Facts in Support of Finding:** If additional landfills are not constructed and existing landfills are not expanded, the County's Integrated Waste Management Plan Siting Element estimates that the County of San Diego, including the proposed project area, will run out of physical landfill capacity by 2016. The horizon year of the General Plan is 2035 and land uses proposed under the General Plan Update could generate solid waste requiring disposal well beyond year 2035. Therefore, the development of future land uses as designated in the proposed General Plan Update and Downtown Specific Plan Update would have the potential to be served by landfills with insufficient capacity to accommodate future solid waste disposal needs. Solid waste generated from implementation of E-CAP reduction measures would also be potentially served by landfills with insufficient capacity. The siting of new landfills and/or expansion of existing landfills is outside of the jurisdiction of the City of Escondido.

While the siting of new landfills and/or expansion of existing landfills is outside of the jurisdiction of the City of Escondido, the General Plan Update contains several policies within the Mobility and Infrastructure Element to assist in ensuring adequate landfill capacity is available to the City. Solid Waste and Recycling Policy 13.1 requires the support of efforts to maintain adequate solid waste facilities and services by working with local service providers of solid waste collection, disposal, and recycling. Solid Waste and Recycling Policies 13.2 through

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13.7 require regular updates of the Citywide Recycling Plan; continued support of residential, commercial, and construction recycling programs; consideration of commercial recycling programs; encouragement of construction waste recycling; provision of electronic waste drop off locations; and encouragement of recycled materials in new construction. Solid Waste and Recycling Policies 13.8 through 13.11 promote local businesses that manufacture, distribute, and sell recycled materials; sponsor annual clean-up events; allow small solid waste collection facilities in commercial and industrial areas; and allow sites for solid waste transfer stations in designated areas.

The proposed E-CAP includes two reduction measures that would reduce solid waste generation and disposal. Reduction measure R2-S1, Waste Disposal Programs, sets a stringent target for Escondido waste disposal rates and reduction measure R3-S2, Waste-Related Education and Outreach, promotes public education efforts about residential and commercial waste reduction.

While proposed General Plan Update policies, E-CAP reduction measures and existing regulations are intended to provide adequate solid waste disposal facilities for the future and increase waste diversion, unless additional landfill facilities are provided, impacts would remain significant and unavoidable.

None of the project alternatives would reduce impacts associated with landfill capacity to a less than significant level because all of the alternatives would increase landfill demand by accommodating new growth. The Reduced Employment Alternative, Reduced Residential Alternative, and Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would reduce impacts compared to the proposed project due to overall reduced growth associated with these alternatives; however, these alternatives would still contribute to an increase in solid waste generation beyond 2016 that would result in a potentially significant and unavoidable impact.

Because the mitigation measures listed above have been found to be infeasible; because application of all General Plan Update and E-CAP goals and policies would not achieve a level of less than significant; and because there are no feasible project alternatives that would achieve a level of less than significant; impacts associated with landfill capacity would be significant and unavoidable.

**C-12 Cumulative Significant Effect – Sufficient Landfill Capacity:** Implementation of the proposed project would result in a significant cumulative impact related to sufficient landfill capacity.

**Facts in Support of Finding:** The proposed project, in combination with other cumulative projects, would increase the demand for solid waste disposal and management needs within the region. As discussed above under Direct/Indirect Significant Effect - Sufficient Landfill Capacity, if additional landfills are not constructed and existing landfills are not expanded, the County's Integrated Waste Management Plan Siting Element estimates that the County of San Diego, including the proposed project area, will run out of physical landfill capacity by 2016. Since the proposed project and many cumulative projects would be constructed and/or have an

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operational life that exceeds 2016, the expected year for regional landfills to reach capacity, the existing regional landfill facilities do not have adequate capacity to accommodate the increase in solid waste disposal needs that would occur from development of cumulative projects.

Therefore, cumulative regional projects would result in a potentially significant cumulative impact associated with insufficient landfill capacity and the proposed project's contribution would be cumulatively considerable.

The project would result in a cumulatively considerable contribution to a significant cumulative impact related to landfill capacity. General Plan Update policies and mitigation measures would reduce future solid waste generation, but not to below a level for which sufficient landfill capacity could be ensured. No feasible mitigation measures or alternatives are available to achieve a less than significant impact. Therefore, project impacts related to sufficient landfill capacity would remain cumulatively considerable.

## **Section D – Findings Regarding Alternatives**

Section 15126.6(a) of the State CEQA Guidelines requires the discussion of “a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” Seven alternatives to the proposed project were analyzed, including the No Project Alternative, Reduced Employment Alternative, Reduced Residential Alternative, Blended Reduced Downtown/Focused Smart Growth and Employment Alternative, Mobility and Infrastructure Element Downtown Couplet Alternative, Promenade Retail Center and Vicinity Alternative, and Nutmeg Street Alternative. The last three alternatives are planning alternatives that do not meet the purpose of an alternative as identified in CEQA Guidelines Section 15126.6 because they would not be capable of avoiding or substantially lessening the significant effect of the project. However, these alternatives were considered and evaluated due to interest identified by members of the public, City staff and/or the City Council. In addition, a number of alternatives were considered and ultimately rejected from further analysis, as described in Section 6.2 of the EIR, pursuant to CEQA Guidelines Section 15126.6(c).

These findings contrast and compare the alternatives where appropriate in order to demonstrate that the selection of the proposed project, while still causing certain unavoidable significant environmental impacts, would result in substantial environmental, planning, public safety, economic, and other benefits. In rejecting the alternatives that were analyzed in the EIR, the City of Escondido has examined the project objectives and weighed the ability of each of the various alternatives to meet the objectives. The City finds that the proposed project best meets the project objectives with the least environmental impact. The objectives that were adopted by the City, and which set the framework for the project, are as follows:

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1. Establish General Plan boundaries that allow for the planning of quality, managed and sustainable growth, while meeting the housing needs of existing and future residents during the General Plan's planning horizon (year 2035).
2. Maintain residential densities in outlying areas to accommodate growth, preserve and enhance existing neighborhoods, guide additional growth towards downtown and along key transportation corridors and improve circulation and safety for vehicles and pedestrians.
3. Maintain areas for high quality, diversified and employee-intensive industrial, retail, technology, manufacturing and service-oriented businesses that create and sustain a strong economic base and provide opportunities for the full employment of a diverse set of skills.
4. Create an economically viable urban downtown and urban core with exciting activities and unique land uses that attract local residents and tourists, such as retail, office, residential, entertainment and cultural uses.
5. Achieve a sustainable and integrated system of land use and transportation in the City in a manner that will:
  - a. Significantly decrease overall community consumption, specifically the consumption of non-local, non-renewable and non-recycled materials, water, and energy and fuels.
  - b. Within renewable limits, encourage the use of local, non-polluting, renewable and recycled resources (water, wind, solar and geothermal energy and material resources).
  - c. Create a multi-modal transportation system that minimizes and, where possible, eliminates pollution and motor vehicle congestion while ensuring safe mobility and access for all without compromising the ability to protect public health and safety.
  - d. Facilitate a reduction in automobile dependency in favor of affordable alternative, sustainable modes of travel.
  - e. Implement land use and transportation planning and policies to foster compact, mixed use projects, forming urban villages designed to maximize housing choices and encourage walking, bicycling and the use of existing and future public transit systems.
  - f. Encourage residents to recognize that they share the local ecosystem with other living things that warrant respect and responsible stewardship.
6. Provide a list of specific actions that will reduce Greenhouse Gas (GHG) emissions, with the highest priority given to actions that provide the greatest reduction in GHG emissions and benefits to the community at the least cost, while establishing a qualified reduction plan from which future development within the City can tier.

The following provides a summary of each alternative fully analyzed in Chapter 6 of the Final EIR. The summary includes rationale as to why each alternative has been rejected.

***No Project Alternative***

The No Project Alternative (refer to Subchapter 6.3.1 of the Final EIR) assumes that the proposed project, including the General Plan Update, Downtown Specific Plan Update and Climate Action Plan, would not be adopted or implemented and the currently adopted City of Escondido General Plan (1990) would be the applicable planning document for the proposed project area. Development and



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redevelopment would continue to occur in the proposed project area under the existing General Plan; however, when compared to the proposed project, this alternative would not incorporate higher density development in the downtown and urban core area, accommodate greater residential, commercial and industrial development in the 15 project study areas or implement smart growth concepts. Under the No Project Alternative, land use designations within the proposed project area would occur as designated in the adopted General Plan.

Whereas the proposed project would guide future development toward a higher quality of life by incorporating smart growth principles and encouraging sustainability, the No Project Alternative would accommodate growth in the City, but would not encourage multi-modal transportation, increased energy and water efficiency, or preservation of existing communities by focusing new growth in suitable areas of the city. Under the No Project Alternative, community-wide GHG emissions in the City would continue to increase as a result of new development allowed under the existing General Plan (1990) but the proposed E-CAP reduction measures would not be implemented. Without implementation of the E-CAP reduction measures or additional mitigation measures, future development under the No Project Alternative would conflict with the goals of Assembly Bill (AB) 32. Moreover, the No Project Alternative does not include any of the mitigation measures for future development described in the EIR and the Mitigation Monitoring and Reporting Program (MMRP) for potentially significant impacts related to growth that cannot be avoided under this alternative, including air quality, noise and traffic.

The No Project Alternative would only partially meet four of the proposed project objectives (1, 2, 3 and 4) and would not meet the other two objectives (5 and 6). The No Project Alternative would partially meet Objectives 1 and 2 because this alternative would preserve and enhance existing neighborhoods and improve circulation and safety but would not guide additional growth towards downtown or along key transportation corridors and would not adjust the existing General Plan boundaries to allow for the planning of quality, managed and sustainable growth or meet the housing needs of future residents. The No Project Alternative would partially meet Objectives 3 and 4 because it would provide employment uses (Objective 3) and promote a developed downtown and urban core (Objective 4), although not to the same extent as the proposed project. Objectives 5 and 6 would not be met by the No Project Alternative because the E-CAP measures to reduce energy usage and associated GHG emissions would not be implemented. In addition, SANDAG's smart growth strategies that promote multi-modal transportation and the alternative transportation concepts identified in the Complete Streets Assessment (LLG 2011c) would not be implemented. For these reasons, the No Project Alternative would only partially meet three of the proposed project objectives and would not meet the other two project objectives.

Therefore, the No Project Alternative has been rejected because it fails to fully meet any of the six project objectives, would not substantially avoid the potentially significant impacts of the proposed project, and would not encourage sustainable growth, resulting in conflicts with AB 32.

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***Reduced Employment Alternative***

The Reduced Employment Alternative (refer to Subchapter 6.3.2 of the Final EIR) would implement the proposed General Plan Update goals and policies; the Downtown Specific Plan Update goals and policies; and the E-CAP. However, under the Reduced Employment Alternative, multiple areas identified for employment land uses under the proposed project would be reduced or eliminated entirely. The Reduced Employment Alternative would accommodate the same total number of dwelling units as the proposed project. However, the Reduced Employment Alternative would accommodate a total of 7,457,000 square feet (sf) of employment land uses, which is 6,193,000 sf fewer employment land uses than would be accommodated by the proposed project.

This alternative would promote sustainable development, a variety of housing, and some economic development; however, this alternative would not provide the same jobs and housing balance promoted by the proposed project to serve future residents. Additionally, this alternative would result in generally the same environmental impacts as the proposed project, although impacts that are proportionately related to growth would be somewhat reduced compared to the proposed project, such as impacts to air quality, public services, and traffic. None of the potentially significant impacts of the proposed project would be avoided under this alternative.

The Reduced Employment Alternative would meet Objectives 1, 2, 5 and 6. This alternative would be consistent with Objective 1 because it would establish the same General Plan boundary as the proposed project, meeting the housing needs of future residents. The Reduced Employment Alternative would meet Objective 2 because it would maintain residential densities in outlying areas to accommodate growth, preserve existing neighborhoods, guide additional growth towards the downtown and along key transportation corridors and improve circulation and safety. This alternative would achieve Objectives 5 and 6 by implementing the E-CAP measures to reduce energy usage and associated GHG emissions. In addition, this alternative would implement SANDAG's smart growth strategies that promote multi-modal transportation and the alternative transportation concepts. The Reduced Employment Alternative would not meet Objectives 3 or 4. A reduction in employment land uses under this alternative would result in its inability to create and sustain a strong economic base for the community (Objective 3) or create an economically viable urban downtown and urban core (Objective 4).

Therefore, the Reduced Employment Alternative has been rejected because it fails to meet two of the six project objectives and would not substantially lessen or avoid the potentially significant impacts of the proposed project.

***Reduced Residential Alternative***

The Reduced Residential Alternative (refer to Subchapter 6.3.3 of the Final EIR) would implement the proposed General Plan Update goals and policies; the Downtown Specific Plan Update goals and policies; and the E-CAP. However, under the Reduced Residential Alternative, multiple areas identified for smart growth residential land uses under the proposed project would be reduced or eliminated entirely. When compared to the proposed project, the Reduced Residential Alternative would accommodate a total of 5,899 dwelling units, or 4,025 less dwelling units than would be accommodated

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by the proposed project. The Reduced Residential Alternative would accommodate the same square footage of employment land use as the proposed project.

This alternative would promote sustainable development through the E-CAP measures and would provide a variety of economic development; however, this alternative would not promote smart growth or provide a variety of housing to the extent of the proposed project. The Reduced Residential Alternative would not generate the housing needed to attract the desired mix of entertainment and activities that rely on a denser, higher populated urban core. Additionally, this alternative would result in generally the same environmental impacts as the proposed project, although impacts that are proportionately related to growth would be somewhat reduced compared to the proposed project, such as impacts to air quality, public services, and traffic. None of the potentially significant impacts of the proposed project would be avoided under this alternative.

The Reduced Residential Alternative would meet Objectives 2, 3 and 6 and partially meet Objectives 1, 4 and 5. The Reduced Residential Alternative would partially meet Objective 1 because it would establish the same General Plan boundary as the proposed project; however, it would not meet the long-term housing needs of future residents identified in Objective 1. The Reduced Residential Alternative would meet Objective 2 because it would preserve existing neighborhoods, guide additional growth towards the downtown and along key transportation corridors, and improve circulation and safety for vehicles and pedestrians. Although this alternative would result in a reduction in residential land uses, it would still result in the ability to create and sustain a strong economic base for the community by proposing the same amount of employment lands as the proposed project (Objective 3). This alternative would partially meet Objective 4, because it would create an economically viable urban downtown and core but would not provide the needed residential development in the downtown area to support those economic uses. This alternative would partially meet Objective 5, because it would achieve a sustainable and integrated system of land use and transportation. However, it would not create compact, mixed use projects, forming urban villages designed to maximize affordable housing to the same extent as the proposed project because multiple areas identified for smart growth residential land uses under the proposed project would be reduced or eliminated entirely under this alternative. The Reduced Residential Alternative would achieve Objective 6 by implementing the E-CAP measures to reduce energy usage and associated GHG emissions. In addition, this alternative would implement strategies that promote multi-modal transportation and the alternative transportation concepts identified in the Complete Streets Assessment prepared by LLG Engineers (Appendix I3 in Volume II of the Final EIR).

Therefore, the Reduced Residential Alternative has been rejected because it would only partially meet three of the six project objectives and would not substantially lessen or avoid the potentially significant impacts identified for the proposed project.

***Blended Reduced Downtown/Focused Smart Growth and Employment Alternative***

The Blended Reduced Downtown/Focused Smart Growth and Employment Alternative (refer to Subchapter 6.3.4 of the Final EIR) would implement the proposed General Plan Update goals and policies; the Downtown Specific Plan Update goals and policies; and the E-CAP. However, under this

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alternative multiple areas identified for smart growth residential land uses and employment land uses under the proposed project would be reduced or eliminated entirely. The Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would accommodate 2,625 less dwelling units than the proposed project, for a total of only 7,299 dwelling units by 2035. The Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would accommodate a total of 10,575,000 sf of employment land uses, which is 3,075,000 sf less than would be accommodated by the proposed project. The primary areas where residential and/or employment land uses would be reduced are the Downtown SPA, Felicita Avenue and Centre City Parkway, Transit Station Target Area, Centre City Parkway/ Brotherton Road Target Area, East Valley Parkway Target Area and Imperial Oaks SPA.

This alternative would promote sustainable development through the E-CAP measures and some variety of residential and economic development; however, this alternative would not promote smart growth, improve the jobs to housing balance, or provide a variety of housing and employment opportunities to the extent of the proposed project. The Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would not generate the housing needed to attract the desired mix of entertainment and activities that rely on a denser, higher populated urban core. Additionally, this alternative would result in generally the same environmental impacts as the proposed project, although impacts that are proportionately related to growth would be somewhat reduced compared to the proposed project, such as impacts to air quality, public services, and traffic. None of the potentially significant impacts of the proposed project would be avoided under this alternative.

The Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would meet Objectives 2 and 6, partially meet Objectives 1 and 5, and not meet Objectives 3 and 4. This alternative would partially meet Objective 1 because it would establish the same General Plan boundary as the proposed project; however, it would not meet the long-term housing needs of future residents identified in Objective 1. The Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would meet Objective 2 because it would maintain residential densities in outlying areas, preserve and enhance existing neighborhoods, guide some growth towards downtown and along key transportation corridors, and improve circulation and safety for vehicles and pedestrians. The Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would not meet Objective 3 or Objective 4. A reduction in employment land uses under this alternative would result in its inability to create and sustain a strong economic base for the community (Objective 3) or create an economically viable urban downtown and urban core because it would not provide as much residential, retail and office development in the downtown area as the proposed project (Objective 4). This alternative would partially meet Objective 5, because it would achieve a sustainable and integrated system of land use and transportation. However, it would not create compact, mixed use projects, forming urban villages designed to maximize affordable housing to the same extent as the proposed project because multiple areas identified for smart growth residential land uses under the proposed project would be reduced under this alternative. The Blended Reduced Downtown/Focused Smart Growth and Employment Alternative would achieve Objective 6 by implementing the E-CAP measures to reduce energy usage and associated GHG emissions. In addition, this alternative would implement strategies that promote multi-

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modal transportation and the alternative transportation concepts identified in the Complete Streets Assessment prepared by LLG Engineers (Appendix I3 in Volume II of the Final EIR).

Therefore, the Blended Reduced Downtown/Focused Smart Growth and Employment Alternative has been rejected because it would only fully meet two project objectives, would partially meet two project objectives and would not meet two project objectives. In addition, this alternative would not substantially lessen or avoid the potentially significant impacts of the proposed project.

***Mobility and Infrastructure Element Downtown Couplet Alternative***

The Mobility and Infrastructure Element Downtown Couplet Alternative (refer to Subchapter 6.4.1 of the Final EIR) would implement the proposed General Plan Update land use plan, goals and policies, the Downtown Specific Plan Update land use plan, goals and policies, and the E-CAP. However, under this alternative the Mobility and Infrastructure Element of the proposed General Plan Update would be realigned so that the existing Valley Parkway and 2<sup>nd</sup> Avenue one-way couplet would accommodate two-way traffic. Proposed two-way circulation would require the reduction in lanes along each roadway. The roadways would be reduced to one-lane in either direction (two-lane roadways) with on-street parking and bike lanes. Four-lane roadways could not be accommodated because of the limited curb-to-curb width of approximately 52 feet along most of the couplet. While four-lanes could physically fit, left-turn pockets could not be provided, nor could parking or bike lanes.

The Downtown Couplet Alternative would meet all of the proposed project's objectives because under this alternative, the land use plan, goals and policies proposed in the General Plan Update would remain the same and only the Valley Parkway/2<sup>nd</sup> Avenue Couplet would be realigned to accommodate two-way traffic. However, this alternative would not reduce or eliminate any of the potentially significant impacts of the proposed project. This alternative would result in increased impacts compared to the proposed project related to air quality, traffic level of service, road safety, emergency access, and alternative transportation because more congestion would occur under this alternative.

Therefore, the Mobility and Infrastructure Element Downtown Couplet Alternative has been rejected because it would not lessen or avoid the potentially significant impacts of the proposed project, and would result in greater air quality and transportation impacts compared to the proposed project.

***Promenade Retail Center and Vicinity Alternative***

The Promenade Retail Center and Vicinity Alternative (refer to Subchapter 6.4.2 of the Final EIR) would implement the proposed General Plan Update goals and policies, the Downtown Specific Plan Update goals and policies, and the E-CAP reduction measures. However, under this alternative, mixed use office land uses south of 9<sup>th</sup> Avenue within the Promenade Retail Center and Vicinity Target Area would be increased by 100,000 sf. Total employment land uses throughout the proposed project planning area would be increased to 13,750,000 sf under this alternative. The same number of dwelling units would be accommodated in the Promenade Retail Center and Vicinity Target Area (628 dwelling units) and throughout the entire proposed project planning area (9,924 dwelling units) as the proposed project.

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The Promenade Retail Center and Vicinity Alternative would meet all of the objectives identified for the proposed project. An increase in office employment uses under this alternative would result in the increased ability of this alternative to create and sustain a strong economic base for the community (Objective 3) and create an economically viable urban downtown and core (Objective 4). The Promenade Retail Center and Vicinity Alternative would also result in the establishment of a General Plan boundary that accommodates the goals of Objective 1 and would guide additional growth towards downtown and along key transportation corridors, as stated in Objective 2. Further, under this alternative, smart growth strategies and the E-CAP would be implemented, which would result in the accomplishment of Objectives 5 and 6. However, this alternative would not reduce or eliminate any of the potentially significant impacts of the proposed project. This alternative would result in increased impacts compared to the proposed project related to air quality, noise, public services, and traffic because more growth would occur under this alternative.

The Promenade Retail Center and Vicinity Alternative does not meet the requirements of an alternative as identified in Section 15126.6 of the CEQA Guidelines because it would not avoid or substantially lessen any of the significant impacts of the proposed project. The Promenade Retail Center and Vicinity Alternative would result in similar, and in some cases marginally greater, significant impacts as the proposed project; therefore, the findings made under Sections A, B and C above for the proposed project also apply to this alternative.

***Nutmeg Street Alternative***

The Nutmeg Street Alternative (refer to Subchapter 6.4.3 of the Final EIR) would implement the proposed General Plan Update goals and policies, the Downtown Specific Plan Update goals and policies, and the E-CAP reduction measures. Under this alternative, new office employment land uses would replace proposed residential land uses within the Nutmeg Street Study Area. The proposed project identifies the development of 40 residential dwelling units within this study area. The Nutmeg Street Alternative would accommodate 100,000 sf of new office employment land uses in this study area, which would be developed instead of the 40 dwelling units. Therefore, this alternative would result in a total of 13,750,000 sf of employment land uses and 9,884 dwelling units throughout the entire proposed project planning area.

The Nutmeg Street Alternative would meet all six of the objectives identified for the proposed project. An increase in employment land uses under this alternative would result in the increased ability to create and sustain a strong economic base for the community (Objective 3) and create an economically viable urban downtown and core (Objective 4). The Nutmeg Street Alternative would result in the establishment of a General Plan boundary that accommodates the goals of Objective 1 and would guide additional growth towards downtown and along key transportation corridors as outlined in Objective 2. Further, under this alternative, smart growth strategies and the E-CAP reduction measures would be implemented, which would result in the accomplishment of Objectives 5 and 6. However, this alternative would not reduce or eliminate any of the potentially significant impacts identified for the proposed project. This alternative would result in increased impacts compared to the proposed project

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related to air quality, noise, public services, and traffic because more growth would occur under this alternative.

The Nutmeg Street Alternative does not meet the requirements of an alternative as identified in Section 15126.6 of the CEQA Guidelines because it would not avoid or substantially lessen any of the significant impacts of the proposed project. The Nutmeg Street Alternative would result in similar, and in some cases marginally greater, significant impacts as the proposed project; therefore, the findings made under Sections A, B and C above for the proposed project also apply to this alternative.

***Environmentally Superior Alternative***

According to Section 15126.6(e)(2) of the CEQA Guidelines, an EIR is required to identify the environmentally superior alternative, which is the alternative having the potential for the fewest significant environmental impacts, from among the range of reasonable alternatives that are evaluated in the EIR. The Reduced Employment Alternative is identified as the Environmentally Superior Alternative. Because the overall employment land use development in the project area would be decreased compared to the proposed project, impacts associated with scenic vistas; scenic resources; visual character and quality; lighting and glare; direct conversion of agricultural resources; indirect conversion of agricultural and forestry resources; air quality violations; sensitive receptors; special status plant and wildlife species; riparian habitat and other sensitive natural communities; wildlife movement corridors and nursery sites; historical resources; archeological resources; excessive noise levels; excessive groundborne vibration; permanent and temporary ambient noise levels; displacement of housing and people; fire and police protection; traffic and level of service standards; wastewater treatment requirements; new water and wastewater treatment facilities; sufficient stormwater drainage facilities; adequate water supplies; adequate wastewater facilities; sufficient landfill capacity; solid waste regulations; and energy would be proportionately less than those identified for the proposed project. However, as discussed above under the Reduced Employment Alternative heading, this alternative would not provide the jobs and housing balance needed to serve future residents and none of the potentially significant impacts of the proposed project would be avoided under this alternative. The significant and unavoidable impacts identified for the proposed project would also be significant and unavoidable under this alternative. Additionally, the Reduced Employment Alternative would not meet Objective 3 or Objective 4. A reduction in employment land uses under this alternative would result in its inability to create and sustain a strong economic base for the community (Objective 3) or create an economically viable urban downtown and urban core (Objective 4). Therefore, the Reduced Employment Alternative has been rejected because it fails to meet two of the six project objectives and would not substantially lessen or avoid the potentially significant impacts of the proposed project.

## ATTACHMENT D

# Mitigation Monitoring and Reporting Program for the Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan

City File: PHG 09-0010 / PHG 10-0016

SCH # 2010071064

The City of Escondido adopts 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 purpose of the MMRP is to ensure that the Escondido General Plan Update, Downtown Specific Plan Update and Climate Action Plan (proposed project), which is the subject of the Final Program Environmental Impact Report (EIR), complies with all applicable environmental mitigation requirements.

The mitigation described in the EIR and summarized below provides a broad purpose and overview of actions that will occur in order to reduce identified environmental impacts. These measures are provided at the program EIR level and allow for future refinement or development of more specific measures as needed to further reduce impacts. Mitigation measures applicable to the proposed project include avoiding certain impacts altogether, minimizing impacts by limiting the degree or magnitude of the action and its implementation, rectifying impacts by repairing, rehabilitating, or restoring the affected environment, and/or reducing or eliminating impacts over time through preservation and maintenance operations over the life of the proposed project.

For each project that is subject to CEQA, PRC Section 21081.6 requires the Lead Agency to monitor performance of the mitigation measures included in any environmental document to ensure that the specified mitigation is implemented. The City of Escondido is the designated Lead Agency for the proposed project. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition related to implementation of the MMRP.

After review and approval by the Lead Agency, minor changes to the MMRP are permitted but can only be made by the City of Escondido. No deviations from this MMRP shall be permitted unless it continues to satisfy the requirements of PRC Section 21081.6, as determined by the City of Escondido.

The organization of the MMRP follows the subsection formatting style presented within the Final Program EIR. Only those subsections of the environmental issues presented in the EIR that have mitigation measures are provided below in the MMRP table. All other subsections in the EIR do not contain mitigation measures. For each specified mitigation measure, the MMRP table identifies the following: 1) Implementation Action; 2) Method of Verification; 3) Timing of Verification; 4) Responsible Agency/Party; and 5) Verification Date.



Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<b>AIR QUALITY</b>					
<p><b>Air-1 Construction Dust Control Measures.</b> During grading activities for any future development within the General Plan Update planning area boundary, the onsite construction superintendent shall ensure implementation of standard best management practices to reduce the emissions of fugitive dust, including but not limited to the following actions:</p> <ul style="list-style-type: none"> <li>i. Water any exposed soil areas a minimum of twice per day, or as allowed under any imposed drought restrictions. On windy days or when fugitive dust can be observed leaving the construction site, additional water will be applied at a frequency to be determined by the onsite construction superintendent.</li> <li>ii. Temporary hydroseeding with irrigation will be implemented on all graded areas on slopes, and areas of cleared vegetation will be revegetated as soon as possible following grading activities in areas that will remain in a disturbed condition (but will not be subject to further construction activities) for a period greater than three months during the construction phase.</li> <li>iii. Operate all vehicles on the construction site at speeds less than 15 miles per hour.</li> <li>iv. Cover all stockpiles that will not be utilized within three days with plastic or equivalent material, to be determined by the onsite construction superintendent, or spray them with a non-toxic chemical stabilizer.</li> <li>v. If a street sweeper is used to remove any track-out/carry-out, only PM<sub>10</sub>-efficient street sweepers certified to meet the most current South Coast Air Quality Management District Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out is prohibited under any circumstances.</li> </ul>	<p>Require that the specified measures be implemented during grading activities for future development projects.</p>	<p>Plan check and Site inspection</p>	<p>Prior to the issuance of any grading or building permit and At site inspection</p>	<p>City of Escondido Engineering Services-Field Engineering Section</p>	

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date																																							
<p><b>Air-2 Air Quality Impact Assessment.</b> An Air Quality Impact Analysis shall be prepared for projects within the General Plan Update boundary that exceed one of the air quality study trigger criteria in Table 4.3 12, Air Quality Impact Analysis Trigger Criteria.</p> <p style="text-align: center;"><b>Table 4.3-12 Air Quality Impact Analysis Trigger Criteria</b></p> <table border="1" data-bbox="84 454 865 1015"> <thead> <tr> <th>Land Use</th> <th>Project Size that would Trigger an AQIA<sup>(3)</sup></th> <th>Single Family Dwelling Unit Equivalent<sup>(4)</sup></th> </tr> </thead> <tbody> <tr> <td>Single Family Residential<sup>(1)</sup></td> <td>300 du</td> <td>1 du/1 du</td> </tr> <tr> <td>Apartments: 6-20 du/acre<sup>(1)</sup></td> <td>370 du</td> <td>1 du/1.23 du</td> </tr> <tr> <td>Apartments: – &gt; 20 du/acre<sup>(1)</sup></td> <td>420 du</td> <td>1 du/1.4 du</td> </tr> <tr> <td>Condominiums<sup>(1)</sup></td> <td>370 du</td> <td>1 du/1.23 du</td> </tr> <tr> <td>Mobile Home Park<sup>(1)</sup></td> <td>400 du</td> <td>1 du/1.33 du</td> </tr> <tr> <td>Supermarket<sup>(2)</sup></td> <td>25,000 sf</td> <td>1 du/83.33 sf</td> </tr> <tr> <td>Restaurant, Fast Food w/drive through<sup>(2)</sup></td> <td>6,500 sf</td> <td>1 du/21.67 sf</td> </tr> <tr> <td>Restaurant, Quality Sit Down<sup>(2)</sup></td> <td>43,000 sf</td> <td>1 du/143.33 sf</td> </tr> <tr> <td>Neighborhood/County Park (undeveloped)<sup>(2)</sup></td> <td>880 acres</td> <td>1 du/2.93 acre</td> </tr> <tr> <td>Motel<sup>(2)</sup></td> <td>480 rooms</td> <td>1 du/1.6 room</td> </tr> <tr> <td>Standard Commercial Office (&lt;100,000 sf per office site)<sup>(2)</sup></td> <td>190,000 sf</td> <td>1 du/633.33 sf</td> </tr> <tr> <td>Neighborhood shopping center<sup>(2)</sup></td> <td>35,000 sf</td> <td>1 du/116.67 sf</td> </tr> </tbody> </table> <p><sup>(1)</sup> Limited by VOC emissions; for these residential units it is assumed that 5 percent of the units have active fireplaces burning 0.25 cord of wood over a period of 82 days and 10 percent of the units have active natural gas fireplaces that are used for 3 hours per day over a period of 90 days (note: hours per day and days per year are the URBEMIS defaults).</p> <p><sup>(2)</sup> Limited by CO emissions</p> <p><sup>(3)</sup> du = dwelling unit, sf = square feet, du/acre = dwelling units per acre</p> <p><sup>(4)</sup> Single family units per land use unit of measure</p> <p>Source: County of San Diego 2007b</p>	Land Use	Project Size that would Trigger an AQIA <sup>(3)</sup>	Single Family Dwelling Unit Equivalent <sup>(4)</sup>	Single Family Residential <sup>(1)</sup>	300 du	1 du/1 du	Apartments: 6-20 du/acre <sup>(1)</sup>	370 du	1 du/1.23 du	Apartments: – > 20 du/acre <sup>(1)</sup>	420 du	1 du/1.4 du	Condominiums <sup>(1)</sup>	370 du	1 du/1.23 du	Mobile Home Park <sup>(1)</sup>	400 du	1 du/1.33 du	Supermarket <sup>(2)</sup>	25,000 sf	1 du/83.33 sf	Restaurant, Fast Food w/drive through <sup>(2)</sup>	6,500 sf	1 du/21.67 sf	Restaurant, Quality Sit Down <sup>(2)</sup>	43,000 sf	1 du/143.33 sf	Neighborhood/County Park (undeveloped) <sup>(2)</sup>	880 acres	1 du/2.93 acre	Motel <sup>(2)</sup>	480 rooms	1 du/1.6 room	Standard Commercial Office (<100,000 sf per office site) <sup>(2)</sup>	190,000 sf	1 du/633.33 sf	Neighborhood shopping center <sup>(2)</sup>	35,000 sf	1 du/116.67 sf	<p>Require that an Air Quality Impact Analysis be prepared for projects exceeding the trigger criteria, as specified.</p>	<p>Department review and approval</p>	<p>Prior to project approval</p>	<p>City of Escondido Community Development Department – Planning Division</p>	
Land Use	Project Size that would Trigger an AQIA <sup>(3)</sup>	Single Family Dwelling Unit Equivalent <sup>(4)</sup>																																										
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Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p><b>Air-3 Siting Sensitive Receptors near Waste Transfer Facility.</b> A Health Risk Assessment (HRA) shall be prepared by a qualified air quality professional for development of new sensitive receptors proposed in the General Plan Update planning area within 500 feet of a waste transfer facility. Sensitive receptors include day care centers, schools, retirement homes, hospitals, medical patients in residential homes, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The project shall not be considered for approval until an HRA has been completed and approved by the City. The methodology for the HRA shall follow the Office of Environmental Health Hazard Assessment and SDAPCD guidelines for the preparation of HRAs. If a potentially significant health risk is identified, the HRA shall identify appropriate measures to reduce the potential health risk to below a significant level, or the sensitive receptor shall be sited in another location.</p>	<p>Require that a health risk assessment be prepared, as specified, for development of new sensitive receptors within 500 feet of a waste transfer facility.</p>	<p>Department review and approval</p>	<p>Prior to project approval</p>	<p>City of Escondido Community Development Department – Planning Division</p>	
<p><b>Air-4 Siting Sensitive Receptors near Industrial, Medical, or Research and Development Facilities.</b> A Health Risk Assessment (HRA) shall be prepared by a qualified air quality professional for development of new sensitive receptors in the General Plan Update planning area proposed within one mile of industrial land uses, medical facilities, or research and development facilities that generate a potential source of Toxic Air Contaminants (TACs). Sensitive receptors include day care centers, schools, retirement homes, hospitals, medical patients in residential homes, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. An HRA shall also be required for such facilities proposed within one mile of a sensitive receptor. The project shall not be considered for approval until an HRA has been completed and approved by the City. The methodology for the HRA shall follow the Office of Environmental Health Hazard Assessment and SDAPCD guidelines for the preparation of HRAs. If a potentially significant health risk is identified, the HRA shall identify appropriate measures to reduce the potential health risk to below a significant level, or the sensitive receptor or proposed facility shall be sited in another location.</p>	<p>Require that a health risk assessment be prepared, as specified, for development of new sensitive receptors within one mile of industrial land uses, medical facilities or research and development facilities that generate TACs.</p>	<p>Department review and approval</p>	<p>Prior to project approval</p>	<p>City of Escondido Community Development Department – Planning Division</p>	

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<b>CULTURAL RESOURCES</b>					
<p><b>Cul-1</b> Enhance community appreciation of the importance of the City's historic sites and buildings, and protect and preserve significant historical resources to the extent feasible through the identification of features of cultural and historical significance to the community and designation as landmark features, structures and sites of historic, aesthetic, and special character. The incorporation of historical resources into historical parks and multiple use recreation parks shall be encouraged.</p>	<p>Identify features of cultural and historical significance to the community and designate them as landmark features.</p>	<p>Department review and approval</p>	<p>On-going</p>	<p>City of Escondido Community Development Department – Planning Division</p>	
<p><b>Cul-2</b> Ensure landmarking and historical listing of City-owned historic sites.</p>	<p>Require landmarking and historical listing of City-owned sites.</p>	<p>Department review and approval</p>	<p>On-going</p>	<p>City of Escondido Community Development Department – Planning Division</p>	
<p><b>Cul-3</b> Require that significant archaeological resources be preserved in-situ, as feasible. The incorporation of resources into historical parks and multiple use recreation parks shall be encouraged. When avoidance of impacts is not possible, data recovery mitigation shall be required for all significant resources. Any significant artifacts recovered during excavation, other than cultural material subject to repatriation, shall be curated with its associated records at a curation facility approved by the City. Excavation of deposits of Native American origin shall be coordinated with and monitored by local Native American representatives.</p>	<p>Require that the significant archaeological resources be preserved or adequately mitigated.</p>	<p>Department review and approval</p>	<p>Prior to project approval</p>	<p>City of Escondido Community Development Department – Planning Division</p>	
<p><b>Cul-4</b> Develop management and restoration plans for identified and acquired properties with cultural resources.</p>	<p>Require that management plans and restoration plans be developed for properties with cultural resources when said properties are proposed for significant alterations.</p>	<p>Department review and approval</p>	<p>Prior to project approval</p>	<p>City of Escondido Community Development Department – Planning Division</p>	
<p><b>Cul-5</b> Support the dedication of easements that protect important cultural resources by using a variety of funding methods, such as grant or</p>	<p>Identify funding sources to protect cultural</p>	<p>Department review and</p>	<p>On-going</p>	<p>City of Escondido Community</p>	

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
matching funds, or funds from private organizations.	resources.	approval		Development Department – Planning Division	
<b>Cul-6</b> Protect significant cultural resources through coordination and consultation with the NAHC and local tribal governments, including SB-18 review.	Require that future development projects coordinate and consult with the NAHC and local tribal governments.	Department review and approval	Prior to project approval	City of Escondido Community Development Department – Planning Division	

**NOISE**

<p><b>Noi-1 Construction Vibration Best Management Practices.</b> All general construction activities that take place within 100 feet of a building with the potential to be damaged by excessive vibration, or use pile-driving, blasting, or other high-impact construction equipment within 200 feet of a daytime NSLU (public and private educational facilities, churches, libraries, museums, cultural facilities, golf courses and passive recreational parks) shall implement the following construction BMPs recommended by the Federal Railroad Administration in the High Speed Ground Transportation Noise and Vibration Impact Assessment (2005):</p> <ol style="list-style-type: none"> <li>1. Sequence of operations:                             <ol style="list-style-type: none"> <li>a. Phase demolition, earthmoving, and ground-impacting operations so as not to occur in the same time period.</li> </ol> </li> <li>2. Alternative construction methods:                             <ol style="list-style-type: none"> <li>a. Avoid impact pile driving where possible in vibration-sensitive areas. Drilled piles or the use of a sonic or vibratory pile driver causes lower vibration levels where the geological conditions permit their use.</li> <li>b. Select demolition methods not involving impact, where possible. For example, sawing bridge decks into sections that can be loaded onto trucks results in lower vibration levels than impact demolition by pavement breakers, and milling generates lower vibration levels than excavation using clam shell or chisel</li> </ol> </li> </ol>	Require that the specified measures be implemented, as applicable, during construction activities for future development projects.	Plan check and Site inspection	Prior to the issuance of any grading or building permit and At site inspection	1) Plan Check: City of Escondido Community Development Department – Building Division  2) Inspection: City of Escondido Engineering Services Department – Field Engineering Section	
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Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>drops.</p> <p>c. Avoid vibratory rollers and packers near sensitive areas.</p>					
<p><b>Noi-2 Setback of Vibration-sensitive Land Uses from SPRINTER alignment.</b> Future development of vibration-sensitive land uses within 450 feet of the SPRINTER right-of-way or places where people sleep within 230 feet of the SPRINTER right-of-way shall require a site-specific groundborne vibration analysis conducted by a qualified vibration analyst to determine that vibration levels generated by the SPRINTER at the proposed project site would not exceed the Federal Transit Administration’s groundborne vibration standards for vibration sensitive equipment and sleep disturbance. If necessary, mitigation shall be required for land uses in compliance with the standards listed in EIR Table 4.12-10, General Plan Update Groundborne Vibration Impact Criteria.</p>	<p>Require that a site specific groundborne vibration analysis be conducted, as specified, for vibration-sensitive land uses and places where people sleep.</p>	<p>Department review and approval</p>	<p>Prior to project approval</p>	<p>City of Escondido Community Development Department – Planning Division</p>	
<b>POPULATION AND HOUSING</b>					
<p><b>Pop-1</b> The City of Escondido shall coordinate with property owners that would experience displacement under the proposed General Plan Update to communicate the implications of the proposed project on their property and to address public concerns and comments.</p>	<p>Require coordination with property owners that would experience displacement as a result of future infrastructure or development projects.</p>	<p>Department review</p>	<p>Prior to approval of any future infrastructure or development project that would displace homes or businesses.</p>	<p>City of Escondido Community Development Department – Planning Division</p>	
<b>TRANSPORTATION AND TRAFFIC</b>					
<p><b>Tra-1</b> The City of Escondido shall implement intersection improvement treatment and adaptive traffic signal control technology along the following roadway segments and at the following intersections prior to reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction.</p> <p>Roadway Segments</p>	<p>Require that the specified improvements be implemented prior to the segment or intersection reaching an LOS of E or F.</p>	<p>Plan check</p>	<p>Prior to the issuance of any grading or building permit for a project that would result in the segment or intersection reaching an LOS E or F</p>	<p>City of Escondido Engineering Services Department – Traffic Division</p>	

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<ul style="list-style-type: none"> <li>■ Mission Road between Barham Drive and Auto Park Way (LOS E)</li> <li>■ Valley Parkway between Hickory Street and Fig Street (LOS F)</li> <li>■ Valley Parkway between Fig Street and Date Street (LOS F)</li> <li>■ Valley Parkway between Date Street and Ash Street (LOS F)</li> </ul> <p>Intersections</p> <ul style="list-style-type: none"> <li>■ Nordahl Road/Auto Park Way/Mission Road (LOS E, PM peak hour)</li> <li>■ Centre City Parkway/Felicita Avenue (LOS F, PM peak hour)</li> <li>■ Escondido Boulevard/Felicita Avenue (LOS E/F, AM/PM peak hours, respectively)</li> <li>■ Ash Street/Valley Parkway (LOS E, both AM/PM peak hours)</li> <li>■ I-15 SB Ramps/Via Rancho Parkway (LOS E/F, AM/PM peak hours, respectively)</li> <li>■ El Norte Parkway/Centre City Parkway (LOS E/F, AM/PM peak hours, respectively)</li> </ul>					
<p><b>Tra-2 Montiel Road between Nordahl Road and Deodar Road.</b> The City of Escondido shall implement adaptive traffic signal control technology along Montiel Road between Nordahl Road and Deodar Road prior to the segment reaching an LOS of E or F. Adaptive traffic signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction.</p>	<p>Following the City of San Marcos' decision to mitigate impacts to this segment, require that the specified improvements be implemented prior to the segment reaching an LOS of E or F.</p>	<p>Plan check</p>	<p>Prior to the issuance of any grading or building permit for a project that would result in the segment reaching an LOS E or F, following City of San Marcos decision to mitigate this impact</p>	<p>City of Escondido Engineering Services Department–Traffic Division</p>	
<p><b>Tra-3 Escondido Boulevard between 13th Avenue and 15th Avenue.</b> The City of Escondido shall implement adaptive traffic signal control technology along Escondido Boulevard between 13th Avenue and 15th Avenue prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction.</p>	<p>Require that the specified improvements be implemented prior to the segment reaching an LOS of E or F.</p>	<p>Plan check</p>	<p>Prior to the issuance of any grading or building permit for a project that would result in the segment reaching an LOS E or F</p>	<p>City of Escondido Engineering Services Department–Traffic Division</p>	

Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<b>Tra-4 Centre City Parkway between 13th Avenue and Felicita Avenue.</b> The City of Escondido shall implement adaptive traffic signal control technology along Centre City Parkway between 13th Avenue and Felicita Avenue prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction.	Require that the specified improvements be implemented prior to the segment reaching an LOS of E or F.	Plan check	Prior to the issuance of any grading or building permit for a project that would result in the segment reaching an LOS E or F	City of Escondido Engineering Services Department–Traffic Division	
<b>Tra-5 Escondido Boulevard between 15th Avenue and Felicita Avenue.</b> Implementation of mitigation measure Tra-10 would reduce impacts to Escondido Boulevard between 15 <sup>th</sup> Avenue and Felicita Avenue to a level below significant.	Require that the specified improvements be implemented prior to the segment reaching an LOS of E or F.	Plan check	Prior to the issuance of any grading or building permit for a project that would result in the segment reaching an LOS E or F	City of Escondido Engineering Services Department–Traffic Division	
<b>Tra-6 Escondido Boulevard between Felicita Avenue and Sunset Drive.</b> Implementation of the mitigation measure Tra-10 would reduce impacts to Escondido Boulevard between Felicita Avenue and Sunset Drive to a level below significant.	Require that the specified improvements be implemented prior to the segment reaching an LOS of E or F.	Plan check	Prior to the issuance of any grading or building permit for a project that would result in the segment reaching an LOS E or F	City of Escondido Engineering Services Department–Traffic Division	
<b>Tra-7 Citrus Avenue between Washington Avenue and Valley Parkway.</b> The City of Escondido shall implement adaptive traffic signal control technology along Citrus Avenue between Washington Avenue and Valley Parkway prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction.	Require that the specified improvements be implemented prior to the segment reaching an LOS of E or F.	Plan check	Prior to the issuance of any grading or building permit for a project that would result in the segment reaching an LOS E or F	City of Escondido Engineering Services Department–Traffic Division	
<b>Tra-8 Citrus Avenue between Bear Valley Parkway and Glen Ridge Road.</b> The City of Escondido shall implement adaptive traffic signal control technology along Citrus Avenue between Bear Valley Parkway and Glen Ridge Road prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction.	Require that the specified improvements be implemented prior to the segment reaching an LOS of E or F.	Plan check	Prior to the issuance of any grading or building permit for a project that would result in the segment reaching an LOS E or F	City of Escondido Engineering Services Department–Traffic Division	



Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<b>Tra-9 9<sup>th</sup> Avenue between La Terraza Boulevard and Tulip Street.</b> The City of Escondido shall implement adaptive traffic signal control technology along 9 <sup>th</sup> Avenue between La Terraza Boulevard and Tulip Street prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction.	Require that the specified improvements be implemented prior to the segment reaching an LOS of E or F.	Plan check	Prior to the issuance of any grading or building permit for a project that would result in the segment reaching an LOS E or F	City of Escondido Engineering Services Department–Traffic Division	
<b>Tra-10 Lincoln Avenue between Lincoln Parkway (SR-78) and Fig Street.</b> The City of Escondido shall implement adaptive traffic signal control technology along 9 <sup>th</sup> Avenue between Lincoln Avenue between Lincoln Parkway (SR-78) and Fig Street prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction.	Require that the specified improvements be implemented prior to the segment reaching an LOS of E or F.	Plan check	Prior to the issuance of any grading or building permit for a project that would result in the segment reaching an LOS E or F	City of Escondido Engineering Services Department–Traffic Division	
<b>Tra-11 Mission Avenue between Rose Street and Midway Drive.</b> The City of Escondido shall implement adaptive traffic signal control technology along Mission Avenue between Rose Street and Midway Drive prior to the segment reaching an LOS of E or F. Adaptive signal control technologies shall use real-time traffic data to adjust signals to events that cannot be anticipated by traditional time-of-day plans, such as accidents and road construction.	Require that the specified improvements be implemented prior to the segment reaching an LOS of E or F.	Plan check	Prior to the issuance of any grading or building permit for a project that would result in the segment reaching an LOS E or F	City of Escondido Engineering Services Department–Traffic Division	
<b>Tra-12 Interstate 15 Southbound Ramps/Valley Parkway Intersection.</b> The City of Escondido shall provide a second right turn lane at the I-15 Northbound ramps to partially mitigate the impacts at this intersection. Future land developments would be required to contribute a fair share towards this improvement as well as any other improvements that may be needed in the future to mitigate this impact to below a level of significance.	Require that the specified improvements be implemented prior to the segment reaching an LOS of E or F.	Plan check	Prior to the issuance of any grading or building permit for a project that would result in the segment reaching an LOS E or F	City of Escondido Engineering Services Department–Traffic Division	

**UTILITIES AND SERVICE SYSTEMS**

<b>Util-1</b> The EWWD Water Distribution Master Plan shall be updated to accommodate the buildout of the proposed General Plan Update. This shall be achieved by increasing and/or expanding existing water infrastructure, providing recycled water distribution facilities throughout	Require that the EWWD Water Distribution Master Plan be updated to accommodate	Department review and approval	Within five years of General Plan Update approval	City of Escondido Utilities Department–Utility Engineering	
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Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
the City to offset potable water demand for landscaping and other purposes and other measures/strategies that will achieve the goal of providing an adequate water supply to serve the buildout of the General Plan Update.	buildout of the General Plan Update.			Division	
<p><b>Util-2</b> The EWWD Wastewater Master Plan shall be updated to accommodate the buildout of the proposed General Plan Update. This shall be achieved by increasing and/or expanding existing wastewater infrastructure and other measures/strategies that will achieve the goal of providing adequate wastewater facilities to serve the buildout of the General Plan Update. The City shall also coordinate with VWD during its next Master Plan Update process to ensure that it provides the necessary wastewater facilities to adequately account for the growth identified in the General Plan Update.</p>	<p>Require that the EWWD Wastewater Master Plan be updated to accommodate buildout of the General Plan Update.</p> <p>Coordinate with VWD during its next Master Plan Update.</p>	Department review and approval	Within five years of General Plan Update approval	City of Escondido Utilities Department–Utility Engineering Division	

# ATTACHMENT E

## Additional Correspondence Received

## Jay Petrek

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**From:** Bill Martin  
**Sent:** Thursday, April 26, 2012 1:56 PM  
**To:** Barbara Redlitz; Jay Petrek  
**Subject:** FW: General Plan Comments

-----Original Message-----

**From:** Gregory Johns [mailto:gljohns2000@cox.net]  
**Sent:** Thursday, April 26, 2012 12:49 PM  
**To:** Bill Martin  
**Subject:** General Plan Comments

Bill:

From the direction given by the Council last night it now appears that I will be confirmed on the Planning Commission. As promised, following are a few general comments about the Draft General Plan. Rather than cite specific provisions of the Plan my comments are more general in nature, almost philosophical. At your discretion you may or may not pass these along to the seated commissioners. I have two very broad observations.

1. **Legal Liability** - Most of the Plan is not legally binding but some of it is. However, because it is a plan and will have voter approval, I fear in some circumstances the mere existence of such a detailed and thorough document could put the City at a disadvantage in a potential civil suit. For example, if economic circumstances or demographics change in such a way that it becomes infeasible or impossible to fulfill some part of the plan the City, could find itself confronted with court action by an affected interest group. I am not a lawyer, but I have seen this happen to municipalities large and small. In many cases the legal costs to defend the city's action (or non-action) exceeds the cost of capitulating to the interest group. The end result is that the city is forced to spend limited resources on projects that have been superseded by changing events. I'm not sure how to guard against such an eventuality. The only solution would be to publish a Plan that is more strategic in nature and significantly less detailed.
2. **Self Fulfilling Projections and Conflict of Objectives** - The Plan advocates a balanced socio-economic profile for the City. Yet, in response to recent statistical trends the Plan also seeks to accommodate demographic projections that favor lower household incomes. This can become a self fulfilling action. Escondido is not an isolated community. We are part of the greater San Diego metroplex where mobility is not a barrier to relocation. To the extent that the Plan encourages low income housing or multi family housing, we will attract that demographic from other parts of San Diego. The net result will be to skew our demographics even more to the lower income households and at the same time showing statistical growth in that demographic, which then demands greater City resources and orientation, which then encourages further growth of that demographic, and so it goes. Untimely, the plan works to contradict its stated objective of a balanced socio-economic profile. A good example of this dynamic is the state of Hawaii. In the sixties and seventies the state experienced a huge influx of low income migrants. People came for the weather, the surf and the laid back life style but with little or no prospects for economic advancement. To accommodate this growing voter block the state increased the scope and extent of social services, including housing. The result was continued rapid growth if this demographic at the expense of middle income and affluent residents who fled the state. Today, Hawaii's biggest problem is that its demographic profile is bottom heavy and does not provide a sufficient tax base to afford its extensive social programs. With greater San Diego boosting one of the highest costs of living in the nation, the risk of over-attracting low income residents to Escondido is very real. This same concern holds true for homeless accommodations. If through the Plan we make Escondido an attractive place to be homeless, more homeless people will come. This may

seem like a hard and un-compassionate position to take, but I believe while compassion is a proper motivation for personal charity, it is a counterproductive foundation for public policy.

I leave tomorrow for a previously planned vacation and will return on 5/12. I will have my laptop with me and will have access to email during most of my trip. You or anyone on the staff may contact me for informational or planning purposes. I will respond promptly.

Thank you for your assistance through this awkward situation.

Greg Johns

**Escondido Chamber of Citizens**  
810 Omar Drive  
Escondido, CA 92025

April 26, 2012

Mr. Jay Petrek, Principal Planner  
City of Escondido  
201 N. Broadway  
Escondido, CA 92025

Dear Mr. Petrek:

Enclosed are statements from The Escondido Chamber of Citizens regarding the General Plan Update.

1. The Growth Management and Neighborhood Protection Act, Prop S, was overwhelmingly adopted by almost 60% of the residents of Escondido after being significantly outspent by the opposition.

A major point that was made by the passage of The Growth Management and Neighborhood Protection Act was that the population build out was codified by the General Plan with a build out population of 150,000 plus or minus 10% with a maximum anticipated population of 155,000 to account for demographic changes (i.e. population per household).

This specific policy should be subject to voter approval if the General Plan Update changes the population build out to 200,000 plus (a 30% increase) and of all policies in The Growth Management and Neighborhood Protection Act, this should be voted on by the citizens. This is the heart and soul of The Growth Management and Neighborhood Protection Act.

2. The General Plan Update has land use changes, but no fiscal monetary change to pay for significant infrastructure requirements, such as sewer, water, roads, open space, fire, police, etc. Who will pay for these requirements?

3. In reference to Urban V, the new General Plan Update residential land use category, The Escondido Chamber of Citizens opposes this land use addition for the following reasons:

1. The land use change increases density, but has no fiscal monetary change to pay for significant infrastructure that will be required.
2. The lack of funds for infrastructure requirements will cause a decline in Quality of Life Standards such as police, fire, roads, schools, open space, library, water, sewer, etc.
3. The proposed increase of 30% in population will mean another person for every two people who are already living in this city.
  
4. Quality of Life standards are being decreased in downtown to levels D, E or F along with the increase in density. Decreasing the Quality of Life Standards will result in the increased "Los Angelesization" of Escondido and the justifications for lowering development impact fees.

Sincerely,

Delores McQuiston, President  
Escondido Chamber of Citizens  
E-mail address, [dmcq229@netzero.net](mailto:dmcq229@netzero.net)



Comments

Responses

Escondido Union School District Response to Comments

April 17, 2012

The Escondido Union School District (EUSD) submitted comments on the Escondido General Plan, Downtown Specific Plan and Climate Action Plan Draft EIR on April 17, 2012. This letter was received after the close of the public review period for the Draft EIR and following completion of the Final EIR. Therefore, responses to the letter were not included in the Final EIR document. However, the following responses are provided for City Council consideration:

BOARD OF EDUCATION

- Zoe Carpenter
- Joan Gardner
- Mary Gilbert
- Marty Hranek
- Linda Woods

Jay Petrek, AICP  
Project Manager  
Escondido Planning Division  
201 North Broadway  
Escondido, CA. 92025

RE: Escondido Union School District EIR Comments

1. This comment is an introduction to the comment letter and provides background information regarding EUSD involvement in the General Plan Update process. This comment does not pertain to the accuracy or adequacy of information presented in the Draft EIR. No further response is necessary.
2. This comment states that the EUSD does not consider the mitigation measure that requires a sensitive receptor to be sited in another location (Air-4) to reduce the impact to a less than significant level because it would have a large impact on the EUSD and the community. However, mitigation measure Air-4 does not require a specific school to be sited in another location. Rather, this mitigation measure requires a health risk assessment (HRA) to be prepared for development of new sensitive receptors (which include schools) within one mile of industrial land uses, medical facilities, or research and development facilities that generate a potential source of Toxic Air Contaminants (TACs). If a potentially significant health risk is identified, the HRA shall identify appropriate measures to reduce the potential health risk to below a significant level. Only if appropriate measures are not available to reduce risks is it required that the sensitive receptor be sited in another location. Placement of a school in an area where students and staff may be exposed to substantial health risks from air pollutants is a significant impact; therefore, the EIR requires that schools, as one category of sensitive receptors, be sited away from potential health risks when measures are not available to mitigate risks. No specific sensitive receptors or TAC emitting facilities are proposed as part of the proposed project; therefore, it would be speculative to analyze where health risks may occur near new schools, or where alternative sites for schools may be located. In addition, the EUSD is responsible for the construction of new or expanded school facilities and is its own lead agency under CEQA. When new school facilities are needed, the EUSD will be responsible for preparing an environmental document in compliance with CEQA, which will identify potentially significant impacts and mitigation measures to reduce the impacts, as available. After considering the CEQA document and supporting information, the School Board will have the discretion to select the new school site.
3. This comment states that the EUSD has concerns that the EIR analysis does not address the potential for structural/building damage that could occur as a result of the proposed type of work. It is assumed that the "type of work" referenced in the comment is the general construction activities and use of pile-driving, blasting,

SUPERINTENDENT

Jennifer L. Walters

Dear Mr. Petrek:

- We appreciate the opportunity to provide you with our written comments regarding the City of Escondido's General Plan, Downtown Specific Plan and Climate Action Plan EIR. The Escondido Union School District previously participated in a General Plan Update Issues Meeting hosted by the Citizen's Committee appointed by City Council and provided written documentation of district concerns regarding specific impacts in our March 7, 2011, correspondence. The following includes additional comments or reiterates previous comments provided to the City:
1. Executive Summary, Table ES-1, Item 4.3 Air Quality, Mitigation Measures Air 3 and 4  
We do not consider the mitigation measure for a sensitive receptor (school) to be sited in another location a "less than significant impact." This mitigation measure would have a large impact on both the district and the community.
  2. Executive Summary, Table ES-1, Item 4.12 Noise -- Issue Excessive Groundborne Vibration  
The district has grave concerns about the mitigation measures proposed. To propose this type of work, even during non-school hours, does not address the potential structural/building damage that could occur with this type of construction and the impact that could result for our district and the community. Additionally, any permanent increase to the ambient noise levels will directly impact the learning environment of our students and our ability to provide them an adequate learning environment. All recommendations regarding potential hazards to our school sites should be followed as outlined in the California Department of Education Site Selection Guidelines.
  3. Executive Summary, Table ES-1, 4.13 Population and Housing -- Displacement of Housing and People  
We outline our concerns about the identified "significant and unavoidable" impacts below (#5).

CARLYN GILBEI  
EDUCATION CENT

2310 Aldergrove Ave  
Escondido, CA 9202  
Tel (760) 432-2400  
www.eusd4kids.org





**Comments****Responses**

or other high-impact construction equipment addressed by mitigation measure Noi-1. It should be clarified that the proposed project does not propose the construction of any specific projects. Rather, the EIR identifies that the future development that could occur under the proposed General Plan Update and Downtown Specific Plan Update may result in these types of construction activities. Regarding the potential for building damage, the EIR does address this issue. As discussed in Section 4.12.3.2, Issue 2: Excessive Groundborne Vibration, structural damage to existing buildings due to construction-related vibration impacts would have the potential to occur if pile-driving activities would be required in close proximity to vibration-sensitive buildings because pile-driving can produce peak particle velocity (PPV) values of up to 1.5 at 25 feet. Historic buildings may also be susceptible to damage from excessive vibration impacts resulting from construction activities such as pile driving. Construction activities would occur throughout the General Plan Update planning area, and would be concentrated in the study areas, including the Downtown SPA and South Escondido Boulevard/Felicita Road Target Area, which include the historic downtown and Old Escondido Historic District. Therefore, impacts to historic structures susceptible to damage from vibration would be potentially significant during construction activities. Mitigation measure Noi-1 requires construction best management practices to be implemented when construction activities may take place within 100 feet of a building with the potential to be damaged by excessive vibration. The EIR recognizes that mitigation Measure Noi-1 would reduce direct and cumulative groundborne vibration impacts from construction; however, it cannot be guaranteed that these best management practices (BMPs) would reduce all construction-related vibration impacts to a less than significant level. Therefore, impacts from groundborne vibration during construction are identified as being significant and unavoidable, even with implementation of feasible mitigation measures.

4. This comment states that any permanent increase in ambient noise levels will have a direct impact on the ability of the EUSD to provide an adequate learning environment. The EIR addresses the potential impacts of increased noise level on schools in Section 4.12.3.3, Issue 3: Permanent Increase in Ambient Noise Levels. As discussed in this section, compliance with the City's Noise Ordinance would ensure that noise levels from operation of land uses accommodated by the General Plan Update would not result in significant increases in noise levels at nearby land uses. However, the increase in vehicular noise as a result of the proposed project would have the potential to expose existing and future developments, including schools, to a substantial permanent increase in ambient noise level and noise levels in excess of the City's Noise Compatibility Standards. General Plan Policy 5.6 requires future development with the potential to substantially increase noise levels to prepare a noise technical report and attenuate increases in noise levels at nearby sensitive receptors, including schools. However, implementation of this policy would not reduce cumulative noise impacts to a less than significant level because it cannot be guaranteed that noise levels would be reduced to below the applicable threshold. No feasible mitigation measures have been identified to reduce this impact to a less than significant level; therefore, the EIR concludes that impacts related to

**Comments****Responses**

permanent increases in ambient noise levels would be significant and unavoidable. Chapter 6, Alternatives, provides a discussion of several land use alternatives to the proposed project that would result in reduced impacts associated with traffic noise as compared to the proposed project.

5. The commenter states that all recommendations regarding noise hazards to schools should follow the California Department of Education (CDE) Site Selection Guidelines. The CDE school site selection guidelines are intended to help school districts: 1) select school sites that provide both a safe and supportive environment for the instructional program and the learning process; and 2) gain state approval for the selected site<sup>1</sup>. Regarding noise, the School Site Selection and Approval Guide recommends that if the school district is considering a potential school site near a freeway or other source of noise, it should hire an acoustical engineer to determine the level of sound that location is subjected to and to assist in designing the school, should that site be chosen<sup>2</sup>. The proposed project does not propose the construction of any specific school projects; therefore, the CDE document is not applicable to the proposed project. However, the recommendations described above are consistent with proposed General Plan Community Protection Element, Noise Policy 5.6, which requires the preparation of noise studies, as deemed necessary by the City's Planning Department, to analyze potential noise impacts associated with new development. As its own lead agency under CEQA, the EUSD has the authority to determine whether a noise study is necessary for proposed school projects within its jurisdiction.
6. This comment states that the commenter's concerns related to significant and unavoidable population and housing impacts are outlined in comments #10 through #14. Refer to the responses to these comments.

<sup>1</sup> California Department of General Services. School Site Selection. Accessed April 30, 2012, available at [http://www.excellence.dgs.ca.gov/PlanningTeamwork/S3\\_3-3.htm](http://www.excellence.dgs.ca.gov/PlanningTeamwork/S3_3-3.htm)

<sup>2</sup> California Department of Education, School Facilities Planning Division. School Site Selection and Approval Guide. Accessed April 30, 2012, available at <http://www.cde.ca.gov/ls/fa/sf/schoolsiteguide.asp#Noise>

Comments	Responses
<p>7. 4. <u>Executive Summary, Table ES-1, Item 4.16 Transportation and Traffic</u> Several of these proposed changes will significantly impact the traffic congestion surrounding our existing campuses. This will create safety issues as well. We do not provide bus service for our regular education students, so there is a significant amount of foot and bike traffic in the area. The listed impact is "significant and unavoidable," which is not acceptable for the safety of our students and the community as a whole.</p>	<p>7. This comment states that several of the proposed changes will significantly impact the traffic congestion surrounding existing EUSD campuses, and that this will create safety issues. The commenter does not specify which changes associated with the General Plan Update they are referring to, or which campuses within the EUSD would be affected. The traffic analysis and mitigation measures provided in Section 4.16, Transportation and Traffic, of the EIR summarize the information provided in the Escondido General Plan Update Traffic Impact Analysis (TIA), prepared by Linscott Law &amp; Greenspan (LLG), which is included in Appendix I1 to the EIR. Based on the analysis of the worst-case traffic scenario that could result from growth under the proposed project through year 2035, the TIA identified mitigation measures that would improve traffic conditions compared to unmitigated conditions. The methodology of the traffic analysis is outlined in detail in Appendix I1. The commenter does not provide any specific evidence that the methodology or conclusions of the traffic impact analysis are inaccurate. This comment does not identify any deficiencies in the traffic analysis; therefore, it does not identify any new impacts related to safety. However, road safety is addressed in Section 4.16.3.3, Issue 3: Road Safety of the EIR. The EIR concludes that the construction of driveways and private roadways may create traffic hazards if adequate vehicle storage space is not provided at the entrances to a development so that waiting vehicles would extend into roadways; or if the internal street system does not contain adequate traffic controls such as stop signs. Additionally, implementation of the proposed General Plan Update would include improvements to the public circulation network and construction of new sidewalks throughout the proposed project area. Dangerous intersections or sidewalks would be considered hazards if not equipped with proper safety features such as setbacks or curbs and be ADA-accessible. However, the proposed General Plan Update and Downtown Specific Plan Update include policies that would sufficiently prevent transportation hazards within the proposed project area. Therefore, safety issues from traffic congestion would be less than significant and no mitigation is proposed.</p>
<p>10. 5. <u>Population and Housing, Item 4.13, Table Summary of Impacts – Issue 2, 4.13.3.2 Issue 2: Displacement of Housing, 4.13.6 Issue 2: Displacement of People and Housing and 4-13-7 Issue 2: Conclusion Displacement of Housing and People</u> While the district's current school facilities are adequate to accommodate the current student population, the City's plan to displace and increase density will impact the district. Not only could the displacement create immediate imbalance among our school sites mid-year and directly affect multiple campuses, the potential for critical impact to the student learning cycles mid-year must be considered. There is also the potential for families, when displaced, to relocate out of the Escondido area, affecting district total enrollment and funding. Our current school sites that would be most affected in the Downtown Specific Plan are our smallest sites and would not adequately accommodate the planned student population growth. The availability of adequate land upon which to build larger campuses will decrease exponentially due to a multitude of variables. Acquiring property through eminent domain is extremely costly and would most likely need to occur in an area deemed non-conforming to the General Plan proposed. Implementation of a General Plan by the City that has such extremely significant financial impacts to the district would be devastating and have lasting effects on our ability to provide the necessary educational opportunities the community deserves. The Escondido Union School District has expressed concerns regarding increasing density in the downtown area for many years.</p>	<p>8. This comment states that there is a significant amount of foot and bike traffic surrounding EUSD campuses because they do not provide bus service for regular education students. Refer to response to comment #7. The comment does not identify any deficiencies in the traffic analysis; therefore, it does not identify any new impacts related to safety that are not identified in the Draft EIR. Road safety is addressed in Section 4.16.3.3, Issue 3: Road Safety of the EIR. The EIR concluded that the proposed General Plan Update and Downtown Specific Plan Update include policies that would sufficiently prevent transportation hazards within the proposed project area, including hazards to pedestrians and cyclists.</p>
<p>15. 6. <u>Public Services 4.14, Table Public Services Summary of Impacts – Issue 3</u> This table summarizes that the "plan will have less than significant impacts directly, cumulative and after mitigation" to school services in the community. We strongly disagree with this evaluation and feel all impacts have not been identified and properly evaluated. This plan would have so many impacts to our district (financial, continuity of educational programs, growth, traffic/safety) that it would be impossible for the district to adequately comment or quantify total impact, especially during these volatile budgetary times.</p>	<p>9. This comment states that significant and unavoidable impacts related to transportation and traffic are not acceptable for the safety of EUSD students and the community as whole. This comment does not pertain to the accuracy or adequacy of information presented in the Draft EIR. The City Council will consider all of the potential impacts of the proposed project when making a decision regarding project approval. Pursuant</p>
<p>16. 7. <u>Public Services 4.14.1.3 Schools, Pg. 4.14-13 Escondido Union School District</u> Our district has seventeen elementary schools (not eighteen), five middle schools, and one community day school. The spelling for Farr</p>	

**Comments****Responses**

to CEQA Guidelines Section 15092(b)(2)(B), the City Council must determine that any remaining significant impacts on the environmental found to be unavoidable under Section 15091 (Findings) are acceptable due to the overriding concerns as described in Section 15093 (Statement of Overriding Considerations).

10. This comment states that the displacement of people and housing that would potentially occur under the proposed project would have the potential to create imbalances among school sites mid-year and directly affect multiple campuses. The proposed project does not propose the construction of any specific development projects; therefore, it would be speculative to state when during the school year displacement would occur, or which existing or future schools would be affected. This comment also states that the impact to student learning cycles must be considered. Impacts to learning cycles are not related to physical impacts on the environment; therefore, the EIR is not the appropriate place for consideration of such impacts.
11. This comment states that families displaced by implementation of the proposed project may leave Escondido, which would affect the EUSD's total enrollment and funding. As discussed in Section 4.13.3.2, Displacement of Housing, of the EIR, implementation of the General Plan Update would accommodate an additional 9,924 dwelling units by year 2035 within the proposed project area, which would offset the displacement of up to 142 residences resulting from implementation of the General Plan Update. Therefore, implementation of the proposed project is not expected to result in a decrease in EUSD enrollment or funding.
12. This comment states that the EUSD school sites in the Downtown Specific Plan Area (SPA) would be most affected by the proposed project because they are the EUSD's smallest sites and would not be able to adequately accommodate the proposed growth in the SPA. The discussion in the EIR agrees with this statement. As identified in Section 4.14.3.3, Issue 3: School Services, of the EIR, existing EUSD school facilities would not have adequate classroom capacity to serve buildout of the proposed project, including growth in the Downtown SPA. Specifically, the incorporation of smart growth principals and policies within the City's downtown core would severely impact the smaller school facilities that currently exist in these areas because they would concentrate development density and growth in these areas. Implementation of the General Plan Update would increase growth within the EUSD service area, which would increase student enrollment and potentially require the expansion or construction of new school facilities to serve buildout of the proposed project. To maintain acceptable service ratios, the construction of new or expanded school facilities would be required. The construction of these facilities would be subject to CEQA review, which would minimize environmental impacts. Additionally, the proposed General Plan Update includes policies that are intended to reduce impacts associated with provision of school facilities. Therefore, the proposed project would result in less than significant impacts related to school facilities.

**Comments****Responses**

13. This comment states that the availability of land for the EUSD to build larger campuses will decrease with implementation of the proposed project due to a multitude of variables; however, only one variable is provided in the comment. The comment states that property acquired through eminent domain is costly and would need to occur in areas deemed non-conforming for school uses in the General Plan Update. The proposed project does not require school sites to be acquired by eminent domain. Schools would be permitted uses in areas designated for residential development, as stated in General Plan Update Land Use and Community Form Element, Residential Development Policy 3.2. Therefore, schools would be accommodated near residences and would not need to occur in areas that would be inappropriate for school facilities. Further, the EUSD is responsible for the siting, design and construction of new schools, not the City.
14. This comment states that implementation of the General Plan Update would have significant financial impacts to the EUSD, which would have lasting effects on the EUSD's ability to provide educational opportunities. The commenter's statement that the project would have a significant financial impact appears to be based on comment #11, which expresses concern that displaced families will leave Escondido and affect EUSD funding. As discussed in the response to this comment, the potentially displaced homes would be more than replaced by residential growth accommodated under the proposed plan. As discussed in Section 4.14.3.3 of the EIR, Issue 3: School Services, future development would be required to pay applicable development fees, including the City of Escondido School District Residential Impact Fee. Therefore, residential development consistent with the proposed project would provide a funding source for the EUSD.
15. This comment states that the EUSD disagrees with the conclusion that direct and cumulative impacts to school services would be less than significant. The commenter states that the project would result in impacts to EUSD related to finances, continuity of educational programs, growth, and traffic/safety. The purpose of the EIR is to determine the potential physical environmental impacts that would result from implementation of the proposed project. As such, the analysis of potential impacts related to school services in Section 4.14.3.3 of the EIR, Issue 3: School Services, is focused on whether the proposed project would result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools within the EUHSD, EUSD or other school districts serving the proposed project planning area.

As discussed in EIR Section 4.14.3.3, implementation of the proposed project would increase growth within the EUSD service area, which would increase student enrollment and potentially require the expansion or construction of new school facilities to serve buildout of the proposed project. However, future development of school facilities proposed by the EUSD would be required to undergo environmental review pursuant to CEQA prior to approval. To the extent feasible, significant environmental impacts would be mitigated to a less than significant level, as required by CEQA. As its own lead agency,

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the EUSD would be required to comply with CEQA for any future school facilities that it proposes. No specific projects are proposed at this time by the EUSD; therefore, it would be speculative to address impacts that may result from individual school projects. The construction of facilities would be subject to CEQA review, which would minimize environmental impacts. Therefore, the EIR concludes that the proposed project would result in less than significant impacts related to school facilities.

Impacts related to finances, continuity of educational programs, growth, and traffic/safety are addressed in responses to comments #11, #10, #12, and #7, respectively. As discussed in these responses, the EIR adequately addresses these issues to the extent appropriate under CEQA.

16. The City acknowledges that San Pasqual Elementary School should not be included in the list of elementary schools in the EUSD, and Farr should not be capitalized. The requested revisions do not have any effect on the environmental analysis in the EIR. Therefore, no revisions have been made to the Final EIR.

**Comments**

**Responses**

16. cont.

should not be all capitals. San Pasqual is not included in our boundaries. Table 4.14-7 needs the name of Farr changed from all capitals and Avenue removed. San Pasqual Union Elementary should not be included in this chart for our district.

8. Public Services, 4.14.2.1 State Assembly Bill 16 (AB 16)

The Critically Overcrowded Schools Program is a highly specialized program with very specific eligibility requirements, is not accepting applications any longer, and is nearing its end. While the School Facilities Program (SFP), also very complex in structure, is still operational, funding is sporadic and dependent upon successful state bond measures. Typically, the receipt of state funding for new construction and modernization of existing facilities requires a local funding match (i.e., local bond measures, developer fee collections, etc.). Attached is literature from the state's website regarding the State Facilities Program that will outline processes related to school funding. It is imperative to understand that while the district currently shows eligibility in the SFP New Construction program, this could change dramatically when a new updated application is filed. Financing future projects in our district is a grave concern, especially since SFP funding for New Construction is unpredictable and inadequate to meet the facilities needs of school districts statewide.

17.

9. Public Services, Pg. 4.14-18, California Code Of Regulations (CCR) Title 24, Part 2 and Part 9

School districts are actually governed by Parts 1 through 12, not just parts 2 and 9.

18.

10. Public Services, 4.14-2.2 Regional/Local City of Escondido School District Residential Impact Fee

This fee alone does not cover all of the financial impacts to our district to ensure that adequate school facilities are available to new residential developments.

19.

11. Public Services, 4.14.3.3 Issue 3: School Services

The General Plan Update and Downtown Specific Plan would increase the need for school services, which would have adverse environmental impacts. The lack of policies in the Downtown Specific Plan to address the significant impacts to school services that will occur is of great concern to the district. There are not any policies outlined in the Downtown Specific Plan to ensure that our district can achieve required agency clearances and have adequate financial resources to address the proposed impacts, which are significant. The implementation for the Quality of Life Standard #2 is the responsibility of the school district. However, without defined policies to support schools through the planning and development process, the district does not have adequate means for implementation. It has been identified in the Impact analysis by both districts that the General Plan would have a significant impact with no mitigation measures available to either district to offset this impact. It is necessary to understand that while school districts are considered their own "lead agency" in the

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17. This comment provides additional information regarding Assemble Bill 16 and financing for future EUSD projects. The details provided by the commenter do not have any effect on the environmental analysis in the EIR. Therefore, additional detail has not been added to the discussion of Assembly Bill 16 in Section 4.14.2.1, State (Regulatory Framework), of the EIR.

18. This comment states that school facilities are governed by Parts 1 through 12 of Title 24 of the California Code of Regulations (CCR), not just Parts 2 and 9. The discussion of Part 2 and Part 9 in Section 4.14.2.1 of the EIR was not intended to be a comprehensive list of CCRs applicable to school facilities. This discussion is intended to discuss fire safety regulations applicable to new development. No revisions have been made to the Final EIR.

19. This comment states that the City of Escondido School District Residential Impact Fee does not cover all of the financial impacts to the EUSD to ensure that adequate school facilities are available. The EIR does not make this claim. This discussion states that it is the intent of the fee to ensure that adequate school facilities are available, and that fees are set as the maximum amount permitted by Government Code Section 65995. As discussed in response to comment #15, the EIR conclusion that the proposed project would result in less than significant impacts to school facilities is based on future compliance with CEQA, which would minimize future physical environmental impacts that would potentially result from school facility construction. Pursuant to CEQA Guidelines Section 16126.2, Consideration and Discussion of Significant Environmental Effects, the financing of future school projects would not affect the assessment of the proposed project's impact on the environment; therefore, the EIR does not address the potential financial impacts of future EUSD facilities.

20. This comment states that the General Plan Update and Downtown Specific Plan would increase the need for school services, which would have adverse environmental impacts. Refer to response to comment #15 for a response to this comment.

21. This comment states that the Downtown Specific Plan should include policies to ensure that the EUSD can achieve required agency clearance and have adequate financial resources to address potential significant impacts. The Downtown Specific Plan is not the appropriate document to address EUSD agency clearance and financial resources. These issues are the responsibility of the EUSD, not the City. The commenter's reference to significant impacts is based on the previous comments in the letter. As discussed in previous responses, the commenter's letter has not identified any new environmental impacts that were not already addressed in the EIR. EIR Section 4.14.3.3, Issue 3: School Services, states that future development would be required to pay applicable development fees, including the City of Escondido School District Residential Impact Fee. Additionally, the City cannot guarantee the approval of projects within the jurisdiction of another agency or the availability of funding resources for other agencies.

22. This comment requests that the General Plan Update include defined policies to support the school districts in meeting Quality of Life Standard #2, Public Schools. The General Plan Update does include a number of policies that pertain to the provision of public schools. The Community Health and Service Element, Schools and Education Policies 5.1,

## Comments

24.  
cont.

CEQA process, acceptable mitigation measures are not always available and/or attainable for a district. This can result in lack of an approved site by the California Department of Education and/or the ability to even proceed with a project. The General Plan Update policies outlined to reduce impacts to school services are not only inadequate, but they do not include all impacts that would need to be addressed by the district. The district feels it is imperative that funding solutions be outlined specifically, as well as all impacts related to this planned population increase be addressed completely, in order for the district to provide the quality of life within our educational community that is expected by our community.

25.

If you have any questions please feel free to contact me directly at 760-432-2127.

Respectfully,



Gina Manusov  
Assistant Superintendent  
Business Services Division

## Responses

5.2 and 5.3 encourage efforts of the school districts to accommodate sufficient teacher/student ratios; and require the inclusion of school districts in the review of residential development applications and development proposals larger than 10 acres. Schools and Education Policies 5.4, 5.5, and 5.6 require that the City work with school districts to locate facilities; explore the use of smaller sites to accommodate lower enrollments and higher intensity facilities; and promote joint use of playgrounds, ball fields, and other recreational facilities. Schools and Education Policies 5.7, 5.8, and 5.10 inform school districts of growth plans and capital improvement projects; provide City demographic data to school districts to assist in their master planning efforts; and promote energy and water efficient land development practices. Schools and Education Policies 5.11, 5.14, and 5.15 promote East Valley Parkway as an area to locate higher education; require cooperation with systems of higher education; and encourage the development, expansion, and upgrade of higher education facilities.

23. This comment states that the General Plan Update would have a significant impact to school districts with no mitigation measures identified. This statement is incorrect. The EIR concludes that the General Plan Update and Downtown Specific Plan Update would accommodate increases in population and housing within the proposed project area, which would result in an increase in school enrollment. To maintain acceptable service ratios, the construction of new or expanded school facilities would be required. The construction of these facilities would be subject to CEQA review, which would minimize environmental impacts. Additionally, the proposed General Plan Update includes policies that are intended to reduce impacts associated with provision of school facilities. Implementation of these policies would result in a less than significant impact related to school facilities. Because no significant impact would occur, no mitigation measures are necessary.
24. This comment states that while school districts are their own lead agency under CEQA, they aren't always able to identify acceptable mitigation measures or obtain approval for a site by the California Department of Education. The City acknowledges this statement. However, no specific school projects are proposed; therefore, it would be speculative for the EIR to address specific impacts that may result from future school projects, or whether the future projects would be approved by the CDE. The CEQA process requires that significant environmental impacts be mitigated to below a level of significance to the extent feasible. At the Program EIR level, compliance with CEQA is adequate to determine that future school development would not result in substantial adverse physical environmental impacts.
25. This comment summarizes the concerns expressed by the EUSD in comments #2 through #24. Specifically, refer to response to comment #22 regarding General Plan policies; response to comments #11, #14, and #12 regarding financial impacts; and response to comment #15 related to impacts to school services that would result from future growth accommodated by the proposed project.



## Jay Petrek

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**From:** Bryand Duke <BDuke@dfg.ca.gov>  
**Sent:** Thursday, April 26, 2012 3:40 PM  
**To:** Jay Petrek  
**Cc:** Randy Rodriguez  
**Subject:** Draft Environmental Impact Report for the Escondido General Plan Update, Downtown Specific Plan update and Climate Action Plan Project  
**Attachments:** Responses to DFG comment letter.pdf

Mr. Petrek,

The California Department of Fish and Game (Department) appreciates the opportunity to comment on the Draft Environmental Impact Report for the Escondido General Plan Update, Downtown Specific Plan update and Climate Action Plan Project. However, the Department does not feel as though specific comments have been adequately addressed in the FEIR. The Department feels as though comments S4-7, and S4-9 through S4-12 of the attached comment letter are important and relative points that should be adequately addressed and added to the FEIR before certification takes place.

I have been in contact with Mr. Randy Rodriguez of the Department's NCCP team concerning the comments in the preceding paragraph and I have also copied him in this email. We look forward to working with the Planning Department of the City of Escondido to resolve the above stated concerns.

Sincerely,

Bryand

Bryand M. Duke, Ph.D.  
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Habitat Conservation Program  
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>>> Jay Petrek <[jpetrek@ci.escondido.ca.us](mailto:jpetrek@ci.escondido.ca.us)> 4/25/2012 10:48 AM >>>

ESCONDIDO GENERAL PLAN

PLANNING COMMISSION AND CITY COUNCIL PUBLIC HEARINGS Planning Case No.: PHG 09-0020

Greetings!

Comments

Responses



State of California - The Natural Resources Agency  
 DEPARTMENT OF FISH AND GAME  
 South Coast Region  
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 San Diego, CA 92123  
 (858) 467-4201  
 http://www.dfg.ca.gov

*ROMUND G. BROWN, JR., Governor*  
*CHARLTON H. BONHAM, Director*



March 2, 2012

Mr. Jay Petrek  
 City of Escondido  
 Planning Department  
 201 North Broadway  
 Escondido, California 92025

**Subject: Comments on the Draft Environmental Impact Report for the Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Project, City of Escondido, San Diego County, California (SCH # 2010071064)**

Dear Mr. Petrek:

The California Department of Fish and Game (Department) has reviewed the above-referenced draft Environmental Impact Report (EIR) dated January 12, 2012. The comments provided herein are based upon information provided in the draft EIR, our knowledge of sensitive and declining vegetation communities in the County of San Diego, the City of Escondido's (City) draft Multiple Habitat Conservation Program (MHCP) Subarea Plan (SAP), goals, and the North County Multiple Species Conservation Plan (NC MSCP). The Department acknowledges and appreciates the willingness of the City to accept comments for this draft EIR until March 2, 2012.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA, Sections 15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the State's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA; Fish and Game Code §2050 et seq.) and other sections of the Fish and Game Code. The Department also administers the Natural Community Conservation Planning (NCCP) program. The City is participating in the Department's NCCP program through the preparation of its draft SAP. The Department also is responsible for the administration of the Streambed Alteration Agreement Program, which oversees potential threats to the State's wetlands resources.

The proposed project is located in northwestern San Diego County in the City. The City is located approximately 30 miles north of San Diego and approximately 18 miles east of the Pacific Ocean. Located approximately 615 feet above mean sea level (AMSL), the City is situated in a natural valley and is surrounded by rolling hills and rugged terrain ranging up to 4,200 feet AMSL. The unincorporated communities of Valley Center and Hidden Meadows bound the City on the north, and the City of San Marcos bounds the City on the west. The City is bounded on the south by Lake Hodges and the City of San Diego and on the east by unincorporated San Diego County. Interstate 15 (I-15) bisects Escondido in a north-south direction and State Route (SR) 78 transitions from freeway to surface streets in an east-west direction through the City.

**Letter S4: California Department of Fish and Game (CDFG)**

S4-1 This comment summarizes information about the proposed project and provides background information about CDFG. It does not address the adequacy or accuracy of information presented in the Draft EIR. Therefore, no further response is necessary.

S4-1.

## Comments

## Responses

S4-1. cont. The project has three components: an update to the existing City General Plan (General Plan Update) including the Housing Element (General Plan Update), implementation of an update to the existing City's Downtown Specific Plan (Downtown Specific Plan Update), and creation and implementation of an Escondido Climate Action Plan.

The Department offers the following comments and recommendations to assist the City in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources, and to ensure that the project is consistent with ongoing regional habitat conservation planning efforts.

S4-2. 1. The draft EIR (Section 4.4) provides a good summary of the MHCP and City's SAP, which is still in progress. Currently the U.S. Fish and Wildlife Service (Service) 4 (d) interim Habitat Loss Permit is not available to the City. Therefore the draft EIR should recommend consulting with the Service to determine the appropriate steps to initiate the process for acquiring a 4 (d) interim Habitat Loss Permit (HLP) from the Wildlife Agencies (Service and Department) for any impacts to coastal sage scrub while the plan is in-progress. Projects under the General Plan Update that result in impacts to sensitive habitat should also provide adequate mitigation following the City's draft SAP and ensure adequate funding for long-term management of the mitigation site.

S4-3. 2. The draft EIR identifies (Section 4.4.3.1) that impacts to sensitive species could be potentially significant because some study areas currently include open space (e.g., Nutmeg Street Study Area and the Imperial Oakes Specific Planning Area while other study areas are located adjacent to open space areas (e.g., Escondido Research and Technology Center North and South SPA, the I-15/Felicita Road Corporate Office Target Area, the Westfield Shopping Town Target Area and Kit Carson Park). Additionally, development that would occur outside of the study areas and growth that will be accommodated in the City's sphere-of-influence could impact sensitive species and habitat. Although development within the urban core would generally not result in the removal of natural habitat, development (including nurseries) would have the potential to remove stands of trees or other vegetation that provides nursery sites to wildlife, particularly birds. The proposed General Plan Update circulation network also proposes new roadways in undeveloped areas that would have the potential to impede wildlife movement. Roads that may impact wildlife movement include the proposed extension of Mountain Meadow Road (crosses through the northern habitat area, slightly north of Daley Ranch) and the extensions of Citracado Parkway and Lariat Drive (would cross a small portion of the southwestern habitat area). Until the City's SAP is completed, the City does not have incidental take authorization for impacts to listed species. Accordingly, if the project, project construction, or any project-related activity during the life of the project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the Department recommends that the project proponent seek appropriate take authorization under CESA prior to implementing the project. Additionally, a 10 (a) permit from the Service may be required for take of federally-listed species. For impacts to coastal sage scrub, an interim 4 (d) permit would be required (see comment 1).

S4-4. 3. The draft EIR states on page 4.4-22 that "protection and replacement standards include making every feasible effort to preserve sensitive biological habitat and species and onsite or offsite mitigation at a ratio of 1:1 or higher." While 1:1 may be an acceptable mitigation ratio for impacts to some habitats (e.g., unoccupied non-native grassland), it would not be acceptable, for example, for impacts to CSS while the City's SAP is still in-progress.

S4-2 This comment recommends consultation with the U.S. Fish and Wildlife Service (USFWS) to initiate a Habitat Loss Permit for future developments that would impact coastal sage scrub while the City's Multiple Habitat Conservation Program Subarea Plan is in progress. As discussed in Section 4.4, Biological Resources, of the Draft EIR, future development would be required to obtain all required take permits from the USFWS, Army Corps of Engineers, Regional Water Quality Control Board, and/or CDFG until the City's Subarea Plan is adopted. Therefore, this comment has been addressed in the Draft EIR.

This comment also recommends that future projects under the General Plan Update resulting in impacts to sensitive habitat provide adequate mitigation following the City's Draft Subarea Plan. As discussed in Section 4.4 of the Draft EIR, Biological Resources, future development within the project planning area would result in potential significant impacts to sensitive plant and animal species. However, as stated in the same Draft EIR section, existing federal and state regulations prohibit the take of sensitive species without permitting from the wildlife agencies. Existing City regulations limit the amount of habitat that can be impacted by new development. Additionally, the goals and policies in the General Plan Update require projects with the potential to impact sensitive species to prepare a biological survey and mitigate any impacts that would occur. For example, Biological and Open Space Resources Policy 1.8 in the Resource Conservation Element requires consultation with state and federal agencies and mitigation of resources either onsite or offsite at ratios consistent with state and federal regulations. Appropriate mitigation would be determined through consultation with the wildlife agencies. While the City's Draft Subarea Plan would be a source of information upon which to base consultation with the City and wildlife agencies to develop appropriate mitigation for future project impacts to biological resources, the City cannot require future applicants to comply with an unadopted plan (County of Amador v. El Dorado County Water Agency and Pacific Gas & Electric Company, 1999). Therefore, the suggestion for the Draft EIR to identify mitigation that requires future project applicant's to comply with the City's Draft Subarea Plan is not appropriate or consistent with CEQA case law.

S4-3 This comment summarizes potential environmental impacts that are presented in Section 4.4, Biological Resources, of the Draft EIR and states that until the City's Draft Subarea Plan is adopted, future development would be required to obtain permits from CDFG and the USFWS. Refer to response to comment S4-2. The Draft EIR includes the requirements for future development projects consistent with the proposed project to consult with the wildlife agencies and obtain all applicable biological resource permits, including a 10(a) or 4(d) permit from the USFWS. Therefore, this comment has been addressed in the Draft EIR.

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<p>S4-5. 4. The draft EIR (Section 4.4, page 4.4-21) concludes that golden eagles (<i>Aquila chrysaetos</i>) potentially occur in the General Plan Update planning area and that impacts to the eagle may be significant. If impacts to golden eagle nesting or foraging habitat may occur from the General Plan Update, the Wildlife Agencies recommend that the City consult with the Service on the need to obtain a Golden Eagle permit pursuant to the Bald and Golden Eagle Protection Act and related new regulations (74 FR 46835-4687, "Eagle Act Regulations") that went into effect on November 10, 2009.</p>	<p>S4-4 This comment summarizes text provided in Section 4.4, Biological Resources, of the Draft EIR and focuses specifically on the identification of a minimum mitigation ratio of 1:1 for impacts to sensitive biological habitat. The 1:1 mitigation ratio is the minimum ratio found in the City's Zoning Ordinance, which states that some sensitive habitats and species require higher mitigation ratios, in accordance with state and federal regulations. No maximum mitigation ratio is specified in the Draft EIR. Accordingly, future developments would not be precluded from mitigating impacts to coastal sage scrub (CSS) or other sensitive habitats at a ratio higher than 1:1. Therefore, this comment has been addressed in the Draft EIR.</p>
<p>5. The General Plan provides many policies to provide interim resource protection until the City's SAP is completed and approved. Some of these include, but are not limited to, the following:</p> <p>a. Quality of life standard 8 (Open Space System) which requires a system of open space corridors, easements, acquisition programs and trails to be established in the Resource Conservation and Community Health and Services Elements. Further, quality of life standard 8 states that significant wetlands, riparian or woodland habitat, and habitat for rare or endangered species shall be protected in coordination with state and/or federal agencies having jurisdiction over such areas.</p>	<p>S4-5 This comment states that consultation with the USFWS is recommended for potential impacts to golden eagle nesting or foraging habitat, and a permit may be required. Refer to response to comment S4-2. The Draft EIR includes the requirements for future development projects consistent with the proposed project to consult with the wildlife agencies and obtain all applicable biological resource permits, including a Golden Eagle permit from the USFWS. Therefore, this comment has been addressed in the Draft EIR.</p>
<p>S4-6. b. Biological and Open Space Resources Policies 1.2, 1.6 through 1.9, 1.11, and 1.13 require the City to maintain open space and rural residential uses around the perimeter of the City; preserve and protect significant wetlands, riparian, and woodland habitats and rare, threatened or endangered plants and animals and their habitats; require mitigation of resources either onsite or offsite at ratios consistent with state and federal regulations; require surveys be prepared for proposed development projects located in areas potentially containing significant biological resources; prohibit the removal of significant stands of trees unless needed to protect public safety; require appropriate barriers to be constructed to restrict access to areas containing sensitive biological resources; and promote the use of native plants for public and private landscaping purposes within the City.</p>	<p>S4-6 This comment summarizes policies that are included in the General Plan Update. It does not address the adequacy or accuracy of information presented in the Draft EIR. Therefore, no further response is necessary.</p>
<p>c. Open Space Land Use Policy 12.1, which establishes the Open Space/Park land use designation to identify properties reserved for active and passive parks, habitat preservation, and public safety purposes.</p>	
<p>d. Residential Clustering Policies 5.2 and 5.6, which encourage utilization of clustering as a tool to preserve slopes, ridgelines and sensitive habitats, and require the City to limit density transfers from areas containing sensitive biological resources.</p>	
<p>e. Planned Development Policy 6.3, which identifies requirements for planned development proposals such as minimization of grading and removal of native vegetation; preservation of the creeks and their adjoining vegetation; and the protection and management of areas supporting rare and endangered plant and animal species.</p>	
<p>f. Open Space Land Use Policies 12.3 and 12.4, which encourage the preservation of land within the planning area and require the City to explore options to purchase land for recreation or open space purposes that is owned by other public agencies and available for acquisition, as appropriate.</p>	

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cont.

- g. Biological and Open Space Resources Policies 1.7 and 1.8, which require the preparation of a biological survey for development projects that would potentially impact significant biological resources. In the event that significant biological resources are adversely affected, appropriate state and federal agencies must be consulted to determine adequate mitigation for replacement of the resource.

The Department recommends that the General Plan Update include the following policies to minimize impacts to sensitive species and habitats and to ensure it would not significantly impact the City's ability to complete its SAP:

- h. A policy to complete the City's SAP should be identified as a high priority in the General Plan Update and the associated Implementation Plan/Action Plan. The Department recommends that 3-5 years be identified as a reasonable time period to substantially or entirely complete the SAP. Moreover, the draft EIR concludes in Section 4.4 and on page 4.4-39 (Issue 4) that many impacts to sensitive species and to habitat conservation planning from the General Plan Update would be less than significant when the City's SAP is completed and approved. Until that time, the federal and state permitting processes would be the method to ensure that any impacts to listed species are less than significant. This underscores the importance of completing the City's SAP and of including such a policy in the General Plan Update and Implementation Plan/Action Plan.
- i. A fire protection policy that minimizes the removal of native cacti in areas located within or adjacent to areas identified for conservation in the City's SAP, especially where populations of coastal cactus wren (*Campylorhynchus brunneicapillus*, "cactus wren") occur. The City contains one of the core populations of cactus wren in the MHCP Planning area. Retaining native cacti (a low-combustive plant) can contribute to preserving habitat for the cactus wren and help to ensure that additional development authorized under the General Plan Update would not result in a significant impact to cactus wren.
- j. Policies that direct locating public use trails along the edges and perimeter of proposed core lands and linkages included in the City's draft SAP and to avoid encroachment into sensitive habitats or defined (or subsequently identified) wildlife movement areas. The Department recommends that, for any trails designated in the City's SAP preserve, that a Public Access Plan (PAP) to be developed for the trail. The PAP should include a trail compatibility analysis to ensure that impacts to species (e.g., golden eagle, cactus wren, etc.) are avoided, impacts to habitat are minimized and, where appropriate, performing additional monitoring of public trail usage where problems exist.
- k. A policy that the City will actively consult and work with the California Department of Forestry and Fire Protection and the Wildlife Agencies to incorporate appropriate review and mitigation (e.g., CEQA) for impacts to habitat and species into vegetation management projects.
- l. A policy that actions to meet the requirements of AB 375 for sustainable community planning should not be at the expense of multi-species preservation or implementation of the City's draft SAP. For instance, green infrastructure should be viewed as less sustainable in the backcountry versus in existing urban area (viewed as more sustainable). In this case, the latter would be more sustainable because there is no trade-off between green infrastructure and natural habitat. In other words, the push for

S4-7.

S4-7

This comment provides recommendations for new and revised policies in the proposed General Plan Update. It does not address the adequacy or accuracy of information presented in the Draft EIR. Therefore, no further response is necessary.

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green infrastructure should not conflict with the City's draft SAP or other regulations that promote species and habitat protection. As an example, although a "wind farm" may be a "green project," it may not be consistent with the goals and objectives of MHCP.

- m. A policy to integrate the City's draft SAP with watershed planning, greenhouse gas reductions (global climate change) and other regional planning involving natural resources. This would potentially allow the City to maximize access to multiple sources of grant funding for conservation-related purposes.
- n. A policy that all existing and planned SAP conserved lands that contribute to biological preservation will be redesignated to open space-conservation as part of the General Plan Update and Implementation Plan/Action Plan. The underlying zoning could remain unchanged under the General Plan Update, but then be rezoned as an action item in the Implementation Plan/Action Plan (e.g., as part of Community Plan updates). This would shift the land use development in the SAP preserve areas from a land development first focus to a biological minimization focus that is more sensitive to the natural environment.
- o. A policy for fire protection that emphasizes that for optimal protection against wildfires, "hardening of the structure" should occur first, and then defensible space can supplement structural design requirements. A policy called "Building and Site Design" (or equivalent) should be added that requires UBC/structural "hardening" measures (e.g., boxed eaves, fire rated windows/walls, fire retardant native vegetation, etc.) in project design as part of, and preceding, defensible space measures, especially where located within or adjacent to City SAP preserve and/or Wildlife Agency (Department and Service) lands. All defensible space should be included within the project footprint and property boundary of project applicants. The General Plan Update should establish a policy that the City will not allow variances or other project approvals where it would necessitate impacts to Wildlife Agency and/or SAP-preserve lands (e.g., brush management).
- p. A policy that monitoring and enforcement is a critical part of natural resource planning and implementation (e.g., encroachment, trail management). Without enforcement (e.g., adequate number of rangers, ensuring that new, unauthorized trails are not being cut/maintained, etc.), realization of conservation goals set forth in the Resource and Conservation Element and other goals in the General Plan Update may be problematic.
- q. A policy (e.g., Resource Conservation Element) that provides adequate interim protection of biological resources from the period between the discretionary approval and issuance of grading permits. This time period should also be tracked in City records. Often, there is a considerable lag time between the hearing approval and ministerial permits, which leaves "protected" resources at risk. In most cases, the applicant needs to be clearly held responsible for protecting these resources until the transfer of management responsibility has been transferred (along with any endowment or funding mechanism) to another entity approved by the City and the Wildlife Agencies. Failure to account for this interim protection potentially results in management organizations refusing to assume unanticipated clean-up or restoration obligations and could affect the City from achieving conservation goals for MHCP covered species and habitats.

S4-7.  
cont.



## Comments

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- S4-7. cont. r. The General Plan Update should take into account all proposed fuel modification zones and maintenance activities (including a buffer area) when planning conservation goals and habitat preserves, and acknowledge that these zones/activities should be undertaken outside the preserve boundaries, consistent with the obligations of the City's draft SAP. If such zones/activities have to occur in the preserve boundaries due to new fire regulations, then the General Plan Update should identify a policy of no net habitat loss from fuel modification within the preserves.
- s. To address potential impacts from wildlife movement corridors, a policy to limit brush management in wildlife movement and corridor areas as well as provide bridge and crossing to facilitate movement.
- S4-8. 6. The Department recommends that the draft EIR for the General Plan Update provide an updated status of Daley Ranch and credits available (e.g. page 4.4-5/Focused Planning Areas).
- S4-9. 7. The General Plan should clearly distinguish between "active" and "passive" recreational uses (i.e., provide an inclusive list of both) and describe which uses would be allowed on and adjacent to various types of open space (e.g., City's SAP preserve lands, active parks, urban amenity, etc.). Moreover, the General Plan Update and Implementation/Action Plan should describe how much annual funding goes into administrative versus stewardship and monitoring, management and enforcement.
- S4-10. 8. The General Plan combines several important areas commonly associated with open space, including recreation, trails, biological conservation, water resource issues, global climate change, etc. The Department recommends including language in the General Plan Update that would establish biological conservation as the primary objective within the SAP preserve system wherever potential recreation or other resource conflicts may become an issue.
- S4-11. 9. The General Plan Update should acknowledge the City's open space network (including MHCP preserve lands) as "green capital or infrastructure." This infrastructure is essential to the City's responsibility to balance the preservation of environmental resources with its obligation to meet the region's growth needs. The General Plan Update should include policy language that clearly defines and demonstrates that adequate funding (aside from speculative regional funding sources) is available to carry-out the Plan's "green infrastructure," including implementing the conservation actions, management activities, and necessary enforcement in the SAP.
- S4-12. 10. The General Plan and/or Implementation/Action Plan should identify the target number of rangers and preserve managers per 1,000 acres of open space (categorized into biological, active, passive, etc.) and identify an overall goal to have at least one preserve manager in each region or SAP plan area of the City.
- S4-13. 11. The planning boundaries for the County's North County (in-progress) and South County (approved) MSCP are located adjacent to the City in various locations. Any annexation of these lands by the City would require approval from the Wildlife Agencies to ensure it would not significantly impact the NC MSCP, including, but not limited to, wildlife movements, covered species, conservation goals and biological core and linkage areas.

S4-8 This comment recommends that the EIR be updated to provide a status of Daley Ranch and the conservation credits available. The City provides an annual report to the wildlife agencies regarding the status of the credit sales at the Daley Ranch Conservation Bank, as required by the conservation agreement. The discussion of Daley Ranch on page 4.4-5 of the Draft EIR has been revised as follows in response to this comment:

Daley Ranch is located in the northeastern portion of the City, north of Dixon Lake and west of Valley Center Road. The Daley Ranch Conservation Bank is an approved mitigation bank to satisfy the environmental mitigation requirements of development projects throughout all of western San Diego County. This 3,058-acre property is heavily covered with a variety of threatened and endangered species. There are thousands of acres of chaparral and coastal sage scrub, several large stands of coast live oak and Engelmann oak woodland, wetlands and non-native grasslands. Within the Conservation Bank there are 2,842 Conservation Credits approved for use as mitigation for five categories of species and habitat: Chaparral and Unoccupied Coastal Sage Scrub, Coast Live Oak Woodland, Engelmann Oak Woodland, and Non-Native Grassland.

S4-9 This comment pertains only to the proposed General Plan Update. It does not address the adequacy or accuracy of information presented in the Draft EIR. Therefore, no response is necessary.

S4-10 This comment pertains only to the proposed General Plan Update. It does not address the adequacy or accuracy of information presented in the Draft EIR. Therefore, no response is necessary.

S4-11 This comment pertains only to the proposed General Plan Update. It does not address the adequacy or accuracy of information presented in the Draft EIR. Therefore, no response is necessary.

S4-12 This comment pertains only to the proposed General Plan Update. It does not address the adequacy or accuracy of information presented in the Draft EIR. Therefore, no response is necessary.

S4-13 This comment states that annexation of any lands within the County of San Diego's North County MSCP or South County MSCP into the City would require the approval of the wildlife agencies, and provides contact information for CDFG. The planning area does include lands within the County of San Diego's Draft North County MSCP and South County MSCP. If any of these lands are proposed to be annexed in the future, the annexation process would include obtaining all required approvals, including approval from the wildlife agencies.

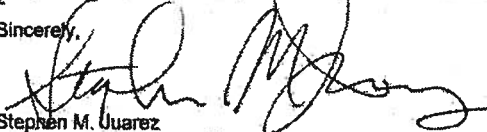
## Comments

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cont.

The Department appreciates the opportunity to comment on this draft EIR. We are hopeful that further coordination with us will ensure the protection we find necessary for the biological resources that would be affected by this project. If you have questions or comments regarding this letter, please contact Bryan Duke (858) 637-5511, [Bduke@dfg.ca.gov](mailto:Bduke@dfg.ca.gov) or Randy Rodriguez of the Department (858) 467-4201, [RRRodriguez@dfg.ca.gov](mailto:RRRodriguez@dfg.ca.gov).

Sincerely,



Stephen M. Juarez  
Environmental Program Manager  
California Department of Fish and Game

cc: State Clearinghouse (fax only)  
Janet Stuckrath, U.S. Fish and Wildlife Service  
Diane Sandman, Atkins Global (Emailed copy)  
Kim Howlett, Atkins Global (Emailed copy)



**Supplemental response to 03/02/12 letter from California Department of Fish and Game:**

Comment 5 h: A policy to complete the City's SAP should be identified as a high priority in the General Plan Update and the associated Implementation Plan/Action Plan. The Department recommends that 3-5 years be identified as a reasonable time period to substantially or entirely complete the SAP. Moreover, the draft EIR concludes in Section 4.4 and on page 4.4-39 (Issue 4) that many impacts to sensitive species and to habitat conservation planning from the General Plan Update would be less than significant when the City's SAP is completed and approved. Until that time, the federal and state permitting processes would be the method to ensure that any impacts to listed species are less than significant. This underscores the importance of completing the City's SAP and of including such a policy in the General Plan Update and Implementation Plan/Action Plan.

Response: The General Plan includes the following policy regarding this comment. Implementation Schedule (page X-59) identifies a 10-year timeframe for accomplishing this feature which takes into account the city's budgetary, staffing, and scheduling constraints:

**Biological and Open Space Resources Policy 1.1**

Establish and maintain an interconnected system of open space corridors, easements, trails, public/quasi-public land, and natural areas that preserves sensitive lands, permanent bodies of water, floodways, and slopes over 35 percent, and provides for wildlife movement.

Comment 5 i: A fire protection policy that minimizes the removal of native cacti in areas located within or adjacent to areas identified for conservation in the City's SAP, especially where populations of coastal cactus wren (*Campy/orhynchus brunneicapillus*, "cactus wren") occur. The City contains one of the core populations of cactus wren in the MHCP Planning area. Retaining native cacti (a low-combustive plant) can contribute to preserving habitat for the cactus wren and help to ensure that additional development authorized under the General Plan Update would not result in a significant impact to cactus wren.

Response: The General Plan includes the following policy regarding this comment.

**Fire Protection Policy 2.17**

Maintain programs to minimize impacts on sensitive biological habitat and species when suppressing wildland fires, when feasible.

Comment 5 j: Policies that direct locating public use trails along the edges and perimeter of proposed core lands and linkages included in the City's draft SAP and to avoid encroachment into sensitive habitats or defined (or subsequently identified) wildlife movement areas. The Department recommends that, for any trails designated in the City's SAP preserve, that a Public Access Plan (PAP) to be developed for the trail. The PAP should include a trail compatibility analysis to ensure that impacts to species (e.g., golden eagle, cactus wren, etc.) are avoided, impacts to habitat are minimized and, where appropriate, performing additional monitoring of public trail usage where problems exist.

Response: The General Plan includes the following policy regarding this comment.

**Trail Network Policy 2.5**

Ensure safe and efficient maintenance of trails that minimize impacts to the environment.

Comment 5 k: A policy that the City will actively consult and work with the California Department of Forestry and Fire Protection and the Wildlife Agencies to incorporate appropriate review and mitigation (e.g., CEQA) for impacts to habitat and species into vegetation management projects.

Response: The General Plan includes the following policy regarding this comment.

**Biological and Open Space Resources Policy 1.6**

Preserve and protect significant wetlands, riparian, and woodland habitats as well as rare, threatened or endangered plants and animals and their habitats through avoidance. If avoidance is not possible, require mitigation of resources either on- or off-site at ratios consistent with State and federal regulations, and in coordination with those agencies having jurisdiction over such resources.

Comment 5 l: A policy that actions to meet the requirements of AB 375 for sustainable community planning should not be at the expense of multi-species preservation or implementation of the City's draft SAP. For instance, green infrastructure should be viewed as less sustainable in the backcountry versus in existing urban area (viewed as more sustainable). In this case, the latter would be more sustainable because there is no green infrastructure should not conflict with the City's draft SAP or other regulations that promote species and habitat protection. As an example, although a "wind farm" may be a "green project," it may not be consistent with the goals and objectives of MHCP.

Response: The General Plan includes the following policy to address this comment.

**Biological and Open Space Resources Policy 1.8**

Require that proposed development projects implement appropriate measures to minimize potential adverse impacts on sensitive habitat areas, such as buffering and setbacks. In the event that significant biological resources are adversely affected, consult with appropriate state and federal agencies to determine adequate mitigation or replacement of the resource.

Comment 5 m: A policy to integrate the City's draft SAP with watershed planning, greenhouse gas reductions (global climate change) and other regional planning involving natural resources. This would potentially allow the City to maximize access to multiple sources of grant funding for conservation-related purposes.

Response: The General Plan includes the following policies regarding this comment.

**Biological and Open Space Resources Policy 1.4**

Coordinate the planning and development of the overall open space system with other public facilities and services within Escondido.

**Biological and Open Space Resources Policy 1.5**

Participate in the planning and preservation of an interconnected biological resources and open space plan with appropriate federal, state, and local agencies that enhances the viability of the regional ecosystem.

Comment 5 n: A policy that all existing and planned SAP conserved lands that contribute to biological preservation will be redesignated to open space-conservation as part of the General Plan Update and Implementation Plan/Action Plan. The underlying zoning could remain unchanged under the General Plan Update, but then be rezoned as an action item in the Implementation Plan/Action Plan (e.g., as part of Community Plan updates). This would shift the land use development in the SAP preserve areas from a land development first focus to a biological minimization focus that is more sensitive to the natural environment.

Response: The City appreciates the suggestion of redesignating existing and planned Subarea Plan (SAP) lands to Open Space Conservation. However, this is not consistent with City Council direction to staff for updating the City's General Plan .

Comment 5 o: A policy for fire protection that emphasizes that for optimal protection against wildfires, "hardening of the structure" should occur first, and then defensible space can supplement structural design requirements. A policy called "Building and Site Design" (or equivalent) should be added that requires UBC/structural "hardening" measures (e.g., boxed eaves, fire rated windows/walls, fire retardant native vegetation, etc.) in project design as part of, and preceding, defensible space measures, especially where located within or adjacent to City SAP preserve and/or Wildlife Agency (Department and Service) lands. All defensible space should be included within the project footprint and property boundary of project applicants. The General Plan Update should establish a policy that the City will not allow variances or other project approvals where it would necessitate impacts to Wildlife Agency and/or SAP-preserve lands (e.g., brush management).

Response: The General Plan includes the following policies regarding this comment. Please note that the Fire and Building Departments have provisions in their codes that require the features described above for developments in areas of fire hazard concern.

#### **Fire Protection Policy 2.7**

Continue to include the Fire Department in the review of development proposals to ensure that projects adequately address safe design and on-site fire protection.

#### **Fire Protection Policy 2.14**

Require new development in high wildfire risk areas to incorporate site design, maintenance practices, and fire resistant landscaping to protect properties and reduce risks.

#### **Fire Protection Policy 2.16**

Require fire protection plans for mitigation of potential grass and wildland fires within designated high fire hazard areas and other areas required by the Fire Department, that address the need for fire systems, water availability, secondary emergency access routes, construction requirements, and fire resistant landscaping and appropriate defensible space around structures.

Comment 5 p: A policy that monitoring and enforcement is a critical part of natural resource planning and implementation (e.g., encroachment, trail management). Without enforcement (e.g., adequate number of rangers, ensuring that new, unauthorized trails are not being cut/maintained, etc.), realization of conservation goals set forth in the Resource and Conservation Element and other goals in the General Plan Update may be problematic.

Response: The City appreciates the suggestion of prescribing a number of rangers for monitoring and enforcing natural resource planning and implementing. The City currently allocates resources for this effort and general plan policies for preserving, protecting and planning open space systems are included in the document.

Comment 5 q: A policy (e.g., Resource Conservation Element) that provides adequate interim protection of biological resources from the period between the discretionary approval and issuance of grading permits. This time period should also be tracked in City records. Often, there is a considerable lag time between the hearing approval and ministerial permits, which leaves "protected" resources at risk. In most cases, the applicant needs to be clearly held responsible for protecting these resources until the transfer of management responsibility has been transferred (along with any endowment or funding mechanism) to another entity approved by the City and the Wildlife Agencies. Failure to account for this interim protection potentially results in management organizations refusing to assume unanticipated clean-up or restoration obligations and could affect the City from achieving conservation goals for MHCP covered species and habitats.

Response: The City appreciates the suggestion of providing interim protection of biological resources between the discretionary approval and issuance of grading permits. The city is concerned that this would limit the ability of projects to develop on a prescribed schedule. It is recognized that removing vegetation requires certain clearing permits and that such clearing is subject to specific timeframes stipulated by the resource agencies. It is the city's intent to comply with these provisions.

Comment 5 r: The General Plan Update should take into account all proposed fuel modification zones and maintenance activities (including a buffer area) when planning conservation goals and habitat preserves, and acknowledge that these zones/activities should be undertaken outside the preserve boundaries, consistent with the obligations of the City's draft SAP. If such zones/activities have to occur in the preserve boundaries due to new fire regulations, then the General Plan Update should identify a policy of no net habitat loss from fuel modification within the preserves.

Response: The General Plan includes the following policies regarding this comment.

#### **Fire Protection Policy 2.14**

Require new development in high wildfire risk areas to incorporate site design, maintenance practices, and fire resistant landscaping to protect properties and reduce risks.

#### **Fire Protection Policy 2.16**

Require fire protection plans for mitigation of potential grass and wildland fires within designated high fire hazard areas and other areas required by the Fire Department, that address the need for fire systems, water availability, secondary emergency access routes, construction requirements, and fire resistant landscaping and appropriate defensible space around structures.

**Fire Protection Policy 2.17**

Maintain programs to minimize impacts on sensitive biological habitat and species when suppressing wildland fires, when feasible.

**Biological and Open Space Resources Policy 1.4**

Coordinate the planning and development of the overall open space system with other public facilities and services within Escondido.

Comment 5 s: To address potential impacts from wildlife movement corridors, a policy to limit brush management in wildlife movement and corridor areas as well as provide bridge and crossing to facilitate movement.

Response: The General Plan includes the following policies regarding this comment.

**Biological and Open Space Resources Policy 1.5**

Participate in the planning and preservation of an interconnected biological resources and open space plan with appropriate federal, state, and local agencies that enhances the viability of the regional ecosystem.

**Biological and Open Space Resources Policy 1.6**

Preserve and protect significant wetlands, riparian, and woodland habitats as well as rare, threatened or endangered plants and animals and their habitats through avoidance. If avoidance is not possible, require mitigation of resources either on- or off-site at ratios consistent with State and federal regulations, and in coordination with those agencies having jurisdiction over such resources.

**Biological and Open Space Resources Policy 1.7**

Require that a qualified professional conduct a survey for proposed development projects located in areas potentially containing significant biological resources to determine their presence and significance. This shall address any flora or fauna of rare and/or endangered status, declining species, species and habitat types of unique or limited distribution, and/or visually prominent vegetation.

**Biological and Open Space Resources Policy 1.8**

Require that proposed development projects implement appropriate measures to minimize potential adverse impacts on sensitive habitat areas, such as buffering and setbacks. In the event that significant biological resources are adversely affected, consult with appropriate state and federal agencies to determine adequate mitigation or replacement of the resource.

Comment 7: The General Plan should clearly distinguish between "active" and "passive" recreational uses (i.e., provide an inclusive list of both) and describe which uses would be allowed on and adjacent to various types of open space (e.g., City's SAP preserve lands, active parks, urban amenity, etc.). Moreover, the General Plan Update and Implementation/Action Plan should describe how much annual funding goes into administrative versus stewardship and monitoring, management and enforcement.

Response: Distinguishing between "active" and "passive" recreation activities and facilities is featured in the City's Master Plan for Parks, Trails and Open Space.

Comment 8: The General Plan combines several important areas commonly associated with open space, including recreation, trails, biological conservation, water-resource issues, global climate change, etc. The Department recommends including language in the General Plan Update that would establish biological conservation as the primary objective within the SAP preserve system wherever potential recreation or other resource conflicts may become an issue.

Response: The city appreciates the suggestion to establish conservation as the primary objective within the SAP preserve system wherever potential recreation or other resource conflicts may become an issue and feels that this is implicit in the various general plan policies. Explicitly establishing biological conservation as the primary objective within the SAP preserve system wherever potential recreation or other resource conflicts may become an issue is not consistent with current City Council direction regarding this General Plan update.

Comment 9: The General Plan Update should acknowledge the City's open space network (including MHCP preserve lands) as "green capital or infrastructure." This infrastructure is essential to the City's responsibility to balance the preservation of environmental resources with its obligation to meet the region's growth needs. The General Plan Update should include policy language that clearly defines and demonstrates that adequate funding (aside from speculative regional funding sources) is available to carry-out the Plan's "green infrastructure," including implementing the conservation actions, management activities, and necessary enforcement in the SAP.

Response: the city appreciates the suggestion to establish a policy that demonstrates adequate funding for the purchase of additional open space associated with the SAP, however, this is not consistent with City Council direction.

Comment 10: The General Plan and/or Implementation/Action Plan should identify the target number of rangers and preserve managers per 1,000 acres of open space (categorized into biological, active, passive, etc.) and identify an overall goal to have at least one preserve manager in each region or SAP plan area of the City.

Response: the city appreciates the suggestion to establish a policy that prescribes a target number of rangers and preserve managers in each regions or SAP plan area of the City. However, given budgetary, staffing constraints and City Council direction, this suggestion cannot be incorporated into the plan.