

**FINDINGS AND FACTS IN SUPPORT OF FINDINGS  
FOR THE CENTENNIAL GENERAL PLAN  
FINAL ENVIRONMENTAL IMPACT REPORT,  
SAN CLEMENTE, CALIFORNIA**

**STATE CLEARINGHOUSE NO. 2013041021**

**1. INTRODUCTION**

The California Environmental Quality Act, Public Resources Code Section 21081, and the State CEQA Guidelines, 14 California Code of Regulations, Section 15091 (collectively, CEQA) require that a public agency consider the environmental impacts of a project before a project is approved and make specific findings. The State CEQA Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
  - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
  - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.
  - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

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

State CEQA Guidelines Section 15093 further provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) Where the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed, and considered the Draft Environmental Impact Report (Draft EIR) and the Final Environmental Impact Report (Final EIR) for the Centennial General Plan project, SCH No. 2013041021 (collectively, the EIR), as well as all other information in the record of proceedings on this matter, the following Findings and Facts in Support of Findings (Findings) and Statement of Overriding Considerations (SOC) are hereby adopted by the City of San Clemente (City) in its capacity as the CEQA Lead Agency.

These Findings set forth the environmental basis for the discretionary actions to be undertaken by the City for the development of the project. These actions include the approval and/or certification of the following:

- the Centennial General Plan;
- Environmental Impact Report No. (SCH#2013041021);
- Strategic Implementation Program;
- San Clemente Bicycle and Pedestrian Master Plan; and
- Climate Action Plan

These actions are collectively referred to herein as the “project”.

## **A. DOCUMENT FORMAT**

These Findings have been organized into the following sections:

- (1) Section 1 provides an introduction to these Findings.
- (2) Section 2 provides a summary of the project, overview of the discretionary actions required for approval of the project, and a statement of the project's objectives.
- (3) Section 3 provides a summary of public participation in the environmental review for the project.
- (4) Section 4 sets forth findings regarding the environmental impacts that were determined to be—as a result of the Initial Study, consideration of comments received during the Notice of Preparation (NOP) comment period, and analysis in the EIR—either not relevant to the project or clearly not at levels that were deemed significant for consideration at the project-specific level.
- (5) Section 5 sets forth findings regarding significant or potentially significant environmental impacts identified in the EIR that the City has determined are either not significant or can feasibly be mitigated to a less than significant level through the imposition of General Plan policies and/or mitigation measures. In order to ensure compliance and implementation, all mitigation measures will be included in the Mitigation Monitoring and Reporting Program (MMRP) for the project and adopted as conditions of the project by the Lead Agency. Section 5 includes findings regarding those significant or potentially significant environmental impacts identified in the EIR that will or may result from the project and which the City has determined cannot feasibly be mitigated to a less than significant level.
- (6) Section 6 sets forth findings regarding alternatives to the proposed project.

## **B. CUSTODIAN AND LOCATION OF RECORDS**

The documents and other materials that constitute the administrative record for the City's actions related to the project are at the City of San Clemente Community Development Department, 910 Calle Negocio, Suite 100, San Clemente, California 92673. The City of San Clemente is the custodian of the Administrative Record for the project.

## **2. PROJECT SUMMARY**

### **A. PROJECT LOCATION**

The City of San Clemente is located in the southeastern corner of Orange County. San Clemente is surrounded by the Pacific Ocean to the southwest, the cities of Dana Point and San Juan Capistrano to the northwest, unincorporated areas of Orange County to the north, and Camp Pendleton in unincorporated San Diego County to the southeast.

The City's incorporated boundaries encompass approximately 18.4 square miles or 11,754 acres.

Regional access to the City is provided by Interstate 5 (I-5). The I-5 bisects the City, connecting it with other Orange County communities, Los Angeles County to the northwest, and San Diego County to the southeast. A rail line used by Metrolink and Amtrak also traverses the City, parallel and adjacent to the Pacific Ocean.

## **B. PROJECT DESCRIPTION**

The proposed project includes four components: 1) a new San Clemente "Centennial" General Plan ("proposed General Plan") that meets California Code requirements for a general plan, 2) a Strategic Implementation Program that implements the goals and policies of the General Plan, 3) the San Clemente Bicycle and Pedestrian Master Plan, and 4) the Climate Action Plan.

### **Centennial General Plan**

The proposed General Plan revises the 1993 General Plan land use map, elements required by the State of California, and optional elements. The exception is the Housing Element, which was adopted separately in July 2011. The Housing Element is not being updated with this project but will be updated separately in accordance with State requirements. The proposed General Plan connects intent with action by setting goals and policies that guide the City's long-term growth and development.

### ***General Plan Elements***

The proposed General Plan has twelve elements, six of which are mandated by state law. As noted previously, the housing element was adopted in 2011. The elements establish official City policy to guide future development. The proposed General Plan would reorganize the 1993 General Plan into the following elements:

- Beaches, Parks and Recreation Element
- Coastal Element
- Economic Development Element
- Growth Management Element
- Historic Preservation Element
- Land Use Element
- Mobility and Complete Streets Element
- Natural Resources Element
- Public Services, Facilities and Utilities Element
- Safety Element
- Urban Design Element
- Governance Element

Proposed changes in land use and/or land use intensity are located predominantly in eight Focus Areas:

- Camino de Estrella/Camino de Los Mares

- Rancho San Clemente Business Park (Note: See Section 6 Alternative Land Use for changes to this focus area that will be adopted as the project)
- Los Molinos
- North Beach/North El Camino Real
- Del Mar/T-Zone
- Pier Bowl
- South El Camino Real (West of Interstate 5)
- South El Camino Real (East of Interstate 5)

Land use changes are also proposed for the Shorecliffs golf course site and a series of “Housing Element Affordable Housing Sites” to accommodate affordable housing in those locations.

### **Strategic Implementation Program**

The Strategic Implementation Plan implements the new General Plan by providing a framework to connect day-to-day and short-term actions to long-term goals. Strategic Implementation Plan policies require the City Council to prioritize actions for implementing the Centennial General Plan, to require on-going monitoring of development to ensure consistency with City master plans, and to monitor and report progress in achieving the goals of the Centennial General Plan. The City must prepare an Annual Report on the status of the General Plan. This approach ensures that the Centennial General Plan evolves over time and responds to changing conditions. It provides an institutional framework to annually revisit the General Plan, gauge its continuing relevance, and recommit activities and investments to the community’s long-term vision.

### **San Clemente Bicycle and Pedestrian Master Plan**

The Bicycle and Pedestrian Master Plan (BPMP) establishes goals and policies for San Clemente’s system of bike pedestrian facilities and identifies the need to integrate with the existing system of regional bikeways in the southern Orange County area. It also provides broad recommendations to improve the overall walking environment.

The BPMP is integrated with the City’s Mobility and Complete Streets Element to comply with the California Complete Streets Act of 2008, thereby helping create a balanced multimodal transportation system. The BPMP incorporates text, maps, and graphics highlighting project research, best practices, and outreach. This BPMP is consistent with and supports General Plan goals and policies that address cyclists, pedestrian, and multimodal transportation.

### **Climate Action Plan**

The Climate Action Plan (CAP) is the first step in the City’s development of a long-range, comprehensive plan to move from “business-as-usual” growth practices to an environmentally and economically sustainable growth model. With that objective, the CAP provides a “roadmap” to reduce municipal and community emissions. It does this by setting a series of goals, policies and actions to reduce emissions, such as reducing vehicle miles traveled by encouraging the use of electric vehicles. It also encourages

planting new trees. The effects of global climate change include increased air pollution, diminished water supplies, higher seasonal temperatures, sea level increases, coastal erosion, and potential loss of protected species and habitats. In response, this CAP evaluates community and government emissions and establishes a plan to minimize emissions across households, businesses, and the government.

The CAP includes San Clemente's "greenhouse gas inventory" and establishes citywide GHG reduction targets for 2020 and 2030. To achieve these targets, the CAP includes a series of strategies designed to reduce citywide emissions. No specific development projects are proposed as part of the 2012 CAP and no changes are proposed in existing land use zones, densities, or land use regulations. This CAP is consistent with the land uses envisioned in the new Centennial General Plan and does not require zoning or changes to the land use designation of any specific property, nor does it require changes to the Zoning Ordinance that would increase residential density, result in development not envisioned in the General Plan, or remove policies that protect environmental resources.

The CAP is a policy document that provides policy direction and identifies actions for the City and community to take to reduce Greenhouse Gas Emissions (GHG), consistent with California Assembly Bill 32 and Executive Order S-3-05. The CAP establishes strategies and guidelines for implementation to reduce San Clemente's GHG emissions through ten actions in three categories. The CAP covers:

- Forecasted impacts of climate change
- Summary of state legislation governing climate change
- GHG baseline inventory, 2020 and 2030 forecasts, and community emissions target
- Climate Action Plan organized by energy, transportation, and waste
- Implementation and monitoring mechanisms

The CAP includes GHG reduction strategies categorized by: energy consumption, transportation, and solid waste.

### **Physical Development under the Proposed General Plan**

Pursuant to CEQA Guidelines Section 15064(d), the EIR determines whether there are direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by the Centennial General Plan. Specifically this EIR focuses on impacts from changes to land use associated with implementation of the Proposed Centennial General Plan. Such implementation is not tied to a specific timeline. For the purposes of environmental analysis, however, full development under the Centennial General Plan is assumed to be the year 2035.

The proposed General Plan generally follows the land uses and development intensities already allowed in the 1993 Adopted General Plan, with the exception of limited changes in land use and development intensity in some of the designated Focus Areas. The proposed General Plan would result in an increase of 514 residential units and 746,439 sf of nonresidential uses over the adopted 1993 General Plan; however, this EIR analyzes potential impacts of buildout of the proposed General Plan when compared to

a baseline condition consisting of the City as it was physically developed at the time the Notice of Preparation was circulated for the Project.

The proposed San Clemente Centennial General Plan buildout would allow for 29,567 residential dwelling units, 4,428,332 square feet of retail use, 8,834,477 square feet of office use, 2,981,980 square feet of industrial use, and 1,894,695 square feet institutional use. Table 1 summarizes the proposed land use designations and summarizes the acreage for each designation. Table 2 shows a comparison between the existing land uses and the proposed land uses allowed by the Centennial General Plan. Buildout of the General Plan would result in 3,585 additional residential dwelling units and 10,094,484 additional square feet of nonresidential uses compared to existing land uses. (Note: See Section 6 Alternative Land Use for changes to this focus area that will be adopted as the project)

**Table 1  
San Clemente Centennial General Plan Buildout Projections (2035)**

Land Use	Acres	Dwelling Units	Population	Square Feet				Em- ployees
				Retail	Office	Industrial	Instit- utional	
<b>Residential</b>								
Very Low Density (RVL)	107	33	86	-	-	-	-	-
Low Density (RL)	2,566	12,241	31,826	-	-	-	-	-
Medium Low Density (RLM)	609	4,672	12,148	-	-	-	-	-
Medium Density (RM)	518	9,645	25,078	-	-	-	-	-
High Density (RH)	61	2,117	5,506	-	-	-	-	-
<b>Subtotal</b>	<b>3,861</b>	<b>28,708</b>	<b>74,644</b>	-	-	-	-	-
<b>Commercial</b>								
Neighborhood Serving 1 (NC 1)	55	-	-	420,452	420,452	-	-	1,876
Neighborhood Serving 2 (NC 2)	22	-	-	287,088	192,473	-	-	1,010
Neighborhood Serving 3 (NC 3)	19	-	-	144,621	149,625	-	-	851
Community Serving 1 (CC 1)	35	-	-	305,599	305,599	-	-	1,364
Community Serving 2 (CC 2)	143	136	354	1,078,854	1,821,287	-	211,919	6,589
Regional Serving (RC)	52	-	-	718,143	179,536	-	-	1,666
Coastal and Recreation Serving (CRC)	<1	-	-	3,393	-	-	-	7
<b>Subtotal</b>	<b>326</b>	<b>136</b>	<b>354</b>	<b>2,958,151</b>	<b>3,068,973</b>	-	<b>211,919</b>	<b>13,363</b>
<b>Mixed Use</b>								
Mixed Use 1 (MU 1)	1	-	-	7,302	7,302	-	-	33
Mixed Use 2 (MU 2)	7	47	94	79,082	50,903	-	-	272
Mixed Use 3.0 and 3.1 (MU 3.0 and 3.1)	52	470	957	1,071,030	906,653	-	-	4,310

**Table 1  
San Clemente Centennial General Plan Buildout Projections (2035)**

Land Use	Acres	Dwelling Units	Population	Square Feet				Em- ployees
				Retail	Office	Industrial	Instit- utional	
MU 3.1)								
Mixed Use 3.2 (MU 3.2)	5	49	98	48,981	88,165	-	-	331
Mixed Use 4 (MU 4)	2	13	33	57,801	3,610	-	-	178
Mixed Use 5 (MU 5)	13	143	367	78,438	56,804	-	-	411
<b>Subtotal</b>	<b>80</b>	<b>722</b>	<b>1,549</b>	<b>1,342,633</b>	<b>1,113,436</b>	<b>-</b>	<b>-</b>	<b>5,535</b>
<b>Industrial</b>								
Light Industrial 1 (LI 1)	102	-	-	47,467	1,146,841	524,362	-	4,006
Light Industrial 2 (LI 2)	197	-	-	65,381	3,254,228	1,526,243	-	11,310
Heavy Industrial (HI)	40	-	-	14,700	155,066	931,376	-	1,543
<b>Subtotal</b>	<b>339</b>	<b>-</b>	<b>-</b>	<b>127,548</b>	<b>4,556,135</b>	<b>2,981,980</b>	<b>-</b>	<b>16,859</b>
<b>Open Space</b>								
Public Open Space (OS1)	971	-	-	-	-	-	-	-
Private Open Space (OS2)	4,215	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>5,187</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Other</b>								
Institutional	18	-	-	-	-	-	267,995	536
Public	224	-	-	-	95,934	-	1,414,781	3,021
Right-of-way (ROW)	457	-	-	-	-	-	-	-
Right-of-way (ROW) outside of parcels <sup>1</sup>	1,262	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>1,961</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>95,934</b>	<b>-</b>	<b>1,682,776</b>	<b>3,557</b>
<b>TOTAL</b>	<b>11,754</b>	<b>29,567</b>	<b>76,547</b>	<b>4,428,332</b>	<b>8,834,477</b>	<b>2,981,980</b>	<b>1,894,695</b>	<b>39,313</b>

Source: Stantec 2012.

<sup>1</sup> A majority of ROW in the City does not consist of parcels and is therefore not included in digital parcel information. Acreage for the "Right-of-way outside of parcels" land use category was calculated by subtracting all parcels in the City from the City's total acreage, since ROW is the only land use not accounted for within parcels.



**Table 2**  
**San Clemente Centennial General Plan Summary of Changes in Land Use from Existing Conditions**

Land Use	Existing Land Uses				Proposed General Plan Future Buildout Projection				Change
	DU	Square Feet <sup>1</sup>	Pop-ulation	Employment	DU	Square Feet <sup>1,2</sup>	Pop-ulation	Employment	
Residential	25,982	-	-	-	29,567	-	76,547	-	3,585
Retail	-	2,328,000	-	-		4,428,332	-		2,100,332
Office	-	998,000	-	-		8,834,477	-		7,836,477
Industrial	-	4,307,000	-	-		2,981,980	-		-1,325,020
Institutional/ Other	-	412,000	-	-		1,894,695	-		1,482,695
<b>CHANGE</b>	-	-	-	-	<b>3,585</b>	<b>10,094,484</b>	<b>12,339</b>	<b>11,613</b>	
<b>TOTAL</b>	<b>25,982</b>	<b>8,045,000</b>	<b>64,208<sub>3</sub></b>	<b>27,700<sup>4</sup></b>	<b>29,567</b>	<b>18,139,484</b>	<b>76,547</b>	<b>39,313</b>	

Source: Stantec 2012.

<sup>1</sup> Nonresidential square feet.

<sup>2</sup> Under the "Proposed General Plan" column, nonresidential square feet projections include all types of nonresidential building space estimated for buildout of that land use category (e.g., square feet estimates for parcels designated for "industrial" uses include office and retail square feet in addition to industrial square feet).

<sup>3</sup> Department of Finance, <http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/view.php> (2012).

<sup>4</sup> Employment Development Department, [www.labormarketinfo.edd.ca.gov](http://www.labormarketinfo.edd.ca.gov) (2012).

### ***Mobility***

The Centennial General Plan proposes to allow for greater density development ranging from residential and office to mixed-use development in some areas of the City. Allowing for greater density generates additional vehicle trips using the street network. Therefore, seven different circulation scenarios were evaluated using a series of traffic models to consider a street network that would reduce traffic impacts and meet the primary goal of the Mobility and Complete Streets Element:

*Create a comprehensive, multimodal transportation system that provides all users with safe connections to homes, commercial centers, job centers, schools, community centers, open spaces, recreation areas and visitor destinations.*

These scenarios range from a combination of networks with and without the completion of the Foothill Transportation Corridor (FTC), the partial completion of the FTC (called the Tesoro Extension), and proposed road diet. A road diet is the reduction in the number of travel lanes on a roadway. The scenarios are summarized below:

- **No FTC Conditions.** This scenario assumes buildout of the General Plan without implementation of the FTC. As is the case today, regional access would be provided by the I-5.
- **With FTC Conditions.** This scenario assumes buildout of the General Plan with the implementation of the FTC, which would extend the 241 Toll Road from its current location at Oso Parkway to the I-5 just south of City limits.
- **With FTC and Road Diet Alternative 1.** This scenario assumes buildout of the General Plan with the implementation of the FTC extension to the I-5 as described above, with the implementation of a road diet. Road Diet Alternative 1 consists of a 2-lane road diet on Coast Highway (North El Camino Real) between Camino San Clemente and Avenida Estacion, and a 2-lane road diet on Camino Mira Costa, between Camino De Estrella and Camino Capistrano.
- **With FTC and Road Diet Alternative 2.** This scenario assumes buildout of the General Plan with the implementation of the FTC extension to the I-5 as described above, with the implementation of a road diet. Road Diet Alternative 2 consists of a 2-lane road diet on Coast Highway (North El Camino Real and south El Camino Real), between Avenida Pico and Christianitos Road.
- **With FTC and Road Diet Alternative 3.** This scenario assumes buildout of the General Plan with the implementation of the FTC extension to the I-5 as described above, with the implementation of a road diet. Road Diet Alternative 3 would implement Road Diet Alternatives 1 and 2.
- **With FTC Tesoro Extension.** This scenario assumes buildout of the General Plan with the implementation of only the FTC Tesoro Extension scenario, which would extend the current 241 Toll Road from its current location at Oso Parkway to Cow Camp Road in the vicinity of Ortega Highway, California State Highway 74.
- **With FTC Tesoro Extension, and Road Diet Alternative 2.** This scenario assumes buildout of the General Plan with the implementation of only the FTC Tesoro Extension scenario as described above and the implementation of Road Diet Alternative 2. Road Diet Alternative 2 consists of a two-lane road diet on Coast Highway (North El Camino Real and south El Camino Real), between Avenida Pico and Christianitos Road.

### **C. DISCRETIONARY ACTIONS**

Implementation of the project will require several actions by the City, including:

- **Certification of the Centennial General Plan Final Environmental Impact Report No. ER2012-001 (SCH#2013041021).** An Environmental Impact Report (EIR) to evaluate the environmental impacts resulting from the proposed project, in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended (Public Resources Code Sections 21000 et seq.), and the State CEQA

Guidelines for Implementation of CEQA (California Code of Regulations, Title 14, Sections 15000 et seq.).

- **Adoption of the Centennial General Plan**
- **Adoption of the Strategic Implementation Program**
- **Adoption of the San Clemente Bicycle and Pedestrian Master Plan**
- **Adoption of the Climate Action Plan**

The Final EIR would also provide environmental information to responsible agencies, trustee agencies, and other public agencies that may be required to grant approvals and permits or coordinate with the City of San Clemente as a part of project implementation. These agencies include, but are not limited to:

- **Southern California Association of Governments (SCAG).** Revision of regional models related to growth and development projections.

#### **D. STATEMENT OF PROJECT OBJECTIVES**

The statement of objectives sought by the project and set forth in the Final EIR is provided as follows:

- Provide a new General Plan that establishes the goals and policies to create a built environment that fosters the enjoyment, financial stability, and well-being of the entire community.
- Craft a General Plan that is a living, web-based document, designed to adjust continuously to new opportunities and challenges.
- Integrate environmental analysis in the early planning phases, creating a self-mitigating General Plan, to the extent feasible.
- Create a plan that promotes sustainable economic vitality and fiscal responsibility.
- Identify and plan new opportunities for infill growth in key focus areas of the City. Opportunities must reflect the City's vision and be consistent with the Guiding Principles (below) established early on during the planning process.
  - **Small-Town Feel.** Maintain San Clemente's small-town feel: where neighbors know neighbors and merchants, the scale of the built environment does not overwhelm, and the downtown "T-Zone"—the heart of the Spanish village by the sea—is everybody's neighborhood.
  - **Arts/Culture.** Celebrate and cultivate San Clemente's surf, beach, and arts culture, through community events, preservation of landmarks, and support of the arts community.

- **Public Safety.** Maintain and enhance personal safety (real and perceived), and maintain preparedness for catastrophic events.
  - **Beach and Ocean.** Protect and create spaces and places to enjoy a memorable beach experience on and off the sand.
  - **Education and Information.** Seek out and provide a state-of-the-art, comprehensive life-long learning and information environment.
  - **Mobility.** Develop and maintain programs and efficient connective transportation networks (e.g., pathways, trails, roads, transit, and telecommuting) that satisfy competing needs for the movement of people and goods.
  - **Natural Environment.** Preserve and enhance natural resources and open space, prevent and reduce pollution, and protect the public's vistas of and access to coastal, hillside, and canyon lands.
  - **Fiscal Sustainability.** Practice economically and fiscally responsible municipal decision making to avoid shifting today's costs to future generations.
  - **Economic Prosperity.** Promote economic growth and prosperity that leverages our local assets and complements the other guiding principles.
  - **Historic Architecture/Preservation.** Preserve and restore historic resources to showcase the city's authentic local identity and catalyze economic activity.
- Support mixed use development where it is compatible with surrounding uses.
  - Reconcile General Plan buildout projections with regional and subregional estimates for growth.
  - Incorporate housing sites identified in the adopted Housing Element with the Land Use Element.
  - Ensure consistency with AB 32, SB 375 and other recent State mandates.
  - Incorporate new goals, policies, and programs that balance multiple modes of transportation and meet the requirements of the Complete Streets Act.
  - Ensure that roadway design, transit systems, and nonmotorized transportation systems are balanced against the context of the places that they are serving or attempting to connect.

### **3. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION**

The Final EIR includes the Draft Environmental Impact Report (Draft EIR) dated July 2013, written comments on the Draft EIR that were received during the 45-day public review period,

and written responses to those comments and clarifications/changes to the EIR. In conformance with CEQA and the State CEQA Guidelines, the City conducted an extensive environmental review of the Centennial General Plan project:

- Completion of the Notice of Preparation (NOP), which was released for a 30-day public review period from April 8, 2013 through May 7, 2013. The NOP for the Draft EIR was published in the April 8, 2013 edition of the Orange County Register and the April 11, 2013 edition of the San Clemente Sun Post News, both newspapers of general circulation. The NOP was sent to all responsible agencies, trustee agencies, and the Office of Planning Research and posted at the Orange County Clerk-Recorder's office and on the City's website on April 5, 2013.
- During the NOP review period, a Scoping Meeting was held to solicit additional suggestions on the content of the Centennial General Plan EIR. Attendees were provided an opportunity to identify verbally or in writing the issues they felt should be addressed in the EIR. The scoping meeting was held on Thursday, April 25, 2013, at San Clemente City Hall at 100 Avenida Presidio, San Clemente, CA 92672. The notice of the public scoping meeting was included in the NOP.
- Preparation of a Draft EIR by the City that was made available for a 45-day public review period (July 16, 2013, to August 29, 2013). The Draft EIR consisted of two volumes: Volume I contains the text of the Draft EIR and analysis of the Centennial General Plan project. Volume II contains the Initial Study and Notice of Preparation, NOP Comment Letters, and technical appendices. The Notice of Availability (NOA) for the Draft EIR was published in the July 16, 2013 edition of the Orange County Register and the July 18, 2013 edition of the San Clemente Sun Post News, both newspapers of general circulation. The NOA was sent to all interested persons, agencies and organizations. The Notice of Completion (NOC) was sent to the State Clearinghouse in Sacramento for distribution to public agencies. The NOA was posted at the Orange County Clerk-Recorder's office on July 16, 2013. Copies of the Draft EIR were made available for public review at the City of San Clemente Community Development Department and the San Clemente Branch Library. The Draft EIR was available for download via the City's website: <http://www.san-clemente.org>.
- Preparation of a Draft Final EIR including Draft EIR, comments on the Draft EIR, responses to those comments, clarifications/revisions to the Draft EIR, Mitigation Monitoring and Reporting Program and appended documents. The Draft Final EIR was made available for download via the City's website: <http://www.san-clemente.org> on October 21, 2013. Responses to commenters were sent on October 23, 2013.
- The Planning Commission held public hearings for the EIR on July 24, 2013 and August 7, 2013 in the City Hall Council Chambers, at 100 Avenida Presidio, San Clemente, California, 92672. Notices of time, place, and purpose of the aforesaid meetings were provided in accordance with CEQA and the City's Municipal Code. The Draft EIR, staff report, and evidence, both written and oral, were presented to and considered by the Planning Commission at these hearings. Notice for the July 24, 2013 meeting was published along with the NOA. Additionally, the item appeared on the agenda for these meetings, which was posted at City Hall and on the City website.

- In compliance with Section 15088(b) of Title 14 of the California Code of Regulations (State CEQA Guidelines), the City has met its obligation to provide written Responses to Comments to public agencies on October 23, 2013, at least 10 days prior to certifying the Final EIR.
- The City Council public hearings on the EIR were held on September 24, 2013 and November 19, 2013, in the City Hall Council Chambers, at 100 Avenida Presidio, San Clemente, California, 92672. A notice of the time, place and purpose of the aforesaid meeting was provided in accordance with CEQA and the City's Municipal Code. The Final EIR, staff report, and evidence, both written and oral, were presented to and considered by the City Council at this hearing.
- The City held several public hearings on the project from July 24, 2013 to December 10, 2013, including the following:
  - 29 public meetings with the General Plan Advisory Committee (GPAC), a 25-member citizen committee appointed by the City Council.
  - 40 public meetings at the Planning Commission to consider GPAC's recommendations and prepare the recommended "City Council Hearing Draft."
  - Two meetings with the Beaches, Parks and Recreation Commission and Coastal Advisory Committee on specific sections.
  - Nine City Council meetings.

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

- All information collected by City and its representatives relating to the project and/or the Final EIR, including but not limited to the Centennial General Plan, Strategic Implementation Program, Bicycle and Pedestrian Master Plan, and Climate Action Plan;
- NOP and all other public notices issued by the City in conjunction with the proposed project;
- The Scoping Meeting notes held during the 30-day NOP period;
- The Final EIR, including the Draft EIR and all appendices, the Responses to Comments, Revisions to the Draft EIR, Mitigation Monitoring and Reporting Program (MMRP) and all supporting materials referenced therein. All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and Final EIR. The reports and technical memoranda included or referenced in the Response to Comments of the Final EIR;
- All written comments submitted by agencies and members of the public during the 45-day public review comment period on the Draft EIR and testimony provided at the July 24, 2013 and August 7, 2013 Planning Commission Planning Commission public hearings;
- All responses to written comments submitted by agencies and members of the public;

- All testimony provided by agencies and members of the public at the City Council public hearings on September 24, 2013 and November 19, 2013;
- All final City Staff Reports relating to the Draft EIR, Final EIR, and the project;
- All other public reports, documents, studies, memoranda, maps, or other planning documents relating to the project, the Draft EIR, and the Final EIR prepared by the City, consultants to the City, or Responsible or Trustee Agencies.
- The Mitigation Monitoring and Reporting Program (MMRP) adopted by the City for the project; the Ordinances and Resolutions adopted by the City in connection with the proposed project; and all documents incorporated by reference therein;
- These Findings of Fact and Overriding Considerations adopted by the City for the project, any documents expressly cited in these Findings of Fact;
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The documents and other material that constitute the record of proceedings on which these findings are based are located at the City of San Clemente Community Development Department. The custodian for these documents is the City of San Clemente. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and 14 California Code Regulations Section 15091(e).

#### **4. ENVIRONMENTAL ISSUES THAT WERE DETERMINED TO BE LESS THAN SIGNIFICANT**

##### **Impacts Determined Less than Significant in the Initial Study**

As a result of the Notice of Preparation circulated by the City on April 5, 2013, in connection with preparation of the EIR, the City determined, based upon the threshold criteria for significance, (Appendix G of the CEQA Guidelines) that the project would have no impact or a less than significant impact on the following potential environmental issues, and therefore, determined that these potential environmental issues would not be addressed in the Draft EIR. Based upon the environmental analysis presented in the EIR, and the comments received by the public on the Draft EIR, no substantial evidence was submitted or identified by the City which indicated that the project would have an impact on the following environmental areas:

##### **1. *Agriculture and Forest Resources.***

- a. The project area does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.
- b. No portion of the project area conflicts with existing zoning for agricultural use or is covered by a Williamson Act Contract.
- c. The project area does not include forest land, timberland, or timberland zoned as Timberland Production
- d. The project does not result in the loss of forest land or conversion of forest land to non-forest use.

- e. Nor does the project result in changes in the existing environment that could result in the conversion of Farmland to non-agricultural use or forest land to non-forest land use.

**2. *Geology and Soils.***

- a. San Clemente does not lie within an Alquist-Priolo Earthquake Fault Zone listed by the US Geological Survey. Since there are no known active fault lines in the City, the project would not expose people or structures to substantial adverse effects involving rupture of a known earthquake fault.
- b. The project would not involve the use of septic systems or alternative waste water disposal systems.

**3. *Hazards and Hazardous Materials.***

- a. There are no public or public use airports in or in the general vicinity of San Clemente. Therefore, the project would not result in a safety hazard for people residing or working in the project area.
- b. The Marine Corps Base, Camp Pendleton, is just south of the City boundary and hosts a variety of military training programs. The Marine Corps Air Station (MCAS) and SCE SONGS Mesa Heliport (owned by Southern California Edison), generate airplane and helicopter traffic. However, there are no aircraft safety hazard zones within the City and the project would not result in a safety hazard from these facilities.

**4. *Land Use and Planning.***

- a. Land use changes proposed by the project would not divide an established community.

**5. *Mineral Resources.***

- a. The project would not impact mineral resources of regional or statewide importance.
- b. The project would not impact any locally important mineral resources.

**6. *Noise.***

- a. There are no public or public use airports in or in the general vicinity of San Clemente.
- b. The project area is outside of noise hazard zones for Marine Corps Base Camp Pendleton and SCE SONGS Mesa Heliport.

**7. *Population or Housing.***

- a. Development under the proposed General Plan would alter existing land use designations and could displace nonconforming housing with new development. However, the General Plan is not expected to displace a substantial amount of existing housing, and it would increase the number of dwelling units by allowing higher intensity residential uses and mixed-use development. As a result, impacts are less than significant.
- b. Growth in accordance with the General Plan is not expected to displace substantial numbers of people. Development under the General Plan would alter



existing land use designations that could displace nonconforming housing with new development. However, the General Plan is not expected to displace a substantial amount of existing housing, and it would increase the number of dwelling units and population by allowing higher intensity residential uses and mixed-use development. As a result, impacts are less than significant.

**8. Transportation/Traffic.**

- a. Although there are no commercial or private airports in the general vicinity of San Clemente, Camp Pendleton is located south of the City boundary and hosts a variety of military training programs. New development would occur within developed areas of the City and is not expected to result in a change in air traffic patterns. Therefore, development would not result in an increase in safety risk and impacts are less than significant.

**Impacts Determined to be Less than Significant in the DEIR**

The following impacts were evaluated in the DEIR and determined to be less than significant through implementation of proposed General Plan, its policies, and adherence with existing laws, codes, and statutes.

Based upon the environmental analysis presented in the EIR (which is incorporated herein by this reference), and the comments received by the public on the Draft EIR, no substantial evidence was submitted to or identified by the City indicating that the project would have a potentially significant impact on the following environmental areas:

**1. Aesthetics:**

- a. Buildout in accordance with the Centennial General Plan would not substantially alter scenic vistas in San Clemente. [Threshold AE-1]
- b. Buildout in accordance with the Centennial General Plan would not substantially alter scenic resources within a state scenic highway. [Threshold AE-2]
- c. Buildout in accordance with the proposed Land Use Plan would alter the visual appearance of San Clemente, but would not substantially degrade its existing visual character or quality. [Threshold AE-3]
- d. Future development in accordance with the General Plan would not result in a new substantial source of light or glare that would affect views [Threshold AE-4]

**2. Biological Resources:**

- a. Buildout of the Centennial General Plan would not conflict with the Orange County Southern Subregion HCP. [Thresholds B-5 and B-6]
- b. The proposed General Plan would not conflict with the City's Coastal Element. [Threshold B-5]

**3. Cultural Resources:**

- a. Developments pursuant to the proposed General Plan would not result in significant impacts to identified historic resources. [Threshold C-1]
- b. Grading activities would not result in significant impacts to human remains. [Thresholds C-4]

**4. Geology and Soils:**

- a. Buildout of the Centennial General Plan would not result in substantial adverse effects resulting from exposure of people and structures to strong ground shaking. [Threshold G-1.ii]
- b. Buildout of the proposed General Plan would not result in substantial adverse effects resulting from liquefaction and other seismic ground failure. [Thresholds G-1.iii and G-3(part)]
- c. General Plan implementation would not result in substantial adverse effects resulting from earthquake-induced landslides [Threshold G-1iv.].
- d. General Plan buildout would not result in substantial soil erosion. [Threshold G-2]
- e. General Plan implementation would not expose people or structures to substantial hazards from ground subsidence. [Threshold G-3(part)]
- f. General Plan implementation would not expose people or structures to substantial hazards arising from collapsible soils. [Threshold G-3(part)]
- g. General Plan implementation would not subject people and structures to hazards from expansive soils. [Threshold G-4]

**5. Hazards and Hazardous Materials:**

- a. Buildout in accordance with the San Clemente Centennial General Plan would not result in a significant hazard to the public or the environment resulting from the transport, use, and/or disposal of hazardous materials. [Thresholds H-1, H-2, and H-3]
- b. The project site is included on a list of hazardous materials sites but would not result in any significant impacts. [Threshold H-4]
- c. Project development would not interfere with the implementation of an emergency response or evacuation plan. [Threshold H-7]
- d. San Clemente is within moderate, high, and very high fire hazard zones, however, standard compliance with OCFA fire codes and guidelines required by the General Plan would ensure impacts are less than significant. [Threshold H-8]

**6. Hydrology and Water Quality:**

- a. Development pursuant to the proposed General Plan would not result in a substantial increase in the amount of impervious surfaces and would not therefore increase surface water flows into drainage systems within the City's watersheds. [Thresholds HYD-4 and HYD-5]
- b. Development pursuant to the proposed General Plan would not result in a substantial increase in the amount of impervious surfaces and would not therefore impact opportunities for groundwater recharge. [Threshold HYD-2]
- c. Portions of the project site proposed for development are not located within a 100-year flood hazard area. [Thresholds HYD-7 and HYD-8]
- d. During construction of projects in accordance with the Centennial General Plan, there is the potential for short-term unquantifiable increases in pollutant concentrations. After such project development, the quality of storm runoff (sediment,

- nutrients, metals, pesticides, pathogens, and hydrocarbons) may be altered. [Thresholds HYD-1, HYD-3, and HYD-6]
- e. The project site is not located within the inundation area of any major dam or levee. [Threshold HYD-9]
  - f. The site would not be subject to inundation by seiche, tsunami, or mudflow. [Threshold HYD-10]
- 7. Land Use and Planning:**
- a. Implementation of the General Plan would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect. [Threshold LU-2]
  - b. Implementation of the General Plan would not conflict with the adopted Orange County Southern Subregion Natural Community Conservation Plan/Master Streambed Alteration Agreement/Habitat Conservation Plan. [Threshold LU-3]
- 8. Noise:**
- a. Sensitive land uses would not be exposed to substantial levels of rail noise. [Thresholds N-1 and N-4]
  - b. Noise-sensitive uses would not be exposed to substantial elevated noise levels from stationary sources. [Thresholds N-1 and N-3]
  - c. Implementation of the General Plan would not substantially elevate noise and vibration exposure from activities at the Marine Corps Base Camp Pendleton. [Thresholds N-1 and N-2]
- 9. Population and Housing:**
- a. The project would not result in a substantial adverse impact related to population growth. [Threshold P-1]
- 10. Public Services:**
- a. The project would not create significant impacts related to fire protection, police protection, school services, or library services. [Thresholds FP-1, PP-1, SS-1, and LS-1]
- 11. Recreation:**
- a. The project would not result in significant impacts related to the increased use of existing parks and recreational facilities in San Clemente. [Threshold R-1]
  - b. The project would not result in significant impacts related to the development of new and/or expanded recreational facilities. [Threshold R-2]
- 12. Transportation and Traffic:**
- a. Future development that would be accommodated by the Centennial General Plan would not conflict with the applicable congestion management program. [Threshold T-2]
  - b. Circulation improvements associated with future development that would be accommodated by the Centennial General Plan would be designed to adequately address potentially hazardous conditions (sharp curves, etc.), potential conflicting uses, and emergency access. [Threshold T-4 and T-5]

- c. The proposed project complies with adopted policies, plans, and programs for alternative transportation and does not decrease the safety of alternative transportation. [Threshold T-6]

**13. Utilities and Service Systems:**

- a. Project-generated wastewater could be adequately treated by the wastewater service provider for the project. [Thresholds U-1, U-2(part), and U-5]
- b. Water supply and delivery systems are adequate to meet project requirements. [Thresholds U-2(part), and U-4]
- c. Existing and/or proposed storm drainage systems are adequate to serve the drainage requirements of the proposed project. [Threshold U-3]
- d. Existing and/or proposed facilities would be able to accommodate project-generated solid waste and comply with related solid waste regulations. [Thresholds U-6 and U-7]
- e. Existing and/or proposed facilities would be able to accommodate project-generated utility demands. [No specific threshold]

**5. FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS**

The following potentially significant environmental impacts were analyzed in the EIR, and the effects of the project were considered. Because of the environmental analysis of the project and the identification of relevant General Plan policies and implementation measures (see Appendix H of the DEIR); compliance with existing laws, codes, and statutes; and the identification of feasible mitigation measures, some potentially significant impacts have been determined by the City to be reduced to a level of less than significant, and the City has found—in accordance with CEQA Section 21081(a)(1) and State CEQA Guidelines Section 15091(a) (1)—that “Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. This is referred to herein as “Finding 1.” Where the City has determined—pursuant to CEQA Section 21081(a)(2) and State CEQA Guidelines Section 15091(a)(2)—that “Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency,” the City’s finding is referred to herein as “Finding 2.”

Where, as a result of the environmental analysis of the project, the City has determined that either: (1) even with the compliance with existing laws, codes and statutes, and/or the identification of feasible mitigation measures, potentially significant impacts cannot be reduced to a level of less than significant, or (2) no feasible mitigation measures or alternatives are available to mitigate the potentially significant impact, the City has found in accordance with CEQA Section 21081(a)(3) and State CEQA Guidelines Section 15091(a)(3) that “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 environmental impact report.” This is referred to herein as “Finding 3.”

## A. AIR QUALITY

- (1) **Potential Impact:** The proposed General Plan would not be consistent with the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP) because buildout of the Land Use Plan would exceed the current population and employment estimates and would contribute to the nonattainment designations of the South Coast Air Basin (SoCAB).

**Finding: 3.** No mitigation measures are available that would reduce impacts associated with inconsistency with the AQMP. The City hereby makes Finding 3 and determines that this impact is significant and unavoidable.

### ***Facts in Support of Finding***

Mitigation measures incorporated into future development projects for operation and construction phases would reduce criteria air pollutant emissions associated with buildout of the proposed General Plan. Goals and policies included in the proposed General Plan would facilitate continued City cooperation with SCAQMD and the Southern California Association of Governments (SCAG) to achieve regional air quality improvement goals, promotion of energy conservation design and development techniques, encouragement of alternative transportation modes, and implementation of transportation demand management strategies. However, no mitigation measures are available that would reduce impacts associated with inconsistency with the AQMP. Therefore, this impact is significant and unavoidable.

### **Mitigation Measures**

No mitigation measures are available that would reduce impacts associated with inconsistency with the AQMP.

- (2) **Potential Impact:** Construction activities associated with buildout of the proposed General Plan could generate short-term emissions that exceed the SCAQMD's significance thresholds and would cumulatively contribute to the nonattainment designations of the SoCAB.

**Finding: 3.** The City makes Finding 3 and determines that this impact is significant and unavoidable.

### ***Facts in Support of Finding***

Implementation of Mitigation Measure 2-1 would reduce criteria air pollutant emissions from construction-related activities. However, due to the magnitude of emissions generated by future construction activities, and the uncertainty of the timing and development schedules for such future development projects, no mitigation measures are available that would ensure such future emissions could be reduced below SCAQMD's thresholds. Therefore, this impact is significant and unavoidable.

### Mitigation Measures

#### **MM 2-1**

If, during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed the South Coast Air Quality Management District (SCAQMD) adopted thresholds of significance, the City of San Clemente Planning Department shall require that applicants for new development projects incorporate mitigation measures as identified in the CEQA document prepared for the project to reduce air pollutant emissions during construction activities. Mitigation measures that may be identified during the environmental review include, but are not limited to:

- Requiring fugitive dust control measures that exceed SCAQMD's Rule 403, such as:
  - Requiring use of nontoxic soil stabilizers to reduce wind erosion.
  - Applying water every four hours to active soil-disturbing activities.
  - Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.
- Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower.
- Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.
- Limiting nonessential idling of construction equipment to no more than five consecutive minutes.
- Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the SCAQMD's website at: [http://www.aqmd.gov/prdas/brochures/Super-Compliant\\_AIM.pdf](http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf).

**(3) Potential Impact:** Buildout of the proposed General Plan would generate long-term emissions that would exceed the SCAQMD's significance thresholds and would cumulatively contribute to the nonattainment designations of the SoCAB.

**Finding: 3.** The City makes Finding 3 and determines that this impact is significant and unavoidable.

### ***Facts in Support of Finding***

Goals and policies are included in the proposed General Plan that would reduce air pollutant emissions. Measures included as part of the Climate Action Plan to reduce idling, natural gas use, and encourage use of alternative-fueled vehicles would also reduce criteria air pollutants within the City. However, due to the magnitude of emissions generated by office, commercial, industrial, and warehousing land uses, no mitigation measures are available that would reduce impacts below SCAQMD's thresholds. Therefore, this impact is significant and unavoidable.

#### Mitigation Measures

Due to the magnitude of emissions generated by office, commercial, industrial, and warehousing land uses, no mitigation measures are available that would reduce impacts below SCAQMD's thresholds.

- (4) Potential Impact:** Buildout of the proposed General Plan could expose sensitive receptors to substantial toxic air contaminant concentrations.

**Finding: 3.** The City makes Finding 3 and determines that this impact is significant and unavoidable.

### ***Facts in Support of Finding***

Buildout of the proposed General Plan could result in new sources of criteria air pollutant emissions and/or toxic air contaminants near existing or planned sensitive receptors. Goals and policies are included in the proposed General Plan that would reduce concentrations of criteria air pollutant emissions and TACs generated by new development.

Review of projects by SCAQMD for permitted sources of air toxics (e.g., industrial facilities, dry cleaners, and gasoline dispensing facilities) would ensure health risks are minimized. Mitigation Measure 2-2 would ensure mobile sources of TACs not covered under SCAQMD permits are considered during subsequent project-level environmental review. Development of individual projects may achieve the incremental risk thresholds established by SCAQMD. However, the incremental increase in health risk associated with individual projects is considered cumulatively considerable and would contribute to already elevated levels of cancer and noncancer health risks in the SoCAB. Therefore, this impact would remain significant and unavoidable.

#### Mitigation Measures

- MM 2-2** New industrial or warehousing land uses that 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units (TRUs), and 2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use, shall submit a health risk assessment

(HRA) to the City of San Clemente Planning Department prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment and the South Coast Air Quality Management District. If the HRA shows that the incremental cancer risk exceeds one in one hundred thousand (1.0E-05) or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that best available control technologies for toxics (T-BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. T-BACTs may include, but are not limited to, restricting idling onsite or electrifying warehousing docks to reduce diesel particulate matter, or requiring use of newer equipment and/or vehicles. T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.

- (5) Potential Impact:** Buildout of the proposed General Plan would site sensitive land uses near air pollution sources and therefore expose sensitive receptors to substantial pollutant concentrations.

**Finding: 1.** The City makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measure.

***Facts in Support of Finding***

New development would be required to assess the localized air quality impacts from placement of new sensitive uses within the vicinity of air pollutant sources. In addition, Policy NR-5.01 would reduce impacts for future development projects to the extent feasible. However, sensitive receptors could be exposed to substantial pollutant concentrations near major sources of air pollutants in the absence of mitigation. Mitigation Measure 2-3 would ensure that placement of sensitive receptors near major sources of air pollutants would achieve the incremental risk thresholds. Therefore, this impact would be less than significant.

**Mitigation Measures**

- MM 2-3** The City of San Clemente shall evaluate new development proposals with sensitive land uses (e.g., residential, schools, day care centers) within the City for potential incompatibilities with regard to the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective* (April 2005). Applicants for sensitive land uses that are within California Air Resources Board's recommended buffer distances shall submit a health risk assessment (HRA) to the City of San Clemente prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District. The latest OEHHA guidelines shall be used for the analysis,



including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 6 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06) or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and noncancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to:

- Air intakes away from high-volume roadways and/or truck loading zones.
- Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized maximum efficiency rating value (MERV) filters.

Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City's Planning Department.

- (6) Potential Impact:** Industrial land uses associated with buildout of the proposed General Plan have the potential to create objectionable odors that could affect a substantial number of people.

**Finding: 1.** The City makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measure.

***Facts in Support of Finding***

Industrial land uses have the potential to generate objectionable odors. Examples of industrial projects are wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. Mitigation Measure 2-4 would ensure that odor impacts are minimized and facilities would comply with SCAQMD Rule 402. Therefore, this impact would be less than significant.

**Mitigation Measures**

- MM 2-4** If it is determined during project-level environmental review that a project has the potential to emit nuisance odors beyond the property line, an odor management plan shall be required, subject to Planning Director review and approval. Facilities that have the potential to generate nuisance odors include but are not limited to:

- Wastewater treatment plants
- Composting, greenwaste, or recycling facilities
- Fiberglass manufacturing facilities
- Painting/coating operations
- Large-capacity coffee roasters
- Food-processing facilities

If an odor management plan is determined to be required through CEQA review, the City shall require the project applicant to submit the plan prior to approval to ensure compliance with the South Coast Air Quality Management District's Rule 402, for nuisance odors. If applicable, the Odor Management Plan shall identify the best available control technologies for toxics (T-BACTs) that will be utilized to reduce potential odors to acceptable levels, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to scrubbers (e.g., air pollution control devices) at the industrial facility. T-BACTs identified in the odor management plan shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.

## **B. BIOLOGICAL RESOURCES**

- (1) Potential Impact:** Buildout of the proposed Centennial General Plan could impact sensitive species.

**Finding: 1.** The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

### ***Facts in Support of Finding***

General Plan Natural Resources Element policies NR-1.01, NR-1.02, NR-1.03, NR-1.04, NR-1.05, and NR-1.06, as well as Coastal Element policies C-2.02, C-2.05, C-2.06, C-2.07, C-2.08, C-2.09, C-2.10, C-2.11, and C-2.12, would reduce impacts to sensitive species. Mitigation Measure 3-1 requires applicants of future development projects that disturb vacant land to prepare biological resources surveys. Mitigation Measure 3-2 requires applicants of development projects that have the potential to affect listed species to obtain written authorization from the U.S. Fish and Wildlife Service that the grading or construction activity is in compliance with regulations on the "take" of the listed species that would directly or indirectly be impacted. Compliance with the requirements in these mitigation measures would reduce potential impacts to sensitive species to less than significant levels.

### **Mitigation Measures**

- MM 3-1** The City of San Clemente shall require applicants for public and private development projects that disturb vacant land to prepare a biological resources survey. The biological resources survey shall

be conducted by a qualified biologist and submitted to the City's Planning Department. The biological resources survey shall include, but not be limited to: Analysis of available literature and biological databases, such as the California Natural Diversity Database, to determine sensitive biological resources that have been reported historically from the proposed development project vicinity; review of current land use and land ownership within the proposed development project vicinity; Assessment and mapping of vegetation communities present within the proposed development project vicinity; and general assessment of potential jurisdictional areas, including wetlands and riparian habitats.

- a) If the proposed development project site supports vegetation communities that may provide habitat for special status plant or wildlife species, a focused habitat assessment shall be conducted by a qualified biologist to determine the potential for special status plant and/or animal species to occur within or adjacent to the proposed development project area.
- b) If one or more special status species has the potential to occur within the proposed development project area, focused species surveys shall be conducted to determine the presence/absence of these species to adequately evaluate potential direct and/or indirect impacts to these species.
- c) If construction activities are not initiated immediately after focused surveys have been completed, additional preconstruction special status species surveys may be required, in accordance with the California Endangered Species Act and Federal Endangered Species Act, to ensure impacts are avoided or minimized to the extent feasible. If preconstruction activities are required, a qualified biologist would perform these surveys as required for each special status species that is known to occur or has a potential to occur within or adjacent to the proposed development project area.
- d) If sensitive biological resources, including mature trees or wildlife corridors are identified within or adjacent to the proposed development project area, as outlined in the biological resources report, the construction limits shall be clearly flagged to ensure impacts to sensitive biological resources and the wildlife corridor are avoided or minimized, to the extent feasible. Prior to implementing construction activities, the City of San Clemente shall require applicants to contract with a qualified biologist to verify that the flagging clearly delineates the construction limits and sensitive resources to be avoided.

- e) If sensitive biological resources are known to occur within or adjacent to the proposed development project area, as outlined in the biological resources report, the City of San Clemente shall require applicants to contract with a qualified biologist to develop and implement a project-specific contractor training program to educate project contractors on the sensitive biological resources within and adjacent to the proposed development project area and measures being implemented to avoid and/or minimize impacts to these species. Project Contractors shall be required to comply with the requirements of the program.
  
- f) If sensitive biological resources are present within or adjacent to the proposed development project area and impacts may result from construction activities, as outlined in the biological resources report, the City may require that a developer retain a qualified biological monitor to be present during all or a portion of the construction activities to ensure impacts to the sensitive biological resources are avoided or minimized to the extent feasible. The specific biological monitoring requirements shall be determined on a project-by-project basis. The qualified biological monitor shall be approved by the City on a project-by-project basis based on applicable experience with the sensitive biological resources that may be impacted by the proposed development project activities.

**MM 3-2** The City of San Clemente shall require applicants of public and private development projects that have the potential to affect listed species to obtain written authorization from the U.S. Fish and Wildlife Service that the grading or construction activity is in compliance with regulations on the “take” of the listed species that would directly or indirectly be impacted. Any mitigation requirements set forth by such agencies shall be incorporated into the project’s final design plans.

**(2) Potential Impact:** Buildout of the proposed General Plan could result in impacts to sensitive habitats.

**Finding: 1.** The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

***Facts in Support of Finding***

General Plan Natural Resources Element policies NR-1.01, NR-1.02, NR-1.03, NR-1.04, NR-1.05, and NR-1.06, as well as Coastal Element policies C-2.02, C-2.05, C-2.06, C-2.07, C-2.08, C-2.09, C-2.10, C-2.11, and C-2.12, would reduce impacts to sensitive habitats. Mitigation Measure 3-1 requires applicants of future development projects that disturb undeveloped land to prepare biological resources surveys. Mitigation Measure 3-2 requires applicants of development projects that have the potential to affect listed species to obtain written authorization from the U.S. Fish and

Wildlife Service that the grading or construction activity is in compliance with regulations on the “take” of the listed species that would directly or indirectly be impacted. Compliance with the requirements in these mitigation measures would reduce potential impacts to sensitive habitats to less than significant levels.

#### Mitigation Measures

Mitigation Measures 3-1 and 3-2 apply.

- (3) Potential Impact:** Buildout of the General Plan could impact jurisdictional waters and wetlands.

**Findings: 1.** The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

#### ***Facts in Support of Finding***

Projects considered for approval under the proposed General Plan could impact waters of the US, waters of the state, and wetlands. Such impacts would be subject to the requirements of applicable Section 404 permits from the Corps, Section 401 water quality certification, USFWS review, and CDFW 1600 Streambed Alteration Agreements. General Plan Natural Resources Element policies NR-1.02, 1.03, 1.04, 1.05, and 1.06 would reduce impacts to jurisdictional waters and wetlands.

Mitigation Measures 3-3 and 3-4 require applicants of development projects to comply with existing regulatory processes that protect biological resources in wetlands, waterways, and areas surrounding such features. These processes include performing a jurisdictional delineation report (MM 3-3) and obtaining the appropriate permits from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and/or Santa Ana Regional Water Quality Control Board (MM 3-4). Compliance with these requirements would ensure that jurisdictional waters and wetlands are properly identified, that potential impacts to those features are identified, and that impacts are either avoided or minimized to a level that is less than significant.

#### Mitigation Measures

- MM 3-3** The City of San Clemente shall require applicants of development projects that have the potential to affect jurisdictional waters of the US pursuant to the Clean Water Act to contract with a qualified biologist to conduct a jurisdictional delineation following the methods outlined in the 1987 US Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the USACE Wetland Delineation Manual: Arid West Region (2008) to map the extent of wetlands and nonwetland waters, determine jurisdiction, and assess potential impacts. The results of the delineation shall be presented in a wetland delineation letter report and shall be incorporated into the CEQA document(s) required for approval and permitting of the proposed development project.

**MM 3-4** The City of San Clemente shall require applicants to obtain permits for development projects that have the potential to impact jurisdictional waters, wetlands, and riparian habitat under the jurisdiction of the US Army Corps of Engineers, California Department of Fish and Wildlife, and/or San Diego Regional Water Quality Control Board. The agency authorization would include impact avoidance and minimization measures as well as mitigation measures for unavoidable impacts. Specific avoidance, minimization, and mitigation measures for impacts to jurisdictional resources shall be determined through discussions with the regulatory agencies during the proposed development project permitting process and may include monetary contributions to a mitigation bank or habitat creation, restoration, or enhancement.

**(4) Potential Impact:** Buildout of the General Plan would impact wildlife movement.

**Finding: 1.** The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measure.

***Facts in Support of Finding***

General Plan Natural Resources Element policies NR-1.02, NR-1.03, and NR-1.06 would reduce impacts to habitat linkages. Any future street extension or development proposal in these areas designated open space could impact wildlife movement. Mitigation Measure 3-5 would ensure that habitat corridors and linkages are identified when development is proposed for open space areas. The measure would require applicants of projects proposed for open space areas to minimize their impact on wildlife movement.

**Mitigation Measures**

**MM 3-5** The City of San Clemente shall require applicants of development projects that are within designated open space or identified as a major linkage/corridor (see Figure 5.3-6) to prepare a habitat connectivity evaluation. The results of the evaluation will be incorporated into the project's biological report required under Mitigation Measure 3-1. The habitat connectivity evaluation shall assess the potential for the project to adversely affect the intended functions of the wildlife corridor. The evaluation shall also identify project design features that would reduce potential impacts and maintain functionality of habitat and connectivity for wildlife movement. To this end, the City shall incorporate the following measures, into projects that would propose development within these areas:

- Avoid known sensitive biological resources
- Any lighting associated with the project in this area, including street lights and residential lights, shall be of the minimum

output required and shall be down-shielded to prevent excessive light bleed into adjacent areas

- Encourage development plans that maximize wildlife movement
- Provide buffers between development and sensitive habitat areas
- Any road crossings, bridges, culverts, etc., shall be constructed with soft bottoms with an openness ratio of at least 0.9 (openness ratio=height x width/length), and sized to accommodate the largest species that could use the facility, or as recommended by CDFW
- Use native, drought-resistant plant species in landscape design.

## **C. CULTURAL RESOURCES**

**(1) Potential Impact:** Buildout of the proposed General Plan could impact archaeological resources or paleontological resources.

**Finding: 1.** The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measures.

### ***Facts in Support of Finding***

Existing federal, state, and local regulations address: the provision of studies to identify archaeological and paleontological resources; application review for projects that would potentially involve land disturbance; project-level standard conditions of approval that address unanticipated archaeological and or paleontological discoveries; and requirements to develop specific mitigation measures if resources are encountered during any development activity. The proposed Natural Resources Element contains policies that address the management of artifacts (see Policy NR-3.01) and the notification and inventory of archeological and paleontological resources (Policies NR-3.02 and 3.03). In the event of an unanticipated discovery of archaeological resources during grading and excavation of the site, Mitigation Measures 4-1 and 4-2 require qualified archaeologist and paleontologists to be onsite, assess the find, and develop a course of action to preserve the find.

### **Mitigation Measures**

- MM 4-1** City staff shall require applicants for development permits to provide studies by qualified archaeologists assessing the cultural and historical significance of any known archaeological resources on or next to each respective development site; and assessing the sensitivity of sites for buried archaeological resources. On properties where resources are identified, or that are determined to be moderately to highly sensitive for buried archaeological

resources, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements and shall be implemented by the project applicants:

- a. An archaeologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities.
- b. Should any cultural/scientific resources be discovered, no further grading shall occur in the area of the discovery until the Community Development Director concurs in writing that adequate provisions are in place to protect these resources.
- c. Unanticipated discoveries shall be evaluated for significance by an Orange County Certified Professional Archaeologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the California State University Fullerton or local archival facility, where available; and provide a comprehensive final report including appropriate records for the California Department of Parks and Recreation (Building, Structure, and Object Record; Archaeological Site Record; or District Record, as applicable).

**MM 4-2**

City staff shall require applicants for development permits to provide studies by qualified paleontologists assessing the sensitivity of sites for buried paleontological resources. On properties determined to be moderately to highly sensitive for paleontological resources, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified paleontologist. The mitigation plan shall include the following requirements and shall be implemented by the project applicants:

- a. A paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities.
- b. Should any potentially significant fossil resources be discovered, no further grading shall occur in the area of the discovery until the Community Development Director concurs in writing that adequate provisions are in place to protect these resources.



- c. Unanticipated discoveries shall be evaluated for significance by an Orange County Certified Professional Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the California State University Fullerton or local archival facility, where available; and provide a comprehensive final report, including catalog with museum numbers.

#### **D. GREENHOUSE GAS EMISSIONS**

- (1) Potential Impact:** Buildout of the proposed General Plan would not result in an increase in GHG emissions as a result of federal, state, and local GHG reduction measures; however, the City would not achieve the long-term (2050) GHG reductions goals under Executive Order S-03-05.

**Findings: 2.** The City makes Finding 2 and Finding 3. Additional statewide measures would be required to reduce GHG emissions to meet the 2050 goal, which is outside of the jurisdiction of the City. No feasible mitigation is available and this impact is significant and unavoidable.

##### ***Facts in Support of Finding***

The City of San Clemente's Climate Action Plan is included as part of the proposed project. The CAP sets GHG reduction targets for the City to achieve. Additionally, the CAP includes measures for the City to implement in support of achieving the reduction targets. As shown in Table 5.6-8 of the DEIR, the policies in the proposed General Plan are consistent with the CAP. No other additional measures to reduce GHG emissions are available.

The City's CAP would ensure that GHG emissions from buildout of the proposed General Plan would be minimized. However, additional statewide measures would be necessary to reduce GHG emissions under the proposed General Plan to meet the long-term GHG reduction goals under Executive Order S-03-05, which identified a goal to reduce GHG emissions to 80 percent of 1990 levels by 2050. CARB is currently updating the Scoping Plan to identify additional measures to achieve the long-term GHG reduction targets. At this time, there is no plan past 2020 that achieves the long-term GHG reduction goal established under S-03-05. As identified by the California Council on Science and Technology, the state cannot meet the 2050 goal without major advancements in technology. Since no additional statewide measures are currently available, this impact would remain significant and unavoidable.

### Mitigation Measures

No additional measures to reduce GHG emissions are available.

## **E. NOISE**

- (1) **Potential Impact:** Buildout of the Proposed Land Use Plan would result in an increase in traffic on local roadways in the City of San Clemente, which would substantially increase the existing noise environment.

**Finding: 3.** The City makes Finding 3 and determines that this impact is significant and unavoidable.

### ***Facts in Support of Finding***

Mitigation Measure 10-1 would reduce potential noise impacts on new and existing land uses by requiring that sensitive uses incorporate acoustical improvements that comply with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations). Long-term noise impacts to new land uses would be less than significant. Traffic noise increases would occur over a period of many years and would not be readily discernible because traffic and noise would increase steadily over time over a long period. However, the future ambient noise would be substantially higher when compared to 2012 conditions at noise-sensitive receptors along two roadway segments: Avenida Pico from Avenida La Pata to Camino La Pedriza and Avenida La Pata from Calle Saluda to Avenida Vista Hermosa.

### Mitigation Measures

**MM 10-1** Prior to the issuance of building permits for projects that involve a noise-sensitive use within the 65 dBA CNEL contour (i.e., areas in or above 65 dBA CNEL) along major roadways, freeways, and railroads, the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls), and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling) to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations).

- (2) **Potential Impact:** New noise-sensitive uses could be exposed to elevated noise levels from transportation sources.

**Finding: 1.** The City hereby makes Finding 1 and determines that this impact is less than significant with the incorporation of the proposed mitigation measure.

### ***Facts in Support of Finding***

Mitigation Measure 10-1 (land use compatibility) would reduce potential noise impacts to new uses. Mitigation Measure 10-1 would reduce potential noise impacts on new land uses by requiring that sensitive uses incorporate acoustical improvements that comply with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations). With implementation of Mitigation Measure 10-1, long-term noise impacts to new land uses would be reduced to less than significant levels.

#### Mitigation Measures

Mitigation Measure 10-1 applies.

- (3) Potential Impact:** Construction activities associated with buildout of the individual land uses and projects for implementation of the General Plan would substantially elevate noise levels in the vicinity of noise-sensitive land uses.

**Finding: 3.** The City makes Finding 3 and determines that this impact is significant and unavoidable.

### ***Facts in Support of Finding***

Mitigation Measure 10-2 (construction-related noise) would reduce impacts associated with construction activities to the extent feasible. However, due to the potential for proximity of construction activities to sensitive uses and potential longevity of construction activities there could be a substantial temporary or periodic increase in ambient noise levels during construction.

#### Mitigation Measures

**MM 10-2** Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for construction activities that occur adjacent to occupied noise-sensitive structures, equipping construction equipment with mufflers, and reducing nonessential idling of construction equipment to no more than five minutes shall be incorporated into the construction operations to reduce construction-related noise to the extent feasible.

- (4) Potential Impact:** Buildout of the individual land uses and projects for implementation of the General Plan would expose sensitive uses to strong levels of groundborne vibration.

**Finding: 3.** The City makes Finding 3 and determines that this impact is significant and unavoidable.

### ***Facts in Support of Finding***

Mitigation Measure 10-3 requires new development within 200 feet of a railroad track to prepare an acoustic analysis and incorporate design features to meet FTA's acceptable vibration standard. This would reduce potential train-related vibration impacts to new uses below the thresholds. Mitigation Measure 10-5 heavy industrial projects in the Los Molinos area are required to provide evidence that vibration due to the operation of machinery would not adversely affect nearby vibration sensitive uses, which would reduce potential vibration impacts from industrial uses to less-than-significant levels. Mitigation Measure 10-4 would reduce vibration impacts associated with construction activities to the extent feasible. However, due to the potential for proximity of construction activities to sensitive uses and potential longevity of construction activities, vibration would be significant.

### **Mitigation Measures**

- MM 10-3** New development that occurs within 200 feet of a railroad track (according to the FTA's vibration screening distances) shall be evaluated for potential vibration impacts. The project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features and/or required building construction improvements to ensure that vibration impacts would remain below acceptable levels of 0.08 RMS in/sec for residential uses.
- MM 10-4** Individual projects that use vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, near sensitive receptors shall be evaluated for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the Federal Transit Administrations vibration annoyance criterion of 78 VdB), additional requirements, such as use of less-vibration-intensive equipment or construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).
- MM 10-5** Industrial projects in the Los Molinos area are required to provide evidence that vibration due to the operation of machinery would not adversely affect nearby vibration sensitive uses such as commercial, hotel, institutional, and residential uses. Vibration related to the operation of mechanical equipment shall not exceed 78 VdB, which is the level that is considered to be significant at vibration-sensitive uses. This can be accomplished with vibration reducing measures such as but not limited to equipment placement, equipment selection, vibration dampers, operation mode (speed, power, frequency).

## F. TRANSPORTATION AND TRAFFIC

**(1) Potential Impact:** Project-related trip generation would impact levels of service for the existing area roadway system.

**Finding: 3.** The City makes Finding 3 and determines that this impact is significant and unavoidable.

### ***Facts in Support of Finding***

Adoption of the Centennial General Plan would eliminate the City's policy which requires the evaluation of roadway segment LOS. Therefore, adoption of the Centennial General Plan will eliminate the requirement to evaluate roadway segment LOS from future traffic studies and impacts to roadway segments. The roadway segment analyses provide a program level evaluation of traffic conditions, this type of analysis is often used at the General Plan level to assist in determining the roadway functional classification (number of through lanes) needed to meet traffic demand. The LOS for each roadway segment is largely a function of the adjacent intersection operations. Intersection LOS provides a better tool for measuring traffic impacts in the City than roadway segment LOS since bottlenecks typically occur at the intersection. If the adjacent intersections are operating at an acceptable LOS during peak hour conditions, then it is likely that the roadway segment will also operate at an acceptable LOS even if the v/c ratio indicates that the ADT may approach or exceed the roadway capacity. In addition, the City's roadway segment LOS metric requires the use of daily volumes and capacities, where the peak hour data utilized in intersection LOS metric gives a more precise description of traffic conditions. With adoption of the Centennial General Plan, impacts to roadway segments are considered less than significant and no mitigation is required.

The proposed General Plan would result in significant impacts to nine roadway intersections. The Alternative Land Use Alternative would eliminate seven of the nine roadway intersection impacts associated with buildout of the Centennial General Plan. Mitigation would be required at Avenida Vista Hermosa/Camino Vera Cruz and Avenida Pico/Los Molinos. Mitigation Measure 14-1 would reduce impacts to less than significant. However, there is no guarantee that the adequate right-of-way could be obtained for the required improvement to Vista Hermosa/Camino Vera Cruz, since the land is not owned by the City and reaching an agreement to purchase the land may be infeasible. Therefore, impacts would remain significant and unavoidable.

### **Mitigation Measures**

**MM 14-1** Table 5.14-15 (below) shows the intersection improvements that would be required categorized by each traffic scenario (i.e. "No FTC Conditions," "With FTC Conditions," etc.) to meet City's intersection minimum level of service.

**Table 5.14-15 Summary of Intersection Impacts and Mitigation Measures**

Intersection	Mitigation Measures	Scenario			
		No FTC	With FTC	With FTC and RD Alts	With FTC TE
Avenida Vista Hermosa and Camino Vera Cruz	Widen the intersection to provide an additional eastbound through and westbound through lane on Avenida Vista Hermosa, and a northbound left turn lane on Camino Vera Cruz. This mitigation will require public right-of-way acquisition and signal modifications.	X			
	Widen the intersection to provide an additional northbound left turn lane on Camino Vera Cruz. Restripe the westbound right turn lane on Avenida Vista Hermosa to a through lane. This mitigation will require that the Avenida Vista Hermosa westbound receiving leg have three lanes. This mitigation will require public right-of-way acquisition and signal modifications.				X
Avenida Pico and Los Molinos	Restripe the Los Molinos northbound approach to have one northbound left turn and one northbound shared through-right turn lane. This mitigation will require signal modifications.	X			
	Restripe the Los Molinos northbound approach to have one northbound shared through-left turn and one northbound right turn lane. This mitigation will require signal modifications.		X		
	Restripe the Avenida Pico northbound approach to have one northbound shared left-through lane and one northbound right turn lane. This mitigation will require public right-of-way acquisition and signal modifications.			X	
	Restripe the Los Molinos northbound approach to have one northbound shared left-through lane and one northbound right turn lane. Restripe the Avenida Pico westbound approach to have two left turn lanes, and two through lanes. This mitigation will require the Los Molinos southbound receiving have two receiving lanes. This mitigation will require public right-of-way acquisition and signal modifications.				X

Source: Fehr and Peers, 2013.

Notes: Only roadway segments which experience an impact under the analyzed scenarios are listed.

X = significant impact, FTC = Foothill Transit Corridor, RD = road diet, TE = Tesoro extension, ALT=alternative

## 6. FINDINGS REGARDING ALTERNATIVES

### A. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

The following is a discussion of the land use alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the DEIR.

#### 1. Alternative Development Areas

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (Guidelines Sec. 15126[5][B][1]). The proposed project is a general plan update for the

City of San Clemente. The General Plan is specific to the City and its jurisdiction; it is also specific to the natural, social, and cultural environments within the City. The City does not have jurisdiction over areas outside of its boundaries and sphere of influence, and therefore cannot impose General Plan policies on such areas. Therefore, an alternative development area for the proposed project is impracticable.

## **2. No Growth/No Development Alternative**

The No Project/No Development Alternative would prohibit all new development, restricting urban growth to its current extent. The population would remain at existing levels, approximately 64,208 residents. No alterations to the City would occur (with the exception of previously approved development), and all residential development and commercial and industrial uses would generally remain in their current conditions. Some minor population growth could occur within the City, to the extent that existing residential units or units that have already been approved could accommodate additional residents (e.g., a decrease in vacancy rates). None of the impacts of the proposed General Plan would result. Future conditions within the City, except for the impacts of regional growth, would generally be the same as existing conditions, which were described in the environmental setting section for each environmental topic.

Implementation of this alternative would not provide adequate housing supply required to meet the City's obligations to provide its fair share of affordable housing. In addition, development under this alternative would not expand mixed-use development in North Beach/North El Camino Real (Focus Area 4) or South El Camino Real Area – West of I-5 (Focus Area 7). This alternative would not create a new Medical Office Overlay in Camino de Estrella/Camino de Los Mares (Focus Area 1) or a Professional Business Overlay in Los Molinos (Focus Area 3). Since the floor area ratio (FAR) would not be increased in these areas, this alternative would not improve the jobs/housing balance of the region, potentially reducing the number of vehicle miles traveled (VMT) in the South Coast Air Basin (SoCAB). It should also be noted that this alternative would not achieve many of the objectives established for the project. As a result, this alternative has been rejected from further consideration.

## **B. ALTERNATIVES SELECTED FOR ANALYSIS**

The following three alternatives have been determined to represent a reasonable range of alternatives that could potentially attain most of the basic objectives of the project and have the potential to avoid or substantially lessen one or more of the significant effects of the project.

- No Project/1993 Adopted General Plan Alternative
- Alternative Land Use Alternative
- Reduced Intensity Alternative

### **1. Alternatives Comparison**

The following statistical analysis provides a summary of general socioeconomic buildout projections determined by the four land use alternatives, including the proposed project.

It is important to note that these are not growth projections. That is, they do not anticipate what is likely to occur by a certain time horizon, but rather provide a buildout scenario that would only occur if all the areas of the City were to develop to the capacities yielded by the land use alternatives. The following statistics were developed as a tool to understand better the difference between the alternatives analyzed in the DEIR. Table 3 identifies City-wide information regarding dwelling unit, population, and employment projections, and also provides the jobs to housing ratio for each of the alternatives.

**Table 3 Statistical Summary Comparison**

	Existing 2013	Proposed Project	No Project/1993 Adopted General Plan Alternative	Alternative Land Use Plan Alternative	Reduced Intensity Alternative
Dwelling Units	25,982	29,567	29,054	29,567	26,610
Population	64,208	76,547	75,343	76,547	68,892
Nonresidential square feet	8,045,000	18,139,484	17,393,045	15,701,484	13,604,613
Employment	27,700	39,313	37,742	34,029	29,485
Jobs-to-Housing Ratio	1.07	1.33	1.30	1.15	1.10

**a) No Project/1993 Adopted General Plan Alternative**

**Description:** Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate and analyze the impacts of the “No-Project” Alternative. When the project is the revision of an existing land use or regulatory plan, policy, or ongoing operation, the no-project alternative is the continuation of the plan, policy, or operation into the future. Therefore, in the No Project/1993 Adopted General Plan Alternative, the current Land Use Plan would remain in effect. All proposed changes to the focus areas would not occur; therefore, the maximum FAR in the Rancho San Clemente Business Park would remain at 0.5 and the Shorecliffs Golf Course would remain Commercial (Coastal and Recreation Serving), which allows hotel and ancillary facilities. Development in accordance with the 1993 General Plan would continue to occur allowing for a total of: 29,054 residential units, 5,058,456 square feet (sf) of retail, 7,615,574 sf of office, 3,007,941 sf of industrial, and 1,711,074 sf of institutional uses. This alternative would not include adoption of the Climate Action Plan or Bicycle and Pedestrian Master Plan.

**Environmental Effects:** The No-Project/1993 Adopted General Plan Alternative would have similar impacts for aesthetics, biological resources, cultural resources, geology and soils, hydrology and water quality, and population and housing. Impacts would be slightly reduced for hazards and hazardous materials, public services, recreation, and utilities and service systems. In addition, while it would substantially reduce significant impacts with regard to air quality, GHG, noise, and traffic, these impacts would not be eliminated.

**Ability to Achieve Project Objectives:** The adoption of the No-Project/1993 Adopted General Plan Alternative would allow development that may not be compatible with the City’s new goals and objectives. In addition, such development would not provide the mix of uses and housing that would be allowed under the Centennial General Plan. The No-Project/1993 Adopted General Plan Alternative fails to provide a new General Plan



(Objective 1), establish a living and web-based General Plan (Objective 2), or ensure consistency between the housing sites identified in the adopted Housing Element and the Land Use Element (Objective 8). Furthermore, the alternative also does not promote mixed-use development (Objective 6), locate mixed uses near regional employment and activity centers (Objective 6), or promote multimodal transportation (Objective 10), which is encouraged to reduce vehicle miles traveled (VMT) and associated air quality and GHG emissions. For these same reasons, this alternative would be inconsistent with SCAG's Compass Blueprint for the region.

**Feasibility:** Since the No-Project/1993 Adopted General Plan Alternative would allow the continuation of the adopted General Plan, the feasibility of this alternative would rely upon the feasibility of the allowed land uses.

**Finding:** In comparison to the proposed project, the No-Project/1993 Adopted General Plan Alternative would reduce but not eliminate significant unavoidable impacts to air quality, GHG, noise, and traffic. From a policy standpoint, the No-Project/1993 Adopted General Plan Alternative does not meet the City's goals and objectives. It fails to provide a new General Plan (Objective 1), establish a living and web-based General Plan (Objective 2), or ensure consistency between the housing sites identified in the adopted Housing Element and the Land Use Element (Objective 8). Furthermore, the alternative also does not promote mixed-use development (Objective 6), locate mixed uses near regional employment and activity centers (Objective 6), or promote multimodal transportation (Objective 10), which is encouraged to reduce vehicle miles traveled (VMT) and associated air quality and GHG emissions. For these same reasons, this alternative would be inconsistent with SCAG's Compass Blueprint for the region. Since this fails to eliminate significant unavoidable impacts and to meet most of the basic project objectives, it has been rejected by the City.

**b) Alternative Land Use Plan Alternative**

**Description:** The Alternative Land Use Plan was selected to reduce traffic impacts along Avenida Pico. Under this alternative, all aspects of the proposed Centennial General Plan would remain the same except that no change in maximum FAR would occur in the Rancho San Clemente Business Park (Focus Area 2). Development intensities prescribed in the adopted General Plan would still apply to this focus area. Compared to the proposed project, this would result in a reduction of 2,438,000 sf of nonresidential uses by reducing commercial development by 116 thousand square feet (tsf), reducing office development by 3,982 tsf, increasing industrial development by 1,496 tsf, and increasing institutional development by 164 tsf.

**Environmental Effects:** The Alternative Land Use Plan would result in substantial reductions of impacts related to air quality, GHG emissions, noise, and traffic. However, these impacts would not be eliminated and would remain significant and unavoidable. Impacts would also be reduced for public services and utilities and service systems. This alternative would have similar impacts as the proposed project to aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning and recreation. Impacts related to population and housing would be slightly greater than the proposed project under this alternative.

**Ability to Achieve Project Objectives:** The adoption of the Alternative Land Use Plan Alternative would attain most of the project objectives described in Section 7.1.2, Project Objectives. However, because this alternative would result in less flexibility for growth of commercial and office uses citywide, it would to a lesser extent than the proposed project promote sustainable economic vitality and economic growth (Objective 4). Because smaller growth in commercial and office space would offer less job opportunities for current and future residents of San Clemente, buildout of this alternative would require more out-commuting, resulting in a lower reduction of per-capita vehicle miles traveled (VMT) for the region. Therefore, its adoption would achieve consistency with AB 32 and SB 375 (Objective 9), although to a lesser degree than the proposed project. However, the alternative's reduction of traffic impacts along Avenida Pico would ensure that roadway design in the City could accommodate traffic generated from land uses (Objective 11) to a greater degree than the proposed project.

**Feasibility:** The Alternative Land Use Plan Alternative is considered physically and environmentally feasible.

**Finding:** This alternative would reduce significant air quality, GHG, noise and traffic impacts. The Alternative Land Use Plan Alternative would eliminate seven of the nine significant unavoidable roadway intersection impacts as compared to the project. Mitigation measures would be required at the intersections of Avenida Vista Hermosa/Camino Vera Cruz and Avenida Pico/Los Molinos. This alternative would meet most of the project objectives. In addition, the alternative's reduction of traffic impacts along Avenida Pico would ensure that roadway design in the City could accommodate traffic generated from land uses (Objective 11) to a greater degree than the proposed project. Therefore, the City finds that this alternative is environmentally superior to the project and is selected as a feasible project alternative. Therefore, the project will be modified so that no change in maximum FAR would occur in the Rancho San Clemente Business Park (Focus Area 2).

### **c) Reduced Intensity Alternative**

**Description:** The Reduced Intensity Alternative was selected to reduce significant and unavoidable impacts related to air quality, GHG emissions, noise, and traffic. This alternative would reduce development intensity at General Plan buildout by 25 percent for nonresidential uses and 10 percent for residential uses. The reduction would occur citywide. Note that this alternative would result in lower buildout development intensity than allowed under the 1993 General Plan; for instance, at buildout this alternative would permit development of 26,610 residential units and about 13.6 million square feet of nonresidential land uses; corresponding figures for the 1993 General Plan are 29,054 units and 17.4 million square feet.

**Environmental Effects:** The Reduced Intensity Alternative would result in substantial reductions of impacts related to air quality, GHG emissions, noise, and traffic. However, these impacts would not be eliminated and would remain significant and unavoidable. Impacts related to hazards and hazardous materials, public services, recreation, and utilities and service systems would be reduced. The Reduced Intensity Alternative would result in similar impacts as the proposed project to aesthetics, biological resources, cultural resources, geology and soils, hydrology and water quality, and land use and planning.

**Ability to Achieve Project Objectives:** Although the Reduced Intensity Alternative meets some of the objectives established for the project, the reduction in nonresidential square footage may reduce the City's ability to reduce per-capita VMT for the region (Objective 9) compared to the proposed project, which is one of the goals of SCAG's Compass Blueprint for High Quality Transit Areas. Because this alternative would result in lower buildout development intensity than allowed under the 1993 General Plan, it would not provide as many new opportunities for infill growth (Objective 5) or mixed use development (Objective 6). For these reasons, it would also, to a lesser degree than the proposed project, promote economic vitality and job growth (Objective 5). Due to the significant reduction in nonresidential square footage, the Reduced Intensity Alternative would alter land uses but would not provide the same degree of flexibility in locating future businesses. Since there would be less opportunity to locate new nonresidential uses or increase intensity within Focus Areas of the city, this alternative would not promote sustainable economic vitality to the same degree as the proposed project (Objective 4).

**Feasibility:** This alternative is considered physically feasible. However, this alternative would require significant revisions to the General Plan Land Use Plan or implementation of development caps.

**Finding:** While the Reduced Intensity Alternative would lessen some of the environmental effects of the proposed project, it would not eliminate any significant and unavoidable impacts. For these reasons, the City rejects this alternative.

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**STATEMENT OF OVERRIDING CONSIDERATIONS  
FOR THE CENTENNIAL GENERAL PLAN  
FINAL ENVIRONMENTAL IMPACT REPORT,  
SAN CLEMENTE, CALIFORNIA**

**STATE CLEARINGHOUSE NO. 2013041021**

**1. INTRODUCTION**

The City is the Lead Agency under CEQA for preparation, review, and certification of the Final EIR for the Centennial General Plan. As the Lead Agency, the City is also responsible for determining the potential environmental impacts of the proposed action and which of those impacts are significant, and which can be mitigated through imposition of mitigation measures to avoid or minimize those impacts to a level of less than significant. CEQA then requires the Lead Agency to balance the benefits of a proposed action against its significant unavoidable adverse environmental impacts in determining whether or not to approve the proposed Project. In making this determination the City is guided by State CEQA Guidelines Section 15093 which provides as follows:

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal (sic) project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

In addition, Public Resources Code Section 21081(b) requires that where a public agency finds that 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 an EIR and thereby leave significant unavoidable effects, the public agency must also find that overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects of the project.

Pursuant to Public Resources Code Section 21081(b) and the State CEQA Guidelines Section 15093, the City has balanced the benefits of the proposed project against the following unavoidable adverse impacts associated with the proposed Project and has

adopted all feasible mitigation measures with respect to these impacts. The City also has examined alternatives to the proposed Project, none of which both meet the Project objectives and is environmentally preferable to the proposed project for the reasons discussed in the Findings and Facts in Support of Findings.

The San Clemente City Council, the Lead Agency for this Project, and having reviewed the Final EIR for the Centennial General Plan, and reviewed all written materials within the City's public record and heard all oral testimony presented at public hearings, adopts this Statement of Overriding Considerations, which has balanced the benefits of the Project against its significant unavoidable adverse environmental impacts in reaching its decision to approve the Project.

## **2. SIGNIFICANT UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACTS**

Although most potential project impacts have been substantially avoided or mitigated, as described in the Findings and Facts in Support of Findings, there remain some project impacts for which complete mitigation is not feasible. For some impacts, mitigation measures were identified and adopted by the Lead Agency, however, even with implementation of the measures, the City finds that the impact cannot be reduced to a level of less than significant. The impacts and alternatives are described below and were also addressed in the Findings.

The EIR identified the following unavoidable adverse impacts of the proposed project:

### **A. AIR QUALITY**

- (1)** The proposed General Plan would not be consistent with the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP) because buildout of the Land Use Plan would exceed the current population and employment estimates and would contribute. However, there are no mitigation measures available that would reduce impacts associated with inconsistency with the AQMP to the nonattainment designations of the South Coast Air Basin (SoCAB).
- (2)** Even with incorporation of all feasible mitigation measures, construction activities associated with buildout of the proposed General Plan could generate short-term emissions that exceed the SCAQMD's significance thresholds and would cumulatively contribute to the nonattainment designations of the SoCAB.
- (3)** Buildout of the proposed General Plan would generate long-term emissions that would exceed the SCAQMD's significance thresholds and would cumulatively contribute to the nonattainment designations of the SoCAB. Due to the magnitude of emissions generated by office, commercial, industrial, and warehousing land uses, no mitigation measures are available that would reduce impacts below SCAQMD's thresholds.

The Alternative Land Use Alternative was selected by the City to reduce traffic impacts. Adoption of this alternative would also reduce air quality impacts due to the reduction of approximately 2.4 million square feet of nonresidential uses. This would reduce construction impacts due to less building construction and operational

impacts due to the reduction in vehicle trips. However, air quality emissions would still exceed SCAQMD's thresholds and would remain significant and unavoidable.

- (4) Buildout of the proposed General Plan could expose sensitive receptors to substantial toxic air contaminant concentrations. Mitigation measures would ensure that individual developments achieve the incremental risk thresholds established by SCAQMD. However, the incremental increase in health risk associated with individual projects is considered cumulatively considerable and would contribute to already elevated levels of cancer and noncancer health risks in the SoCAB. Therefore, this impact would remain significant and unavoidable.

## **B. GREENHOUSE GAS EMISSIONS**

- (1) Buildout of the proposed General Plan would not result in an increase in GHG emissions as a result of federal, state, and local GHG reduction measures. The City of San Clemente's Climate Action Plan is included as part of the proposed project. The CAP sets GHG reduction targets for the City to achieve and includes measures for the City to implement in support of achieving the reduction targets. The policies in the proposed General Plan are consistent with the CAP. No other additional measures to reduce GHG emissions are available.

Although the General Plan would not result in significant emissions from buildout, the City would not achieve the long-term (2050) GHG reductions goals under Executive Order S-03-05, which identified a goal to reduce GHG emissions to 80 percent of 1990 levels by 2050. There are no additional feasible mitigation measures that would reduce this impact to less than significant. Statewide measures are required to reduce GHG emissions under the proposed General Plan to meet the long-term GHG reduction goals under Executive Order S-03-05. CARB is currently updating the Scoping Plan to identify additional measures to achieve the long-term GHG reduction targets. At this time, there is no plan past 2020 that achieves the long-term GHG reduction goal established under S-03-05. As identified by the California Council on Science and Technology, the state cannot meet the 2050 goal without major advancements in technology. Since no additional statewide measures are currently available, this impact would remain significant and unavoidable.

## **C. NOISE**

- (1) There are no feasible mitigation measures that would reduce noise impacts to existing sensitive land uses resulting from an increase in traffic on local roadways in the City of San Clemente. The future ambient noise would be substantially higher when compared to 2012 conditions at noise-sensitive receptors along two roadway segments: Avenida Pico from Avenida La Pata to Camino La Pedriza and Avenida La Pata from Calle Saluda to Avenida Vista Hermosa. Impacts would be significant and unavoidable.
- (2) Construction activities associated with buildout of the individual land uses and projects for implementation of the General Plan would substantially elevate noise levels in the vicinity of noise-sensitive land uses. Even with the incorporation of mitigation measures there could be a substantial temporary or periodic increase in

ambient noise levels during construction. Impacts would be significant and unavoidable.

- (3) Buildout of the individual land uses and projects for implementation of the General Plan would expose sensitive uses to strong levels of groundborne vibration. Even with the incorporation of mitigation measures there could be a substantial vibration impacts during construction. This impact is temporary Impacts would be significant and unavoidable.

#### **D. TRANSPORTATION AND TRAFFIC**

- (1) With incorporation of the Alternative Land Use Alternative, project-related trip generation would impact levels of service for the existing area roadway system resulting in impacts to two roadway intersections: Avenida Vista Hermosa/Camino Vera Cruz and Avenida Pico/Los Molinos. Mitigation measure 14-1 would reduce impacts to less than significant. However, there is no guarantee that the adequate right-of-way could be obtained for the required improvement to Avenida Vista Hermosa/Camino Vera Cruz, since the land is not owned by the City and reaching an agreement to purchase the land may be infeasible. Therefore, impacts would remain significant and unavoidable.

#### **E. ALTERNATIVES**

The EIR evaluated three alternatives to the project and analyzed whether these alternatives could avoid or substantially lessen the unavoidable environmental impacts of the proposed project. Some of the alternatives lessened some of the unavoidable impacts of the proposed project and resulted in different or increased environmental impacts. Consequently for the reasons set forth in Section 6 of the Facts and Findings two of the alternatives were not considered feasible the No Project/1993 Adopted General Plan Alternative and the Reduced Intensity Alternative.

The Alternative Land Use Plan Alternative was determined to be environmentally superior to the project and feasible and therefore was selected to be adopted by City Council. The project is modified so that no change in maximum FAR would occur in the Rancho San Clemente Business Park (Focus Area 2). Development intensities prescribed in the 1993 Adopted General Plan would apply to this focus area. This would change the project by reducing 2,438,000 sf of nonresidential uses.

### **3. CONSIDERATIONS IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS**

The following section describes the benefits of the project that outweigh the project's unavoidable adverse effects and provides specific reasons for considering the project acceptable even though the Final EIR has indicated that there will be significant project impacts that are infeasible to mitigate.



## **A. IMPLEMENTS THE OBJECTIVES ESTABLISHED FOR THE PROJECT**

The City established the following objectives for the San Clemente Centennial General Plan project to aid decision-makers in their review of the project and associated environmental impacts:

- Provide a new General Plan that establishes the goals and policies to create a built environment that fosters the enjoyment, financial stability, and well-being of the entire community.
- Craft a General Plan that is a living, web-based document, designed to adjust continuously to new opportunities and challenges.
- Integrate environmental analysis in the early planning phases, creating a self-mitigating General Plan, to the extent feasible.
- Create a plan that promotes sustainable economic vitality and fiscal responsibility.
- Identify and plan new opportunities for infill growth in key focus areas of the City. Opportunities must reflect the City’s vision and be consistent with the Guiding Principles (below) established early on during the planning process.
  - Small-Town Feel. Maintain San Clemente’s small-town feel: where neighbors know neighbors and merchants, the scale of the built environment does not overwhelm, and the downtown “T-Zone”—the heart of the Spanish village by the sea—is everybody’s neighborhood.
  - Arts/Culture. Celebrate and cultivate San Clemente’s surf, beach, and arts culture, through community events, preservation of landmarks, and support of the arts community.
  - Public Safety. Maintain and enhance personal safety (real and perceived), and maintain preparedness for catastrophic events.
  - Beach and Ocean. Protect and create spaces and places to enjoy a memorable beach experience on and off the sand.
  - Education and Information. Seek out and provide a state-of-the-art, comprehensive life-long learning and information environment.
  - Mobility. Develop and maintain programs and efficient connective transportation networks (e.g., pathways, trails, roads, transit, and telecommuting) that satisfy competing needs for the movement of people and goods.
  - Natural Environment. Preserve and enhance natural resources and open space, prevent and reduce pollution, and protect the

public's vistas of and access to coastal, hillside, and canyon lands.

- Fiscal Sustainability. Practice economically and fiscally responsible municipal decision making to avoid shifting today's costs to future generations.
  - Economic Prosperity. Promote economic growth and prosperity that leverages our local assets and complements the other guiding principles.
  - Historic Architecture/Preservation. Preserve and restore historic resources to showcase the city's authentic local identity and catalyze economic activity.
- Support mixed use development where it is compatible with surrounding uses.
  - Reconcile General Plan buildout projections with regional and subregional estimates for growth.
  - Incorporate housing sites identified in the adopted Housing Element with the Land Use Element.
  - Ensure consistency with AB 32, SB 375 and other recent State mandates.
  - Incorporate new goals, policies, and programs that balance multiple modes of transportation and meet the requirements of the Complete Streets Act.
  - Ensure that roadway design, transit systems, and nonmotorized transportation systems are balanced against the context of the places that they are serving or attempting to connect.

## **B. IMPLEMENTS THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENT'S HIGH QUALITY TRANSIT AREAS**

SCAG identified two locations in the central portion of the City along the I-5 corridor as High Quality Transit Areas(HQTA). An HQTA is a walkable transit village or corridor that is within one half-mile of a well-served transit corridor. The purpose of identifying these areas is to balance employment, housing, and services on a regional level to reduce vehicle miles traveled, reduce air pollutant emissions, enhance livability, expand prosperity, and increase sustainability in the SCAG region. Policy ED-2.05 of the General Plan requires that the City give priority to City initiatives, investments, council decisions and the allocation of City resources, and development approvals that improve the jobs-housing ratio by creating job opportunities for residents and housing opportunities for employees.

The Centennial General Plan is consistent with the HQTA map, because it creates mixed uses and encourages business around the I-5 corridor to reduce vehicle miles

traveled. It creates a mixed-use overlay for the portion of the North Beach/North El Camino Focus Area to allow for horizontal or vertical mix of commercial and residential uses. It also increases the Neighborhood Commercial FAR from 0.35 to 0.50 to incentivize development of vacant lots and transition of auto-related uses. Further, within the Los Molinos Focus Area it creates a professional business overlay and increases FAR to 0.75. Future development in this area is required to accommodate a future rail transit station and ensure consistency with the affordable housing overlay. The General Plan would increase livability by providing higher density housing opportunities along the I-5 corridor and future potential rail routes. The General Plan is consistent with SCAG's vision for the area and proposed implementation of the HQTAs goals in that it accommodates population growth in the SCAG region, encourages growth in existing and emerging centers and along major transportation corridors, encourages mixed-use opportunities, and promotes employment opportunities in the housing-rich city.

### **C. IMPROVES THE JOBS-TO-HOUSING BALANCE IN THE REGION**

SCAG projects the City to be housing-rich, with a jobs-housing ratio of approximately 1.06 in 2035. The 2035 SCAG projections forecast an increase of approximately 5,100 people over 27 years. This equates to an average increase in population of approximately 0.3 percent per year. In comparison, the proposed Land Use Plan, as Modified by the Alternative Land Use Plan Alternative, would result in a population increase of 13,347 people over those 27 years or about 0.8 percent per year.

The number of jobs projected at buildout of the General Plan, as Modified by the Alternative Land Use Plan Alternative, would also be higher than SCAG's projections for year 2035. The proposed project incorporating the Alternative Land Use Plan would create 34,029 jobs compared to SCAG's 26,600 jobs. As a result, the City's jobs-housing ratio with the proposed project would be higher at buildout (1.10) than projected by SCAG for the year 2035 (1.06). Therefore, buildout of the General Plan would result in both population and employment growth that has not been forecast by SCAG, but would improve the jobs-housing balance by creating more jobs in a housing-rich area. Therefore, it will bring a more balanced distribution of housing and employment opportunities in the area. More employment opportunities in the City would reduce the need for people to travel north to other parts of Orange County or south to San Diego County to work. This helps create a more sustainable economy in the SCAG region and reduce total VMT of the region, which improves air quality and reduces GHG emissions.

### **D. REPRESENTS A GUIDING FRAMEWORK FOR FUTURE DEVELOPMENT**

Even without the implementation of the Centennial General Plan, SCAG projects population growth in the in South Orange County to increase from 643,015 in 2020 to 666,482 in 2035. This 14.5 percent increase will require development to accommodate housing, employment, and public service needs. Development in San Clemente is inevitable. The Centennial General Plan would shape development and create compatibility between the existing and proposed land uses. Without a comprehensive guiding framework of planning principles to outline development within the city and concentrate development within the focus areas, development would occur under the 1993 Adopted General Plan without consistent goals. The Centennial General Plan would help maintain balanced land uses, the phasing of development to ensure

appropriate timing and placement of utilities and services, and create a stronger sense of community than would occur without this type of planning document.

However, Centennial General Plan is more than just a policy and land use plan; it has components that are meant to guide government and community interaction and maintain the future sustainability of the economic, physical, and social development goals. These documents and programs include the Bicycle and Pedestrian Master Plan, and Strategic Implementation Plan for tracking, budgeting, and feedback. The Centennial General Plan is a living, web-based document, designed to adjust continuously to new opportunities and challenges. Through the continual upkeep of the Centennial General Plan, development throughout all of San Clemente would be comprehensive and unified.

#### **E. THE CENTENNIAL GENERAL PLAN PRINCIPLES WORK TO IMPROVE QUALITY OF LIFE AND THE PHYSICAL ENVIRONMENT**

Although development in San Clemente would have significant impacts on the environment (such as those on air quality, greenhouse gas emissions, noise, and transportation), a number of the policies would reduce these impacts on the environment and promote more environmentally sustainable development than would otherwise result in the development of San Clemente. These types of policies include those that:

- Preserve historic resources (HP-1.01 through HP-4.04, BPR-1.07)
- Manage the roadway network and encourage multimodal and complete streets system of transportation (M-1.01 through M-1.24 and M-2.01 through M-2.55)
- Maintain and conserve natural resources (BPR-3.01 through BPR-3.10, BPR-4.01 through BPR-4.08, NR-1.01 through 2.08)
- Encourage health and wellness (BPR-6.01 through 6.13)
- Improve air quality and reduce greenhouse gas emissions (NR-5.01 through 6.10 and PSFU-9.01 through PSFU-9.10)
- Promote water quality (PSFU-7.01 through 7.13)

#### **F. CONCLUSION**

For the abovementioned reasons, implementation of Centennial General Plan would have environmental, economic, and social benefits that outweigh the unavoidable adverse environmental impacts of the physical development of the City. The Centennial General Plan would help reach regional goals for land use, transportation, and economic stability; improve the jobs-to-housing ratio; require environmentally sustainable development; reduce regional VMT; and provide a guiding framework for future development together through multiple collaborative documents.