

- (g) Although California walnut woodlands and southern willow scrub are associated with United States Army Corps of Engineers (ACOE) and Regional Water Quality Control Board (RWQCB) jurisdictional areas, the loss, removal, and destruction of these plant communities on the project site would neither eliminate nor substantially diminish the functions and values of the on-site drainages as a regional biological resource.
- (h) The project would cause the direct mortality of some common wildlife species and the displacement of more mobile species to suitable habitat areas nearby. These impacts, by themselves, would not be expected to reduce general wildlife populations below self-sustaining levels within the region.
- (i) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.5.2 Environmental Effect: The project will permanently impact approximately 2,125 linear feet of streambed, including approximately 0.20 acres of United States Army Corps of Engineers (ACOE) and Regional Water Quality Control Board (RWQCB) jurisdictional waters and approximately 4.10 acres of California Department of Fish and Game (CDFG) jurisdictional streambed and associated riparian habitat (Biological Resources Impact 5-2).

Findings: The Council hereby makes Findings (1) and (2).

Facts in Support of Findings: The following facts are presented in support of these findings:

- (a) Project-related and cumulative biological resources impacts are addressed in Section 4.5 (Biological Resources) in the DEIR and Section 3.3.5 (Biological Resources) in RTC2 and those analyses are incorporated by reference herein.
- (b) Project implementation will result in direct impacts to approximately 2,125 linear feet of streambed. A total of about 0.20 acre of (ACOE/RWQCB jurisdictional waters of the United States (WoUS) and approximately 4.10 acres of CDFG jurisdictional streambed and associated riparian habitat would be impacted by the proposed development. No direct impacts to jurisdictional waters are anticipated beyond the confines of the project boundaries.
- (c) The project will require a nationwide Section 404 (CWA) permit from the ACOE, a Section 401 (CWA) water quality certification from the RWQCB, and a Section 1602 (CFGC) streambed alteration agreement from the CDFG. Impacts to jurisdictional features will be subject to the regulations set forth by the ACOE, RWQCB, and CDFG and will require mitigation or result in the imposition of other conditions for the identified impacts.
- (d) In recognition of the presence of jurisdictional waters, a mitigation measure (MM 5-1) has been included in the FEIR and adopted or is likely to be adopted in the MRMP specifying that, unless a greater ratio is required by permitting agencies: (1) the replacement of ACOE/RWQCB jurisdictional waters and wetlands shall occur at a 2:1 ratio; (2) the replacement of CDFG jurisdictional streambed and associated riparian habitat shall occur at a 2:1 ratio. In addition, the measure specifies that design features shall be incorporated into the project's design/development enhancing the site's biological resources. Implementation of that measure will reduce identified impacts to below a level of significance.

- (e) The Lead Agency has identified a standard condition (Condition/Standard 5-1) requiring that, prior to the issuance of a grading permit, the Applicant provide demonstrate receipt of the following permits: (1) Section 401 (Federal Clean Water Act) water quality certification or waiver of waste discharge requirements from the RWQCB; (2) nationwide Section 404 (Federal Clean Water Act) permit from the ACOE; and (3) Section 1602 (California Fish and Game Code) streambed alteration agreement from the CDFG.
- (f) As mitigated, the identified impact would be reduced to a less-than-significant level and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.5.3 Environmental Effect: Proposed grading and grubbing activities will result in the removal of 83 protected ordinance-size trees, including 75 California black walnut, six willow, and two coast live oak trees, which now exist on the project site (Biological Resources Impact 5-3).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative biological resources impacts are addressed in Section 4.5 (Biological Resources) in the DEIR and Section 3.3.5 (Biological Resources) in RTC2 and those analyses are incorporated by reference herein.
- (b) A total of 75 California black walnut, six willow, and two coast live oak trees will be impacted by the project. Each of these species is protected trees under Chapter 22.38 of the Development Code. As required therein, the City may require a tree maintenance agreement prior to removal of any protected tree or commencement of construction activities that may adversely affect the health and survival of those protected trees to be preserved.
- (c) The project is subject to compliance with the provision of Chapter 22.38 (Tree Preservation and Protection) of the Development Code.
- (d) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a number of conditions (Conditions/Standards 5-2 through 5-4) requiring the preparation of an arborist-prepared tree study, specified replacement requirements for qualifying trees and California walnut woodlands, and promoting vegetation removal activities outside the nesting bird season.
- (e) Since none of the threshold criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.5.4 Environmental Effect: Construction activities initiated during the nesting season, typically extending from February 15 to August 15 of each year, could impact nesting birds and raptors in violation of the federal Migratory Bird Treaty Act (Biological Resources Impact 5-4).

Finding: The Council hereby makes Findings (1) and (2).

Facts in Support of Findings: The following facts are presented in support of these findings:

- (a) Project-related and cumulative biological resources impacts are addressed in Section 4.5 (Biological Resources) in the DEIR and Section 3.3.5 (Biological Resources) in RTC2 and those analyses are incorporated by reference herein.
- (b) One sensitive bird species (Cooper's hawk) was observed within the project area and three additional species (white-tailed kite, sharp-shinned hawk, and loggerhead shrike) have the potential to occur within the study area due to the presence of suitable habitat. Since these species are not protected by federal or State listings as threatened or endangered and since the loss of individuals would not threaten the regional populations, while adverse, impacts to these species are less than significant.
- (c) Based on the presence of suitable vegetation, the removal of vegetation during the breeding season (typically extending between February 15 and August 15) could constitute a significant impact.
- (d) Disturbing or destroying active nests is a violation of the federal Migratory Bird Treaty Act and nests and eggs are protected under Section 3503 and 3513 of the CFGC and enforced by the CDFG.
- (e) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition (Condition/Standard 5-4) promoting vegetation removal activities outside the nesting bird season.
- (f) Since none of the threshold criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.5.5 Environmental Effect: Project implementation has the potential to impede existing wildlife movement patterns across the project site (Biological Resources Impact 5-5).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative biological resources impacts are addressed in Section 4.5 (Biological Resources) in the DEIR and Section 3.3.5 in RTC2 and those analyses are incorporated by reference herein.
- (b) The project site is located to the north of the area identified by the Conservation Biological Institute as part of the "Puente-Chino Hills wildlife corridor."
- (c) Although wildlife movement corridors exist in the general project area, the project site does not serve any connectivity or linkage role with regards to regional wildlife movement.
- (d) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.5.6 Environmental Effect: If improperly designed and maintained, the proposed on-site flood control facilities and structural and treatment control Best Management Practices (BMPs) could potentially provide a habitat for the propagation of mosquitoes and other vectors (Biological Resources Impact 5-6).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative biological resources impacts are addressed in Section 4.5 (Biological Resources) in the DEIR and Section 3.3.5 (Biological Resources) in RTC2 and those analyses are incorporated by reference herein.
- (b) Urban stormwater runoff regulations now mandate the construction and maintenance of structural BMPs for both volume reduction and pollution management. Those BMPs can create additional sources of standing water and become sources for mosquito propagation.
- (c) In the general project area, vector control is performed by the Greater Los Angeles County Vector Control District (GLACVCD), a County special district funded by ad valorem property and benefit assessment taxes.
- (d) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition (Condition/Standard 5-5) requiring that BMP devices be designed in consultation with the GLACVCD and be of a type which minimizes the potential for vector (public nuisance) problems.
- (e) Since none of the threshold criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.5.7 Environmental Effect: Implementation of the project, in combination with other reasonably foreseeable future projects, will contribute incrementally to the continuing reduction in open space areas in the general project area and contribute to the general decline in species diversity throughout the region (Biological Resources Impact 5-7).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative biological resources impacts are addressed in Section 4.5 (Biological Resources) in the DEIR and Section 3.3.5 (Biological Resources) in RTC2 and those analyses are incorporated by reference herein.
- (b) Implementation of the project and other reasonably foreseeable future projects will contribute incrementally to the continuing urbanization of the region.
- (c) The project will impact approximately 2.1 acres of California walnut woodland and 0.3 acres of southern willow scrub habitat. As a result, the project will add incrementally to the regional loss of plant communities considered high-priority for inventory under the CNDDDB.
- (d) Although California walnut woodlands and southern willow scrub are considered high-priority for inventory under the CNDDDB, these on-site habitats are marginal in its value because they are fragmented and are not expected to support sensitive species. As a result, the incremental reduction in these habitats would not be cumulatively significant.
- (e) Under Section 22.38.030 of the Municipal Code, protected trees, including "native oak, walnut, sycamore and willow trees with a DBH [diameter at breast height] of eight inches or greater" shall be replaced at a minimum ratio of 3:1.
- (f) Since none of the threshold criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

## 7.6 Transportation and Circulation

- 7.6.1 Environmental Effect: Construction vehicles will transport workers, construction equipment, building materials, and construction debris along local and collector streets and along arterial highways within and adjacent to established residential areas and other sensitive receptors (Traffic and Circulation Impact 6-1).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative traffic and circulation impacts are addressed in Section 4.6 (Transportation and Circulation) in the DEIR and Section 3.3.6 (Transportation and Circulation) in RTC2 and those analyses are incorporated by reference herein.
- (b) Information and analysis concerning the existing traffic and circulation setting, including an assessment of project-related impacts, is presented in "Traffic Impact Analysis Report, WVUSD Site D Mixed-Use Development, Diamond Bar, California" (Linscott, Law & Greenspan Engineers, April 23, 2009) and "WVUSD Site D, All Residential Alternative, City of Diamond Bar" (Sasaki Transportation Services, January 11, 2012).
- (c) Construction traffic, including vehicles associated with the transport of heavy equipment and building materials to and from the project site and construction workers commuting to and from work, will increase traffic volumes along Diamond Bar Boulevard and Brea Canyon Road and, because site access can be obtained from Castle Rock Road and Pasado Drive, construction workers may elect to park and construction vehicles could stage along those roadways.
- (d) Existing (2007) daily traffic volumes along project area roadway segments include: (1) Brea Canyon Road (north of Diamond Bar Boulevard) – 4,896 average daily trips (ADT); (2) Brea Canyon Road (south of Diamond Bar Boulevard) – 12,696 ADT; (3) Diamond Bar Boulevard (north of Cherrydale Drive) – 20,512 ADT; and, (4) Brea Canyon Cutoff (west of Fallow Field-Diamond Canyon) – 11,003 ADT.
- (e) The exact nature of construction traffic and daily vehicle trips is difficult to predict since the number of workers and the type of equipment will vary with the construction phase and because equipment allocations are generally controlled by and dependent upon the construction contractor. Although construction traffic volumes cannot be determined with certainty, the number of total daily and peak-hour trips associated with worker commutes would be expected to be very small in comparison to existing traffic volumes along affected roadways.
- (f) Compliance with and enforcement of speed laws and other provisions of the California Vehicle Code (CVC) and the safe use and operation of vehicles by their drivers would be expected to keep public safety issues at a less-than-significant level.
- (g) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a number of conditions (Conditions/Standards 6-1 through 6-4) requiring the preparation of a construction workers' parking and equipment staging plan, construction traffic mitigation plan and traffic control plan, and restricting construction-term access from and along Castle Rock Road and Pasado Drive.

- (g) Since none of the threshold criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.6.2 Environmental Effect: The project is forecast to generate approximately 1,182 daily two-way vehicle trips, including 90 trips during the AM and 106 trips during the PM peak hours, and would increase traffic congestion on local and regional roadways (Traffic and Circulation Impact 6-2).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative traffic and circulation impacts are addressed in Section 4.6 (Transportation and Circulation) in the DEIR and Section 3.3.6 (Transportation and Circulation) in RTC2 and those analyses are incorporated by reference herein.
- (b) Recent residential development projects, involving small lot subdivisions, have been processed as "condominium projects" (Section 1351[f], California Civic Code). As defined in the Federal Housing Administration's (FHA) "Condominium Project Approval and Processing Guide" (FHA, June 30, 2011), "site condominiums" are "single family totally detached dwellings (no shared garages or any other attached buildings) encumbered by a declaration of condominium covenants or condominium form of ownership." Site condominium conform to the description of allowable housing products authorized under the January 2012 SDSP (i.e., "attached and/or detached, owner-occupied single-family product types").
- (c) Without specifying the resulting housing product, in order to quantify the estimated number of vehicle trip ends associated with the January 2012 SDSP, as a precursor to assigning those trips to the roadway system, "condominium/townhouse" (ITE Code 230) for the residential units and "County park" (ITE Code 412) was utilized for the neighborhood park.
- (d) The project's traffic impact analysis was conducted in accordance with the City's "Guidelines for the Preparation of Traffic Impact Analysis Report" and, for each of the 20 study area intersections, included an assessment of the following nine scenarios: (1) 2007 existing traffic conditions; (2) 2007 existing-plus-project traffic conditions; (3) 2007 existing-plus-project traffic conditions, with Improvements; (4) 2010 cumulative-base conditions (existing, ambient growth, and related projects); (5) 2010 cumulative-base-plus project traffic conditions; (6) 2010 cumulative-base-plus project conditions, with Improvements; (7) 2030 cumulative-base conditions (existing, ambient growth, and related projects); (8) 2030 cumulative-base-plus-project traffic conditions; (9) 2030 cumulative-base-plus-project traffic conditions, with Improvements.
- (e) The 200 residential units associated with Alternative 6 (January 2012 SDSP) would generate a total of about 1,172 daily trip ends (TEs), of which 88 (14 In, 74 Out) would occurring during the AM peak hour and 104 (70 In, 34 Out) would occur during the PM peak hour. The two-acre park would generate about 10 daily TEs, including two AM peak-hour TEs and two PM peak-hour TEs. Trip distribution patterns were developed based on the assumptions used for the residential portion of the March 2010 SDSP.

- (f) As indicated in the traffic analysis, under "existing traffic conditions," 17 of the 20 study area intersections currently operate at an "acceptable" levels of service (LOS) during both the AM and PM peak hours, while the following three study area intersections have "over capacity" operations during at least one peak hour period: (1) State Route 57 (SR-57) Southbound (SB) Ramps/Brea Canyon Cutoff (AM and PM); (2) Pathfinder Road/Brea Canyon Cutoff (PM); and (3) Brea Canyon Road/Silver Bullet Drive (AM and PM).
- (g) The January 2012 SDSP's projected trips were then added to the "existing traffic conditions" so that the intersection analyses could be recalculated for "existing-plus-project" traffic conditions. With regards to the January 2012 SDSP, 16 of the 17 study area intersections are operating at "acceptable" levels and three "over capacity" study area intersections maintain their same pre-project LOS conditions. Only the proposed access intersection of Diamond Bar Boulevard/Crooked Creek Drive changes from "acceptable" to "over capacity" operations.
- (h) The northbound (NB) approach at the Diamond Bar Boulevard/Crooked Creek Drive intersection is impacted to LOS "F" with the implementation of Alternative 6 (January 2012 SDSP). Recommended improvements, which would fully mitigate the project's impacts at the Diamond Bar Boulevard/Crooked Creek Drive intersection, include the installation of a traffic signal and associated roadway improvements and the widening and restriping of the eastbound (EB) approach and departure to accommodate a third through lane and a separate right-turn lane, as well as modification of any needed signing and associated measures. The total estimated cost of those improvements is about \$454,875. Unless an alternative funding agreement or improvement plan was first negotiated with the City, those costs would be borne exclusively by the Applicant prior to the recordation of the final tract map or issuance of any occupancy permits, as determined by the City Engineer, for the resulting residential development.
- (i) Under "existing-plus-project" traffic conditions, one additional intersection (SR-57 SB Ramps/Brea Canyon Cutoff) continues to have "over capacity" operations and is also found to be "significantly" impacted by the project. The intersection is already "over capacity" and the project only represents a portion of the intersection's improvement needs. Mitigation (in the form of payment of a fair-share contribution) is, therefore, required at this study intersection. For that intersection, the anticipated improvements include the installation of a traffic signal and associated signing and striping modifications, as necessary. The total estimated cost for those improvements is approximately \$228,125.
- (j) Under 2030 cumulative-base ("without project") conditions, eleven of the study area intersections would operate at "acceptable" service levels. The following nine intersections are, however, projected to be "over capacity" for Year 2030 conditions during the AM or PM peak hour or both: (1) Brea Canyon Road/Pathfinder Road; (2) Diamond Bar Boulevard//Pathfinder Road; (3) Diamond Bar Boulevard/Cold Springs Lane; (4) Pathfinder Road/Brea Canyon Cutoff; (5) SR-57 SB Ramps/Brea Canyon Cutoff; (6) Brea Canyon Road/Diamond Bar Boulevard; (7) Brea Canyon Road/Silver Bullet Drive; (8) Diamond Bar Boulevard/Grand Avenue; and (9) Colima Road/ Fairway Drive/Brea Canyon Cutoff.
- (k) The alternative project's trips were added to the 2030 cumulative base ("without project") conditions and the appropriate analytical methodologies applied to the 2030 cumulative-base-plus-project traffic ("Year 2030 + project") conditions so that the intersection analyses could be recalculated. Of the eleven intersections with "acceptable" operations for Year 2030 "without project" conditions, only the

Diamond Bar Boulevard/Crooked Creek Drive intersection is impacted to "unacceptable" operations with the addition of the January 2012 SDSP. With the implementation of the proposed improvements, this intersection will have "acceptable" operations. The other nine intersections that were found to be "over capacity" for 2030 "without project" conditions would, remain "over capacity," although the identified improvements to the SR-57 SB Ramps/Brea Canyon Cutoff intersection would provide "acceptable" operations at that location. With the exception of the Brea Canyon Road/Diamond Bar Boulevard intersection, the project's impacts at those "over capacity" locations would not be significant.

- (l) Specified improvements to the Brea Canyon Road/Diamond Bar Boulevard intersection, including dedication of additional right-of-way along the property's frontages, constitute a component of the January 2012 SDSP and an obligation upon the Applicant and are neither identified as a mitigation measure nor as a condition of approval herein. Both the project-related actions and the payment of the Applicant's fair-share contribution would effectively mitigate the significant impacts at this location.
- (m) In accordance with City's traffic impact analysis (TIA) requirements, the actual construction of or the Applicant's payment of a "fair share" contribution toward the construction costs of identified street improvements serves to fully and effectively reduce the project's transportation and circulation impacts to a less-than-significant level. In addition to the identified project-specific obligations, the Applicant's fair-share contribution toward areawide improvements is estimated to be \$102,605. Those improvement costs and the Applicant's associated fair-share contribution toward those costs are intended as current estimates and are subject to change and refinement by the City Engineer following receipt of a formal development application and subsequent design-level engineering studies specifying the precise nature and cost of the outlined improvements.
- (n) To ensure that the Applicant completes, to the satisfaction of the City Engineer, those street and intersection improvements identified in the traffic impact analysis and provides a "fair-share" contribution toward the cost of those improvements identified therein, a mitigation measure (MM 6-1) has been included in the FEIR and adopted or is likely to be adopted in the MRMP identifying the following intersections which are subject to that obligation. In addition, a second mitigation measure (MM 6-2) has been included in the FEIR and adopted or is likely to be adopted in the MRMP specifying that the final site plan shall include and accommodate those traffic measures, improvements, and such other pertinent factors and/or facilities as may be identified by the City Engineer to ensure the safe and efficient movement of project-related traffic. Implementation of those measures, including the provision of the identified street improvements and payment of the Applicant's fair-share contribution, will reduce identified impacts to below a level of significance.

7.6.3 Environmental Effect: The implementation of the project, in combination with other related projects, will collectively contribute to existing traffic congestion in the general project area and exacerbate the need for localized areawide traffic improvements (Traffic and Circulation Impact 6-3).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative traffic and circulation impacts are addressed in Section 4.6 (Transportation and Circulation) in the DEIR and Section 3.36 (Transportation and Circulation) in RTC2 and those analyses are incorporated by reference herein.
- (b) Prior to implementation of any recommended traffic improvements, the following twelve intersections are projected to either operate at an adverse level of service (LOS) in 2030 or for were specific street improvements have been identified: (1) Brea Canyon Road at Pathfinder Road; (2) Diamond Bar Boulevard at Pathfinder Road; (3) Brea Canyon Road at Cold Spring Lane; (4) Diamond Bar Boulevard at Cold Spring Lane; (5) Pathfinder Road at Brea Canyon Cutoff; (6) SR-57 SB Ramps at Brea Canyon Cutoff; (7) SR-57 NB Ramps at Brea Canyon Cutoff; (8) Brea Canyon Road at Diamond Bar Boulevard; (9) Crooked Creek or Cherrydale Drive at Diamond Bar Boulevard; (10) Brea Canyon Road at Silver Bulet Drive; (11) Diamond Bar Boulevard at Grand Avenue; and (12) Colima Road at Brea Canyon Cutoff. A project increment of a significant project impact has been identified at each of those intersections.
- (c) Since twelve intersections are forecast to operate at a adverse LOS under 2030 cumulative-plus-project traffic conditions, a number of mitigation measures (MMs 6-1 and 6-2) have been included in the FEIR and adopted or are likely to be adopted in the MRMP identifying associated street improvements and the project's obligations toward those improvements and specifying that the final site plan include and accommodate those traffic measures, improvements, and such other pertinent factors and/or facilities as may be identified by the City Engineer for the purpose of ensuring the safe and efficient movement of project-related traffic. Implementation of those measures, including the provision of the identified street improvements and the Applicant's payment of an appropriate fair-share contribution, will reduce identified impacts to below a level of significance.

7.6.4 Environmental Effect: The project has the potential to conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities (Traffic and Circulation Impact 6-4).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) The General Plan (Circulation Element) identifies a Class II bicycle route along Diamond Bar Boulevard and a Class III bicycle path along Brea Canyon Road. As indicated in the General Plan, a designated Class II bicycle lane exists along Diamond Bar Boulevard and a designated Class III bicycle route exists along Brea Canyon Road.
- (b) Along all or a portion of the site's Diamond Bar Boulevard frontage, identified street improvements may require termination of the existing Class II bicycle lane. To the extent that the loss of that segment was to require that motorists and bicyclist share a single Class III travel route, elimination may increase safety hazards for both motorists and bicyclists. Additionally, by eliminating a segment of a Class II bicycle lane and created a shared roadway, as a result of different travel speeds of the two forms of transportation, traffic flow along that segment could be potentially impeded.

- (c) Based on the high number of variables, clear and consistent information is lacking with regards to rider safety and the risk-based distinction between Class II bicycle lanes and Class III bicycle routes.
- (d) As indicated in the traffic analysis, identified street improvements may require either the short-term closure or termination of the existing bicycle lane along a segment of Diamond Bar Boulevard (adjacent to the site's frontage). Because the City's "Recreation Trails and Bicycle Route Master Plan" (City Bicycle Master Plan) acknowledges that Class III bicycle routes can be used to "connect discontinuous segments" of Class II bicycle lanes, the short-term and/or long-term conversion of the exiting Class II bicycle lane to a Class III travel route would not conflict with adopted public policy. Similarly, accident statistics do not demonstrate that such action would substantively increase public safety hazards to bicyclists and/or other motorists.
- (e) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a number of conditions (Conditions/Standards 6-5 through 6-6) requiring that, during the term of any such closure, signage shall be posted and other reasonable actions designed to enhance public safety and the City Engineer's review of street improvement plans for Diamond Bar Boulevard to determine the potential for retention, reconfiguration, and/or reclassification of the existing Class II bicycle lane along the property's frontage.
- (f) Since none of the threshold criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

## 7.7 Air Quality

- 7.7.1 Environmental Effect: Because the project involves a General Plan amendment and zone change, it has the potential to be inconsistent with the applicable air quality management plan (Air Quality Impact 7-1).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative air quality impacts are addressed in Section 4.7 (Air Quality) in the DEIR and Section 3.3.7 (Air Quality) in RTC2 and those analyses are incorporated by reference herein.
- (b) CEQA requires that projects be consistent with the current "Air Quality Management Plan" (AQMP). A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to the AQMP in the following ways: (1) it fulfills the CEQA goal of fully informing local agency decision-makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are fully addressed; and (2) it provides the local agency with ongoing information assuring local decision-makers that they are making real contributions to clean air goals contained in the AQMP.
- (c) Only new or amended general plan elements, specific plans, and regionally significant projects need to undergo a consistency review. This is because the AQMP strategy is based on projections from local general plans. Projects that are consistent with the local general plan are, therefore, considered consistent with the air quality management plan.

- (d) Ignoring the potential commercial development opportunities associated with the existing General Plan designations of the City Property, based on the General Plan's existing "Public Facilities" designation of the District Property and the assumptions presented in the DEIR's alternatives analysis (Table 6-2), development under the existing General Plan would likely generate an estimated 2,478 daily vehicle trips during a typical weekday. In comparison, Alternative 6 (January 2012 SDSP) is projected to generate only about 1,182 daily two-way vehicle trips. The project, therefore, represents only about 47.7 percent of the trips that could be generated under build-out in accordance with the existing General Plan. Because vehicles are the primary source of emissions associated with site occupancy and because the January 2012 SDSP results in a substantially lesser number of trip ends than might otherwise be generated under the policies of the General Plan, the alternative project is consistent with the emissions projections that would be expected under the existing General Plan.
- (e) As specified in Section 22.16.030 (Air Emissions) in Chapter 22.16 (General Property Development and Use Standards) in Title 22 (Development Code) of the Municipal Code, the SCAQMD "has established daily and quarterly significance thresholds for construction exhaust emissions, as identified in the California Environmental Quality Act (CEQA) Air Quality Handbook. All land use activities shall be conducted in a manner consistent with the provisions of the South Coast Air Quality Management Plan."
- (f) The most recent comprehensive plan is the 2007 "Air Quality Management Plan" (2007 AQMP), adopted on June 1, 2007. Because Alternative 6 (January 2012 SDSP) would not result in significant localized air quality impacts, it is consistent with the goals of the 2007 AQMP.
- (g) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.7.2 Environmental Effect: Construction of the project has the potential to violate or add to a violation of air quality standards (Air Quality Impact 7-2).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative air quality impacts are addressed in Section 4.7 (Air Quality) in the DEIR and Section 3.3.7 (Air Quality) in RTC2 and those analyses are incorporated by reference herein.
- (b) The air quality impact analysis was prepared in accordance with the methodologies provided by the SCAQMD, as included in the SCAQMD's "CEQA Air Quality Handbook" (Handbook) and updates included on the SCAQMD Internet web site. The analysis makes use of the California Emissions Estimator Model (CalEEMod) emissions model (Version 2011.1.1) for determination of daily and yearly construction and operational emissions and guidance included in the SCAQMD's "Final Localized Significance Threshold Methodology." Mobile-source emissions associated with the occupation of the site are based on the traffic-projections provided in "WVUSD Site D, All Residential Alternative, City of Diamond Bar" (Sasaki Engineers, January 11, 2012).
- (c) SCAQMD's Rule 403 governs fugitive dust emissions from construction projects. This rule sets forth a list of control measures that must be undertaken for all

construction projects to ensure that no dust emissions from the project are visible beyond the property boundaries. Adherence to Rule 403 is mandatory and as such, does not denote mitigation under CEQA. The following analysis assumes the use of the minimal measures specified in Rule 403 that overlap between the rule and the URBEMIS model. These include: (1) soil stabilizers shall be applied to all disturbed, inactive areas; (2) ground cover shall be quickly applied in all disturbed areas; (3) the active construction site shall be watered twice daily; (4) stockpiles shall be covered with tarps; and (5) unpaved haul roads shall be watered twice daily. The CalEEMod emissions model assigns a control efficiency of 55 percent for twice daily watering and a similar efficiency was assumed for other controlled dust-producing, heavy equipment activities.

- (d) Based on the findings of CalEEMod emissions model analysis, all construction emission concentrations for reactive organic compounds (ROG), carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), particulate matter less than 10 microns in diameter (PM<sub>10</sub>), and particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>) are within their respective threshold values and are, therefore, less than significant.
- (e) Although not considered in the CalEEMod emissions model, Section 22.16.030 of the City's Development Code includes specific standards regarding air emissions. As required, those land-use activities that have the potential to create fugitive dust emissions shall be conducted in a manner so as to create as little dust or dirt emission beyond the boundary line of the parcel as possible. Standards applicable to those projects include, but not limited to: (1) Scheduling - Grading activities shall be scheduled to ensure that repeated grading will not be required, and that implementation of the proposed land use will occur as soon as possible after grading; (2) Operations during high winds - Clearing, earth-moving, excavation operations, or grading activities shall cease in high wind conditions when dust blows and control methods are no longer effective; (3) Area of disturbance - The area disturbed by clearing, demolition, earth-moving, excavation operations, or grading shall be the minimum required to implement the allowed use; (4) Dust control - During clearing, demolition, earth-moving, excavation operations, or grading, dust emissions shall be controlled by regular watering, paving of construction roads or other dust-preventive measures (e.g., hydroseeding), subject to the approval of the building official and city engineer; (5) On-site roads - On-site roads shall be paved as soon as feasible, watered periodically with reclaimed water, whenever possible, or stabilized in an environmentally safe manner; (6) Revegetation - Graded areas shall be revegetated as soon as possible in compliance with the approved landscape plan and any conditions of approval; and (7) Fencing - Appropriate fences or other means may be required by the director to contain dust and dirt within the parcel.
- (f) Because CO is the criteria pollutant that is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, long-term adherence to State and federal ambient air quality standards (AAQS) is typically demonstrated through an analysis of localized CO concentrations. In the past, areas of vehicle congestion had the potential to create "pockets" of CO called "hot spots." However, the South Coast Air Basin (SCAB) is now designated as an "attainment" area of both the State and federal CO standards and no "hot spots" have been reported in the Pomona/Walnut Valley Source Receptor Area (SRA 10) in more than five years. CO is no longer a localized pollutant of concern near roadways.

- (g) Mandatory adherence to the SCAQMD rules would ensure that any construction impacts from TAC associated with the project remain less than significant.
- (h) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.7.3 Environmental Effect: Operation of the project has the potential to violate or add to a violation of air quality standards (Air Quality Impact 7-3).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative air quality impacts are addressed in Section 4.7 (Air Quality) in the DEIR and Section 3.3.7 (Air Quality) in RTC2 and those analyses are incorporated by reference herein.
- (b) The major source of long-term air quality impacts for criteria pollutants is that associated with the emissions produced from project-generated vehicle trips. With regards to mobile source emissions, at completion, Alternative 6 (January 2012 SDSP) is estimated to produce about 1,182 ADT.
- (c) Emissions associated with project-related trips are based on the CalEEMod emissions model and assume occupancy in 2015. Since emissions per vehicle are reduced each year due to tightening emissions restrictions and the replacement of older vehicles, the use of 2015 emission factors presents a worst-case analysis with regards to operational air quality impacts.
- (d) With regards to stationary source emissions, residents would produce emissions from on-site sources, including the combustion of natural gas for fireplaces and space and water heating. Landscaping would be maintained, thus requiring the use of gardening equipment and its attendant emissions. Additionally, the structures would be maintained and this requires repainting over time, thus resulting in the release of additional VOC emissions.
- (d) Based on the findings of CalEEMod emissions model analysis, all operational emission concentrations for ROG, CO, NO<sub>x</sub>, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are within their respective threshold values and are, therefore, less than significant.
- (e) Mandatory adherence to the SCAQMD rules would ensure that any operational impacts from TAC associated with the project remain less than significant.
- (f) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.7.4 Environmental Effect: The project has the potential to expose sensitive receptors to substantial pollutant concentrations (Air Quality Impact 7-4).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative air quality impacts are addressed in Section 4.7 (Air Quality) in the DEIR and Section 3.3.7 (Air Quality) in RTC2 and those analyses are incorporated by reference herein.

- (b) As included in SCAQMD's "Final Localized Significance Threshold Methodology" (June 2003) (LST), the SCAQMD has developed screening tables for the construction of projects up to five acres in size. The emissions values included in the screening tables are based on the emissions produced at the site and do not include mobile source emissions spread over a much larger area. The project encompasses an area of about 30.4 acres and is larger than the examples included within the LST; however, because emissions are spread over a larger area, there is more area for emissions to dissipate before making their way off the site. If daily emissions do not exceed those for a 5-acre site, then off-site concentrations for the 30.4-acre site would be less than significant.
- (c) Screening level allowable emissions are then calculated from the "mass-rate look-up tables" included in the LST (Appendix C). The highest level of on-site CO and NOx emissions are produced during site grading and the emissions model assumes that the effort requires two excavators (0.5 acre each), one grader (0.5 acre), one dozer (0.5 acre), two scrapers (1.0 acre each), and two tractors (0.5 acre each) to this task, totaling 5.0 acres per day. PM<sub>10</sub> and PM<sub>2.5</sub> peak during site preparation and the emissions model assigns three dozers (0.5 acre each) and four tractors (0.5 acre each) to this task totaling 3.5 acres per day. Based on the SCAQMD's "Fact Sheet for Applying CalEEMod to Localized Significance Thresholds," the area of disturbance for grading is to be based on 5.0 acres while that for site preparation is to be based on 3.5 acres. In accordance with the LST, the allowable level for sites that are between 2.0 and 5.0 acres may be extrapolated from those acreages. In this case, 3.5 acres is half-way between 2.0 and 5.0 acres and the allowable levels would also be half-way between the presented levels for projects of those sizes.
- (d) For projects of 5.0 acres in size located in SRA 10 with sensitive receptors located at distances of 25 meters, the most proximate distance to be used in localized analyses, on-site emissions would not create significant localized emissions impacts if CO and NOx levels do not exceed 1,566.0 and 488.0 pounds per day, respectively. PM<sub>10</sub>, and PM<sub>2.5</sub> levels would not create a localized impact if daily levels do not exceed 9.0 and 5.5 pounds per day, respectively, for a 3.5-acre site. Peak day, on-site CO, NOx, PM<sub>10</sub>, and PM<sub>2.5</sub> levels are projected at 52.85, 97.47, 7.59, and 5.94 pounds per day, respectively. PM<sub>2.5</sub> emissions are projected to exceed the 5.5 pounds per day threshold value, resulting in a potentially significant impact.
- (e) The CalEEMod model indicates that twice daily site watering results in a control efficiency of 55 percent. Three times daily watering during site preparation would increase this efficiency to no less than 61 percent, as projected by the emissions model. The PM<sub>2.5</sub> emissions associated with fugitive dust would, therefore, be reduced from 2.01 to 1.51 pounds per day. When combined with the exhaust emissions, PM<sub>2.5</sub> then totals 5.44 pounds per day. This value is under the SCAQMD's recommended threshold of significance.
- (f) Unlike construction equipment that generates exhaust and dust in a set area, the primary source of operational emissions is the addition of vehicles on the roadway system. These emissions are then spread over a vast area and do not result in localized concentrations in proximity to the site. As such, localized modeling for a project's operations is not typically prepared for residential, limited commercial, or light industrial uses that do not include a truck terminal. No localized operational impacts would, therefore, be projected.
- (g) At the broader scale, CO is the criteria pollutant that is produced in greatest quantities from vehicle combustion and in the past was typically used to

demonstrate the potential for localized operational impacts. However, the SCAB has now been designated as an "attainment" area of both the State and federal CO standards and no "hot spots" have been reported in SRA 10 in more than five years. CO is no longer a localized pollutant of concern near roadways and, as such, this analysis is no longer required.

- (h) CO "hot spot" modeling conducted for the proposed project (March 2010 SDSP), which included both commercial and residential components, generating more peak-hour traffic than the January 2012 SDSP, and modeled using higher emitting (older) vehicles, did not result in any localized CO impacts.
- (h) Since PM<sub>2.5</sub> emissions are projected to exceed the SCAQMD's recommended threshold standard, a mitigation measure (MM 7-1) has been included in the FEIR and adopted or is likely to be adopted in the MRMP requiring that site watering be conducted a minimum of three times daily during site preparation activities. Implementation of that measure will reduce identified impacts to below a level of significance.

7.7.5 Environmental Effect: The project has the potential to create objectionable odors (Air Quality Impact 7-5).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative air quality impacts are addressed in Section 4.7 (Air Quality) in the DEIR and Section 3.3.7 (Air Quality) in RTC2 and these analyses are incorporated by reference herein.
- (b) Project construction would involve the use of heavy equipment creating exhaust pollutants from on-site earth movement and from equipment transporting materials to and from the site. In addition, some odors would be produced from the application of asphalt, paints, and coatings. With regards to nuisance odors, air quality impacts will be confined to the immediate vicinity of the odor source and would be of short-term duration. Such brief exposure to nuisance odors constitutes an adverse but less-than-significant air quality impact.
- (c) Operational odors could be produced from on-site food preparation and from diesel-fueled vehicles operating on the project site. These odors are common in the environment and subject to compliance with SCAQMD Rule 402 (Nuisance).
- (d) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.7.6 Environmental Effect: The project, in combination with other related projects, has the potential to result in a cumulatively considerable increase in criteria pollutants (Air Quality Impact 7-6).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative air quality impacts are addressed in Section 4.7 (Air Quality) in the DEIR and Section 3.3.7 (Air Quality) in RTC2 and these analyses are incorporated by reference herein.

- (b) Pursuant to SCAQMD's recommended methodology, projects that do not exceed or can be mitigated to less than the daily threshold values do not add significantly to a cumulative air quality impact. With regards to criteria pollutants, the air quality analysis demonstrates that construction and operational impacts, as mitigated, will not exceed the specified threshold standards and will not result in the generation of either significant short-term or long-term air quality impact. Because the project will not contribute significantly to regional air emissions, cumulative air quality impacts are less than significant.
- (c) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.7.7 Environmental Effect: The project has the potential to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment (Air Quality Impact 7-7).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative air quality impacts are addressed in Section 4.7 (Air Quality) in the DEIR and Section 3.3.7 (Air Quality) in RTC2 and these analyses are incorporated by reference herein.
- (b) As indicated in the "Minutes of the GHG CEQA Significance Threshold Stakeholders Working Group #5" (SCAQMD, September 28, 2010), "on December 5, 2008, the SCAQMD Governing Board adopted a numerical GHG significance threshold of 10,000 MTCO<sub>2</sub>e/year [metric tons CO<sub>2</sub> equivalent/year] for industrial projects where the SCAQMD is the lead agency. [SCAQMD] Staff is now proposing to extend the industrial GHG significance threshold for use by all lead agencies. Similarly, with regards to numerical residential/commercial GHG significance thresholds, at the 11/19/2009 stakeholder working group meeting staff presented two options that lead agencies could choose; option #1 – separate numerical thresholds for residential projects (3,500 MTCO<sub>2</sub>e/year), commercial projects (1,400 MTCO<sub>2</sub>e/year), and mixed use projects (3,000 MTCO<sub>2</sub>e/year) and option #2 – a single numerical threshold for all non-industrial projects of 3,000 MTCO<sub>2</sub>e/year. If a lead agency chooses one option, it must consistently use that same option for all projects where it is lead agency. The current staff proposal is to recommend the use of option #2, but allow lead agencies to choose option #1 if they prefer that approach."
- (c) Note that, in the above excerpt, the "2" (in "MTCO<sub>2</sub>e/year") is as it is extracted from the referenced SCAQMD document rather than presented as subscript (as in "MTCO<sub>2</sub>e/year"), as it appears in the FEIR. The two notations are intended to both refer to metric tons of carbon dioxide equivalent per year.
- (d) In selecting the identified threshold of significance criteria for GHG emissions for the project, the Lead Agency is neither making a determination that the selected criteria will be universally applied to all projects located within the City's jurisdiction in which it serves as "lead agency" under CEQA nor that an alternative criteria may not be selected in the future based on information then available to the Lead Agency. With regards to GHG emissions, for the purpose of this EIR and these specified entitlements, a threshold of 3,000 MTCO<sub>2</sub>e will be applied to this project and to these entitlements.

- (e) The CalEEMod emissions model indicates that construction could generate approximately 684.02 MTCO<sub>2</sub>e per year in 2013, 752.67 MTCO<sub>2</sub>e per year in 2014, and 193.95 MTCO<sub>2</sub>e per year in 2015. All of these values are well under the suggested annual threshold of 3,000 MTCO<sub>2</sub>e and the impact of GHG emissions on climate change is less than significant.
- (f) As indicated in the January 2012 SDSP, a fundamental strategy for this project is to create a “green” and sustainable community. In general, “green” building design entails the implementation of the following related community goals: energy efficiency, healthy indoor air quality, waste reduction, water efficiency, and reduced environmental impacts. To this end, the City will require that the project be reviewed by a third-party consultant to determine if the development meets the certification requirements of Leadership in Energy and Environmental Design (LEED) or an equivalent program be attained by the project.
- (g) During the project’s operational life, the majority of GHG emissions, specifically CO<sub>2</sub>, are due to vehicle travel and energy consumption. It is projected that all emission sources, including mobile, area source, energy, waste, and water conveyance, generate approximately 3,185.21 MTCO<sub>2</sub>e (unmitigated) on an annual basis. The resulting operational impact exceeds the suggested annual threshold of 3,000 MTCO<sub>2</sub>e per year and the impact is considered significant; however, once the project’s proposed energy and water conservation measures are included and the CalEEMod emissions model rerun, for all sources, estimated operational GHG emissions are reduced to about 2,959.59 MTCO<sub>2</sub>e (mitigated) per year. This value is under the suggested annual threshold of 3,000 MTCO<sub>2</sub>e and the impact of GHG emissions on climate change is less than significant. In this context, “mitigated” refers to those measures already included in the project description.
- (h) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.7.8 Environmental Effect: The project has the potential to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases (Air Quality Impact 7-8).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative air quality impacts are addressed in Section 4.7 (Air Quality) in the DEIR and Section 3.3.7 (Air Quality) in RTC2 and these analyses are incorporated by reference herein.
- (b) Projects that generate de minimus quantities of emissions (i.e., less than 3,000 MTCO<sub>2</sub>e per year) and do not result in a significant impact or can be mitigated to a less-than-significant level would be deemed to be in compliance of State policies with respect to GHG emissions.
- (c) As indicated in the CalEEMod emissions model, the worst-case construction year is estimated to generate about 752.67 MTCO<sub>2</sub>e. This value is below the 3,000-MTCO<sub>2</sub>e threshold value and the cumulative impact to climate change is less than significant. As such, the project’s construction would not conflict with existing plans and policies.

- (d) The project would be LEED-certified and follow "green" techniques as required by the City and outlined in the January 2012 SDSP. Using these techniques, based on the CalEEMod emissions model, the project represents an increase of 2,959.60 MTCO<sub>2</sub>e on an annual basis and is less than the 3,000 MTCO<sub>2</sub>e annual threshold suggested by the SCAQMD. As such, the operational impact of the project on climate change is less than significant.
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

## 7.8 Noise

- 7.8.1 Environmental Effect: Construction activities could result in a substantial temporary increase in ambient noise levels in the project vicinity above levels existing without the project (Noise Impact 8-1).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative noise impacts are addressed in Section 4.8 (Noise) in the DEIR and Section 3.3.8 (Noise) in RTC2 and those analyses are incorporated by reference herein.
- (b) Noise levels associated with construction activities would be higher than the existing ambient noise levels in the project area but would subside once construction of the project is completed.
- (c) The most proximate residential structures include the existing single-family homes located to the immediate south and east of the project site. The nearest of these homes could be on the order of 50 feet from on-site construction activities. At that distance, the equivalent noise level (Leq) noise levels would be projected to be as high as 89 A-weighted decibel scale (dBA).
- (d) Construction noise is regulated under the provisions of the Development Code. Pursuant to Section 22.28.080(b) in Chapter 22.28 (Noise Control) therein, no person shall operate or cause to be operated a source of sound location within the City or allow the creation of a noise on property owned, leased, occupied, or otherwise controlled by a person that causes the noise level, when measured on any other property, to exceed specified noise standards. Although the Development Code limits the hours of heavy equipment operations, construction noise will be a short-term nuisance to proximal noise-sensitive receptors.
- (e) In recognition of the presence of construction noise and the proximity of existing residential receptors, a number of mitigation measures (MMs 8-1 through 8-6) have been included in the FEIR and adopted or are likely to be adopted in the MRMP designed to reduce short-term noise impacts to the extent feasible. Implementation of the recommended mitigation measures would reduce construction noise impacts to a less-than-significant level.

- 7.8.2 Environmental Effect: Project implementation may result in an exceedance of noise standards established in the General Plan and/or Municipal Code or applicable standards formulated by other agencies (Noise Impact 8-2).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative noise impacts are addressed in Section 4.8 (Noise) in the DEIR and Section 3.3.8 (Noise) in RTC2 and those analyses are incorporated by reference herein.
- (b) Section 22.28.120 of the Development Code sets a goal level of 50 dBA and 55 dBA for mobile-source noise intrusion on sensitive single-family and multi-family residential land uses, respectively. The General Plan (Noise Element) allows for a conditionally acceptable exterior noise level of up to 65 dBA community noise equivalent level (CNEL) for residential uses as long as the dwelling units are fitted with forced air ventilation or air conditioning.
- (c) As indicated in the acoustical analysis, based on projected traffic volumes, the 65 dBA CNEL along Diamond Bar Boulevard would fall at a distance of about 130 feet from the centerline of the road. The placement of any dwelling units within that distance could result in the exposure of future "Site D" residents to excessive noise levels, thus resulting in a significant operational impact.
- (d) The normally acceptable exterior 55 dBA CNEL for multi-family residential development is calculated at a distance of 3,864 feet from the SR-57 Freeway and would encompass the entire project site. The 65 dBA CNEL deemed suitable for residential development, equipped with forced air ventilation, would fall at a distance of about 830 feet from the freeway.
- (e) Building constructed in compliance with Title 24 (California Building Code) standards typically provides 20 dBA of attenuation with the windows closed.
- (f) The Lead Agency has identified a standard condition (Condition/Standard 8-1) requiring forced air ventilation designed and installed in accordance with Title 24 standards, thus allowing site occupants to leave windows closed and reducing interior levels by in excess of 20 dBA.
- (g) Based on the potential presence of significant noise impacts, a number of mitigation measures (MMs 8-7 and 8-8) have been included in the FEIR and adopted or are likely to be adopted in the MRMP specifying that no residential units shall be located within 830 feet of the SR-57 Freeway's nearest travel lane and within 130 feet of the centerline of Diamond Bar Boulevard unless additional sound attention is provided to the satisfaction of the Community Development Director. Implementation of the recommended mitigation measures would reduce operational noise impacts to a less-than-significant level.

7.8.3 Environmental Effect: Project implementation may result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project (Noise Impact 8-3).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative noise impacts are addressed in Section 4.8 (Noise) in the DEIR and Section 3.3.8 (Noise) in RTC2 and those analyses are incorporated by reference herein.
- (b) As traffic volumes in the general project area increase, those areas located in proximity to the arterial highway system will experience increased traffic noise.
- (c) The TIA conducted for the proposed project (March 2010 SDSP) concluded that the implementation of that specific plan would add 9,276 ADT to the roadway

network. Modeling indicates that the noise increase attributable to the introduction those trips along all access roads would not exceed 0.7 dBA CNEL. The March 2010 SDSP's contribution to ambient noise levels was determined to be less than significant. In contrast, Alternative 6 (January 2012 SDSP) adds only 1,182 daily trip ends to area roadways. Since 9,276 trips were found to be less than significant, a similar conclusion could be reached with regards to 1,182 trips.

- (d) The dominant sources of noise through the project area are from freeway traffic and traffic along Diamond Bar Boulevard. Noise attenuates with distance and intervening objects and obstacles serve to further impede the transmittal of sound energy. The structures associated with the proposed development would, therefore, serve as a partial sound wall reducing traffic noise at other existing residential location. The introduction of intervening structures could benefit adjacent residents by further reducing line-of-sight propagation of mobile source noise along adjoining roadways.
- (e) Residential uses typically generate noise, including both noise associated with vehicle operation and with other day-to-day activities. Existing sensitive receptors located adjacent to the "Site D" property may, therefore, experience an increase in noise generated from the project site. Since residential uses are deemed to be compatible with other adjacent residential uses, any resulting noise increase would be less than significant.
- (f) All City parks are open daily. Hours of operation are generally limited to one-half hour before sunrise until one-half hour after sunset. Although low-intensity security lighting will be incorporated into the facility's design, park amenities are not anticipated to include any pole-mounted, high-intensity sports lighting that would allow for organized sporting activities to extend into evening hours.
- (g) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.8.4 Environmental Effect: Short-term construction and long-term operational noise associated with the project, in combination with other related projects, will contribute to both a localized and an areawide increase in ambient noise levels in proximity to those projects and along those roadways utilized by project-related traffic (Noise Impact 8-4).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative noise impacts are addressed in Section 4.8 (Noise) in the DEIR and Section 3.3.8 (Noise) in RTC2 and those analyses are incorporated by reference herein.
- (b) Construction noise impacts are generally localized and limited to each related project site and those areas proximal to those construction operations. Cumulative construction noise impacts will be generally localized to each such project and the roadway network along which construction traffic travels.
- (c) As traffic volumes in the general project area increase over time, those areas located in proximity to the arterial highway system will experience increased traffic noise. Existing roadway volumes would, however, need to double in order to produce a perceptible noise increase.

- (d) Large-scale projects that contribute substantially to traffic volumes along the arterial highway system are subject to CEQA compliance. Similarly, the noise element of each agency's general plan specifies those roadways that are subject to excessive noise levels. Beyond those requirements imposed by each agency's noise ordinance, land-use entities have the ability to impose additional conditions, performance standards, and mitigation measures on each project in order to reduce potential short-term and long-term traffic noise impacts.
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

## 7.9 Public Services and Facilities

- 7.9.1 Environmental Effect: During construction, heavy equipment, materials, and other items of value will be brought to the project site. As buildings are erected, prior to site occupancy, structures may remain unsecured and susceptible to unauthorized entry. The presence of an unsecured site and items of value could result in theft and vandalism that could increase demands upon law enforcement agencies (Public Services Impact 9-1).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative public services and facilities impacts are addressed in Section 4.9 (Public Services and Facilities) in the DEIR and Section 3.3.9 (Public Services and Facilities) in RTC2 and those analyses are incorporated by reference herein.
- (b) Since the project site is presently vacant and since no public use is authorized thereupon, the property presently places little, if any, demand upon existing police protection services. With the introduction of construction workers, equipment, and construction material, an increased demand for police service will occur during the construction phases.
- (c) Increased police surveillance during construction, including enforcement of traffic laws, would not require construction of any new Los Angeles County Sheriff's Department (LACSD) and/or California Highway Patrol (CHP) facilities or necessitate the physical alteration of any existing law enforcement facilities.
- (d) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a number of conditions (Conditions/Standards 9-1 and 9-2) requiring the preparation of a construction security plan outlining the activities that will be instituted to secure the construction site from potential criminal incidents and providing the LACSD the opportunity to review and comment upon building plans.
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

- 7.9.2 Environmental Effect: Project implementation will result in the introduction of equipment, materials, and manpower into a County-designated fire hazard area prior to the provision of water system improvements designated to respond to on-site and near-site fire hazards (Public Services Impact 9-2).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative public services and facilities impacts are addressed in Section 4.9 (Public Services and Facilities) in the DEIR and Section 3.3.9 (Public Services and Facilities) in RTC2 and those analyses are incorporated by reference herein.
- (b) The project must fully comply with all applicable provisions of the "Uniform Building Code" (UBC) and "Uniform Fire Code" (UFC), as modified, and other applicable provisions of the "Los Angeles County Code" (County Code) established to address fire protection and public safety.
- (c) The project is subject to compliance with the Los Angeles County Fire Department's (LACFD) "Fuel Modification Plan Guidelines for Projects Located in Fire Zone 4 or Very High Fire Hazard Severity Zone" requirements.
- (d) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a number of conditions (Conditions/Standards 9-3 through 9-5) requiring the Los Angeles County Fire Department's (LACFD) approval of: (1) a fire protection program and workplace standards for fire safety; (2) a fuel modification, landscape, and irrigation plan; (3) water improvement plans; and (4) associated building plans and configuration of the residential development and neighborhood park.
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.9.3 Environmental Effect: The public school located closest to the project site is Castle Rock Elementary School (2975 Castle Rock Road). Construction activities could constitute an attractive nuisance to children located near or passing by the project site and construction traffic could impose a safety hazard to children and/or become disruptive to school activities and operations (Public Services Impact 9-3).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative public services and facilities impacts are addressed in Section 4.9 (Public Services and Facilities) in the DEIR and Section 3.3.9 (Public Services and Facilities) in RTC2 and those analyses are incorporated by reference herein.
- (b) The existing regional workforce is sufficient to accommodate the labor-based requirements to construct the project. Since no substantial increase in the number of new households within the general project area would be anticipated, no direct construction-related impacts on WVUSD facilities have been identified.
- (c) Construction traffic accessing the site via Cold Springs Road will cross Castle Rock Road in the vicinity of Castle Rock Elementary School.
- (d) Construction vehicles will transport equipment, building materials, and could discharge construction debris along streets adjacent to established residential areas, including the school, where children would be present.
- (e) Construction activities may present an attractive nuisance, defined as any condition which is unsafe or unprotected and, thereby, dangerous to children and

which may reasonably be expected to attract children to the property and risk injury by playing with, in, or on it.

- (f) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a number of conditions (Conditions/Standards 6-2, 6-3, 6-4, and 9-6) restricting construction traffic along Castle Rock Road and Pasado Drive, requiring: (1) preparation of a construction traffic safety plan; (2) preparation of a traffic control plan; and (3) fencing and signage of the construction site.
- (g) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.9.4 Environmental Effect: With a resident population of approximately 656 persons and an existing LACSD staffing ratio of one sworn officer for each 1,082 residents, in order to maintain existing staffing levels, the LACSD would need an additional 0.61 sworn deputies (Public Services Impact 9-4).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative public services and facilities impacts are addressed in Section 4.9 (Public Services and Facilities) in the DEIR and Section 3.3.9 (Public Services and Facilities) in RTC2 and those analyses are incorporated by reference herein.
- (b) The LACSD's actual police protection personnel needs will be determined over time, based on that department's experience with the project's residential and site users, areawide incident trends, and other factors, and not derived purely through a projection of the number of on-site residents.
- (c) There is no formal basis to quantify project-related law enforcement impacts, no established nexus allowing for the collection of developer impact fees for police protection services, and no direct linkage between approved development and the expansion of police resources, the purchase of new and/or the replacement of existing equipment, and the hiring of new sworn and non-sworn personnel.
- (e) Neither the LACSD nor the CHP have established a functional mechanism for the collection of law enforcement-related impact fees.
- (f) Because funding for LACSD personnel, equipment, and facilities is derived through ad valorem taxation and based on yearly allocations by the County, the County has the ability to effectively respond to increasing and/or shifting LACSD personnel, equipment, and facility demands.
- (g) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition (Condition/Standard 9-2) specifying that, prior to the issuance of building permits, the LACSD review and comment upon building plans and the configuration of the residential development and neighborhood park.
- (h) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.9.5 Environmental Effect: The introduction of 200 new residential dwellings and new park acreage will increase existing demands on LACFD facilities, equipment, and personnel, predicated an incremental need for facility expansion, the purchase of new and/or

replacement equipment, and contributing to the need for addition LACFD personnel (Public Services Impact 9-5).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative public services and facilities impacts are addressed in Section 4.9 (Public Services and Facilities) in the DEIR and Section 3.3.9 (Public Services and Facilities) in RTC2 and those analyses are incorporated by reference herein.
- (b) Water service to the project site will be provided by the Walnut Valley Water District (WVWD), via existing water mains. The LACFD requires a minimum fire flow of 1,250 gallons per minute (gpm) at 20 pounds per square inch (psi) for a two-hour duration. Existing water mains operated by the WVWD are capable of delivering those minimum flows to the project site.
- (c) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition (Condition/Standard 9-5) specifying that, prior to the issuance of building permits, the LACFD shall review and approve final water improvement and building plans.
- (d) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.9.6 Environmental Effect: Based on the Walnut Valley Unified School District's 2008 fee justification study, since product type remains at the discretion of the Applicant, for the purpose of CEQA compliance, assuming multi-family dwellings, project implementation will increase enrollment within the District by an estimated 89 new students, including approximately 26 new elementary school students (Grades K-5), 24 new junior high school students (Grades 6-9), and 39 new high school students (Grades 9-12) (Public Services Impact 9-6).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative public services and facilities impacts are addressed in Section 4.9 (Public Services and Facilities) in the DEIR and Section 3.3.9 (Public Services and Facilities) in RTC2 and those analyses are incorporated by reference herein.
- (b) As presented in the WVUSD's 2008 "Justification Report for the Walnut Valley Unified School District," the student generation rate for single-family dwelling units (0.682 new students/unit) is higher than the corresponding student generation rate for multi-family units (0.443 new students/unit). When comparing single-family and multi-family housing types, similar increases can be identified for Grades K-5 (0.225 students/single-family and 0.128 students/multi-family unit), Grades 6-9 (0.170 students/single-family and 0.121 students/multi-family unit), and Grades 9-12 (0.288 students/single-family and 0.193 multi-family unit). Neither the proposed project (March 2010 SDSP) nor Alternative 6 (January 2012 SDSP) identified the precise nature of the housing product. The DEIR's analysis of the March 2010 SDSP was, however, predicated on a "multi-family"

assumption. For consistency and for analytical purposes, that same assumption is retained as part of this analysis.

- (c) Based on the District's 2008 fee justification study, assuming 200 multi-family dwellings, project implementation will increase enrollment within the District by an estimated 89 new students, including about 26 new elementary school students (Grades K-5), 24 new junior high school students (Grades 6-9), and 39 new high school students (Grades 9-12). Based on rounding, the estimates for Alternative 5 (January 2012 SDSP) are the same as those identified for the proposed project (March 2010 SDSP).
- (d) As reported in the DEIR, notwithstanding statements to the contrary in the District's 2008 fee justification study, the WVUSD appears to have a relatively steady-state or decreasing student enrollment, resulting in both the identification of "Site D" as surplus property and public discussions concerning the possible shuttering of other District schools. Within the timeframe assumed herein, sufficient school capacity (inclusive of planned capacity) would appear to exist to accommodate site-specific growth.
- (e) With regards to the "Diamond Bar area" and projected through Fiscal Year 2017, the anticipated additional school population predicated by the development of "Site D" does not appear to have been factored into the District's estimation of "projected regular student generation from new development" and/or "total projected students from new development based on dwelling unit occupancy," both in total and by grade level. However, because the District has declared the "Site D" property to be surplus and because District has requested that the Lead Agency consider a residential use for the subject property, it can be reasonably assumed that the District has sufficient existing and planned school capacity to accommodate this projected increase in student enrollment.
- (f) Payment of applicable fees to the WVUSD or, alternatively, execution of an Assembly Bill (AB) 2926 mitigation agreement acceptable to the WVUSD constitutes full and complete mitigation of project-related impacts on the provision of school facilities from new development.
- (f) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition (Condition/Standard 9-7) specifying that, prior to the issuance of building permits, the City be provided with a certificate of compliance or other documentation demonstrating that the Applicant has complied with the District's resolutions governing the payment of school impact fees or has entered into an AB 2926 authorized school fee mitigation agreement or is not subject to the school impact fee exaction.
- (g) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.9.7 Environmental Effect: Project implementation will increase the resident population of the City, including the number of school-age children, incremental increasing existing spatial and resource demands placed on the Diamond Bar Public Library (Public Services Impact 9-7).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative public services and facilities impacts are addressed in Section 4.9 (Public Services and Facilities) in the DEIR and Section 3.3.9 (Public Services and Facilities) in RTC2 and those analyses are incorporated by reference herein.
- (b) The project would add about 656 new residents to the City. That population increase would create additional demand for library service. Based on the County Library's service level guidelines, the Diamond Bar Library would require an additional 328 gross square feet of additional facility space and an additional 1,804 new items.
- (c) The Diamond Bar Public Library (1061 S. Grand Avenue, Diamond Bar), a branch of the County Library System, is located in a 9,935 square foot structure and houses a collection consisting of 89,446 books and other library materials.
- (d) The County Library's current service level guidelines for planning purposes are a minimum of 0.50 gross square foot of library facility space per capita and 2.75 items (books and other library materials) per capita. Based on an estimated service area population of 56,233 persons, as derived from United States Census data, the Diamond Bar Public Library would need a 28,115 square foot facility and 154,640 items in order to meet that standard.
- (e) In 2011, the County entered into a 40-year lease agreement with the City for a new library facility to be located at 21810 Copley Drive, comprising the ground-floor of an approximately 55,000 square foot office building acquired by the City in 2010 to serve as a new City Hall. The new library facility will have about 18,000 square feet and about 200 parking spaces. The existing Diamond Bar Public Library will relocate from its existing location, which contains only about 35 parking spaces, and is projected to be in operation at its new site in 2012. The new library facility is projected to accommodate existing and reasonably foreseeable future library serve demands within the City.
- (f) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.9.8 Environmental Effect: Project implementation will increase the resident population of the City of Diamond Bar and generate a projected need for 2.10 acres (approximately 91,518 square feet) of additional parkland within the City (Public Services Impact 9-8).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative public services and facilities impacts are addressed in Section 4.9 (Public Services and Facilities) in the DEIR and Section 3.3.9 (Public Services and Facilities) in RTC2 and those analyses are incorporated by reference herein.
- (b) Section 21.32.040 (Park Land Dedications and Fees) in Chapter 21.32 (Subdivisions) of the Municipal Code provides for the dedication of real property and/or the payment of in-lieu fees to the City for park and recreational purposes.
- (c) Development-specific park demands can be calculated in accordance with the formula provided in Section 21.32.040 (Park Land Dedications and Fees) in Title 21 (Subdivisions) of the Municipal Code, as follows:  $X = 0.005(UP)$ , where "X" is the amount of parkland required in acres, "U" is the total number of approved dwelling units, and "P" is the unit-type multiplier. The Municipal Code assumes a

multiplier of: (1) 2.1 for multi-family (5 or more dwelling units); (2) 2.9 for attached single-family (townhouse) dwellings, duplexes, and multifamily dwellings containing four or fewer dwelling units; and (3) 3.4 for detached single-family dwellings. Assuming the classification of those units as multi-family dwellings, the proposed 200 dwelling units would generate a need for 2.10 acres (approximately 91,518 square feet) of additional parkland within the City.

- (d) On July 19, 2011, the City Council adopted the "Parks and Recreation Master Plan" (P&RMP) identifying the "School District Site D" as a future "site acquisition opportunity." The following "site analysis" was presented therein: "The parcel is located on the southeast corner of Brea Canyon Road and Diamond Bar Boulevard and is about 30.36 acres in size. Acquisition of the site would serve to add additional parkland acreage to meet the City's desired 3 acres per thousand [residents] parkland standard and would serve as a neighborhood park for the surrounding community. The future developer of the site shall improve and dedicate a minimum two acre public park. The future developer will be required to hold neighborhood outreach meetings for the design and location of the public park as part of the tentative tract map entitlement process." As further indicated in the P&RMP, specific "site opportunities" include both a "[m]inimum two acre usable public park and "[p]edestrian and bike trail along Brea Canyon Road."
- (e) The proposed includes the dedication and improvement, by the Applicant, of not less than 2.0 net acres of useable area of public parkland.
- (f) With regards to the potential for criminality in the park, incidents of and trends regarding criminality are difficult to ascertain since both the City and the County lack crime statistics regarding public safety in public parks. Since there exists no accepted methodology to equate land-use decisions to the incidence and type of criminal activities or nuisance, any assumptions that the park will induce, attract, or generate misconduct would be speculative and beyond the scope of CEQA.
- (g) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a number of conditions (Conditions/Standards 9-2, 9-8, and 9-9) specifying: (1) prior to the approval of the final subdivision map, the Applicant shall dedicate or conditionally dedicate and improve or commit to improve a minimum of two net acres of useable area to the City for park purposes and, unless Quimby Act obligations are otherwise fulfilled by dedication and/or the provision of Applicant-sponsored park improvements, provide the City with an additional in-lieu park fee payment in the manner and in the amount authorized the Subdivisions Code or otherwise specified by the City Council; (2) as part of the tentative tract map entitlement process, the Applicant shall conduct or participate in conducting not less than two neighborhood outreach meetings soliciting public comments concerning the location, configuration, design, and range of amenities to be included in the on-site public park; and (3) prior to the issuance of building permits, the LACSD shall be provided the opportunity to review and comment upon building plans and the configuration of the residential development and neighborhood park.
- (h) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.9.9 Environmental Effect: The approval of other reasonably foreseeable future development projects within the general project area will increase existing demands on the Los Angeles County Sheriff's Department and on the Los Angeles County Fire Department, increase the number of school-aged children served by the Walnut Valley Unified School

District, and increase the demand for park and recreational facilities within the City (Public Services Impact 9-9).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative public services and facilities impacts are addressed in Section 4.9 (Public Services and Facilities) in the DEIR and Section 3.3.9 (Public Services and Facilities) in RTC2 and those analyses are incorporated by reference herein.
- (b) Based on a Statewide, regional, areawide, or local assessment of need, public agencies have the ability to construct new facilities, purchase new equipment, and add personnel in response to identified demand. Local agencies have the ability to deny or condition individual development applications based on their assessment of potential project-related impacts upon law enforcement and fire protection agencies, facilities, and personnel. Public agencies have the ability to respond to those changes through increases/decreases in annual budgetary allocations provided to police and fire protection agencies, including the LACSD and LACFD.
- (c) All qualifying residential and non-residential development projects located within the WVUSD's boundaries are required to pay school impact fees. The payment of applicable school impact fees or the execution of an AB 2926 mitigation agreement constitutes full and complete mitigation for project-related impacts on WVUSD facilities.
- (d) In November 2007, the area's voters approved General Obligation Bond Measure S (\$64.6 million Academic Facilities Measure) and Measure Y (\$15.2 million Physical Education Facilities Measure). As a result of those ballot measures, WVUSD schools will receive needed repairs and upgrades.
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

## **7.10 Utilities and Service Systems**

7.10.1 Environmental Effect: Wastewater collection facilities do not presently exist on the project site and will not be available until the infrastructure improvements required to accommodate the proposed land uses are constructed (Utilities and Service Systems Impact 10-1).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative utilities and service systems impacts are addressed in Section 4.10 (Utilities and Service Systems) in the DEIR and Section 3.3.10 (Utilities and Service Systems) in RTC2 and those analyses are incorporated by reference herein.
- (b) The provision of potable water and toilet facilities is required under United States Department of Labor Occupational Safety and Health Administration (OSHA) (29

CFR 1926.51) and California Department of Industrial Relations, Division of Industrial Safety (Cal/OSHA) (Section 1524-1526, CCR) standards.

- (c) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.10.2 Environmental Effect: The project's residential and park components are projected to generate approximately 39,100 gallons of wastewater per day (0.04 mgd). Applying a peaking factor of 2.7, the peaked flow rate would be about 105,570 gallons of wastewater per day (0.11 mgd) (Utilities and Service Systems Impact 10-2).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative utilities and service systems impacts are addressed in Section 4.10 (Utilities and Service Systems) in the DEIR and Section 3.3.10 (Utilities and Service Systems) in RTC2 and those analyses are incorporated by reference herein.
- (b) The County Sanitation Districts of Los Angeles County (CSDLAC or Districts) has formulated average wastewater generation rates for a variety of land uses. The CSDLAC projects that for multi-family (five units or more) dwelling, each unit will generate approximately 156 gallons of wastewater per day (gpd). With regards to public park use, wastewater rates are approximately 100 gpd per each 1,000 square feet of any structures that would generate sewer flows. Although no comfort facilities are presently proposed, for the purpose of CEQA compliance, public park use is assumed to generate 100 gallons of wastewater per day.
- (c) Peak daily flow rates are higher than daily rates and serve as the basis for facility planning. Applying a peaking factor of 2.7, the peak flow rate would be about 105,570 gpd (0.11 mgd).
- (e) The project generally gravity flows sewage toward the west portion of the property. Wastewater flow originating from the project will discharge to a local sewer line (not maintained by the CSDLAC) for conveyance to the Districts No. 21 Outfall Trunk Sewer, located in Brea Canyon Road at Via Sorella. This 18-inch diameter trunk sewer has a design capacity of 12.3 mgd and conveyed a peak flow of 4.9 mgd when last measured in 2005. Assuming that peak flow rates have not changed substantially since 2005, even with the project's projected contribution (0.11 mgd), sufficient capacity exists in the Districts No. 21 Outfall Truck Sewer to readily accommodate the proposed development.
- (f) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition (Condition/Standard 10-1) specifying that, prior to the issuance of any grading permits, a sewer area study, prepared by a licensed civil engineer registered in the State of California, be submitted to and approved by the City Engineer and the County.
- (g) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.10.3 Environmental Effect: Implementation of the project and other related projects would impose cumulative impacts on those sewage collection and disposal facilities located in the general project area (Utility and Service Systems Impact 10-3).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative utilities and service systems impacts are addressed in Section 4.10 (Utilities and Service Systems) in the DEIR and Section 3.3.10 (Utilities and Service Systems) in RTC2 and those analyses are incorporated by reference herein.
- (b) At the project-specific level, on an as-needed basis, local agencies require project proponents to assess the impacts of projects on existing sewer facilities. Those analyses are conducted to identify any site-specific or project-specific improvements that may be required to the local and/or CSDLAC-maintained sewer systems that may be needed to handle increased sewage flows attributable to each project. As required, all related projects must construct any requisite local wastewater improvements needed to handle their respective flows.
- (c) CSDLAC facilities are sized and improvements phased to serve population and economic development in accordance with forecasts adopted by SCAG. Projects that are consistent with SCAG growth forecasts can be adequately served by existing and planned CSDLAC facilities.
- (d) In order to fund planned improvements, each new project within the County is required to pay connection fees to the CSDLAC. Those fees are used to finance future expansions and upgrades to the regional trunk sewer system and wastewater treatment facilities.
- (e) Since none of the threshold criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

## **7.11 Cultural Resources**

7.11.1 Environmental Effect: Ground disturbance activities can result in impacts to on-site cultural resources meeting California Register of Historic Resources eligibility criteria (Cultural Resources Impact 11-1).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative cultural resources impacts are addressed in Section 4.11 (Cultural Resources) in the DEIR and Section 3.3.11 (Cultural Resources) in RTC2 and those analyses are incorporated by reference herein.
- (b) Information and analysis concerning the existing cultural resources setting, including an assessment of site-specific impacts, is presented in "Phase I Cultural and Paleontological Resource Assessment of the Proposed Site D Development, Los Angeles County, California" (PCR Services Corporation, January 24, 2008).
- (c) With regards to Alternative 6 (January 2012 SDSP), in the absence of a conceptual grading plan and concurrent processing of a tentative map, for the purpose of CEQA compliance, it is assumed that the acreage of site disturbance, the quantity of on-site grading operations, and the location of cut-and-fill slopes would be similar to that associated with the proposed project (March 2010 SDSP). Similarly, with regards to Alternative 6 (January 2012 SDSP), the Lead

Agency has assumed that the DEIR's assessment of cultural resources remains generally applicable to a lesser-scale development. The level of cultural resource impacts is, therefore, assumed to be no greater than that assumed for the March 2010 SDSP.

- (d) No prehistoric archaeological resources have been previously recorded within one mile of the project site and no prehistoric resources were identified on the subject property during the pedestrian survey.
- (e) Results of the historic aerial photograph and topographic map review revealed that a structure (HS-1) was once located within the boundaries of the project site that was associated with the historic Diamond Bar Ranch Headquarters Compound (Compound). The Compound included the residence of Frederick E. Lewis, who owned and operated Diamond Bar Ranch. There is a moderate potential for the site to retain buried domestic or ranch maintenance components such as trash pits, privy holes, and similar features.
- 1. (f) Results of the survey revealed the identification of a historical archaeological site, consisting of more than 15 non-native eucalyptus trees and concrete debris concentration likely associated with the former location of HS-1. The significance of that site with respect to CEQA is considered to be undetermined.
- (g) Based on the potential presence of significant cultural resources impacts, a number of mitigation measures (MMs 11-1 through 11-3) have been included in the FEIR and adopted or likely to be adopted in the MRMP requiring that, prior to the issuance of a grading permit, a qualified archaeologist be retained to monitor all vegetation removal and ground disturbance to a depth of three feet within specified areas. If cultural resources are identified during monitoring of the ground disturbing activities, the archaeologist shall temporarily divert or redirect grading or excavation activities in the vicinity of those resources in order to make an evaluation of the find and determine appropriate treatment. If human remains are encountered unexpectedly during construction excavation and grading activities, Section 7050.5 of the Health and Safety Code (HSC) requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Section 5097.98 of the PRC. Implementation of those measures will reduce identified impacts to below a level of significance.

7.11.2 Environmental Effect: Ground disturbance activities could result in impacts to on-site paleontological resources, including fossil remains, from the Puente Formation (Cultural Resources Impact 11-2).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative cultural resources impacts are addressed in Section 4.11 (Cultural Resources) in the DEIR and Section 3.3.11 (Cultural Resources) in RTC2 and those analyses are incorporated by reference herein.
- 2. (b) Results of the paleontological resources records search revealed that the study area is underlain by the Puente Formation (also known as the Monterey Formation in the region), which is a formation known to contain diverse and well-preserved marine vertebrate fossils. The results of the pedestrian survey confirmed the exposure of the Puente Formation on the project site and identified

four fossil localities in backdirt piles from geotechnical core sampling. The project site is considered to be highly sensitive for paleontological resources.

- (c) Based on the potential presence of significant cultural resources impacts, a number of mitigation measures (MMs 11-4 through 11-8) have been included in the FEIR and adopted or likely to be adopted in the MRMP requiring that, prior to the issuance of a grading permit, a qualified paleontologist meeting the qualifications established by the Society of Vertebrate Paleontologists be retained to develop and implement a paleontological monitoring plan. A paleontological monitor, supervised by the paleontologist, shall monitor all excavations in the Puente Formation or excavations anticipated to extend into the Puente Formation. The paleontologist shall prepare a final report on the monitoring. If fossils were identified, the report shall contain an appropriate description of the fossils, treatment, and curation. A copy of the report shall be filed with the City and the Natural History Museum of Los Angeles County and shall accompany any curated fossils. Implementation of those measures will reduce identified impacts to below a level of significance.

7.11.3 Environmental Effect: Grading activities conducted on other sites located within the general project area could result in impacts to any historic or prehistoric resources that may be located thereupon. In addition, earth-moving activities conducted on other undisturbed sites containing the Puente Formation could result in the loss of recoverable paleontological resources (Cultural Resources Impact 11-3).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative cultural resources impacts are addressed in Section 4.11 (Cultural Resources) in the DEIR and Section 3.3.11 (Cultural Resources) in RTC2 and those analyses are incorporated by reference herein.
- (b) All cumulative project activities remain subject to site-specific environmental review and must fully conform to and comply with all applicable local, State, and federal requirements. Compliance with those requirements will ensure that all related project-specific and cumulative impacts upon prehistoric, historic, and paleontological resources are mitigated to a less-than-significance level.
- (c) Since none of the threshold criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

## 7.12 Aesthetics

7.12.1 Environmental Effect: Excluding those areas that will be retained as open space, the project site will take on a distinctively urban physiographic character as existing vegetation is removed, construction equipment introduced onto the site, hillside areas recontoured, new uses are introduced, and other physical modifications occur (Aesthetic Impact 12-1).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative aesthetics impacts are addressed in Section 4.12 (Aesthetics) in the DEIR and Section 3.3.12 (Aesthetics) in RTC2 and those analyses are incorporated by reference herein.
- (b) With regards to Alternative 6 (January 2012 SDSP), in the absence of a conceptual grading plan and concurrent processing of a tentative map, for the purpose of CEQA compliance, it is assumed that the acreage of site disturbance, the quantity of on-site grading operations, the location of cut-and-fill slopes, the location and size of retaining walls, and grading quantities would be similar to that associated with the proposed project (March 2010 SDSP). Similarly, with regards to Alternative 6 (January 2012 SDSP), the Lead Agency has assumed that the DEIR's assessment of aesthetic impacts remains generally applicable to a lesser-scale development. The level of visual resource impacts is, therefore, assumed to be no greater than that assumed for the March 2010 SDSP.
- (c) Under those assumptions, the proposed development will consist of three mass-graded "super pads," connected by an internal roadway system. The pads will be developed by balanced cut-and-fill grading. Cuts will range from less than five feet to about 40 feet high. Fill slopes will range in height from a few feet to approximately 60 feet down-slope from the upper residential pad to Diamond Bar Boulevard.
- (d) City policies encourage the use of contour and landform grading techniques in order to create more naturalized engineered slope areas. Proposed grading activities will seek to apply those contour grading principals to the proposed engineered slope areas, creating, where practical, curvilinear features that produce a visual transition between engineered and natural open space areas.
- (e) A landscaped "entry feature" will be established near the corner of Diamond Bar Boulevard and Brea Canyon Road, predominately in the vicinity of the City Property. The entry feature is intended to establish a visual "landmark" or "gateway" along one of the City's prominent arterial highways.
- (f) Development activities conducted on the project site remain subject to the City's subdivision review (Section 22.08.040, Municipal Code), plot plan review (Section 22.47.020, Municipal Code), and development review (Section 22.48.020, Municipal Code). Through those existing processes, the City will ensure that development plans are consistent with land-use authority and compatible with other proximal land uses.
- (g) Although construction is short-term in duration, it serves as precursors to the long-term visual changes that will occur as a result of those activities. During development, construction activities may appear disharmonious with the current perception of the existing property as an open-space area. At the end of the construction term, the site will take on a distinctively urban character and shall generally be perceived as an urban use.
- (h) Based on the City's interpretation and general application of the visual resource assessment methodology outlined in the Bureau of Land Management's (BLM) "Visual Resource Management Program" (BLM, 1986), construction-induced changes would be considered adverse but less than significant.
- (i) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition (Condition/Standard 12-1) specifying the minimum valuation of the landscaped "entry feature" to be developed in the vicinity of Diamond Bar Boulevard and Brea Canyon Road.
- (j) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.12.2 Environmental Effect: The project's implementation will alter the site's existing topography and necessitate the construction of numerous retaining walls (Aesthetic Impact 12-2).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative aesthetics impacts are addressed in Section 4.12 (Aesthetics) in the DEIR and Section 3.3.12 (Aesthetics) in RTC2 and those analyses are incorporated by reference herein.
- (b) As specified in the January 2012 SDSP, the exposed height of retaining walls supporting fill slopes along the project perimeter and entry drive shall not exceed four feet. Retaining and crib walls up to 18 feet in height shall be permitted. Crib walls are prefabricated modular walls that consist of stacked interlocking concrete cells that form a retaining wall. Crib walls are filled with suitable backfill and live vegetation planted in individual cells. Plant material is generally selected to fill each cell area so as to function both as a retaining wall and a landscape element. Landscaping will serve to minimize the potential adverse visual effects of on-site retaining walls.
- (c) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition (Condition/Standard 12-2) specifying that the subsequent development plans include design details, acceptable to both the City Engineer and to the Community Development Director, for all proposed retaining walls.
- (d) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.12.3 Environmental Effect: The introduction of new residential and public park uses will add new sources of artificial lighting to the project site and could result in light trespass extending beyond the project boundaries (Aesthetic Impact 12-3).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative aesthetics impacts are addressed in Section 4.12 (Aesthetics) in the DEIR and Section 3.3.12 (Aesthetics) in RTC2 and those analyses are incorporated by reference herein.
- (b) Outdoor lighting standards are contained in Section 22.16.050 (Exterior Lighting) of the Municipal Code. As indicated, in part, therein, where the light source is visible from outside the project boundary, shielding shall be required to reduce glare so that neither the light source nor its image from a reflective surface shall be directly visible from any point five feet or more beyond the property line. This requirement shall not apply to single-family residential uses, traffic safety lighting, or public street lighting. Section 22.16.050(e) of the Municipal Code provides specific requirements for the lighting of recreational sports courts.
- (c) The Illuminating Engineering Society of North America (IESNA) has established recommended outdoor lighting illumination levels. As defined by the IESNA, a widely used light trespass standard is to limit the exterior lighting originating on a

property to a maximum of 0.5 horizontal foot candles (HFC) at a distance of 25 feet beyond the property lines. Lighting that conform to those standards would be assumed to produce a less-than-significant impact.

- (d) Spill light is defined as the light shining beyond the area to be illuminated, caused either by the uncontrolled direct component of luminaires or from light reflected from the task being illuminated. The California Energy Commission (CEC) defines "light trespass" as "unwanted light from a neighboring property. Any source of light can create trespass, but complaints are related mostly to sports lighting, billboards, and street lighting. Light trespass is annoying, but it can also become a nuisance or even a serious health and safety risk if it adversely affects visibility for other tasks. Light trespass may also be a source of glare, including disabling, discomfort, veiling luminance, and annoyance glare that can also be serious public health and safety risk."
- (d) Increased site utilization will result in the introduction of vehicle headlights along on-site vehicular travel routes. On-site street gradients and configuration have not been determined. It, however, can be assumed that certain off-site receptors (e.g., adjacent residential areas) may experience an increase in light intrusion attributable to the headlights of automobiles (including trucks) entering the project site from Diamond Bar Boulevard. Automobile headlights are common light sources, presently exist within the general project area, and can be effectively reduced through building placement and introduced landscaping. As such, the potential intrusion of vehicle headlights is less than significant.
- (e) With regard to sports lighting in public park settings, illumination levels associated with night sports are typically higher than typically encountered in the nighttime environment. As indicated by the Illuminating Engineers Society of North America (IESNA), with regards to sports lighting, "[t]here are limited choices for outdoor lighting systems compared with the selection for lighting applications. Since there is usually no surface to redirect the light bounced from the playing area, outdoor lighting systems primarily consist of direct distribution floodlights aimed at the playing surface." The IESNA further notes that since outdoor lighting is generally visible far beyond facility boundaries, careful consideration should be given to spill light encroaching on neighboring property and light that contributes to sky glow. Based on the limited size of the proposed neighborhood park, high-intensity sports lighting is not presently assumed.
- (f) In the absence of final plans for site development, the project has the potential to introduce new source of substantial light and glare that could adversely impact off-site areas.
- (g) Based on the potential presence of significant aesthetic impacts, a mitigation measure (MM 12-1) has been included in the FEIR and adopted or likely to be adopted in the MRMP requiring that all pole-mounted or wall-mounted luminaires installed for the purpose of illuminating homes, public park areas, private roadways, and driveways conform to appropriate lighting standards and demonstrate, to the satisfaction of the City Engineer, that light trespass will not exceed 0.5 horizontal foot candle, as measured at the project boundaries abutting any existing residential use. Implementation of that measure will reduce identified impacts to below a level of significance.

7.12.4 Environmental Effect: Much of the San Gabriel Valley is already highly urbanized and the area's remaining open-space areas take on greater visual significance as a respite to the dominance of urban development (Aesthetic Impact 12-4).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative aesthetics impacts are addressed in Section 4.12 (Aesthetics) in the DEIR and Section 3.3.12 (Aesthetics) in RTC2 and those analyses are incorporated by reference herein.
- (b) The City and other municipalities located within the County formulate long-range planning documents with the intent of directing development activities to those areas most conducive to growth, based on a variety of planning considerations. Separate formal planning and environmental review processes exist when a development proposal seeks to modify those adopted long-range plans.
- (c) No development is authorized to occur in the absence of compliance with adopted agency plans and policies and in the absence of appropriate environmental review. Compliance with and conformity to adopted plans and policies helps to mitigate the potential cumulative impacts produced by the visual changes to existing landscapes associated with future development activities. While the further intensification of the region may constitute an adverse impact, the incremental and inevitable changes resulting from those activities would not be deemed a significant cumulative impact on the region's existing visual resources.
- (c) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

### **7.13 Growth Inducement**

- 7.13.1 Environmental Effect: Because the project includes both an amendment to the "City of Diamond Bar General Plan" and the adoption of a specific plan, the project may result in on-site development activities that exceed current development assumptions and necessitate the provision of unplanned services and facilities beyond the project boundaries (Growth Inducement Impact 13-1).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative growth-inducing impacts are addressed in Section 4.13 (Growth Inducement) in the DEIR and Section 3.3.13 (Growth Inducement) in RTC2 and those analyses are incorporated by reference herein.
- (b) California State law requires that every city and county prepare and adopt a long-term, comprehensive general plan for its future development. The general plan serves as a "constitution for development" and the foundation upon which all land-use decisions in a city or county are to be based.
- (c) The project's implementation will change existing land-use policies with regards to the allowable use of the project site, potentially resulting in an intensification of uses within the City beyond that now envisioned in the City General Plan. Since planning for public services is, in whole or in part, based on existing and projected demands for those services, changes in public land-use policies have the potential to impose additional unplanned demands upon those services and facilities.

- (d) Although the site is designated for "public facilities," the public facility provider which owns the majority of the project site has declared the property to be surplus and not required for public facility use.
- (e) Although project implementation will result in a modification to existing land-use policies, based on the limited scale of development, the resulting use is not anticipated to necessitate the provision of unplanned services and facilities beyond the project boundaries.
- (f) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

7.13.2 Environmental Effect: The construction of 200 new dwelling units will increase the City's population by an estimated 656 individuals, require an estimated 72 construction workers to complete, and create an estimated additional 86 indirect and induced job opportunities (Growth Inducement Impact 13-2).

Finding: The Council hereby makes Finding (1).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) Project-related and cumulative growth-inducing impacts are addressed in Section 4.13 (Growth Inducement) in the DEIR and Section 3.3.13 (Growth Inducement) in RTC2 and those analyses are incorporated by reference herein.
- (b) The construction of the 200 housing units would require an estimated 72 construction workers. Construction workers may impose short-term demands on local businesses, such as nearby restaurants. Those localized demands will, however, cease upon completion of construction activities. A wide range of businesses now exists near the project site. Construction-term demands on those businesses are not anticipated to be so substantial as to warrant business expansion based solely on project-related activities. Since construction jobs are, by definition, short-term in duration, they are generally not the type of employment opportunities that predicate substantial increased localized demands for goods and services. With regards to the types of commercial uses typically patronized by construction workers, there exist sufficient existing businesses operating within the City and in the general project area to adequately serve those short-term demands.
- (c) With regards to long-term employment, once inhabited, jobs associated with housing include, but are not limited to, landscape and pool maintenance, interior designers, and associated construction trades. Jobs indirectly related to housing include medical professionals, manufacturers and retailers, and associated service providers. Each new residence will, therefore, incrementally increase existing demands for manufacturing, service-related, and professional jobs. It is estimated that each job created through residential construction supports an additional 1.2 jobs. Based on that ratio, the project's 72 estimated construction jobs would result in an additional 86 indirect and induced jobs.
- (d) The size of the project is not sufficient to predicate any substantial in-migration of new workers into the general project area. The project's incremental contribution to localized, regional, and national employment opportunities would not create substantial significant secondary impacts.

- (e) Project implementation will not result in the removal of economic, physical, and/or political constraints affecting either the project site or other near-site properties.
- (f) With the exception of off-site traffic improvements, the project does not include the expansion of any infrastructure systems that would accommodate additional off-site development. The traffic improvements identified as mitigation measures herein serve to accommodate the project, ambient growth, and other related projects and are not intended to add capacity beyond those projections.
- (g) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional conditions, standards, and/or mitigation measures are recommended or required.

## 8.0 FINDINGS REGARDING THE LEAD AGENCY'S DECISION NOT TO RECIRCULATE THE DEIR PRIOR TO CERTIFICATION

Pursuant to Section 21092.1 of CEQA and Section 15088.5 of the State CEQA Guidelines, presented herein are findings supporting the Lead Agency's decision not to recirculate the DEIR prior to its certification.

Section 15088.5(a) of the State CEQA Guidelines requires recirculation of an EIR prior to certification of the final EIR when "significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review. "New information is not 'significant' unless the EIR is changed in a way that deprives the public of meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. 'Significant new information' requiring recirculation includes, for example, a disclosure showing that: (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented; (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance; (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project but the project proponents decline to adopt it; (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded" (Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal. [1993]). Findings regarding each of the four factors specified in Section 15088.5(a) are separately presented below.

In addition, Section 15008.5(a) of the State CEQA Guidelines notes that "[n]ew information added to an EIR is not 'significant' unless the EIR is changed in a way that derives the public of meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project proponents have declined to implement." This additional factor is also separately addressed below.

- 8.1 Environmental Effect: A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented (Section 15088.5(a)(1), State CEQA Guidelines).

Finding: The Council finds that no "significant new information" has been presented requiring recirculation of the DEIR.

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) On June 22, 2009, the Department noticed, released, and disseminated copies of the DEIR, NOC, and NOA. Both the DEIR and NOC were submitted to the SCH on June 25, 2009. The State agency comment period, as established by the SCH, concluded on August 10, 2009.
- (b) With regards to the GHG emissions analysis of the proposed project (March 2010 SDSP), at the time the analysis was performed, no statutory or regulatory requirements for inclusion of that analysis and no accepted significance threshold existed against which projected project-related GHG emissions could be judged.
- (b) Based on the 2010 revisions to the State CEQA Guidelines, as established under Senate Bill (SB) 97 (approved by the Governor on August 24, 2007 and which became effective on March 18, 2010), an augmented GHG emissions analysis was performed for the proposed project (March 2010 SDSP) and included in the RTC2. For comparative purposes, a similar analysis was performed for Alternative 6 (January 2012 SDSP). That analysis concluded that the proposed project (March 2010 SDSP) would produce significant project-level (operational) and cumulative GHG emissions impacts.
- (c) Since the DEIR already states that air quality impacts attributable to the proposed project (March 2010 SDSP) would be operationally and cumulatively significant, from an air quality perspective, no new significant environmental impacts would result from the project's implementation.
- (d) The Lead Agency has concluded that no feasible mitigation measures exist that would reduce GHG emission impacts attributable to the proposed project (March 2010 SDSP) to a less-than-significant level. With regards to the March 2010 SDSP, following the release of the DEIR, no new mitigation measures have, therefore, been proposed for implementation by the Lead Agency.
- (e) Because no new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented, the augmented analysis of GHG emissions in the FEIR does not constitute "significant new information" requiring recirculation.

8.2 Environmental Effect: A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance (Section 15088.5(a)(2), State CEQA Guidelines).

Finding: The Council finds that no "significant new information" has been presented requiring recirculation of the DEIR.

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) As indicated in the DEIR, with regards to the proposed project (March 2010 SDSP), significant, unmitigatable construction, operational, and cumulative air quality impacts were identified by the Lead Agency. Although no significance determination for GHG emissions was explicitly presented therein based on the absence of a supportable threshold of significance, operationally, the DEIR stated that approximately 15,889.66 tons of carbon dioxide (CO<sub>2</sub>) would be produced annually as a result of the implementation of the proposed project (March 2010 SDSP). Based on the augmented analysis presented in the RTC2, the Lead Agency estimated that the March 2010 SDSP would produce approximately 14,084.01 metric tons of CO<sub>2</sub> equivalent (MTCO<sub>2</sub>e) annually

during the project's operation. As a result, although the quantities of CO<sub>2</sub> and carbon dioxide equivalent (CO<sub>2</sub>e) may not be directly comparable, the recalculated quantity of GHG emissions provided in this RTC2 is less than the tonnage represented in the DEIR. Based on those projections, no substantial increase in the severity of any previously identified environmental impacts would result from the implementation of the March 2010 SDSP.

- (b) The Lead Agency has concluded that no feasible mitigation measures exist that would reduce GHG emission impacts attributable to the March 2010 SDSP to a less-than-significant level. With regards to the proposed project (March 2010 SDSP), following the release of the DEIR, no new mitigation measures have been proposed for implementation by the Lead Agency.
- (c) Because no substantial increase in the severity of an environmental impact has been identified, the augmented analysis of GHG emissions in the FEIR does not constitute "significant new information" requiring recirculation.

8.3 Environmental Effect: A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project but the project proponents decline to adopt it (Section 15088.5(a)(3), State CEQA Guidelines).

Finding: The Council finds that no "significant new information" has been presented requiring recirculation of the DEIR.

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) In addition to an allowable commercial use, the proposed project (March 2010 SDSP) authorized the construction of 202 dwelling units on the subject property.
- (b) The DEIR included an analysis of two residential-only alternatives. Under Alternative 5 (Low-Density Residential), a total of 60 dwelling units would be constructed on the project site; under Alternative 5 (High-Density Residential), a total of 404 units would be constructed on the project site. With regards to those alternatives, the DEIR states that the City's park dedication requirements, as established under the Municipal Code, could be satisfied through the dedication and improvement of on-site parkland and/or the payment of in-lieu fees.
- (c) Following the release of the DEIR, the CEQA analysis was subsequently augmented to include, as a stand-alone alternative, a variation of or revision to both the proposed project (March 2010 SDSP) and to those residential-only alternatives. Under Alternative 6 (January 2012 SDSP), a total of 200 dwelling units would be constructed on the project site. Park dedication requirements would be satisfied through a combination of on-site parkland dedication and improvement and, if further Quimby Act obligations were to exist, the payment of additional in-lieu fees. Based on the similarities between Alternative 6 (January 2012 SDSP) and other alternatives already included in the DEIR, Alternative 6 is not considered to be considerably different from either the proposed project (March 2010 SDSP) or from other alternatives analyzed by the Lead Agency.
- (d) Because the Lead Agency has adopted or is likely to adopt Alternative 6 (January 2012 SDSP) rather than the proposed project (March 2010 SDSP), the inclusion of that alternative in the FEIR does not constitute "significant new information" requiring recirculation since implementation would clearly lessen the significant environmental impacts of the proposed project (March 2010 SDSP) and the project proponents did not decline it.

8.4 Environmental Effect: The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (Section 15088.5(a)(4), State CEQA Guidelines).

Finding: The Council finds that no "significant new information" has been presented requiring recirculation of the DEIR.

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) The Council finds and certifies that the FEIR constitutes a complete, accurate, adequate, and good-faith effort at full disclosure under CEQA.
- (b) No substantial evidence has been presented to the Lead Agency indicating that the DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment was precluded.

8.5 Environmental Effect: EIR is changed in a way that derives the public of meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project proponents have declined to implement (Section 15088.5(a), State CEQA Guidelines).

Finding: The Council finds that no "significant new information" has been presented requiring recirculation of the DEIR.

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) As part of the CEQA process, the Commission held public hearing on the proposed project (March 2010 SDSP) on April 13, April 27, and May 11, 2010 and the Council held public hearings on the proposed project on June 15, July 20, October 19, November 16, December 7, and December 21, 2010. The minutes of those public hearings are part of the project's administrative record.
- (b) The Lead Agency's decision to pursue Alternative 6 (January 2012 SDSP) results from public comments received during the numerous public hearing and community meetings conducted under CEQA for the proposed project (March 2010 SDSP). As a result, rather than "deriving the public of meaningful opportunities to comment upon. . . a feasible project alternative," the identified alternative is a direct result of that public participation in the CEQA process.
- (b) During the Commission's and the Council's deliberations on the proposed project (March 2010 SDSP), numerous comments requested that the Lead Agency formulate and consider an alternative similar to Alternative 6 (January 2012 SDSP). For example, drawing from the numerous written and oral comments submitted to the Lead Agency in response to the dissemination of the DEIR and NOC, the following comments are extracted from RTC1: (1) "As voiced by the majority of participants last Monday A modified plan would be more acceptable, with the prospect of lower density housing with the incorporation of a park so greatly needed on the southern end of our city. As we can see by South end commercial areas, vacancies are many and are slow (years) to fill. The last thing we need is an abandoned strip mall or another blighted center" (Comment 11-9-6); and (2) "We do not need another commercial shopping center in our neighborhood" (Comment 11-23-1).

- (c) As indicated in correspondence from the President of the WVUSD's Board of Trustees, dated December 2, 2010, with regards to comments received by the Applicant at the November 9, 2010 Special Board Meeting/Study Session, the District noted: "The comments received from the outreach workshop generally revolve around the same issue we have heard at past public meetings. Based upon this workshop summary, it was clear to the Board that the community did not need or want commercial development on Site D, but was supportive of single family residential development if Site D was to be developed. The community also supported designating appropriate open space, green belt and park areas with the development plan for Site D. Therefore, based upon the above, the Board of Trustees for the Walnut Valley Unified School District recommends (1) that Site D be developed 100% residential with minimal peripheral open space, green belt and park areas with a monument to mark the entrance into Diamond Bar, and (2) that the residential density be reduced to less than 20 units per acre."
- (d) Based on the full extent of public participation, the public has been provided a meaningful opportunity to comment on the project.

## **9.0 FINDINGS REGARDING MITIGATION REPORTING AND MONITORING PROGRAM**

The Council has adopted or will likely adopt the MRMP set forth in the FEIR for Alternative 6 (January 2012 SDSP). The MRMP is extracted from Table RTC2-4 ("January 2012 'Site D' Specific Plan" – Draft Mitigation Reporting and Monitoring Program). The Lead Agency acknowledges that a portion of Table RTC2-4 ("January 2012 'Site D' Specific Plan" – Draft Mitigation Reporting and Monitoring Program), as presented in RTC2, is mislabeled "Table ES-4 ('January 2012 'Site D' Specific Plan' – Draft Mitigation Reporting and Monitoring Program)" but is nonetheless a part of Table RTC2-4. The Council hereby finds that the MRMP presented therein meets the requirements of Section 21081.6 of CEQA and Sections 15097 and 15126.4 of the State CEQA Guidelines.

## **10.0 FINDINGS REGARDING THOSE PROJECT ALTERNATIVES NOT SELECTED FOR IMPLEMENTATION**

The Council recognizes that the proposed project (March 2010 SDSP) will result in significant unavoidable environmental impacts that cannot be feasibly reduced to below a level of significance through the adoption of feasible mitigation measures. In the presence of significant environmental effects and the absence of feasible mitigation measures, CEQA's "substantive mandate" directs the Lead Agency to refrain from approving a proposed project where there exist feasible alternatives that can substantially lessen or avoid those effects.

The Council finds that, with the exception of Alternative 6 (January 2012 SDSP), with regards to each of the remaining conservation-based and development-oriented alternatives examined in the FEIR, specified economic, environmental, legal, social, technological, and other considerations make those alternatives infeasible. In addition, those alternatives will neither fulfill the project's basic objectives nor feasibly result in the avoidance or substantial lessening of any of the proposed project's (March 2010 SDSP) significant environmental effects.

### **10.1 Alternative 1 (No Project)**

Alternative 1 (No Project) Description: Under this alternative, no physical changes to the project site would occur, the property would remain in its present condition, and no new

development activities or other public improvements would occur thereupon. No grading or other landform modifications would occur. Maintenance activities, including weed abatement, would routinely be performed and the existing level of use would continue generally in the manner now experienced. In keeping with the general intent of this alternative, one possible variation would involve the use of all or a portion of the City Property to allow for the development of identified Year 2030 street improvements to the Diamond Bar Boulevard/Brea Canyon Road intersection.

Finding: The Council hereby makes Finding (3).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) The Lead Agency's analysis of project alternatives is presented in Section 6.0 (Alternatives Analysis) in the DEIR and in Section 3.0 ("January 2012 'Site D' Specific Plan" Alternative) in RTC2 and those analyses are incorporated by reference herein.
- (b) Under Alternative 1 (No Project), no new housing units, commercial square footage, or recreational facilities would be constructed on the project site.
- (c) Alternative 1 (No Project) generally reflects the conditions and associated environmental impacts that would predictably occur should the Lead Agency elect to either deny the proposed project (March 2010 SDSP) or fail to take affirmative action on the proposed application, resulting in, at least, the short-term retention of the site in its existing condition. The denial of the current development application or the cessation of current processing would, however, neither preclude the submission of a subsequent development application either by the current project proponent or another party nor ensure the site's long-term retention as an open space area.
- (d) With regards to the ability of Alternative 1 (No Project) to avoid or substantially lessen the significant environmental effects of the proposed project (March 2010 SDSP):
  - (1) With regards to construction air quality impacts, under the proposed project (March 2010 SDSP), combined emissions of reactive organic gases (ROG) would exceed the SCAQMD's recommended threshold criteria. Construction impacts would, therefore, be deemed significant. Under Alternative 1 (No Project), no or only minimal development would occur on the project site. Construction-term emissions of criteria pollutants would, therefore, be eliminated and short-term air quality impacts would be reduced to a less-than-significant level.
  - (2) With regards to operational air quality impacts, the proposed project (March 2010 SDSP) is projected to create ROG, NOx, and CO emissions in excess of SCAQMD's suggested daily threshold criteria. Under Alternative 1 (No Project), no or only minimal development would occur on the project site. Operational emissions of criteria pollutants would be eliminated and associated air quality impacts would be reduced to a less-than-significant level.
  - (3) With regards to cumulative air quality impacts, because the construction and operation air quality impacts attributable to the proposed project (March 2010 SDSP) cannot be reduced to a less-than-significant level, those emissions would incrementally and significantly contribute to regional air quality problems. Under Alternative 1 (No Project) no short- or long-term significant increase in criteria pollutants would be anticipated.

- since no or only minimal development would occur on the project site. Because there would exist no significant contribution to regional air emissions in the SCAB, cumulative air quality impacts would be avoided.
- (4) With regards to GHG emissions, the construction and operation of the proposed project (March 2010 SDSP) is projected to generate GHG emissions at levels in excess of the SCAQMD's recommended threshold criteria. Under Alternative 1 (No Project), since no or only minimal infrastructure improvements would occur on the project site and no new land uses would be introduced thereupon, no or only minimal construction and operational GHG emissions would be produced. Because the SCAQMD's recommended threshold standards would not be exceeded, both project-level and cumulatively, no significant climate change impacts would result therefrom.
- (e) The Council finds that Alternative 1 (No Project) is "environmentally superior" to the proposed project (March 2010 SDSP) since it would, at least in the short term, result in the avoidance of significant construction, operational, and cumulative air quality impacts (including both criteria pollutants and GHG emissions).
- (f) As more thoroughly described in Section 6.1(c)(1)(B) herein, the Council finds that Alternative 1 (No Project) would not substantially meet the project's basic objectives.
- (g) Although a substantial portion of the project site is owned by the District, the District has declared the District Property to be surplus and seeks to dispose of their real property holdings in order to raise funds for other eligible expenditures. As stipulated in the MOU between the City and the District, upon the approval of the specific plan for the development of "Site D" (if such approval were to occur), the "District agrees to use its best efforts to sell the School Property as entitled by the City for the fair market value, in accordance with the provisions of California Education Code commencing with Section 17455. City agrees to use its best efforts to sell the City Property for the fair market value. The parties agree to cooperatively work with each other to coordinate the sale of Site D." In the absence of public and/or private purchase of the project site for the purpose of open space preservation, there exists no mechanism to ensure the long-term preservation of the project site in an undeveloped condition. As a result, absent that participation, Alternative 1 (No Project) is deemed to be economically, legally, and socially infeasible.

## **10.2 Alternative 2 (Public Facilities)**

Alternative 2 (Public Facilities) Description: The District Property is presently designed "Public Facilities (PF)" in the General Plan. Although there exists no corresponding zoning designation which relates exclusively to public facilities, this alternative is predicated upon the geographic expansion of that General Plan designation across the entire project site and the development of the property in accordance with the declared intent of that General Plan designation. For the purpose of this alternatives analysis, under this alternative, it is assumed that the estimated developable area of the project site (20.2 acres) is developed at a floor-area-ratio of 0.25. Under this alternative, a total of 220,000 square feet of public facilities use would be developed on the project site. For the purpose of CEQA compliance, the FEIR assumed the sale of the project site to a private entity, such as a religious organization or operator of a parochial school.

Under this alternative, the project site would be developed to include a 73,000 square foot (500-student) private school and a 147,000 square foot (2,500-seat) church. A fellowship area would be developed within the sanctuary building which would be made available for public use as a banquet facility. Improvements would include a parochial school campus, including classrooms, library, and approximately 12,000 square foot (1,000-seat capacity) multi-purpose auditorium, outdoor recreational facilities, offices and administrative facilities, maintenance area, and caretaker's residence. The gymnasium would serve the private school and be available for the community for use after school hours, including after school programs administered by the Boys and Girls Club or similar organization. In addition, once operational, other on-site activities are assumed to include non-residential child-care services, family-care services, activities and uses catering to youth groups, music and drama ministries, counseling, prayer meetings, bible study, nutrition programs, homeless outreach and assistance programs, and other associated educational, job training, and community services activities. The campus would also contain 6,000 square feet of retail uses (book store). The alternative-specific grading plan could closely replicate that associated with the proposed project (March 2010 SDSP).

Finding: The Council hereby makes Finding (3).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) The Lead Agency's analysis of project alternatives is presented in Section 6.0 (Alternatives Analysis) in the DEIR and in Section 3.0 ("January 2012 'Site D' Specific Plan" Alternative) in RTC2 and those analyses are incorporated by reference herein.
- (b) With regards to the ability of Alternative 2 (Public Facilities) to avoid or substantially lessen the significant environmental effects of the proposed project (March 2010 SDSP):
  - (1) With regards to construction air quality impacts, under the proposed project (March 2010 SDSP), combined emissions of ROG would exceed the SCAQMD's recommended threshold criteria. With regards to criteria pollutants, construction impacts would be deemed to be significant. Under Alternative 2 (Public Facilities), although on-site development activities may be reduced (220,000 square feet of public facility use as compared to 153,985 square feet of neighborhood-serving commercial use and 202 dwelling units), maximum daily construction activities would be anticipated to be similar. As a result, construction-term air quality impacts would be assumed to be similar to those associated with the proposed project (March 2010 SDSP) and would, therefore, remain significant.
  - (2) With regards to operational air quality impacts, the proposed project (March 2010 SDSP) is projected to create ROG, NOx, and CO emissions in excess of the SCAQMD suggested daily threshold criteria. Implementation of this alternative would result in the generation of about 2,478 daily vehicle trips during a typical weekday (as compared to approximately 9,276 daily vehicle trips for the March 2010 SDSP). Because this alternative would generate substantially lower volumes of daily and peak-hour vehicle trips that associated with the proposed project (March 2010 SDSP), mobile source emissions would be substantially reduced. Under this alternative, with regards to criteria

- pollutants, operational air quality impacts would be reduced to a less-than-significant level.
- (3) With regards to cumulative air quality impacts, under the SCAQMD's recommended methodology, development activities that generate significant construction and/or operational air quality impacts are also assumed to generate significant cumulative air quality impacts.
  - (4) With regards to GHG emissions, based on the CalEEMod emissions modeling performed for Alternative 6 (January 2012 SDSP), based on the number of vehicle trips associated with Alternative 2 (Public Facilities), it can be concluded that project-level and cumulative GHG emissions and climate change impacts would be significant.
- (c) The Council finds that Alternative 2 (Public Facilities) is "environmentally superior" to the proposed project (March 2010 SDSP) since it would result in the avoidance or substantial lessening of significant operational air quality impacts.
  - (d) Absent a housing component, the Council finds that Alternative 2 (Public Facilities) would meet some but would not all of the project's basic objectives.
  - (e) The Council finds that Alternative 2 (Public Facilities) is legally, socially, and technologically feasible. The District has, however, attempted to market the District Property to a range of perspective buyers. No perspective buyer with a declared interest in a public facilities use has been identified. Other than through public expenditure, costs to develop the project site, including the extensive grading required to stabilize slope areas and create building pads, likely prohibits the site's subsequent use for any activities that would generate only limited revenues. Alternative 2 (Public Facilities) is, therefore, not considered to be economically feasible.
  - (f) Alternative 2 (Public Facilities) is not projected to result in the avoidance of substantial lessening of the following significant environmental impacts attributable to the proposed project (March 2010 SDSP): (1) construction air quality impacts with regards to criteria pollutants; (2) cumulative air quality impacts with regards to criteria pollutants; and (3) project-level and cumulative air quality impacts with regards to GHG emissions and climate change. Except through the adoption of a statement of overriding consideration, Alternative 2 (Public Facilities) is not considered to be environmentally feasible.

### 10.3 Alternative 3 (Community Commercial)

Alternative 3 (Community Commercial) Description: Under this alternative, the project site would be developed for commercial use in accordance with the "Community Commercial (C-2)" standards outlined in Chapter 22.10 (Commercial/Industrial Zoning Districts) of the Municipal Code. As specified in Section 22.10.020 (Purpose of Commercial/Industrial Zoning Districts) therein, the C-2 zoning district is applied to areas appropriate for a wide range of retail shopping and service uses, primarily intended to serve the needs of City residents. The allowable floor-area-ratio (FAR) for non-residential development shall be from 0.25 to 1.00 (Section 21.10.040). Based on a FAR of 0.35 applied to the estimated net acreage (20.2 net acres), a total of 307,969 square feet of commercial use would be developed on the project site. The site would be developed as a multi-tenant center including one or more "big-box" uses and a number of out-pads. Except as provided in the Municipal Code, building heights would not exceed 35 feet. On-site parking would be provided at a ratio of one space for each 300 square feet of gross floor area plus one space for each 1,000 square feet of outdoor

display area (Section 22.30.030). The alternative-specific grading plan could closely replicate that associated with the proposed project (March 2010 SDSP).

Finding: The Council hereby makes Finding (3).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) The Lead Agency's analysis of project alternatives is presented in Section 6.0 (Alternatives Analysis) in the DEIR and in Section 3.0 ("January 2012 'Site D' Specific Plan" Alternative) in RTC2 and those analyses are incorporated by reference herein.
- (b) With regards to the ability of Alternative 3 (Community Commercial) to avoid or substantially lessen the significant environmental effects of the proposed project (March 2010 SDSP):
  - (1) With regards to construction air quality impacts, under the proposed project (March 2010 SDSP), combined emissions of ROG would exceed the SCAQMD's recommended threshold criteria. With regards to criteria pollutants, construction impacts would be deemed to be significant. Under Alternative 3 (Community Commercial), on-site development activities may be increased (307,969 square feet of neighborhood-serving commercial use as compared to 153,985 square feet of comparable commercial use and 202 dwelling units). Because mass grading of the project site would be required to create the site's "super pads" and because construction of a multi-pad commercial complex would likely be staged based on financing considerations and market considerations, maximum daily construction activities would be anticipated to be similar. With regards to criteria pollutants, construction impacts would be significant.
  - (2) With regards to operational air quality impacts, the proposed project (March 2010 SDSP) is projected to create ROG, NOx, and CO emissions in excess of the SCAQMD suggested daily threshold criteria. Under this alternative, the resulting retail shopping center is projected to generate substantially greater volumes of daily and peak-hour vehicle trips than the proposed residential and commercial development. Notwithstanding the elimination of 202 dwelling units, the doubling of the square footage of on-site commercial uses would result in a net increase in the number of daily and peak-hour vehicle trips generated under this alternative. Based on that increase, with regards to criteria pollutants, operational air quality impacts would be projected to remain significant.
  - (3) With regards to cumulative air quality impacts, under the SCAQMD's recommended methodology, development activities that generate significant construction and/or operational air quality impacts are also assumed to generate significant cumulative air quality impacts.
  - (4) With regards to GHG emissions, based on the CalEEMod emissions modeling performed for Alternative 6 (January 2012 SDSP), based on the number of vehicle trips associated with Alternative 2 (Public Facilities), it can be concluded that project-level and cumulative GHG emissions and climate change impacts would be significant.
- (c) The Council finds that Alternative 3 (Community Commercial) is not "environmentally superior" to the proposed project (March 2010 SDSP) since it would not result in the avoidance or substantial lessening of significant

construction, operational, and cumulative air quality impacts (including both criteria pollutants and GHG emissions).

- (d) Absent a housing component, the Council finds that Alternative 3 (Community Commercial) would meet some but would not all of the project's basic objectives.
- (e) The Council finds that Alternative 3 (Community Commercial) is economically, legally, and technologically feasible. The District has, however, indicated that "Site D [should] be developed 100% residential." As such, the Applicant has indicated that it does not seek to pursue a commercial development option for the "Site D" property. Alternative 3 (Community Commercial) is, therefore, not considered to be socially feasible.
- (f) Alternative 3 (Community Commercial) is not projected to result in the avoidance of substantial lessening of the following significant environmental impacts attributable to the proposed project (March 2010 SDSP): (1) construction air quality impacts with regards to criteria pollutants; (2) operational air quality impacts with regards to criteria pollutants; (3) cumulative air quality impacts with regards to criteria pollutants; and (4) project-level and cumulative air quality impacts with regards to GHG emissions and climate change. Except through the adoption of a statement of overriding consideration, Alternative 3 (Community Commercial) is not considered to be environmentally feasible.

#### 10.4 Alternative 4 (Low-Density Residential)

Alternative 4 (Low-Density Residential) Description: The eastern portion of the project site is zoned "Low Density Residential (R-1-7,500)" and "Low Medium Density Residential (R-1-10,000)" on the City's Official Zoning Map. Alternative 4 (Low-Density Residential) is predicated upon the expansion of the "Low Density Residential (RL)" zoning designation so as to encompass the entirety of estimated developable area of the project site (20.2 net acres). At a density of 3 dwelling units per net acre, a total of about 60 dwelling units would be developed on the project site. Under this alternative, the alternative-specific grading plan could closely replicate that associated with the SDSP.

Finding: The Council hereby makes Finding (3).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) The Lead Agency's analysis of project alternatives is presented in Section 6.0 (Alternatives Analysis) in the DEIR and in Section 3.0 ("January 2012 'Site D' Specific Plan" Alternative) in RTC2 and those analyses are incorporated by reference herein.
- (b) With regards to the ability of Alternative 4 (Low-Density Residential) to avoid or substantially lessen the significant environmental effects of the proposed project (March 2010 SDSP):
  - (1) With regards to construction air quality impacts, assuming a similar grading plan, based on the CalEEMod emissions modeling performed for Alternative 6 (January 2012 SDSP), with regards to criteria pollutants, it can be reasonably concluded that any residential development of comparable or lesser size/scale developed on the project site and operating under the same general assumptions would produce similar construction-term air quality impacts. As a result, short-term air quality impacts are assumed to be less than significant.

- (2) With regards to operational air quality impacts, under this alternative, the number of projected average daily trips attributable to the proposed project (March 2010 SDSP) would be reduced from about 9,276 to 574 ADT (based on an ITE-generated trip generation rate of 9.57 trip ends per single-family unit). Mobile source emissions would, therefore, be substantially reduced. Based on that reduction, with regards to criteria pollutants, operational air quality impacts would be reduced to a less-than-significant level.
  - (3) With regards to cumulative air quality impacts, under the SCAQMD's recommended methodology, development activities that do not generate significant air quality impacts, including criteria pollutants and/or GHG emissions, are also assumed not to generate significant cumulative air quality impacts. Because construction and operational air quality impacts would not exceed SCAQMD's recommended threshold standards, cumulative impacts would not be deemed significant.
  - (4) With regards to GHG emissions, under this alternative, about 574 daily trip ends would be generated during a typical weekday. Based on the CalEEMod emissions modeling for Alternative 6 (January 2012 SDSP), which generates about 1,182 daily trip ends and which was determined to be less than significant, GHG emissions would be predicted not to exceed the SCAQMD's recommended GHG threshold standard and the resulting impact, both project-level and cumulatively, would be less than significant.
- (c) The Council finds that Alternative 4 (Low-Density Residential) is "environmentally superior" to the proposed project (March 2010 SDSP) since it would result in the avoidance of significant construction, operational, and cumulative air quality impacts (including both criteria pollutants and GHG emissions).
  - (d) As more thoroughly described in Section 6.1(c)(2)(B) herein, the Council finds that Alternative 4 (Low-Density Residential) would meet the project's basic objectives. However, as a result of the City's very limited land inventory, a low-density alternative would impede local efforts toward achievement of the City's adopted RHNA housing goals.
  - (e) Given the difficulties of developing a project of this size on a property of this complexity, the project must achieve sufficient economies of scale in order to obtain a reasonable rate of return. The existing terrain, geotechnical issues, and the need for improved site access make this a difficult and costly property to develop. Because costs need to be passed along to individual homebuyers, unless designed to cater only to an elite buyer, the substantial reduction in the number of units authorized under this alternative (60 units) would likely make the financing of landform alterations and the provision of infrastructure improvements infeasible. The resulting costs would limit both the range of housing products that would be developed on the subject property and the number of qualifying buyers.
  - (f) The Applicant is required to dedicate real property and finance the cost of developing a new neighborhood park on the project site. The neighborhood park is both a major priority and public benefit for the City, as well as a significant up-front investment by the Applicant. In recognition of the buyer's need to achieve a reasonable rate of return, in comparison to other alternatives allowing for a higher intensity of use, implementation of this alternative would substantially reduce revenue opportunities available to the District. As a result, the Council finds that Alternative 4 (Low-Density Residential) is not economically feasible.

## 10.5 Alternative 5 (High-Density Residential)

Alternative 5 (High-Density Residential) Description: Under this alternative, the project site would be developed for residential use in accordance with the "High Density Residential" (RH)" standards outlined in Chapter 22.08 (Residential Zoning Districts) of the Development Code. As specified, the maximum allowable density in this district is 20 dwelling units per acre. Based on the estimated net acreage (20.2 net acres), a total of approximately 404 dwelling units could be constructed on the property. Under this alternative, the alternative-specific grading plan could closely replicate that associated with the SDSP.

As stipulated in Section 22.22.040 (Density) of the Development Code, the maximum number of units that may be allowed on a given parcel subject to the hillside management ordinance is calculated in compliance with specified requirements. In accordance with the Hillside Management Ordinance, a maximum of 524 dwelling units can be constructed within the project area. The number of dwelling units that would be constructed under this alternative (404 units) is less than the number allowable under that ordinance.

Finding: The Council hereby makes Finding (3).

Facts in Support of Finding: The following facts are presented in support of this finding:

- (a) The Lead Agency's analysis of project alternatives is presented in Section 6.0 (Alternatives Analysis) in the DEIR and in Section 3.0 ("January 2012 'Site D' Specific Plan" Alternative) in RTC2 and those analyses are incorporated by reference herein.
- (b) With regards to the ability of Alternative 5 (High-Density Residential) to avoid or substantially lessen the significant environmental effects of the proposed project (March 2010 SDSP):
  - (1) With regards to construction air quality impacts, under the proposed project (March 2010 SDSP), combined emissions of ROG would exceed the SCAQMD's recommended threshold criteria. With regards to criteria pollutants, construction impacts would be deemed to be significant. Under Alternative 5 (High-Density Residential), on-site development activities would consist of 404 attached dwelling units, compared to 153,985 square feet of neighborhood-serving commercial use and 202 dwelling units (202 additional dwelling units would substitute for the 153,985 square feet of commercial use). Because this change would likely constitute an increase in total square footage of authorized uses, the resulting construction-term air quality impacts would be likely greater than associated with the proposed project (March 2010 SDSP). With regards to criteria pollutants, short-term air quality impacts would remain similar.
  - (2) With regards to operational air quality impacts, the proposed project (March 2010 SDSP) is projected to create ROG, NOx, and CO emissions in excess of the SCAQMD suggested daily threshold criteria. Implementation of this alternative would result in the generation of about 2,364 daily vehicle trips during a typical weekday (as compared to approximately 9,276 daily vehicle trips for the March 2010 SDSP). Because this alternative would generate substantially lower volumes of

daily and peak-hour vehicle trips that associated with the proposed project (March 2010 SDSP), mobile source emissions would be substantially reduced. Under this alternative, with regards to criteria pollutants, operational air quality impacts would be reduced to a less-than-significant level.

- (3) With regards to cumulative air quality impacts, under the SCAQMD's recommended methodology, development activities that generate significant air quality impacts are also assumed to generate significant cumulative air quality impacts.
  - (4) With regards to GHG emissions, based on the CalEEMod emissions modeling performed for Alternative 6 (January 2012 SDSP), based on the number of vehicle trips associated with Alternative 2 (Public Facilities), it can be concluded that project-level and cumulative GHG emissions and climate change impacts would be significant.
- (c) The Council finds that Alternative 5 (High-Density Residential) is "environmentally superior" to the proposed project (March 2010 SDSP) since it would result in the avoidance or substantial lessening of significant operational air quality impacts.
  - (d) The Council finds that Alternative 5 (High-Density Residential) would meet the project's basic objectives.
  - (e) The Council finds that Alternative 5 (High-Density Residential) is economically, legally, and technologically feasible. The District has, however, indicated that the "residential density be reduced to less than 20 units per acre. This decrease in density will better blend with the existing residences in the vicinity of Site D and will better meet the current market conditions for the building community." Alternative 5 (High-Density Residential) is, therefore, not considered to be socially feasible in that it conflicts with and exceeds the Applicant's requested entitlements.
  - (f) Alternative 5 (High-Density Residential) is not projected to result in the avoidance of substantial lessening of the following significant environmental impacts attributable to the proposed project (March 2010 SDSP): (1) construction air quality impacts with regards to criteria pollutants; (2) cumulative air quality impacts with regards to criteria pollutants; and (3) project-level and cumulative air quality impacts with regards to GHG emissions and climate change. Except through the adoption of a statement of overriding consideration, Alternative 5 (High-Density Residential) is not considered to be environmentally feasible.

## 11.0 STATEMENT OF PROJECT BENEFITS

The City Council finds that the selection, approval, and implementation of Alternative 6 (January 2012 SDSP) would result in a number of identifiable community benefits. Those benefits include, but may not be limited to:

- (1) Authorize residential development avoiding or substantially lessening significant effects to the natural and human environment, thus furthering local, regional, and Statewide objectives regarding environmental protection, sustainable development, and the reduction of GHG emissions and its corresponding impacts on global climate change.
- (2) Consistent with the City's "Park and Recreation Master Plan," promote the expansion of the City's park system through the dedication and improvement, without direct costs to the City, of a new neighborhood park in the southwestern portion of the City consisting of not less than two net acres of useable area.

- (3) Optimize the disposal of "surplus" lands owned by the WVUSD, thus providing critical revenues to the District to be used for capital outlays and/or for costs of maintaining District property that the Board of Trustees determines will not recur within a five-year period.
- (4) Allow for the construction of critical improvements to components of the City's arterial street system, thus improving traffic flow and motorist safety.
- (5) Creation of a "green" and sustainable residential community promoting energy efficiency, water conservation, and waste reduction, and serving as a model to other future development projects in the City.
- (6) Establish and maintain a landscaped "entry feature" and establish a visual "landmark" or "gateway" along one of the City's prominent arterial highways.
- (7) Allow for the productive use of vacant property in the City, converting tax-exempt property to a private use and providing tax and other revenue benefits to the City and its residents.
- (8) Adoption of a specific plan that will serve as a valuable regulatory tool for the systematic implementation of the City's General Plan, defining the types of permitted and conditionally permitted uses that the Council believes to be appropriate for the project site, setting reasonable limits on the type and density of those uses, and establishing the design and development standards for those uses.
- (9) Provide reasonable certainty to a site developer or master builder concerning the type and intensity of development and general nature of exactions that the City envisions with regards to the project site.
- (10) Expedite subsequent project-level CEQA compliance activities through the adoption of a comprehensive EIR addressing the specific plan and its corresponding entitlements.
- (11) Result in the production of 200 new housing units within the City, thus helping the City respond to the identified housing demands outlined in the current "Regional Housing Needs Assessment" (RHNA).
- (12) Pursuant to Section 21000(g) of CEQA, further the attainment of the Statewide goal of "providing a decent home and satisfying living environment for every Californian."
- (13) Present future homebuyers with additional purchase options and price variations allowing homebuyers to better match housing choices with household needs and demands within the City.
- (14) Generate school impact, park, and traffic impact fees and other exactions that will facilitate the ability of the City and other agencies to undertake improvements to specific public facilities.

**EXHIBIT "B"**

**JANUARY 2012 "SITE D" SPECIFIC PLAN  
FINAL MITIGATION REPORTING AND MONITORING PROGRAM**

No.	Mitigation Measure	Compliance Verification	Mitigation Milestone
1	<p><b>Hydrology and Water Quality</b></p> <p>Prior to the issuance of grading permits, all drainage facilities and improvements shall be subject to final design and engineering review and approval by the City Engineer and, for those storm drain facilities under County jurisdiction, by the Los Angeles County Department of Public Works (LACDPW) (Mitigation Measure 4-1).</p>	City Engineer	Issuance of Grading Permits
2	<p><b>Biological Resources</b></p> <p>In order to reduce impacts to United States Army Corps of Engineers and Regional Water Quality Control Board (ACOE/RWQCB) and California Department of Fish and Game (CDFG) jurisdictional waters, prior to the issuance of a grading permit, the Applicant shall demonstrate, to the satisfaction of the Community Development Director, receipt of any discretionary permits and approval as may be required from the ACOE, RWQCB, and CDFG and commit to the provision of compensatory jurisdictional resources meeting or exceeding the following minimal standards: (1) the on-site and/or off-site replacement of ACOE/RWQCB jurisdictional waters and wetlands at a 2:1 ratio; (2) the on-site and/or off-site replacement of CDFG jurisdictional streambed and associated riparian habitat at a 2:1 ratio; and (3) the incorporation of design features into the project's design and development enhancing the site's biological resources (Mitigation Measure 5-1).</p>	Community Development Director	Issuance of Grading Permits
	<p><b>Traffic and Circulation</b></p>		
3	<p>Prior to the recordation of the final tract map or issuance of occupancy permits for any residential development, as determined by the City Engineer, the Applicant shall complete, to the satisfaction of the City Engineer, those street and intersection improvements identified in the traffic impact analysis or any supplement thereto, provide a bond or other acceptable instrument committing to those improvements, and/or provide a "fair-share" contribution toward the cost of the improvements to the following intersections: (1) Brea Canyon Road at Pathfinder Road; (2) Diamond Bar Boulevard at Pathfinder Road; (3) Brea Canyon Road at Cold Spring Lane; (4) Diamond Bar Boulevard at Cold Spring Lane; (5) Pathfinder Road at Brea Canyon Cutoff; (6) SR-57 SB Ramps at Brea Canyon Cutoff; (7) SR-57 NB Ramps at Brea Canyon Cutoff; (8) Brea Canyon Road at Diamond Bar Boulevard; (9) Crooked Creek or Cherydate Drive at Diamond Bar Boulevard; (10) Brea Canyon Road at Silver Bullet Drive; (11) Diamond Bar Boulevard at Grand Avenue; and (12) Colima Road at Brea Canyon Cutoff (Mitigation Measure 6-1).</p>	City Engineer	Final Tract Map Recordation or Issuance of Occupancy Permits
4	<p>The final site plan shall include and accommodate those traffic measures, improvements, and such other pertinent factors and/or facilities as may be identified by the City Engineer to ensure the safe and efficient movement of project-related traffic (Mitigation Measure 6-2).</p>	City Engineer	Site Plan Approval
5	<p><b>Air Quality</b></p> <p>Site watering shall be conducted a minimum of three times daily during site preparation activities within disturbed areas lacking ground coverage (Mitigation Measure 7-1).</p>	Building Inspector	Construction Term

**JANUARY 2012 "SITE D" SPECIFIC PLAN  
FINAL MITIGATION REPORTING AND MONITORING PROGRAM**

No.	Mitigation Measure	Compliance Verification	Mitigation Milestone
	<b>Noise</b>		
6	In accordance with the Development Code, construction shall be restricted to between the hours of 7:00 AM and 8:00 PM on weekdays and Saturdays. No construction shall occur at any time on Sundays or on federal holidays. These days and hours shall also apply any servicing of equipment and to the delivery of construction materials to or from the site (Mitigation Measure 8-1).		
7	All construction equipment shall be properly maintained and tuned to minimize noise emissions (Mitigation Measure 8-2).	Building Inspector	Construction Term
8	All equipment shall be fitted with properly operating mufflers, air intake silencers, and engine shrouds no less effective than originally equipped (Mitigation Measure 8-3).		
9	The construction contractor shall place temporary noise barriers along the site perimeter when doing any work within 100 feet of any existing residential units. Where feasible, such barriers shall attempt to block the line of sight between the residents and construction equipment (Mitigation Measure 8-4).		
10	The construction contractor shall specify the use of electric stationary equipment (e.g., compressors) that can operate off the power grid where feasible. Where infeasible, stationary noise sources (e.g., generators and compressors) shall be located as far from residential receptor locations as is feasible (Mitigation Measure 8-5).	City Engineer	Building Permit Issuance
11	Construction shall be subject to any and all provisions set forth by the City of Diamond Bar Planning Department (Mitigation Measure 8-6).	Planning Manager	
12	No residential units shall be located within 830 feet of the SR-57 Freeway's nearest travel lane unless additional sound attention is provided to the satisfaction of the Community Development Director (Mitigation Measure 8-7).		Final Tract Map Recordation
13	No residential units shall be located within 130 feet of the centerline of Diamond Bar Boulevard unless additional sound attention is provided to the satisfaction of the Community Development Director (Mitigation Measure 8-8).	Community Development Director	
	<b>Cultural Resources</b>		
14	Prior to the issuance of a grading permit, a qualified archaeologist shall be retained by the Applicant and approved by the City to monitor all vegetation removal and ground disturbance to a depth of three feet within the following portions of the study area: (1) the boundary of SD-Cultural-1; (2) the open valley floor adjacent to SD-Cultural-1; and (3) the riparian areas that were not previously surveyed due to dense vegetation cover. The archaeologist will determine if additional monitoring below the depth of three feet is warranted based on soil and bedrock conditions and presence/absence of archaeological materials. No archaeological monitoring is required for ground disturbing activities outside of these monitor areas (Mitigation Measure 11-1)	Community Development Director and City Engineer	Issuance of Grading Permits
	<b>Cultural Resources (Continued)</b>		

**JANUARY 2012 "SITE D" SPECIFIC PLAN  
FINAL MITIGATION REPORTING AND MONITORING PROGRAM**

No.	Mitigation Measure	Compliance Verification	Mitigation Milestone
15	<p>If cultural resources are identified during monitoring of the ground disturbing activities, the archaeologist shall be allowed to temporarily divert or redirect grading or excavation activities in the vicinity of those resources in order to make an evaluation of the find and determine appropriate treatment. Treatment will include the goals of preservation where practicable and public interpretation of historic and archaeological resources. All cultural resources recovered will be documented on California Department of Parks and Recreation Site Forms to be filed with the CHRIS-SCCIC. The archaeologist shall prepare a final report about the monitoring to be filed with the Applicant, the City, and the California Historical Resources Information System South Central Coastal Information Center at the California State University, Fullerton (CHRIS-SCCIC), as required by the California Office of Historic Preservation. The report shall include documentation and interpretation of resources recovered, if any. Interpretation will include full evaluation of the eligibility of SD-Cultural-1 with respect to the California Register of Historic Places and CEQA. The report shall also include all specialists' reports as appendices. The City shall designate repositories in the event that significant resources are recovered. If cultural resources are identified during ground disturbing activities that occur outside the designated monitoring area, ground disturbing activities shall be temporarily redirected away from the vicinity of the find until the retained archaeologist is notified by the Applicant. The archaeologist shall coordinate with the Applicant as to the immediate treatment of the find until a proper site visit and evaluation is made by the archaeologist (Mitigation Measure 11-2).</p>	<p>Building Inspector</p>	<p>Construction Term</p>
16	<p>If human remains are encountered unexpectedly during construction excavation and grading activities, Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Section 5097.98 of the Public Resources Code. If the remains are determined to be of Native American descent, the County Coroner has 24 hours to notify the California Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendant of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains (Mitigation Measure 11-3).</p>		
17	<p>Prior to the issuance of a grading permit, a qualified paleontologist meeting the qualifications established by the Society of Vertebrate Paleontologists shall be retained by the Applicant and approved by the City to develop and implement a paleontological monitoring plan. Development of the monitoring plan shall include a site visit by the paleontologist prior to initiation of project development in order to determine or delineate sensitive areas. The paleontologist may also perform collections of fossils from the surface and near-surface (Mitigation Measure 11-4).</p>	<p>Community Development Director</p>	<p>Issuance of Grading Permits</p>
18	<p>The paleontologist shall attend a pre-grade meeting in order to become familiar with the proposed depths and patterns of grading of the study area (Mitigation Measure 11-5).</p>	<p>City Engineer</p>	
19	<p>The paleontologist shall establish a curation agreement with an accredited facility prior to grading permit issuance (Mitigation Measure 11-6).</p>		
<p align="center"><b>Cultural Resources (Continued)</b></p>			

**"Site D" Specific Plan**  
 City of Diamond Bar, California

**JANUARY 2012 "SITE D" SPECIFIC PLAN  
 FINAL MITIGATION REPORTING AND MONITORING PROGRAM**

No.	Mitigation Measure	Compliance Verification	Mitigation Milestone
20	A paleontological monitor, supervised by the paleontologist, shall monitor all excavations in the Puente Formation or excavations anticipated to extend into the Puente Formation. If fossils are found during ground-disturbing activities, the paleontological monitor shall be empowered to halt the ground-disturbing activities within 25 feet of the find in order to allow evaluation of the find and determination of appropriate treatment (Mitigation Measure 11-7).	Building Inspector	Construction Term
21	The paleontologist shall prepare a final report on the monitoring. If fossils were identified, the report shall contain an appropriate description of the fossils, treatment, and curation. A copy of the report shall be filed with the City and the Natural History Museum of Los Angeles County and shall accompany any curated fossils (Mitigation Measure 11-8).	Community Development Director	Grading Sign-Off
	<b>Aesthetics</b>		
22	All pole-mounted or wall-mounted luminaires installed for the purpose of illuminating homes, public park areas, private roadways, and driveways shall conform to appropriate lighting standards and demonstrate, to the satisfaction of the City Engineer, that light trespass will not exceed 0.5 horizontal foot candle, as measured at the project boundaries abutting any existing residential use. These standards shall not be applied to any public streets or to any entry feature or other City-oriented signage to be constructed on or adjacent to the project site (Mitigation Measure 12-1).	City Engineer	Building Permit Issuance