

- (f) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a number of standard conditions of approval (Condition of Approvals 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 standard conditions and/or mitigation measures are recommended or required.

5.6.2 Environmental Effect: The project is forecast to generate approximately 9,276 daily two-way vehicle trips, including 272 trips during the AM and 650 trips during the PM peak hours, and would increase traffic congestion on local and regional roadways (Traffic and Circulation Impact 6-2).

Finding: The City 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 (Traffic and Circulation) in the FEIR and that analysis is incorporated by reference herein.
- (b) 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 were examined: (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.
- (c) In accordance with City traffic impact analysis (TIA) requirements, the project's construction of or payment of a "fair share" contribution toward the construction costs of identified areawide street improvements serves to fully and effectively reduce the project's traffic and circulation impacts to a less-than-significant level.
- (c) Prior to implementation of any recommended traffic improvements, on a cumulative-plus-project bases, traffic associated with the proposed project will significantly impact nine intersections in the long-term (2030) and contribute to the adverse service levels at three additional intersections forecast to operate at an unsatisfactory LOS in 2030. Those locations projected to operate at an adverse service level in 2030 include: (1) Brea Canyon Road (W) at Pathfinder Road; (2) Diamond Bar Boulevard at Pathfinder Road; (3) Brea Canyon Road at Cold Springs Lane; (4) Cold Springs Lane at Diamond Bar Boulevard; (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) Cherrydale 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.

- (d) Since twelve intersections which are forecast to operate at a poor level of service (LOS) under 2030 cumulative-plus-project traffic conditions, a number of mitigation measures (Mitigation Measures 6-1 and 6-2) have been included in the FEIR and adopted or likely to be adopted in the MRMP identifying associated street improvements and the proposed project's obligations toward those improvements and 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 for the purpose of ensuring the safe and efficient movement of project-related traffic. Implementation of the recommended improvements and "fair-share" contribution will reduce identified traffic and circulation impacts to below a level of significance.

5.6.3 Environmental Effect: The implementation of the proposed 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 City 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 (Traffic and Circulation) in the FEIR and that analysis is incorporated by reference herein.
- (b) Prior to implementation of any recommended traffic improvements, the following twelve intersections are projected to operate at an adverse LOS in 2030: (1) Brea Canyon Road (W) at Pathfinder Road; (2) Diamond Bar Boulevard at Pathfinder Road; (3) Brea Canyon Road at Cold Springs Lane; (4) Cold Springs Lane at Diamond Bar Boulevard; (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) Cherrydale Drive at Diamond Bar Boulevard; (10) Brea Canyon Road at Silver Bullet Drive; (11) Diamond Bar Boulevard at Grand Avenue; (12) Colima Road at Brea Canyon Cutoff.
- (c) Since twelve intersections which are forecast to operate at a poor level of service (LOS) under 2030 cumulative-plus-project traffic conditions, a number of mitigation measures (Mitigation Measures 6-1 and 6-2) have been included in the FEIR and adopted or likely to be adopted in the MRMP identifying associated street improvements and the proposed project's obligations toward those improvements and 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 for the purpose of ensuring the safe and efficient movement of project-related traffic. Implementation of the recommended improvements and "fair-share" contribution will reduce identified traffic and circulation impacts to below a level of significance.

## 5.7 Air Quality

5.7.1 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 City 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 FEIR and that analysis is incorporated by reference herein.
- (b) CEQA requires that projects be consistent with the "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) As indicated in the analysis presented in the FEIR, the proposed project is consistent with the goals of 2007 AQMP and, in that respect, does not present a significant air quality impact.
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no standard conditions and/or mitigation measures are recommended or required.

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

Finding: The City 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 FEIR and that analysis is incorporated by reference herein.
- (b) All construction emissions concentrations for carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), particulate matter less than 10 microns (PM<sub>10</sub>), and particulate matter less than 2.5 microns (PM<sub>2.5</sub>) are within their respective threshold values and are, therefore, less than significant.
- (c) Based on a CO micro-scale hot-spot analysis, predicted CO values are below the State's 1-and 8-hour standards and any potential impact is less than significant.
- (c) Mandatory adherence to the SCAQMD rules would ensure that any construction or operational impact from toxic air contaminants (TAC) associated with the operation of the project remains less than significant.

- (d) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition of approval (Condition of Approval 7-1) requiring that future residential purchasers be notified of the presence or potential presence of proximal commercial uses on the subject property.
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional standard conditions and/or mitigation measures are recommended or required.

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

Finding: The City 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 FEIR and that analysis is 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, any 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 standard conditions and/or mitigation measures are recommended or required.

5.7.4 Environmental Effect: The construction and operation of the proposed project will contribute to the generation of greenhouse gas (GHG) emissions. GHG have been linked to climate change (Air Quality Impact 7-7).

Finding: The City 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 FEIR and that analysis is incorporated by reference herein.
- (b) At this time, greenhouse gases (primarily CO<sub>2</sub>) are not regulated as a criteria pollutant and there are no significance criteria for these emissions. The current AQMP does not set CEQA targets that can be used to determine any potential threshold values.
- (c) Carbon dioxide (CO<sub>2</sub>) is the most common greenhouse gas. Construction activities would consume fuel and result in the generation of GHG emissions. Construction CO<sub>2</sub> emissions were projected using the URBEMIS2007 computer model. In accordance with the projected URBEMIS construction schedule, approximately 1,347,095.44 pounds (673.55 tons) of CO<sub>2</sub> would be produced over the approximate 299 days of active construction.

- (d) In the case of site operations, the majority of GHG emissions, and specifically CO<sub>2</sub>, are due to vehicle travel and energy consumption. Results of the URBEMIS2007 model indicate that, on average, 87,066.64 pounds (43.53 tons) of CO<sub>2</sub> would be produced daily or about 31,779,323.60 pounds (15,889.66 tons) per year.
- (e) In accordance with the current AQMP, the emission levels in California are estimated to be 473 million metric tons (521.4 million short tons) CO<sub>2</sub> equivalent for 2000 and 532 million metric tons (568.4 short tons) CO<sub>2</sub> equivalent for 2010. Year 2009 (the worst-case scenario year that the emissions are based on) is then extrapolated to 526.1 million metric tons (579.9 short tons). At approximately 15,889.66 tons per year, the proposed project's operations represent less than 0.003 percent of this State's annual CO<sub>2</sub> emissions' budget.
- (f) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no standard conditions and/or mitigation measures are recommended or required.

## 5.8 Noise

5.8.1 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 City 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 FEIR and that analysis is 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 in the City under the provisions of the Municipal Code. The Municipal Code limits the hours of heavy equipment operations. Notwithstanding those provisions, construction noise may continue to 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 (Mitigation Measures 8-1 through 8-6) have been included in the FEIR and adopted or likely to be adopted in the MRMP which are designed to reduce short-term noise impacts to the maximum extend feasible. Implementation of the recommended mitigation measures would reduce construction noise impacts to a less-than-significant level.

5.8.2 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 City 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 FEIR and that analysis is incorporated by reference herein.
- (b) The Municipal Code sets a goal level of 55 dBA for mobile-source noise intrusion on sensitive, multi-family land uses. 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. Assuming the inclusion of forced air ventilation, commercial uses have an exterior goal of 65 dBA CNEL and a conditionally acceptable level of 70 dBA CNEL.
- (c) 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 residential units within this distance could then expose future residents to excessive noise levels and result in a potentially significant impact. Since any commercial structures that would lie between the residential units and Diamond Bar Boulevard could serve as an effective sound wall if they were to shield the residents from a view of the road traffic, the 130-foot distance is considered as conservative.
- (d) 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) The 70 dBA CNEL would fall at distances of about 60 feet from the centerline of Diamond Bar Boulevard.
- (f) The Lead Agency has identified a standard condition of approval (Condition of Approval 8-1), as required under Title 24 standards, requiring forced air ventilation in the proposed residential development, thus allowing site occupants to leave windows closed and reducing interior levels by in excess of 20 dBA.
- (e) Based on the potential presence of significant noise impacts, a number of mitigation measures (Mitigation Measures 8-7 and 8-8) have been included in the FEIR and adopted or 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 unless additional sound attention is provided and no commercial units shall be located within 60 feet of the centerline of Diamond Bar Boulevard. Implementation of the recommended mitigation measures would reduce construction noise impacts to a less-than-significant level.

5.8.3 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 City 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 FEIR and that analysis is incorporated by reference herein.
- (b) As traffic volumes in the general project area increase, those areas located in proximity to the area's arterial highway system will experience increased traffic

- noise.
- (c) The TIA indicates that the project would add 9,276 ADT to the roadway network. Modeling indicates that the noise increase along all access roads would not exceed 0.7 dBA CNEL. The project's contribution to ambient noise levels would, therefore, be less than significant.
  - (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 serve as a partial sound wall reducing this noise at the 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) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no standard conditions and/or mitigation measures are recommended or required.

5.8.4 Environmental Effect: Short-term construction and long-term operational noise associated with the proposed 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 City 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 FEIR and that analysis is 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 area's 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 area's 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. As deemed appropriate, beyond those requirements already imposed by each agency's noise ordinance, land-use entities have the ability to impose additional mitigation measures and/or conditions of approval 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 standard conditions and/or mitigation measures are recommended or required.

## 5.9 Public Services and Facilities

5.9.1 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 City 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 FEIR and that analysis is 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. An increased demand for police service will occur during the construction phases.
- (c) Provision of such services would not require construction of any new Los Angeles County Sheriff's Department (LACSD) or California Highway Patrol (CHP) facilities or necessitate the physical alteration of any existing facilities.
- (d) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a number of standard conditions of approval (Conditions of Approval 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 and the configuration of the development.
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional standard conditions and/or mitigation measures are recommended or required.

5.9.2 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 City 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 FEIR and that analysis is incorporated by reference herein.
- (b) The proposed 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 standard conditions of approval (Conditions of Approval 9-3 through 9-5) requiring the Los Angeles County Fire Department's (LACFD) approval of fire protection program and workplace standards for fire safety, a fuel modification, landscape, and irrigation plan, a final water improvement plans, and associated 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 standard conditions and/or mitigation measures are recommended or required.

5.9.3 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 City 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 FEIR and that analysis is incorporated by reference herein.
- (b) Since no substantial increase in the number of new households within the general project area would be anticipated in order to accommodate the project's construction, no direct construction-related impacts on WVUSD facilities have been identified.
- (d) Construction traffic accessing the site from Cold Springs Road will cross Castle Rock Road in the vicinity of Castle Rock Elementary School. 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 standard conditions of approval (Conditions of Approval 6-2, 6-3, 6-4, and 9-6) restricting construction traffic along Castle Rock Road and Pasado Drive, requiring the preparation of a construction traffic safety plan and a traffic control plan, and requiring the 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 standard conditions and/or mitigation measures are recommended or required.

5.9.4 Environmental Effect: With a resident population of approximately 662 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 City 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 FEIR and that analysis is incorporated by reference herein.
  - (b) Actual police protection personnel needs will be determined over time, based on that department's experience with the project's residential and commercial components, 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 and new or the replacement of existing equipment, and the hiring of new sworn and non-sworn personnel.
  - (e) Neither the LACSD nor the CHP have not established a functional mechanism for the collection of LACSD or CHP impact fees and there exists no formal basis to quantify project-related impacts upon police protection services.
  - (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 LACSD resource demands.
  - (g) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition of approval (Condition of Approval 9-2) specifying that, prior to the issuance of building permits, the LACSD review and comment upon building plans and the configuration of the development.
  - (h) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional standard conditions and/or mitigation measures are recommended or required.
- 5.9.5 Environmental Effect: The introduction of 202 new residential dwellings and 153,985 square feet of new commercial use 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 City 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 FEIR and that analysis is 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 are capable of delivering those minimum flows to the project site.
- (c) With regards to commercial projects, the LACFD stipulates that the minimum fire flow and fire hydrant requirements shall be determined by the fire chief or fire marshal.
- (d) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition of approval (Condition of Approval 9-5) specifying

that, prior to the issuance of building permits, the LACFD review and approve final water improvement plans and 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 standard conditions and/or mitigation measures are recommended or required.

5.9.6 Environmental Effect: Project implementation will increase enrollment within the Walnut Valley Unified School District by an estimated 31 new students, including approximately 11 new elementary school students (Grades K-6), 8 new junior high school students (Grades 7-9), and 12 new high school students (Grades 9-12) (Public Services Impact 9-6).

Finding: The City 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 FEIR and that analysis is incorporated by reference herein.
- (b) For the 2009-2010 school year, Castle Rock Elementary, Evergreen Elementary Schools, and South Pointe Middle School have the available capacity to accommodate 103, 117, and 62 additional students, respectively. Although no available capacity has been identified at Diamond Bar High School (a shortfall of 80 students is projected), any excess pupil enrollment at that facility will be temporarily housed in leased portable classrooms (in space made available by reducing existing programs and in space reconstructed on existing sites) until more permanent measures can be taken.
- (c) As indicated in the WVUSD's current fee justification study, based on the application of the State-approved cohort survival method, it is estimated that student enrollment within the WVUSD will decrease from 15,485 Grade K-12 students in the fall of the 2008 school year to 15,414 students in the 2011 school year, representing an increase of 75 Grade K-6 students and a decrease of 79 Grade 7-12 students. Alternatively, based on the application of the pupil per dwelling unit multiplier method, it is estimated that student enrollment will increase from 15,485 Grade K-12 students in the fall of the 2008 school year to 15,599 students in the 2016 school year, representing an increase of 49 Grade K-6 students and an increase of 50 Grade 7-12 students.
- (d) The WVUSD's current fee justification study concluded that no new school sites would need to be acquired and no new school facilities would need to be constructed to accommodate projected student population projections through at least 2023.
- (e) 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 the proposed residential development.
- (f) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition of approval (Condition of Approval 9-7) specifying that, prior to the issuance of building permits, the City be provided with a certificate of compliance or other documentation demonstrating compliance with the District's School Board 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 standard conditions and/or mitigation measures are recommended or required.

5.9.7 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 City 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 FEIR and that analysis is incorporated by reference herein.
- (b) The Diamond Bar Library is 9,935 gross square feet in size and houses a collection consisting of 89,446 books and other library materials.
- (c) 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 Library would need a 28,115 square foot facility and 154,640 items in order to meet that standard.
- (d) The proposed project is projected to add about 662 new residents to the City. That population increase would create additional demand for library service and would further affect the County Library's ability to adequately serve the existing and future residents of the Diamond Bar Library's service area. Based on the County Library's service level guidelines, based on project-related demand, the Diamond Bar Library would require an additional 331 gross square feet of facility space and an additional 1,820 new items (books and other library materials).
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no standard conditions and/or mitigation measures are recommended or required.

5.9.8 Environmental Effect: Project implementation will increase the resident population of the City of Diamond Bar and generate a projected need for 2.12 acres (approximately 92,390 square feet) of additional parkland within the City (Public Services Impact 9-8).

Finding: The City 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 FEIR and that analysis is 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.

In accordance therewith, the proposed 202 dwelling units (assuming the classification of those units as multi-family dwellings) would generate a need for 2.12 acres (approximately 92,390 square feet) of additional parkland within the City.

- (c) As specified in Section 21.32.040(e)(2), only the payment of fees shall be required in subdivisions of 50 parcels or less, except that when a condominium project, stock cooperative, or community apartment project exceeds 50 dwelling units, dedication of land may be required even though the number of actual parcels may be less than 50. Although the proposed development plan does not include a public recreational component, the City is authorized to require real property dedication rather or in addition to the payment of park fees.
- (d) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition of approval (Condition of Approval 9-8) specifying that, prior to the approval of the final subdivision map, pursuant to Section 21.32.040 (Park Land Dedications and Fees) in Chapter 21.32 (Subdivisions) of the Municipal Code, in-lieu park fees shall be paid to the City in the manner and in the amount authorized thereunder.
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional standard conditions and/or mitigation measures are recommended or required.

5.9.9 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 City 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 FEIR and that analysis is 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 or decreases in annual budgetary allocations provided to police and fire protection agencies, including the LACSD and LACFD.
- (c) As indicated in the WVUSD's current fee justification study, based on the application of the State-approved cohort survival method, it is estimated that student enrollment within the WVUSD will decrease from 15,485 Grade K-12 students in the fall of the 2008 school year to 15,414 students in the 2011 school year, representing an increase of 75 Grade K-6 students and a decrease of 79 Grade 7-12 students. Alternatively, based on the application of the pupil per dwelling unit multiplier method, it is estimated that student enrollment will

- increase from 15,485 Grade K-12 students in the fall of the 2008 school year to 15,599 students in the 2016 school year, representing an increase of 49 Grade K-6 students and an increase of 50 Grade 7-12 students.
- (d) The WVUSD's current fee justification study concluded that no new school sites would need to be acquired and no new school facilities would need to be constructed to accommodate projected student population projections through at least 2023.
  - (e) All qualifying residential and non-residential development projects located within the WVUSD's district boundaries are required to pay school impact fees. Notwithstanding the findings of the WVUSD's fee justification analysis, 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.
  - (f) 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.
  - (g) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no standard conditions and/or mitigation measures are recommended or required.

## 5.10 Utilities and Service Systems

5.10.1 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 City 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 FEIR and that analysis is 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 standard conditions or mitigation measures are recommended or required.

5.10.2 Environmental Effect: The project's residential and commercial components are projected to generate approximately 89,435 gallons of wastewater per day (0.09 mgd). Applying a peaking factor of 2.7, the peaked flow rate would be about 241,475 gallons of wastewater per day (0.25 mgd) (Utilities and Service Systems Impact 10-2).

Finding: The City 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 FEIR and that analysis is 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 "condominium" units, each unit will generate approximately 195 gallons of wastewater per day (gpd). Based on that generation rate, the project's 202 dwelling units are projected to generate approximately 39,390 gpd of wastewater or 0.04 million gallons per day (mgd).
- (c) For the purpose of this analysis, a "shopping center" has been assumed. The CSDLAC's sewage generation rate for a "shopping center" is estimated to be 325 gallons/day/1,000 square feet (ft<sup>2</sup>). Based on shopping center containing 153,985 gross leasable square feet, an estimated 50,045 gpd (0.05 mgd) of wastewater would be generated daily. When projected residential and commercial wastewater estimates are combined, approximately 89,435 gpd (0.09 mgd) of wastewater would be generated daily.
- (d) 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 241,475 gpd (0.25 mgd).
- (e) The project generally gravity flows sewage toward the west portion of the property. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is 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 proposed project's projected contribution (0.25 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 of approval (Condition of Approval 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 standard conditions or mitigation measures are recommended or required.

5.10.3 Environmental Effect: Implementation of the proposed 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 City 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 FEIR and that analysis is incorporated by reference herein.
- (b) At the project-specific level, local agencies require project proponents to assess

the impacts of proposed projects on existing sewer facilities, on an as-needed basis. Those analyses are conducted to identify any site-specific or project-specific improvements that may be required to the local and/or CSDLAC's 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. These 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 standard conditions or mitigation measures are recommended or required.

## 5.11 Cultural Resources

5.11.1 Environmental Effect: Construction activities can result in the irretrievable loss or damage to any prehistoric, historic, or paleontological resources that may exist within the area of proposed disturbance (Cultural Resources Impact 11-1).

Finding: The City 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 FEIR and that analysis is incorporated by reference herein.
- (b) Information and analysis concerning the existing cultural resources setting, including an assessment of project-related 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) 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.
- (d) 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. The Compound included the residence of Frederick E. Lewis, who owned and operated the 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.
- (e) Results of the pedestrian 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.

- (f) Based on the potential presence of significant cultural resources impacts, a number of mitigation measures (Mitigation Measures 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.

5.11.2 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 City 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 FEIR and that analysis is incorporated by reference herein.
- (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 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 (Mitigation Measures 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.

5.11.3 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 City 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 FEIR and that analysis is 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 standard conditions or mitigation measures are recommended or required.

## 5.12 Aesthetics

5.12.1 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 City 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 FEIR and that analysis is incorporated by reference herein.
- (b) The proposed development will consist of three mass-graded "super pads," including one proposed commercial pad (with an area of about 10.09 acres) and two proposed residential pads (ranging in area from about 4.02 to 6.05 acres). 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.
- (c) City policies encourage the use of contour grading and landform grading techniques in order to create more naturalized engineered slope areas. Proposed grading activities seek to apply these 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.
- (d) 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.
- (e) 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.
  - (f) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no project conditions or mitigation measures are recommended or required.

5.12.2 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 City 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 FEIR and that analysis is incorporated by reference herein.
- (b) Variable height Loffel (Loffelstein) retaining walls, ranging from several feet to about 23 feet high, are proposed near the mid-slope of the 2:1 fill slopes between each of the super pads. Although the proposed retaining walls exceeds the height limitations specified in Sections 22.20.040, 22.22.080(b)-(c), and 22.52.020 of the Municipal Code, the proposed walls would be authorized under the provisions of the proposed specific plan.
- (c) Large retaining walls, absent integrated landscaping and irrigation, can become dominant visual elements that produce a sharp contrast between retained natural features and introduced cultural modifications. All walls over eight feet in height are cribwalls designed to incorporate landscaping as an integral design element.
- (d) Although none of the threshold criteria would be exceeded, the Lead Agency has identified a standard condition of approval (Condition of Approval 12-1) specifying that the specific plan include design details, acceptable to both the City Engineer and to the Community Development Director, for all proposed retaining walls. Retaining wall plans shall include landscape and irrigation details sufficient to ensure that each of those elements are, as appropriate, integrated into wall design and that the interrelationship between those elements are considered from structural integrity and aesthetic viewpoints.
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no additional standard conditions and/or mitigation measures are recommended or required.

5.12.3 Environmental Effect: The introduction of new residential and commercial 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 City 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 FEIR and that analysis is incorporated by reference herein.
- (b) The Illuminating Engineering Society of North America (IESNA) has established recommended outdoor lighting illumination levels. Lighting that conform to those standards would be assumed to produce a less-than-significant impact.
- (c) As defined by the IESNA and the International Darksky Association (IDA), a widely used light trespass standard specifies that an appropriate 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.
- (d) Based on the potential presence of significant aesthetic impacts, a mitigation measure (Mitigation Measure 12-1) have been included in the FEIR and adopted or likely to be adopted in the MRMP requiring that pole-mounted or wall-mounted luminaires installed for the purpose of illuminating commercial areas, parking lots, roadways, and driveways, conform to appropriate lighting standards and demonstrate that light trespass not exceed 0.5 HFC, 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.

5.12.4 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 City 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 FEIR and that analysis is 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 and redevelopment 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 and redevelopment 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 standard conditions and/or mitigation measures are recommended or required.

## 5.13 Growth Inducement

5.13.1 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 City 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 FEIR and that analysis is 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) Implementation of the proposed project will change existing land-use policies with regards to the allowable use of the project site, 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. As such, although project implementation will result in a modification to existing land-use policies, the resulting use is not anticipated to necessitate the provision of unplanned services and facilities beyond the project boundaries.
- (e) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no standard conditions and/or mitigation measures are recommended or required.

5.13.2 Environmental Effect: (Growth Inducement Impact 13-2).

Finding: The City 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 FEIR and that analysis is incorporated by reference herein.
- (b) The construction of 202 dwelling units and the introduction of 153,985 square feet of commercial use will increase the City's population by an estimated 662 individuals and directly create an estimated 462 new permanent jobs.
- (c) The size and duration of the proposed 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.

- (d) Project implementation will, therefore, not result in the removal of economic, physical, and/or political constraints affecting either the project site or other near-site properties.
- (e) 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 proposed project, ambient growth, and other related projects.
- (f) Since none of the threshold of significance criteria would be exceeded, the identified impact would be less than significant and no standard conditions and/or mitigation measures are recommended or required.

## 6.0 FINDINGS REGARDING MITIGATION REPORTING AND MONITORING PROGRAM

The City Council has adopted or will likely adopt the MRMP set forth in the FEIR. The City Council hereby finds that the MRMP meets the requirements of Section 21081.6 of CEQA and Sections 15097 and 15126.4 of the State CEQA Guidelines.

## 7.0 FINDINGS REGARDING PROJECT ALTERNATIVES NOT SELECTED FOR IMPLEMENTATION

The City Council recognizes that the SDSP will result in significant unavoidable environmental impacts that cannot be feasibly reduced to below a level of significance. The City Council finds that: (1) due to specified economic, legal, social, technological, and other considerations, each of the project alternatives examined in the FEIR are infeasible; (2) each of the project alternatives examined in the FEIR will not fulfill the identified project's stated objectives; and/or (3) each of the project alternatives examined in the FEIR will not feasibly result in the avoidance of any of the unmitigable significant or potentially significant environmental impacts associated with the proposed project.

### 7.1 Alternative No. 1 ("No Project" Alternative)

Alternative 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 a sufficient portion of the City Property to allow for the development of street improvements to the Brea Canyon Road/Diamond Bar Boulevard intersection.

Comparison of the Effects of the Alternative to the Effects of the Proposed Project: The City Council finds that the "No Project" alternative is "environmentally superior" to the proposed project since it would, at least in the short term, result in the avoidance of those significant construction, operational, and cumulative air quality impacts associated with the proposed project.

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

- (a) The City's analysis of project alternatives is presented in Section 6.0 (Alternatives Analysis) in the FEIR and that analysis is incorporated by reference herein.
- (b) Under this alternative, no new housing units and no new commercial square footage would be constructed on the project site.
- (c) The "no project" alternative generally reflects the conditions and associated environmental impacts that would predictably occur should the Lead Agency elect to either deny the proposed project 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 process 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 retention as an open space area.
- (d) With regards to construction air quality impacts, under the proposed project, combined emissions of reactive organic gases (ROG) were estimated at 136.02 pounds/day. Since that value exceeds the SCAQMD's recommended threshold criteria, construction impacts would be deemed to be significant. Since, under the "no project" alternative, no development would occur on the site, construction emissions would be eliminated and short-term air quality impacts would be reduced to a less-than-significant level.
- (e) With regards to operational air quality impacts, the proposed project is projected to create ROG, oxides of nitrogen (NOx), and carbon dioxide (CO) emissions in excess of SCAQMD's suggested daily threshold criteria. Since, under the "no project" alternative, no development would occur on the project site, operational emissions would be eliminated and long-term air quality impacts would be reduced to a less-than-significant level.
- (f) With regards to cumulative air quality impacts, independent of the Lead Agency's actions concerning the project site, related project activities will continue to incrementally contribute to regional air emissions within the SCAB. However, since site-specific contributions will not add to those conditions, cumulative air quality impacts would be deemed to be less than significant.

Effectiveness in Meeting Project Objectives: The City Council finds that the "No Project" alternative would not substantially meet the stated project objectives.

Feasibility: Although a substantial portion of the project site is owned by the District, the District has declared the District Property 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, the "No Project" alternative is deemed to be infeasible.

## 7.2 Alternative No. 2 ("Public Facilities" Alternative)

Alternative Project 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).

Comparison of the Effects of the Alternative to the Effects of the Proposed Project: The City Council finds that the "Public Facilities" alternative is "environmentally superior" to the proposed project since it would result in the avoidance or substantial reduction of those significant operational air quality impacts associated with the proposed project.

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

- (a) The City's analysis of project alternatives is presented in Section 6.0 (Alternatives Analysis) in the FEIR and that analysis is incorporated by reference herein.
- (b) Implementation of this alternative will result in the generation of approximately 2,478 daily vehicle trips during a typical weekday, including 336 AM peak-hour trips. In comparison, the proposed project is forecast to generate approximately 9,276 daily two-way vehicle trips, including 272 trips during the weekday AM and 650 trips during the PM peak hours.
- (c) Based on the nature of this alternative, trip generation characteristics would differ between weekdays and on Sunday. Based on the Sunday operation, this alternative would generate approximately 5,508 daily (Sunday) vehicle trips, including 1,412 AM peak-hour trips. In comparison, the proposed project is forecast to generate approximately 9,276 daily two-way vehicle trips, including 272 trips during the weekday AM and 650 trips during the PM peak hours.

- (d) With regards to construction air quality impacts, under the proposed project, combined emissions of ROG were estimated at 136.02 pounds/day. Since this value exceeds the SCAQMD's recommended threshold criteria, construction impacts would be deemed to be significant. Although, under this alternative, 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 air quality impacts would be assumed to be similar to those associated with the proposed project and would remain significant.
- (e) With regards to operational air quality impacts, the proposed project 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 approximately 2,478 daily vehicle trips during a typical weekday (compared to 9,278 daily two-way vehicle trips associated with the proposed project), including 336 AM peak-hour trips (compared to 650 PM peak-hour trips associated with the proposed project). As a result, under this alternative, mobile source emissions would be substantially reduced. For the purpose of this alternatives analysis, it is assumed that operational air quality impacts would be reduced to a less-than-significant level.
- (f) With regards to cumulative air quality impacts, related project activities, in combination with this alternative's construction and operation, would incrementally contribute to regional air emissions within the SCAB. Under the SCAQMD's recommended methodology, development activities that generate significant air quality impacts are also assumed to generate significant cumulative air quality impacts.

Effectiveness in Meeting Project Objectives: The City Council finds that the "Public Facilities" alternative would not substantially meet the stated project objectives to facilitate residential development on a minimum of 50 percent of the usable acreage, and commercial development on 50 percent of the usable acreage. Moreover, insofar as public facilities are owned and run by tax exempt entities, development pursuant to the "Public Facilities" alternatives would not only fail to provide a desirable level of sales tax revenue, but may also cause the property to be removed from the property tax rolls.

Feasibility: Excluding economic considerations which were not addressed in the FEIR, the City Council finds that the "Public Facilities" alternative is feasible.

### 7.3 Alternative No. 3 ("Community Commercial" Alternative)

Alternative Project Description: Under this alternative, the project site would be developed for commercial use in accordance with the "Neighborhood Commercial (C-1)" 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-1 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 SDSP.

Comparison of the Effects of the Alternative to the Effects of the Proposed Project: The City Council finds that the "Community Commercial" alternative is not "environmentally superior" to the proposed project since it would not result in the avoidance or substantial reduction of those significant construction, operational, and cumulative air quality impacts associated with the proposed project.

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

- (a) The City's analysis of project alternatives is presented in Section 6.0 (Alternatives Analysis) in the FEIR and that analysis is incorporated by reference herein.
- (b) With regards to construction air quality impacts, under the proposed project, combined emissions of ROG were estimated at 136.02 pounds/day. Since this value exceeds the SCAQMD's recommended threshold criteria, construction impacts would be deemed to be significant. Under this alternative, 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). However, because mass grading of the project site would be required to create building pads and an on-site circulation system, maximum daily construction activities would be anticipated to be similar. As a result, construction air quality impacts would be assumed to be similar to those associated with the proposed project and would remain significant.
- (c) With regards to operational air quality impacts, the proposed project 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 peak hour and daily 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 peak hour and daily vehicle trips generated under this alternative. Based on that increase in alternative-related traffic, operational air quality impacts would be projected to remain significant.
- (d) With regards to cumulative air quality impacts, related project activities, in combination with this alternative's construction and operation, would incrementally contribute to regional air emissions within the SCAB. Under the SCAQMD's recommended methodology, development activities that generate significant air quality impacts are also assumed to generate significant cumulative air quality impacts.

Effectiveness in Meeting Project Objectives: The City Council finds that the "Community Commercial" alternative would not substantially meet the stated project objectives in that it would not provide for the requisite percentage of residential development.

Feasibility: Excluding economic considerations which are not addressed in the FEIR, the City Council finds that the "Community Commercial" alternative is feasible.

#### 7.4 Alternative No. 4 ("Low-Density Residential" Alternative)

Project Description: The eastern portion of the project site is zoned "Low Density Residential (R-1-7,500)" on the City's Official Zoning Map. This alternative is predicated upon the geographic expansion of the "Low Density Residential (RL)" zoning designation within the estimated developable area of the project site (20.2 net acres) at a density of 3 dwelling units per acre. Under this alternative, a total of about 60 single-family detached and/or single-family attached units would be developed on the project site. Under this alternative, the alternative-specific grading plan could closely replicate that associated with the SDSP.

Comparison of the Effects of the Alternative to the Effects of the Proposed Project: The City Council finds that the "Low-Density Residential" alternative is "environmentally superior" to the proposed project since it would result in the avoidance or substantial reduction of those significant operational air quality impacts associated with the proposed project.

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

- (a) The City's analysis of project alternatives is presented in Section 6.0 (Alternatives Analysis) in the FEIR and that analysis is incorporated by reference herein.
- (b) With regards to construction air quality impacts, under the proposed project, combined emissions or ROG were estimated at 136.02 pounds/day. Since this value exceeds the SCAQMD's recommended threshold criteria, construction impacts would be deemed to be significant. Under this alternative, on-site development activities may be substantially decreased (60 dwelling units compared to 153,985 square feet of commercial use and 202 dwelling units). However, because mass grading of the project site would be required to create building pads and an on-site circulation system, maximum daily construction activities would be anticipated to be similar. As a result, construction air quality impacts would be assumed to be similar to those associated with the proposed project and would, therefore, remain significant.
- (c) With regards to operational air quality impacts, the proposed project is projected to create ROG, NOx, and CO emissions in excess of the SCAQMD suggested daily threshold criteria. Residential projects generate substantially lower volumes of peak hour and daily vehicle trips that comparably sized retail shopping center projects. Similarly, although some differences exist based on the type of residential development proposed, projects with fewer dwelling units can be assumed to generate a lesser number of peak hour and daily vehicle trips that projects with a greater number of dwelling units. As a result, under this alternative, mobile source emissions would be substantially reduced. For the purpose of this alternatives analysis, it is assumed that operational air quality impacts would be reduced to a less-than-significant level.
- (d) With regards to cumulative air quality impacts, related project activities, in combination with this alternative's construction and operation would incrementally contribute to regional air emissions within the SCAB. Under the SCAQMD's recommended methodology, development activities that generate significant air quality impacts are also assumed to generate significant cumulative air quality impacts.

Effectiveness in Meeting Project Objectives: The City Council finds that the "Low-Density Residential" alternative would not substantially meet the stated project objectives in that it would not provide for the requisite percentage of commercial development. Moreover, as a result of Diamond Bar's very limited land inventory, a low density alternative would not only cause the City to lose substantial ground in fulfilling its housing growth need on a site properly suited for higher density housing, but it would increase the burden on other available and potentially available (i.e. those which need to be rezoned during the current Housing Element period) sites to reach the City's RHNA targets.

Feasibility: Excluding economic considerations which are not addressed in the FEIR, the City Council finds that the "Low-Density Residential" alternative is feasible.

#### 7.5 Alternative No. 5 ("High-Density Residential" Alternative)

Project 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 Municipal 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.

Comparison of the Effects of the Alternative to the Effects of the Proposed Project: The City Council finds that the "High-Density Residential" alternative is "environmentally superior" to the proposed project since it would result in the avoidance or substantial reduction of those significant operational air quality impacts associated with the proposed project.

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

- (a) The City's analysis of project alternatives is presented in Section 6.0 (Alternatives Analysis) in the FEIR and that analysis is incorporated by reference herein.
- (b) As stipulated in Section 22.22.040 (Density) of the Municipal 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 City's 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 the City's hillside management ordinance.
- (c) Implementation of this alternative will result in the generation of approximately 2,368 daily vehicle trips during a typical weekday, including 178 AM peak-hour trips and 210 PM peak-hour trips. In comparison, the proposed project is forecast to generate approximately 9,276 daily two-way vehicle trips, including 272 trips during the weekday AM and 650 trips during the PM peak hours.
- (d) With regards to construction air quality impacts, under the proposed project, combined emissions or ROG were estimated at 136.02 pounds/day. Since this value exceeds the SCAQMD's recommended threshold criteria, construction impacts would be deemed to be significant. Under this alternative, 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. Because mass grading of the project site would be required to create building pads and an on-site circulation system, 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 and would, therefore, remain significant.
- (e) With regards to operational air quality impacts, the proposed project is projected to create ROG, NO<sub>x</sub>, and CO emissions in excess of the SCAQMD suggested daily threshold criteria. Because this alternative would generate substantially lower volumes of peak hour and daily vehicle trips that associated with the proposed project, mobile source emissions would be substantially reduced. For the purpose of this alternatives analysis, it is assumed that operational air quality impacts would be reduced to a less-than-significant level.
  - (f) With regards to cumulative air quality impacts, related project activities, in combination with this alternative's construction and operation would incrementally contribute to regional air emissions within the SCAB. Under the SCAQMD's recommended methodology, development activities that generate significant air quality impacts are also assumed to generate significant cumulative air quality impacts.

Effectiveness in Meeting Project Objectives: The City Council finds that the "High-Density Residential" alternative would not substantially meet the stated project objectives in that it would not provide for the requisite percentage of commercial development.

Feasibility: Excluding economic considerations which are not addressed in the FEIR, the City Council finds that the "High-Density Residential" alternative is feasible.

## 8.0 PROJECT BENEFITS

The City Council finds the proposed project would result in a number of identifiable community benefits. Those benefits include, but may not be limited to:

- (1) Adoption of the proposed SDSP will serve to define the types of permitted and conditionally permitted land uses that the City Council believes to be appropriate for the project site and for the project setting, define reasonable limits to the type, intensity, and density of those uses, and establish the design and development standards for those uses.
- (2) Adoption of the proposed SDSP will serve as a valuable regulatory tool for the systematic implementation of the City's General Plan.
- (3) Adoption of the proposed SDSP will impose reasonable development controls and standards designed to ensure the integrated development of the project site.
- (4) The proposed project will facilitate the District's efforts to sell surplus District Property by providing a subsequent purchaser reasonable certainty as to the type, intensity, and general configuration of allowable on-site land uses.
- (5) Adoption of the proposed SDSP will optimize the benefits of the District sale of surplus District property for the benefit of its constituents and its educational mission.
- (6) The proposed project will result in the production of 202 new housing units within the City, thus helping the City respond to the identified housing demand outlined in the current "Regional Housing Needs Assessment" (RHNA).

- (7) The construction and sale of attached residential condominium units present future homebuyers with additional purchase options and price variations allowing homebuyers to better match housing choices with household needs and demands.
- (8) The creation of a mixed-use development will promote the attainment of regional jobs-to-housing ratio objectives established by regional governmental entities and produce corresponding environmental benefits.
- (9) Project approval will allow for the productive use of an underutilized property in the City's General Plan, convert a tax-exempt property to a private use, and introduce a land use that will generate sales and other taxes for the benefit of the City and its constituents.
- (10) Improvements to the Diamond Bar Boulevard/Brea Canyon Road intersection will improve traffic flow in and through that intersection.
- (11) Payment of school impact, park, and traffic impact fees and other exactions will facilitate the ability of the City and other agencies to undertake improvements to specific public facilities.
- (12) Adoption of the SDSP will further the intent of SB 375 by facilitating horizontal mixed use with pedestrian connections between the residential and commercial components. Without transit infrastructure (other than bus routes), mixed use developments can play a greater role in local efforts to reduce VMT.

## 9.0 STATEMENT OF OVERRIDING CONSIDERATIONS

As described above, the proposed project would produce significant unavoidable adverse impact in the following three topical areas: (1) Air Quality (Construction Impact); (2) Air Quality (Operational Impact); and (3) Air Quality (Cumulative Impact). Each of those identified significant environmental effects will continue to manifest as significant impacts notwithstanding the City Council's adoption or likely adoption of those mitigation measures identified in the FEIR.

In order to determine whether the proposed project's potential environmental impacts are acceptably overridden by the project's anticipated benefits, Section 15093 of the State CEQA Guidelines requires the City to balance the potential benefits of the proposed project against the project's potential unavoidable significant environmental impacts.

The City Council finds that the previously stated benefits outweigh the significant unavoidable adverse environmental impacts of the proposed project. Each of the separate and distinct benefits of the proposed project is determined to be, in themselves and independently of any other identified benefit, a basis for overriding all unavoidable environmental impacts, as identified in these Findings.

The City Council has identified economic and social benefits and important public policy objectives that will result from implementation of the proposed project. The City Council has sought to balance these substantial economic and social benefits against the significant unavoidable adverse environmental effects of the proposed project. Given the substantial social and economic benefits that will accrue to the City, to the District, and to the region from the implementation of the proposed project, the City Council finds that the proposed project's identified benefits override the project's identified significant environmental impacts.

