



A G E N D A



**CITY OF IMPERIAL BEACH
CITY COUNCIL
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY
HOUSING AUTHORITY
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

AUGUST 1, 2012

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

CLOSED SESSION MEETING – 5:15 P.M.

REGULAR MEETING – 6:00 P.M.

THE CITY COUNCIL ALSO SITS AS THE CITY OF IMPERIAL BEACH PLANNING COMMISSION, PUBLIC FINANCING AUTHORITY, HOUSING AUTHORITY AND IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY

The City of Imperial Beach is endeavoring to be in total compliance with the Americans with Disabilities Act (ADA). If you require assistance or auxiliary aids in order to participate at City Council meetings, please contact the City Clerk's Office at (619) 423-8301, as far in advance of the meeting as possible.

CLOSED SESSION CALL TO ORDER

ROLL CALL BY CITY CLERK

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION (8 CASES)

Significant exposure to litigation pursuant to Govt. Code Section 54956.9(b)(3)(A)

2. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION (8 CASES)

Initiation of litigation pursuant to Govt. Code Section 54956.9(c)

3. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6:

Agency Negotiator: City Manager

Employee organizations: Service Employees International Union (SEIU), Local 221

RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

REGULAR MEETING CALL TO ORDER

ROLL CALL BY CITY CLERK

PLEDGE OF ALLEGIANCE

AGENDA CHANGES

**MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/
REPORTS ON ASSIGNMENTS AND COMMITTEES**

COMMUNICATIONS FROM CITY STAFF

PUBLIC COMMENT - *Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.*

Any writings or documents provided to a majority of the City Council/Planning Commission/Public Financing Authority/Housing Authority/I.B. Redevelopment Agency Successor Agency regarding any item on this agenda will be made available for public inspection in the office of the City Clerk located at 825 Imperial Beach Blvd., Imperial Beach, CA 91932 during normal business hours.

PRESENTATIONS (1.1-1.2)

- 1.1 **RECOGNITION OF GENE AND CHRISTINE HILLGER FOR THEIR VOLUNTEER WORK THROUGH OCEAN BLUE FOUNDATION. (0410-30)**
- 1.2 **PRESENTATION ON SDG&E SUMMER PREPAREDNESS BY CLAUDIA VALENZUELA, PUBLIC AFFAIRS MANAGER. (0820-90)**

CONSENT CALENDAR (2.1-2.3) - All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. Those items removed from the Consent Calendar will be discussed at the end of the Agenda.

2.1 MINUTES.

City Manager's Recommendation: Approve the minutes of the Special Workshop Meeting of February 8, 2012.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 80842 through 80902 with a subtotal amount of \$1,385,623.13 and Payroll Checks/Direct Deposit 44749 through 44781 for a subtotal amount of \$270,673.75 for a total amount of \$1,656,296.88.

2.3 ADOPTION OF RESOLUTION NO. 2012-7237 AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT BETWEEN THE CITY OF IMPERIAL BEACH AND YMCA CAMP SURF PERMITTING THE PLACEMENT OF ONE LIFEGUARD TOWER ON NAVY PROPERTY CURRENTLY LEASED TO CAMP SURF. (0130-70 & 0220-10)

City Manager's Recommendation: Adopt resolution.

ORDINANCES – INTRODUCTION/FIRST READING (3.1)

3.1 FIRST READING / INTRODUCTION OF ORDINANCE NO. 2012-1130 AND PUBLIC HEARING / ADOPTION OF RESOLUTION NO. 2012-7236: THE CITY OF IMPERIAL BEACH: GENERAL PLAN AMENDMENT (GPA)/LOCAL COASTAL PROGRAM AMENDMENT (LCPA) / ZONING CODE AMENDMENT (ZCA) 100057 / AND FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL ZONING AMENDMENT PROJECT. MF 935 (0610-95)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and entertain testimony;
3. Continue public hearing to the City Council meeting of August 15, 2012;
4. Adopt Resolution No. 2012-7236 approving the proposed General Plan/Local Coastal Program Amendment (GPA 100057), finding and certifying that the proposed zoning amendment is consistent with the Coastal Act, and certifying the Final Program Environmental Impact Report (SCH# 2011041048), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements;
5. Mayor calls for the first reading of the title of Ordinance No. 2012-1130 approving the proposed Zoning Code Amendment (ZCA 100057);
6. City Clerk to read Ordinance 2012-1130 by title only; and
7. Motion to waive further reading of Ordinance No. 2012-1130 and set the matter for its second reading and adoption at the next regularly scheduled City Council meeting.

ORDINANCES – SECOND READING & ADOPTION (4)

None.

PUBLIC HEARINGS (5.1-5.2)

5.1 COUNCIL WORKSHOP FOR THE 5TH CYCLE (2013-2020) IMPERIAL BEACH HOUSING ELEMENT. MF 1060. (0660-95)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and entertain testimony; and
3. Close public hearing.

5.2 ADOPTION OF RESOLUTION NO. 2012-7238 FOR THE ABATEMENT OF SUBSTANDARD AND PUBLIC NUISANCE CONDITION(S) AT 550 HIGHWAY 75. (0470-20)

City Manager's Recommendation: That the City Council order the owner to complete the abatement of the foregoing items in accordance with the June 28, 2012 and July 19, 2012 notices by taking the following actions:

1. Declare the public hearing open and receive report;
2. Entertain any objections or protests;
3. Close the Public Hearing; and
4. Adopt Resolution No. 2012-7238 finding and declaring that the Notice and Order to Eliminate Substandard and Public Nuisance Condition(s), regarding the property at 550 Highway 75 is appropriate and assessing a \$500.00 administrative fee for nuisance abatement proceedings and \$17,300.00 in accrued civil penalties, and authorizing staff to seek legal action to either compel the property owner to clean up the property or to obtain an abatement warrant to cause the abatement to be completed by city forces or private contract.

REPORTS (6.1-6.3)

6.1 RESOLUTION NO. 2012-7239 AWARDED A PROFESSIONAL SERVICES AGREEMENT WITH ATKINS NORTH AMERICA, INC. FOR A SEWER SERVICE CHARGE AND CAPACITY FEE STUDY. (0390-55 & 0830-90)

City Manager's Recommendation:

1. Receive report and
2. Adopt resolution.

6.2 RESOLUTION NO. 2012-7240 APPROVING CITY IMPERIAL BEACH CDBG FY12-13 PROJECT NAME CHANGE AND APPROVING THE REALLOCATION OF A PORTION OF CDBG PROJECT FUNDS FROM FY 09-10 AND FY 11-12 TO CDBG FY 12-13 PROJECT. (0650-34)

City Manager's Recommendation:

1. Receive report and
2. Adopt Resolution No. 2012-7240 authorizing the following:
 - a. Name change for CDBG FY 12-13 Project to "Imperial Beach Boulevard Pedestrian Crosswalk."
 - b. Transfer of \$22,491.10 FY 2009-2010 CDBG Funds from the Civic Center Crosswalk Project CIP# S09-102 to the Imperial Beach Boulevard Pedestrian Crosswalk project.
 - c. Transfer of up to \$18,000 from FY 11-12 13th Street & Ebony Ave. Pedestrian Access Ramps Project CIP# S12-103 to the Imperial Beach Boulevard Pedestrian Crosswalk project.

Continued on Next Page

REPORTS (Continued)

6.3 CONSIDERATION TO SUBMIT AN ALTERNATIVE INITIATIVE REGARDING MEDICAL MARIJUANA COLLECTIVES. (0430-20 & 0610-95)

City Manager's Recommendation: That the City Council consider the following options:

1. If the City Council wishes to place the Alternative Initiative as a competing measure on the November 2012 ballot:
 - A. Adopt Resolution 2012-7241 (Attachment 4) adding the proposed ordinance relating to Medical Marijuana Collectives to the November 6, 2012 Election; and
 - B. Adopt Resolution 2012-7242 (Attachment 5), setting priorities for filing written arguments and directing the City Attorney to prepare an impartial analysis; and
 - C. Adopt Resolution 2012-7243 (Attachment 6), providing for the filing of rebuttal arguments.
2. If the City Council does not wish to submit the Alternative Initiative as a competing ballot measure, then no action is required at this time.

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (7.1-7.4)

7.1 ADOPTION OF RESOLUTION NO. SA-12-11 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY DETERMINING THAT THE HOUSING AUTHORITY'S DESIGNATIONS OF THE USE AND COMMITMENT OF CERTAIN PROCEEDS DERIVED FROM HOUSING BONDS ISSUED PRIOR TO JANUARY 1, 2011 FOR PURPOSES OF AFFORDABLE HOUSING ARE CONSISTENT WITH THE HOUSING BONDS COVENANT OBLIGATIONS, INCLUDING REQUIREMENTS RELATING TO TAX STATUS, AND THAT THERE ARE SUFFICIENT HOUSING BONDS PROCEEDS AVAILABLE FOR THE DESIGNATED PURPOSES. (0412-50 & 0418-50)

City Manager's Recommendation: That the Imperial Beach Redevelopment Agency Successor Agency adopt the resolution.

7.2 ADOPTION OF RESOLUTION NO. SA-12-12 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE ADMINISTRATIVE BUDGET FOR THE PERIOD OF JANUARY 1, 2013 THROUGH JUNE 30, 2013 AND RELATED ACTIONS. (0418-50)

City Manager's Recommendation: That the Imperial Beach Redevelopment Agency adopt the resolution.

7.3 ADOPTION OF RESOLUTION NO. SA-12-13 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE PERIOD OF JANUARY 1, 2013 THROUGH JUNE 30, 2013. (0418-50)

City Manager's Recommendation: That the Imperial Beach Redevelopment Agency Successor Agency adopt the resolution.

7.4 ADOPTION OF RESOLUTION NO. SA-12-14 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH A LICENSED ACCOUNTANT TO PERFORM A DUE DILIGENCE REVIEW PURSUANT TO HEALTH AND SAFETY CODE SECTION 34179.5. (0418-50)

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

ADJOURNMENT

The Imperial Beach City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

FOR YOUR CONVENIENCE, A COPY OF THE AGENDA AND COUNCIL MEETING PACKET MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK AT CITY HALL OR ON OUR WEBSITE AT

www.cityofib.com.

_____/s/
Jacqueline M. Hald, MMC
City Clerk

DRAFT

**SPECIAL WORKSHOP MEETING
IMPERIAL BEACH CITY COUNCIL**

FEBRUARY 8, 2012

6:00 P.M.

**Community Room
(Behind City Hall)
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

SPECIAL WORKSHOP MEETING CALL TO ORDER BY MAYOR

MAYOR JANNEY called the Special Meeting to order at 6:00 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Bilbray, King, Bragg
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	Spriggs (arrived at 6:05 p.m.)
Staff present:	City Manager Brown, City Attorney Lyon, Assistant City Manager Wade, City Clerk Hald, Finance Director McGrane, Public Safety Director Clark, Human Resources Manager Leichtle, Environmental Manager Helmer

PUBLIC COMMENTS

None.

REPORTS

1. DISCUSSION ON LIFE AFTER REDEVELOPMENT. (0100-10)

FINANCE DIRECTOR MCGRANE gave a PowerPoint presentation on the financial impact of the dissolution of the redevelopment agency.

City Council, along with senior management staff, conducted a discussion on City Council's vision and goals for the City with consideration of reduced funds for services.

MAYOR JANNEY adjourned the Workshop meeting at 7:05 p.m. due to the Special City Council meeting scheduled for 7:00 p.m. He called the Workshop meeting back to order at 7:18 p.m.

Staff was directed to return to City Council in approximately one month with another workshop to discuss longer-term vision and actions to stimulate the local economy and to provide for public improvements.

ADJOURNMENT

MAYOR JANNEY adjourned the Special meeting at 8:06 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, MMC
City Clerk



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER
MEETING DATE: August 1, 2012
ORIGINATING DEPT.: Michael McGrane *MM*
SUBJECT: INTERIM FINANCE DIRECTOR/CITY TREASURER
RATIFICATION OF WARRANT REGISTER

BACKGROUND:

None

DISCUSSION:

As of April 7, 2004, all large warrants above \$100,000 will be separately highlighted and explained on the staff report.

Vendor	Check	Amount	Description
Southland Paving Inc.	80858	\$515,075.65	Street Improvement Phase 4/5
PAL General Engineering	80874	\$229,153.59	Street Improvement Phase 3B
SD County Sheriff	80877	\$466,425.52	Law Enforcement Services May 2012

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

The following registers are submitted for Council ratification.

<u>WARRANT #</u>	<u>DATE</u>	<u>AMOUNT</u>
<u>Accounts Payable</u>		
80842-80863	07/12/12	\$ 544,740.59
80864-80902	07/20/12	840,882.54
	Sub-Total	<u>\$ 1,385,623.13</u>

PAYROLL CHECKS/DIRECT DEPOSIT:

44749-44781	P.P.E. 07/12/12	\$ 270,673.75
		\$ <u>270,673.75</u>
	TOTAL	\$ <u>1,656,296.88</u>

FISCAL IMPACT:

Warrants are issued from budgeted funds.

DEPARTMENT RECOMMENDATION:

It is respectfully requested that the City Council ratify the warrant register.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Warrant Registers

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT		
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
07/12/2012	80842	AT&T	2430			2,897.08
503-1923-419.27-04	06/20/2012	3372571583448	3474967		12/2012	355.49
503-1923-419.27-04	06/20/2012	3393431504727	3473359		12/2012	177.75
503-1923-419.27-04	06/20/2012	3393439371447	3476057		12/2012	177.75
503-1923-419.27-04	06/20/2012	3393442323406	3476366		12/2012	177.75
101-1210-413.27-04	06/17/2012	6194235034	3465773		12/2012	16.20
101-5020-432.27-04	06/15/2012	6194238311966	3461634		12/2012	5.73
101-3030-423.27-04	06/15/2012	6194238322966	3461635		12/2012	5.02
503-1923-419.27-04	06/11/2012	6194243481712	3444045		12/2012	15.80
101-1230-413.27-04	06/17/2012	6196281356950	3464995		12/2012	11.79
101-1920-419.27-04	06/17/2012	6196282018442	3465001		12/2012	.10
601-5060-436.27-04	06/15/2012	C602221236777	3461626		12/2012	19.69
101-1920-419.27-04	06/15/2012	C602224829777	3462697		12/2012	100.43
101-1110-412.27-04	06/15/2012	C602224831777	3462699		12/2012	122.56
101-1020-411.27-04	06/15/2012	C602224832777	3462700		12/2012	60.19
101-1230-413.27-04	06/15/2012	C602224833777	3462701		12/2012	294.94
101-1130-412.27-04	06/15/2012	C602224834777	3462702		12/2012	66.90
101-1210-413.27-04	06/15/2012	C602224835777	3462703		12/2012	198.35
101-6030-453.27-04	06/15/2012	C602224836777	3462704		12/2012	77.69
101-6010-451.27-04	06/15/2012	C602224837777	3462705		12/2012	70.36
101-3020-422.27-04	06/15/2012	C602224838777	3462706		12/2012	289.42
101-3030-423.27-04	06/15/2012	C602224839777	3462707		12/2012	209.78
101-5020-432.27-04	06/15/2012	C602224840777	3462708		12/2012	294.32
601-5060-436.27-04	06/15/2012	C602224841777	3462709		12/2012	149.07
07/12/2012	80843	CVA SECURITY	797			75.00
101-1910-419.30-02	05/15/2012	COMMUNICATOR ALARM INSTL	22059	120079	11/2012	75.00
07/12/2012	80844	CLEAN HARBORS	913			2,262.36
101-5040-434.21-04	05/31/2012	MAY 2012	6Y1264408	120038	11/2012	2,262.36
07/12/2012	80845	COX COMMUNICATIONS	1073			600.00
503-1923-419.21-04	06/27/2012	JUN/JUL '12 3110039780701	07-16-2012	120188	12/2012	600.00
07/12/2012	80846	FASTENAL	909			75.33
101-5010-431.30-02	06/20/2012	WASHERS & NUTS	CACHU28028	120019	12/2012	75.33
07/12/2012	80847	KOA CORPORATION	611			716.65
405-1260-513.20-06	05/31/2012	MAY 2012-AS NEEDED TRAFFI	JB14106X4	121054	11/2012	716.65
07/12/2012	80848	LOUNSBERY FERGUSON ALTONA AND	1624			237.00
101-1220-413.20-02	06/25/2012	STATE MANDATES CLAIM-SD C	06-25-2012	F12094	12/2012	237.00
07/12/2012	80849	MASON'S SAW & LAWMOWER	923			811.40
101-6020-452.30-22	06/28/2012	WEED EATERS	284758	120039	12/2012	811.40
07/12/2012	80850	MONJARAS AND WISMEYER GROUP IN	2419			946.00
101-1130-412.20-06	06/13/2012	05/10-06/11/12 HR SVCS	8203	121053	12/2012	946.00
07/12/2012	80851	OFFICE DEPOT, INC	1262			567.96
101-1010-411.29-04	06/19/2012	CC SERVEWARE FOR MTGS	613317495001	120001	12/2012	44.64

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO # PER/YEAR TRN AMOUNT
101-1110-412.30-01	06/19/2012	CC SERVEWARE FOR MTGS	613317495001	120001 12/2012 16.62
101-1010-411.29-04	06/07/2012	MISC OFFICE SUPPLIES	613513267001	120001 12/2012 18.49
101-1010-411.30-01	06/07/2012	MISC OFFICE SUPPLIES	613513267001	120001 12/2012 61.69
101-3020-422.30-01	06/18/2012	MISC OFFICE SUPPLIES	614557517001	120001 12/2012 143.17
101-3020-422.30-01	06/18/2012	FLASH DRIVES	614557544001	120001 12/2012 90.19
101-1210-413.30-01	06/26/2012	INK CARTRIDGE/PENS/TAPE	615102155001	120001 12/2012 193.16
07/12/2012	80852	OFFICETEAM	1266	4,191.42
101-1020-411.21-01	06/25/2012	ARMENDARIZ,E W/E 06/22/12	35791462	121025 12/2012 194.17
101-1130-412.21-01	06/25/2012	ARMENDARIZ,E W/E 06/22/12	35791462	121025 12/2012 776.63
101-1110-412.21-01	06/25/2012	VEA,E W/E 06/22/2012	35791461	121026 12/2012 1,205.20
101-1020-411.21-01	07/02/2012	ARMENDARIZ,E W/E 06/29/12	35825067	121025 12/2012 194.17
101-1130-412.21-01	07/02/2012	ARMENDARIZ,E W/E 06/29/12	35825067	121025 12/2012 582.47
101-1110-412.21-01	07/04/2012	VEA,E W/E 06/29/2012	35862890	121026 12/2012 1,238.78
07/12/2012	80853	PARTNERSHIP WITH INDUSTRY	1302	1,205.99
101-6040-454.21-04	06/19/2012	P/E 06/15/2012	GS04256	120012 12/2012 1,205.99
07/12/2012	80854	QWIK PRINTS	1622	120.00
101-1130-412.21-04	07/02/2012	JUN 2012 FINGERPRINTS	121841029	120099 12/2012 100.00
101-1130-412.21-04	06/01/2012	MAY 2012 FINGERPRINTS	121531133	120099 12/2012 20.00
07/12/2012	80855	RANERI & LONG BUILDING SPECIAL	2446	7,061.00
248-1920-519.20-06	06/25/2012	C&G-1361 E LANE	06-25-2012	121055 12/2012 7,061.00
07/12/2012	80856	RECLAIMED AGGREGATES, INC.	2137	400.00
101-5010-431.29-04	06/16/2012	JUN 2012 RECYCLE	74-ACC-00152	120048 12/2012 200.00
101-5010-431.29-04	12/25/2011	DEC 2011 RECYCLYE	13139	120048 06/2012 100.00
101-5010-431.29-04	11/20/2011	NOV 2011 RECYCLE	12987	120048 05/2012 100.00
07/12/2012	80857	SDGE	289	1,740.55
101-6020-452.27-01	07/03/2012	0175 275 3776 05/31-06/29	07-18-2012	12/2012 339.26
101-5010-431.27-01	07/03/2012	0824 329 2041 05/31-06/29	07-18-2012	12/2012 173.85
101-6020-452.27-01	07/03/2012	2081 689 1273 05/31-06/29	07-18-2012	12/2012 229.67
101-6010-451.27-01	07/03/2012	2081 692 3399 05/31-06/29	07-18-2012	12/2012 12.72
101-6020-452.27-01	07/03/2012	2083 847 9032 05/31-06/29	07-18-2012	12/2012 39.15
101-6010-451.27-01	07/03/2012	3206 700 9265 05/31-06/29	07-18-2012	12/2012 30.21
101-5010-431.27-01	07/02/2012	3448 930 9646 05/30-06/28	07-17-2012	12/2012 9.94
101-5010-431.27-01	07/02/2012	5153 272 6717 05/30-06/28	07-17-2012	12/2012 12.68
101-6020-452.27-01	07/03/2012	5456 692 8951 05/31-06/29	07-18-2012	12/2012 38.21
101-6020-452.27-01	07/03/2012	6921 003 2109 05/31-06/29	07-18-2012	12/2012 407.36
101-5010-431.27-01	07/03/2012	7706 795 7872 05/31-06/29	07-18-2012	12/2012 11.78
101-6020-452.27-01	07/03/2012	9327 898 1346 05/31-06/29	07-18-2012	12/2012 251.07
101-6010-451.27-01	07/03/2012	9956 693 6272 05/31-06/29	07-18-2012	12/2012 184.65
07/12/2012	80858	SOUTHLAND PAVING, INC.	2417	515,075.65
402-5000-532.20-06	05/31/2012	MAY 2012 ST IMPRVMENTS 4/5	5850-4	120732 11/2012 515,075.65
07/12/2012	80859	SPARKLETTS	2341	21.85
101-1210-413.30-01	06/30/2012	JUN 2012	10552239 063012	120127 12/2012 21.85

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	INVOICE	PO #	PER/YEAR	CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION					TRN AMOUNT
07/12/2012	80860	SPRINT	2040				149.97
101-3020-422.27-05	06/29/2012	05/26/2012-06/25/2012		594768811-055		12/2012	149.97
07/12/2012	80861	SURF CRAFT INTERNATIONAL, INC.	2448				3,012.38
101-3035-423.30-02	05/31/2012	JR LG UNIFORMS		296	121067	11/2012	3,012.38
07/12/2012	80862	WAXIE SANITARY SUPPLY	802				1,139.40
101-6040-454.30-02	06/26/2012	JANITORIAL SUPPLIES		73357286	120025	12/2012	841.93
101-6020-452.30-02	06/27/2012	JANITORIAL SUPPLIES		73359305	120025	12/2012	297.47
07/12/2012	80863	WHITE CAP CONSTRUCTION SUPPLY	1434				1,433.60
101-6020-452.30-22	06/28/2012	GENERATOR CARB		15066697	120027	12/2012	922.34
101-3030-423.30-02	06/27/2012	REFLECTIVE TRAFFIC CONES		3278456-01	120027	12/2012	235.18
101-3030-423.30-02	06/28/2012	REFLECTIVE TRAFFIC CONES		15066725-00	120027	12/2012	276.08
07/20/2012	80864	AGRICULTURAL PEST CONTROL	123				95.00
101-6020-452.21-04	06/26/2012	JUN 2012		277153	120242	12/2012	95.00
07/20/2012	80865	ARROWHEAD MOUNTAIN SPRING WATE	1340				235.57
101-1010-411.30-02	06/22/2012	JUN 2012		02F0031149578	120098	12/2012	40.93
101-5020-432.30-02	06/22/2012	MAY/JUN 2012		02F0026726646	120222	12/2012	194.64
07/20/2012	80866	BDS ENGINEERING INC	372				1,732.00
101-0000-221.01-02	06/28/2012	PLAN CHECK		12-02E		12/2012	157.00
402-5000-532.20-06	06/28/2012	JUN 2012 ST IMPRVMNTS 4/5		10-410	110675	12/2012	1,575.00
07/20/2012	80867	CALIFORNIA AMERICAN WATER	612				8,363.28
101-6040-454.27-02	07/06/2012	05-0092998-9 05/01-07/02		07-25-2012		12/2012	490.00
101-3030-423.27-02	07/06/2012	05-0093917-8 05/01-07/02		07-25-2012		12/2012	185.44
101-5010-431.27-02	07/06/2012	05-0094000-2 05/01-07/02		07-25-2012		12/2012	24.98
101-5010-431.27-02	07/06/2012	05-0094041-6 05/01-07/02		07-25-2012		12/2012	28.65
101-5010-431.27-02	07/06/2012	05-0094076-2 05/01-07/02		07-25-2012		12/2012	28.65
101-5010-431.27-02	07/06/2012	05-0094163-8 05/01-07/02		07-25-2012		12/2012	46.95
101-5010-431.27-02	07/06/2012	05-0094234-7 05/01-07/02		07-25-2012		12/2012	28.65
101-5010-431.27-02	07/06/2012	05-0094268-5 05/01-07/02		07-25-2012		12/2012	72.59
101-5010-431.27-02	07/06/2012	05-0094293-3 05/01-07/02		07-25-2012		12/2012	35.97
101-5010-431.27-02	07/06/2012	05-0094304-8 05/01-07/02		07-25-2012		12/2012	79.94
101-5010-431.27-02	07/06/2012	05-0094973-0 05/01-07/02		07-25-2012		12/2012	530.25
101-3030-423.27-02	07/10/2012	05-0155019-8 06/04-07/05		07-30-2012		12/2012	21.15
405-5030-433.27-02	07/10/2012	05-0155037-0 06/05-07/05		07-30-2012		12/2012	12.49
601-5060-436.27-02	07/10/2012	05-0392478-9 06/05-07/05		07-30-2012		12/2012	12.49
601-5060-436.27-02	07/10/2012	05-0505362-9 06/05-07/05		07-30-2012		12/2012	145.84
101-5010-431.27-02	07/16/2012	05-0110529-0 05/10-07/11		08-06-2012		12/2012	24.67
101-6020-452.27-02	07/16/2012	05-0111454-0 05/10-07/11		08-06-2012		12/2012	17.32
101-1910-419.27-02	07/16/2012	05-0111478-9 05/10-07/11		08-06-2012		12/2012	109.35
101-6020-452.27-02	07/16/2012	05-0111479-7 05/10-07/11		08-06-2012		12/2012	5,055.30
101-5010-431.27-02	07/16/2012	05-0111480-5 05/10-07/11		08-06-2012		12/2012	260.02
101-5020-432.27-02	07/16/2012	05-04224056-5 05/14-07/12		08-06-2012		12/2012	77.22
101-6020-452.27-02	07/16/2012	05-0477133-8 05/14-07/12		08-06-2012		12/2012	1,075.36

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ACCOUNT #	TRN DATE	DESCRIPTION					TRN AMOUNT
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101-5040-434.21-04	07/05/2012	JUN 2012		6Y1200206	120038	12/2012	1,783.98
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503-1923-419.20-06	06/30/2012	JUN 2012		DS1251445	120105	12/2012	136.12
07/20/2012	80870	COUNTY OF SAN DIEGO	1050				1,231.61
101-1020-411.21-06	06/29/2012	IB PETITION #102 MEDICAL		2181		12/2012	927.81
101-1020-411.21-06	07/11/2012	IB PETITION #102 MEDICAL		2181		12/2012	303.80
07/20/2012	80871	EAGLE NEWSPAPER	1204				195.00
202-5016-531.20-06	06/06/2012	RFQP SEWER/RTIP		71534	120031	12/2012	70.00
601-5060-436.28-07	06/06/2012	RFQP SEWER/RTIP		71534	120031	12/2012	50.00
101-0000-221.01-02	06/06/2012	LEGAL ADS/SPITZER VARIANC		71534		12/2012	75.00
07/20/2012	80872	MISSION TRUSS	2449				1,544.00
504-1924-519.20-06	07/09/2012	SPORTS PK RR TRUSS		2240	121043	12/2012	1,544.00
07/20/2012	80873	PAL GENERAL ENGINEERING INC.	2411				229,153.59
402-5000-532.20-06	06/29/2012	ST IMPRVMENTS PHASE 3B		2	120807	12/2012	229,153.59
07/20/2012	80874	PATRIOT GENERAL ENGINEERING IN	2395				42,205.22
101-5000-532.20-06	06/01/2012	9TH/PALM DEMO-RETENTION		14003-1RET	120458	12/2012	42,205.22
07/20/2012	80875	ROBERTA OTERO-PETTY CASH	2229				179.55
101-5020-432.28-11	12/21/2011	NOC-COPY FEES (CROSSWALK)		2011-0687708		12/2012	4.00
601-5060-436.30-02	01/03/2012	LIGHT BULBS-SEWER RR		06710001945781		12/2012	2.88
101-5020-432.29-02	01/18/2012	EMP CONGRATULATIONS		4287		12/2012	4.30
101-5020-432.29-02	01/24/2012	FOAM CUPS-BREAK ROOM		5395		12/2012	3.54
101-6040-454.30-02	02/27/2012	SILICONE GASKET LUBE		220549		12/2012	6.99
101-5020-432.28-04	02/29/2012	REFRESHMENTS FOR TRAINING		02-29-2012		12/2012	29.25
101-6020-452.30-02	03/08/2012	TIDELANDS KEY COPEIS -		03-08-2012		12/2012	6.42
101-6040-454.30-22	03/12/2012	DRILL BITS		03-12-2012		12/2012	8.70
101-6040-454.30-02	03/26/2012	STEEL - RECYCLE LID LOCKS		327068		12/2012	6.25
101-1910-419.30-02	04/11/2012	KEY COPIES-SOFTBALL SNACK		005838		12/2012	3.77
101-5020-432.28-04	04/17/2012	WATER & REFRESHMENTS -		04-17-2012		12/2012	57.20
101-1910-419.30-02	04/18/2012	GLASS-FIRE EXTINGUISHER DR		04-18-2012		12/2012	10.00
601-5050-436.30-02	04/23/2012	BANNER ZIP TIES		000030		12/2012	.93
101-6040-454.10-02	05/07/2012	STEEL PIPE-BOLLARD REPAIR		52643		12/2012	2.00
101-5020-432.28-04	05/24/2012	KING,M-LUNCH AT TRAINING		1685#11-58		12/2012	5.23
501-1921-419.30-02	06/18/2012	#113 VEHICLE SPARE KEY		06-18-2012		12/2012	3.76
101-5030-433.30-02	06/25/2012	KEY COPIES-SPORTS PARK RR		007474		12/2012	3.77
501-1921-419.29-04	06/26/2012	POOL VEHICLE "CAR WASH"		923		12/2012	12.50
101-5020-432.29-02	06/26/2012	EMP GOODBYE CARDS		1338		12/2012	8.06
07/20/2012	80876	SAN DIEGO GAS & ELECTRIC	1399				10,477.17
101-3020-422.27-01	07/09/2012	1008 786 9371 05/30-06/28		07-25-2012		12/2012	32.38
101-1910-419.27-01	07/09/2012	1008 786 9371 05/30-06/28		07-25-2012		12/2012	137.64
101-5010-431.27-01	07/09/2012	1008 860 4389 05/25-06/26		07-25-2012		12/2012	37.35

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ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT
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101-6020-452.27-01	07/09/2012	5649 771 4749 05/31-06/29	07-25-2012		12/2012	10.12
101-5010-431.27-01	07/09/2012	5649 771 4749 05/31-06/30	07-25-2012		12/2012	1,554.14
101-5010-431.27-01	07/09/2012	8507 517 8464 05/31-06/30	07-25-2012		12/2012	100.99
601-5060-436.27-01	07/09/2012	8507 517 8464 05/31-06/29	07-25-2012		12/2012	81.75
101-6020-452.27-01	07/09/2012	8507 517 8464 05/30-06/31	07-25-2012		12/2012	870.18
601-5060-436.27-01	07/09/2012	8541 770 1270 05/30-06/30	07-25-2012		12/2012	4,228.25
101-5020-432.27-01	07/09/2012	9169 299 2261 05/25-06/26	07-25-2012		12/2012	954.36
07/20/2012	80877	SAN DIEGO COUNTY SHERIFF	882			466,425.52
101-3010-421.20-06	07/06/2012	MAY 2012 LAW ENFORCEMENT	07-06-2012		11/2012	439,174.62
101-3010-421.20-06	07/06/2012	MAY 2012 LAW ENFORCEMENT	07-06-2012		11/2012	27,778.00
101-0000-338.60-03	07/06/2012	MAY 2012 TOW FEE CREDIT	07-06-2012		11/2012	527.10-
07/20/2012	80878	SDGE	289			4,085.11
101-5010-431.27-01	07/02/2012	0646 753 1938 05/30-06/28	07-17-2012		12/2012	10.12
101-5010-431.27-01	06/28/2012	1912 409 2723 05/25-06/26	07-13-2012		12/2012	10.30
101-6010-451.27-01	07/03/2012	2081 689 7619 05/31-06/29	07-18-2018		12/2012	363.09
101-5010-431.27-01	07/03/2012	2741 969 9359 05/31-06/30	07-18-2012		12/2012	134.88
215-6026-452.27-01	07/03/2012	2819 871 6315 05/31-06/30	07-18-2012		12/2012	1,824.87
101-5010-431.27-01	07/02/2012	3062 843 3719 05/30-06/28	07-17-2012		12/2012	12.52
101-5010-431.27-01	06/28/2012	5280 340 6641 05/25-06/26	07-13-2012		12/2012	70.06
101-5010-431.27-01	06/28/2012	5576 188 0541 05/25-06/26	07-13-2012		12/2012	9.94
601-5060-436.27-01	06/29/2012	8773 823 6424 05/30-06/28	07-14-2012		12/2012	1,022.90
101-5010-431.27-01	07/10/2012	9476 001 6989 05/31-06/29	07-26-2012		12/2012	626.43
07/20/2012	80879	SOUTH WEST SIGNAL	488			3,990.00
101-5010-431.21-04	06/27/2012	DIMENSION BATTERY BACKUP	50795	120047	12/2012	3,830.00
101-5010-431.21-04	06/28/2012	JUN 2012	50804	120047	12/2012	160.00
07/20/2012	80880	SUNGARD PUBLIC SECTOR INC.	1370			5,380.63
503-1923-419.20-25	05/31/2012	FY 12/13 SUNGARD SOFTWARE	51004	130106	01/2013	5,380.63
07/20/2012	80881	TEMECOM, INC.	2372			950.00
101-3030-423.28-01	06/13/2012	TOWER PHONE LINES REPAIR	1201	121052	12/2012	950.00
07/20/2012	80882	THE CENTRE FOR ORGANIZATION EF	1499			99.00
101-3030-423.28-04	05/16/2012	WORKSHOP/STABENOW,R	20954	121031	11/2012	99.00
07/20/2012	80883	UNDERGROUND SERVICE ALERT OF	731			30.00
601-5060-436.21-04	07/01/2012	JUN 2012	620120320	120106	12/2012	30.00
07/20/2012	80884	WAXIE SANITARY SUPPLY	802			1,260.30
101-6040-454.30-02	07/06/2012	JANITORIAL SUPPLIES	73375616	130016	01/2013	1,260.30
07/20/2012	80885	AMERICAN MESSAGING	1759			253.39
101-3020-422.21-04	07/01/2012	JULY 2012	L1074045MG	130118	01/2013	154.11
601-5060-436.27-04	07/01/2012	JUL-SEP 2012 PAGING FEES	L1252241MG	130128	01/2013	99.28
07/20/2012	80886	CITY OF EL CAJON	845			725.00
101-1130-412.28-04	07/02/2012	2012/2013 CONSORTIUM TRNG	07-02-2012		01/2013	725.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
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07/20/2012	80887	COX COMMUNICATIONS	1073	330.67
503-1923-419.29-04	07/02/2012	07/01-07/31 3110015533201	07-22-2012	130126 01/2013 10.93
601-5050-436.21-04	07/05/2012	07/04-08/03 3110091187001	07-25-2012	130126 01/2013 179.00
101-6010-451.29-04	07/15/2012	07/13-08/12 3110015531401	08-03-2012	130126 01/2013 140.74
07/20/2012	80888	CYNTHIA TITGEN	2340	2,600.00
101-1130-412.20-06	07/07/2012	06/24/2012-07/06/2012	07-07-2012	130075 01/2013 2,600.00
07/20/2012	80889	DANIEL D DIXON	2	113.00
101-0000-121.00-00	07/05/2012	PARKING TICKET 53007	MR Refund	01/2013 113.00
07/20/2012	80890	DARYL BORNEMAN	4	10,000.00
101-0000-221.01-05	06/26/2012	REFUND SECURITY DEPOSIT	MF 711	12/2012 10,000.00
07/20/2012	80891	DKC ASSOCIATES, INC.	2187	1,320.00
101-1110-412.20-06	07/12/2012	07/01/12-17/12/12	253	130122 01/2013 920.00
101-1110-412.20-06	07/12/2012	06/28/12-06/30/12	253	120117 12/2012 136.00
405-1260-413.20-06	07/12/2012	06/28/12-06/30/12	253	120117 12/2012 132.00
502-1922-419.20-06	07/12/2012	06/28/12-06/30/12	253	120117 12/2012 132.00
07/20/2012	80892	I B FIREFIGHTERS ASSOCIATION	214	300.00
101-0000-209.01-08	07/19/2012	PR AP PE 7/12/2012	20120719	01/2013 300.00
07/20/2012	80893	ICMA RETIREMENT TRUST 457	242	28,775.15
101-0000-209.01-10	07/19/2012	PR AP PE 7/12/2012	20120719	01/2013 28,775.15
07/20/2012	80894	LLOYD PEST CONTROL	814	325.00
101-1910-419.21-04	06/08/2012	JUN 2012 MARINA VISTA CTR	3438148	120083 12/2012 53.00
101-1910-419.21-04	06/14/2012	JUN 2012 CITY HALL	3437878	120083 12/2012 36.00
101-1910-419.21-04	06/14/2012	JUN 2012 FIRE DEPT	3437879	120083 12/2012 36.00
101-1910-419.21-04	06/14/2012	JUN 2012 SHERIFF DEPT	3738071	120083 12/2012 36.00
101-1910-419.21-04	06/20/2012	JUN 2012 SPORTS PARK	3418234	120083 12/2012 51.00
101-1910-419.21-04	06/21/2012	JUN 2012 PUBLIC WORKS	3420118	120083 12/2012 53.00
101-1910-419.21-04	06/21/2012	JUN 2012 DEMPSEY CTR	3420427	120083 12/2012 60.00
07/20/2012	80895	MOBILE HOME ACCEPTANCE CORPORA	1533	296.31
101-5020-432.25-01	06/23/2012	07/07/12-08/06/12	166066	130124 01/2013 296.31
07/20/2012	80896	NGUOI VIET TODAY	1715	30.00
101-1020-411.21-06	07/06/2012	NOTICE OF ELECTION	07-06-2012	F13002 01/2013 30.00
07/20/2012	80897	OFFICETEAM	1266	1,701.99
101-1110-412.21-01	07/09/2012	VEA,E W/E 07/06/2012	35871764	130127 01/2013 925.35
101-1020-411.21-01	07/09/2012	ARMENDARIZ,E W/E 07/06/12	35880593	130127 01/2013 339.78
101-1130-412.21-01	07/09/2012	ARMENDARIZ,E W/E 07/06/12	35880593	130127 01/2013 436.86
07/20/2012	80898	PITNEY BOWES INC	271	206.88
101-1920-419.25-02	06/03/2012	JUL-SEP 12 POSTAGE METER	416217	130114 01/2013 206.88
07/20/2012	80899	SEIU LOCAL 221	1821	1,453.85
101-0000-209.01-08	07/19/2012	PR AP PE 7/12/2012	20120719	01/2013 1,453.85

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #				CHECK AMOUNT
ACCOUNT #	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	
07/20/2012	80900	SKS INC.	412			9,176.57	
501-1921-419.28-15	06/28/2012	250 G DIESEL/1100 G REG	1249011-IN	120058	12/2012	4,503.48	
501-1921-419.28-15	07/12/2012	187 G REG/284 G DIESEL	1249289-IN	130049	01/2013	4,673.09	
07/20/2012	80901	UNION BANK PARS-#6746022400	2400			3,609.08	
101-0000-209.01-20	07/19/2012	PR AP PE 7/12/2012	20120719		01/2013	3,609.08	
07/20/2012	80902	WAGE WORKS INC.	2210			113.00	
101-1920-419.21-04	07/16/2012	JUN/JUL 2012	125AI0191832	130115	01/2013	113.00	
DATE RANGE TOTAL *						1,385,623.13 *	



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: August 1, 2012

ORIGINATING DEPT.: PUBLIC SAFETY *R*

SUBJECT: ADOPTION OF RESOLUTION 2012-7237 AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT BETWEEN THE CITY OF IMPERIAL BEACH AND YMCA CAMP SURF PERMITTING THE PLACEMENT OF ONE LIFEGUARD TOWER ON NAVY PROPERTY CURRENTLY LEASED TO CAMP SURF.

BACKGROUND:

The City of Imperial Beach, the United States Department of the Navy, and YMCA Camp Surf have an agreement that allows the YMCA to operate their program known as Camp Surf, on an area of federal land located north of Carnation Avenue.

DISCUSSION:

The Camp Surf corner, where their leased land and the City of Imperial Beach intersect, is the ideal location to place a lifeguard tower that will provide needed coverage between the Palm Avenue street end and the City limits. The attached agreement with YMCA Camp Surf accomplishes this, and will be in effect from July 24, 2012 through October 31, 2012, after which a longer agreement will be pursued.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

DEPARTMENT RECOMMENDATION:

The Public Safety Department recommends adoption of Resolution 2012-7237, authorizing the City Manager's signature on the agreement with YMCA Camp Surf.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2012-7237
2. Agreement to Use Property

RESOLUTION NO. 2012-7237

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT BETWEEN THE CITY OF IMPERIAL BEACH AND YMCA CAMP SURF PERMITTING THE PLACEMENT OF ONE LIFEGUARD TOWER ON PROPERTY CURRENTLY LEASED TO CAMP SURF.

The City Council of the City of Imperial Beach does hereby resolve as follows:

WHEREAS, The City of Imperial Beach, the Department of the Navy, and YMCA Camp Surf are in a joint agreement for land usage and municipal services in an area of land north of Carnation Avenue; and

WHEREAS, there is a history of cooperation between the City and YMCA Camp Surf relating to storing lifeguard towers during the off-season; and

WHEREAS, the City of Imperial Beach Lifeguard Division is in need of a location near Carnation Avenue for the placement of a Lifeguard tower;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

1. That the City Council authorizes the City Manager to sign the agreement with YMCA Camp Surf permitting placement of a lifeguard tower on the southwest corner of the YMCA Camp Surf property.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 1st day of August, 2012, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK



**FOR YOUTH DEVELOPMENT
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY**

July 23, 2012

Gary Brown, City Manager
City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

Re: License to Use Property

Dear Gary:

This letter constitutes a non-exclusive License from the YMCA of San Diego County, on behalf of YMCA Camp Surf, to the City of Imperial Beach permitting temporary and limited use of that portion of the south west corner of the YMCA Camp Surf, located at 560 Silver Strand Boulevard, Imperial Beach, California, as shown on the attached map. This license is solely for staging, storage, and operation of a lifeguard tower, and for no other purpose. This license shall be in effect from the date this letter is acknowledged and executed by the City through and including October 31, 2012, at which time this license and the City's use of the property shall cease. There shall be no fee or cost for this permitted use. However, this permitted use is subject and subordinate to Government Lease, dated September 17, 1998, by and between the YMCA of San Diego County and the United States of America (Department of the Navy).

This license to use the property is specific to the City and is not transferable or assignable, in whole or in part, to any other person or entity. The City shall leave the property in a clean and orderly condition, and restored it to its original condition should any alterations or changes occur during the time of use. The City shall not bring or allow to be brought any materials or substances onto the property that are considered hazardous in any manner (under any governmental rule or guideline), nor shall the City allow any open fires, consumption of alcohol or smoking on the property.

The City of Imperial Beach shall defend, indemnify and hold the YMCA of San Diego County, its directors and officers, employees, agents and members, harmless from and against any and all liabilities, damages, claims or costs that may arise, directly or indirectly, in any manner pertaining to this licensed use of the property.

YMCA Camp Surf
560 Silver Strand Boulevard
Imperial Beach, CA 91932 www.camp.ymca.org
Phone 619-423-5850 FAX 619-423-4141

On or before the first day of permitted use, the City of Imperial Beach shall deliver a certificate of Commercial General Liability Insurance in the amount of at least Ten Million Dollars combined single limit for bodily injury and property damage, naming the YMCA of San Diego County and the United States of America (Department of the Navy) as additional insureds, which insurance shall be primary and noncontributing with any other insurance in effect for the YMCA of San Diego County or the United States of America (Department of the Navy).

The YMCA reserves the right to terminate this license at any time for good cause, without notice and without any further obligation. This letter contains the entire agreement between the YMCA and the City, which supercedes any other communications or understandings.

Please sign this letter where indicated below and return it to us at your earliest convenience.

We look forward to our continued partnership with the City of Imperial Beach, and the improved safety that this additional Lifeguard Tower will provide.



Tom Madeyski
Executive Director/VP
YMCA Overnight Camping Branch

The City of Imperial Beach agrees to the terms and conditions of this license as set forth above.

Dated: July __, 2012

By: _____
(signature)

Its: _____
(title)



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER

MEETING DATE: AUGUST 1, 2012
ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, COMMUNITY DEVELOPMENT DIRECTOR
JIM NAKAGAWA, AICP, CITY PLANNER

SUBJECT: FIRST READING/ INTRODUCTION OF ORDINANCE NO. 2012-1130 AND PUBLIC HEARING/ ADOPTION OF RESOLUTION NO. 2012-7236: THE CITY OF IMPERIAL BEACH: GENERAL PLAN AMENDMENT (GPA)/LOCAL COASTAL PROGRAM AMENDMENT (LCPA) / ZONING CODE AMENDMENT (ZCA) 100057/ AND FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL ZONING AMENDMENT PROJECT. MF 935

PROJECT DESCRIPTION/BACKGROUND:

This is a City-initiated proposal to amend the Imperial Beach General Plan/Local Coastal Plan and Zoning Ordinance (GPA/LCPA/ZCA 100057) for properties designated C-1 (General Commercial) in the Palm Avenue study area, C-2 (Seacoast Commercial) in the Old Palm Avenue and Seacoast Drive study areas, and C-3 (Neighborhood Commercial) in the 13th Street Corridor study areas. Also included in the proposed project are areas zoned R-1500 (High Density Residential) that are subject to the MU-1 (Mixed Use-1) overlay designation in the Palm Avenue study area and the MU-2 (Mixed Use-2) overlay designation in the Seacoast Drive study area.

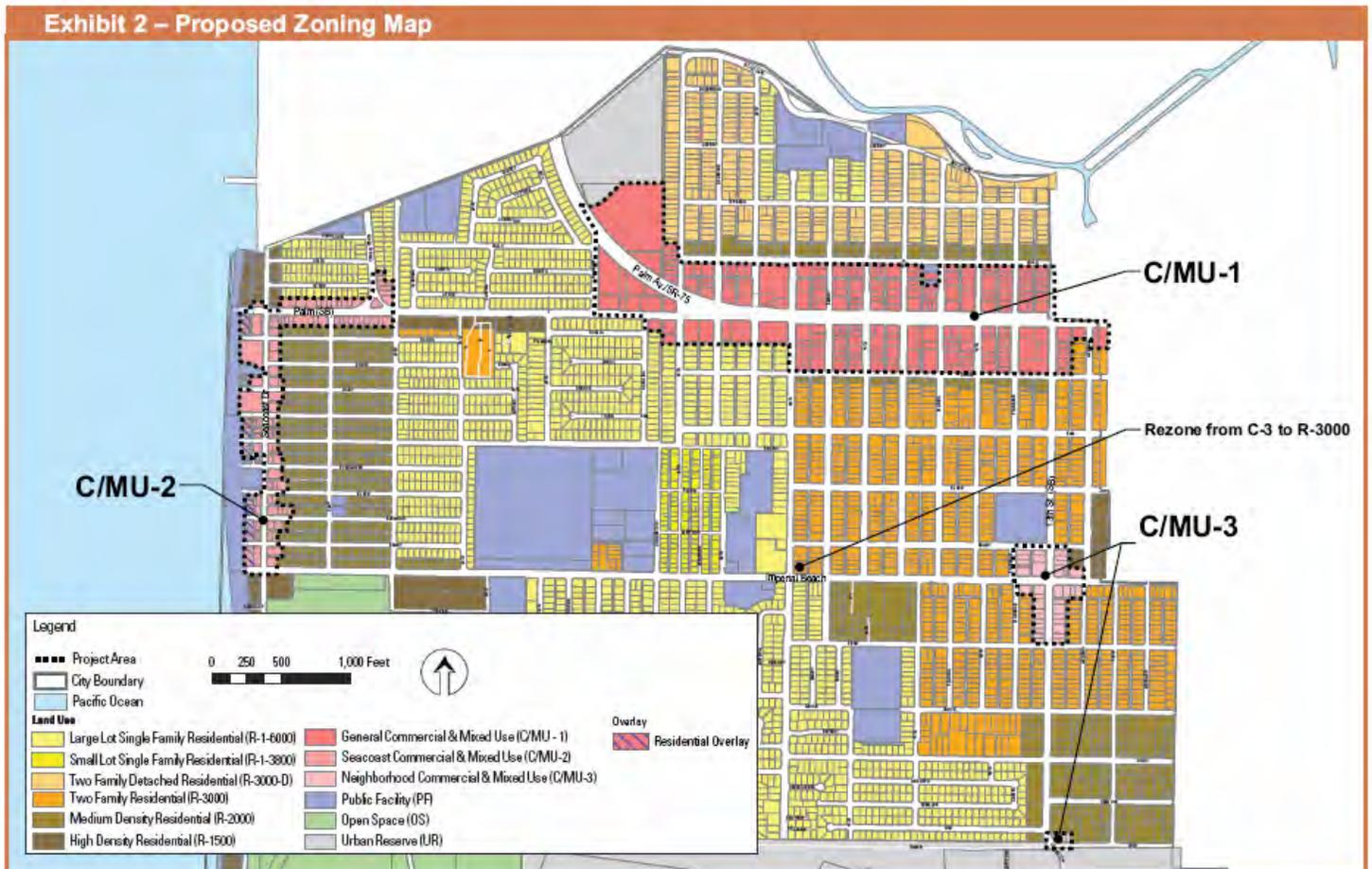
The General Plan/LCP and commercial zoning amendments would apply a C/MU-1 General Plan/Zone designation to the Palm Avenue study area, a C/MU-2 General Plan/Zone designation to the Seacoast Drive and Old Palm Avenue study areas, and C/MU-3 General Plan/Zone designation to the 13th Street Corridor study areas. In addition, property at the northeast corner of 9th Street and Imperial Beach Boulevard has been included in the proposed project to change the existing C-3 General Plan/Zone designation to R-3000 (Two-Family Residential) pursuant to GP Policy L-4h. A proposed zoning map is shown on page 2 of this staff report.

The list of uses in C/MU-1, C/MU-2, and C/MU-3 zones would identify all potential uses as permitted by right, by conditional use permit or site plan, as well as uses not permitted in each zone. Attached multiple-family residences would be permitted in each of the C/MU zones at densities ranging from 1 dwelling unit per 1,000 square feet to 1 dwelling unit per 2,000 square feet. A proposed Residential Overlay Zone would replace the existing Seacoast Commercial MU-2 Overlay Zone for beachfront residential properties west of Ocean Lane. The purpose of

the Residential Overlay Zone is to preserve opportunities for the continuation of single-family residential uses in the area. Residential units, including detached single-family units, would continue to be permitted by right. Additionally, all uses permitted within the C/MU-2 zone would also be permitted in the Residential Overlay Zone.

Commercial parking requirements would be changed from a standard that varies by type of commercial use to a standard of 1 space per 500 gross square feet of commercial use in the proposed C/MU-1 and C/MU-3 zones, and to 1 space per 1,000 gross square feet of commercial use in the proposed C/MU-2 zone. In addition, a reduction in required parking would be permitted for vertical mixed-use projects of commercial, multiple-family, or hotel uses; parking requirements would be waived for commercial uses of less than 1,000 square feet; and opportunities to satisfy parking requirements by use of shared parking or off-site parking located within 1,000 feet (an increase from 500 feet) would be allowed for multiple-family residential and commercial uses (except hotels).

A major focus of the Commercial Zoning Review was to provide more flexibility in the City's commercial zoning to allow for or incentivize well-designed and more economically feasible commercial, retail and mixed-use development. To that end, the proposed zoning ordinance amendments include incentive criteria that would allow project applicants to increase building heights and residential densities in the C/MU-2 and C/MU-3 zones by achieving two (2) of the seven (7) established performance-based development standards. Projects seeking these incentives would be subject to City Council approval.



Another focus was to provide more desirable ground-floor commercial/retail space that would be attractive to a variety of users/tenants and provide for a high level of re-use potential. To achieve that objective, a minimum 15-foot floor-to-ceiling height would be established for the first floor of any multi-story development. It should be noted that, in the proposed C/MU-2 and C/MU-3 zones, this will create a design challenge in providing two floors of development above the first floor within the proposed maximum height limit of 35 feet, staff believes that a three-story development can nevertheless be accomplished in these zones under this proposed regulation. Additionally, a 20-foot minimum building height would also be established for single-story developments.

New or revised definitions would be added to the zoning ordinance for terms used in the proposed C/MU zones, such as for active commercial uses, incidental manufacturing, live/work units, mixed-use development, personal convenience services, and urban open space.

Project History/Rationale/Process: There was a strong demand for residential construction in the commercial zones during the heated market period several years ago; however, our zoning provisions did not specify a minimum amount of commercial area that needed to be developed for mixed-use projects. Concerns arose that commercially-zoned land would be developed primarily by residential use and the City was apprehensive that there would no longer be any feasible areas on which to have commercial development and that both local business and city revenue leakage would worsen. This was the main issue that prompted the desire and need for the review of our commercial zoning. In February of 2007, the City executed a contract with EDAW (now AECOM) to conduct a review of the City's Commercial Zoning and analyze and propose ways in which the commercial zoning could be amended to provide for more effective and desirable commercial and retail development to serve the City.

The consultant initiated the project by engaging the community in an extensive public outreach and participation process beginning with a series of stakeholder interviews and community workshops (#1 on November 8, 2007 and #2 on October 2, 2008). The project goals were provided in Working Paper #1 (Dec 2007):

Project Goals:

- Maximize retail potential for commercially-zoned land
- Create fiscal sustainability
- Provide local shopping opportunities plus opportunities for other types of activity
- Implement commercial corridors near transit (to allow the City to remain eligible for SANDAG Smart Growth grants)
- Present realistic parking strategies
- Respect land use compatibility and achieve quality design
- Implement realistic/feasible development standards

The Working Paper identified four areas that would be examined:

Zoning, General Plan, and Local Coastal Plan (LCP) Regulations. The report would explore the regulatory constraints for development in the study areas such as height limitations, design standards, types of land uses, parking standards and other regulations. These standards would be evaluated for their effectiveness in guiding development to achieve the City's vision for these districts and for their ability to allow results that the public, staff, and development community desire.

Design. Design challenges and opportunities within the study areas would be highlighted in the report. This effort would focus on identifying current weaknesses in architectural and landscaping design in the areas, including how the lack of a cohesive design affects the visual character of the community. Opportunities for enhanced design standards related to visual character, landscaping, signage and the public realm are explored.

Parking Standards. A summary of existing requirements establishes the current challenges of serving commercial and residential parking needs within the study districts. This assessment evaluates mixed-use parking requirements by studying similar cities plus measurement of actual parking demand at several commercial and mixed-use projects in the City, as well as a potential shared parking option in these districts. Challenges and barriers to provision of parking are also described.

Market/Fiscal Considerations. The report would provide an evaluation of current development trends, including property acquisition costs. A retail needs assessment by market area is performed, and revenue “leakage” for each area is estimated; recommendations based on existing zoning regulations, examples from similar mixed-use projects, and other limiting conditions are described in order to evaluate the potential for recapture of revenues through development of specific retail businesses.

The 2nd Workshop on October 2, 2008 provided suggestions on commercial zoning changes, development concepts and design standards. The following Guiding Principles were identified from these workshops and the stakeholder outreach effort:

1. The Big Picture is confirmed for each Study Area
2. People want change
3. Building height limits may impede desired development
4. Improving quality and consistency of urban design is important
5. Commercial areas should be cleaned up
6. Pedestrians need a safer environment
7. More options for parking regulations should be explored

A Final Working Paper #2 was issued on May 7, 2009 wherein it provided recommended General Plan and Zoning Amendments, revised parking standards, new design guidelines, and a financial feasibility analysis.

On June 24, 2009, a combined City Council and Design Review Board (DRB) workshop was held to present the results and recommendations of the City’s Commercial Zoning Review. At this workshop, the consultant team headed by AECOM, presented specific recommendations for zoning amendments based upon the review of the City’s commercial zones. During the workshop,

Table 1 – Summary of City Council Discussion of Topics Included in Commercial Zoning Review

Date	City Council Discussion Topic
October 26, 2009	Overview discussion including height, density, and Palm Avenue height overlay zone
November 18, 2009	Parking
December 16, 2009	Prototypes, density, floor area ratio, stepbacks, setbacks, and incentives
February 17, 2010	Density, floor area ratio, stepbacks, setbacks, and incentives
March 17, 2010	Floor area ratio and incentives
May 4, 2010	Land use table and definitions
June 2, 2010	Ground floor height and incentives
June 15, 2010	Active commercial use, design guidelines, and new zones
July 13, 2010	Design guidelines
July 21, 2010	Prototypes for Seacoast Drive and Old Palm Avenue
August 4, 2010	Prototype for Seacoast Drive, Old Palm Avenue, and Palm Avenue
August 18, 2010	Additional prototype for Old Palm Avenue and setbacks from residentially zoned properties

concerns were raised about the extensive amount of information provided and about some of the specific recommendations being presented, particularly those involving proposed increases to building height and residential densities. As such, the City Council requested that additional City Council and DRB workshops be conducted to go over the information in more detail and to allow for additional input from the City Council, DRB and the public.

On July 28, 2009, another City Council/DRB Workshop was held. This workshop was attended by over 70 members of the community many of whom raised concerns about the Commercial Zoning Review and about the process for reviewing the potential draft zoning amendments to the City's Commercial Zoning and General Plan. Most of those who spoke during public comment expressed specific concerns about single-family residences located along the coast in the C-2 and MU-2 zones being "zoned out" of the area and/or becoming legal, non-conforming uses.

On September 23, 2009, staff presented to the City Council options for the review process moving forward for this effort. The City Council directed staff to schedule a series of "focus discussions" at which the Council could discuss the Commercial Zoning Review recommendations prior to proceeding with a community outreach and review process. All those community members who attended the July 28th Workshop and an extensive list of other interested community members were notified of every City Council focus discussion.

On October 26, 2009, the City Council held the first of a series of twelve, time-specific Focus Discussion meetings to discuss the Commercial Zoning Review recommendations. At the beginning of this meeting, the City Council voted to eliminate the following potential zoning amendment recommendations from consideration:

1. A 60-foot height overlay zone along Palm Avenue from Emory westward to Rainbow Drive.
2. Minimum residential density requirements.
3. A 40-foot height limit on the east side of Seacoast Drive and along Old Palm Avenue from Seacoast Drive to 3rd Street, subject to incentive criteria.
4. Elimination of the Mixed-Use Overlay Zone (MU-2 Zone) west of Ocean Lane.

After discussion, a majority of the City Council voted to consider and discuss the possibility of allowing building of up to 35 feet, not 36 feet as proposed in the potential amendments, on the east side of Seacoast Drive and along Old Palm Avenue. This increased height would be permitted only if a proposed project met specific development incentive criteria. The development incentives were one of the items identified by the City Council to be discussed in more detail at the next special meeting to be held on November 18, 2009.

On November 18, 2009, staff and the consultant team made another presentation to the City Council on the Commercial Zoning Review recommendations. Due to time constraints and the depth of discussion, the City Council was only able to cover the parking requirements. The City Council was generally supportive of the proposed recommended parking amendments which included:

- 1) Reducing the overall parking ratios/requirements for commercial development
- 2) Allowing a 25% parking reduction for vertical (taller than one story) development
- 3) Allowing a parking waiver for commercial uses of less than 1,000 square feet
- 4) Allowing a shared parking reduction, subject to a project-specific study

The proposed parking amendments are summarized as follows:

Table 14 – Summary of Parking Standard Changes

Category	Former Standard	Proposed Standard	Eligible for Waiver for 25% Reduction for Vertical Mixed-Use	Eligible for Waiver for Commercial Uses less than 1,000 SF (Consider increase to 1,500 SF)	Eligible for Additional Parking Reduction for Shared Parking
Commercial C/MU-1 C/MU-3	Varies by use	1 space per 500 SF of commercial	X	X	X
Commercial C/MU-2	Varies by use	1 space per 1,000 SF of commercial	X	X	X
Multi-Family Residential	1.5 spaces per unit	Same	X		X
Hotel without cooking facilities	1.0 spaces per unit	Same	X		
Hotel with cooking facilities	1.5 spaces per unit	Same	X		

On Wednesday, December 16, 2009, the City Council continued its focus discussions on the following items:

- Maximum Residential Densities
- Setbacks and step-backs
- Floor Area Ratios (FARs)
- Performance-based incentives

At the meeting on February 17, 2010, staff provided another overview of the recommendations for which specific recommendations were needed. The recommendations were presented in a matrix to clearly list the proposed recommendations as well as the direction given by the City Council for each. The City Council then continued its discussion of maximum residential densities, setbacks and stepbacks, floor area ratios and performance-based incentives. During this meeting, the City Council appeared to reach some consensus on allowing a slight increase in density to thirty-six (36) dwelling units per acre in both the C/MU-2 and C/MU-3 zones through meeting identified incentive criteria. The City Council also supported the same height increases in the C/MU-3 zone (i.e., to 35 feet through incentives). There was also specific discussion regarding setbacks and stepbacks.

At their meeting on March 17, 2010, the City Council/Redevelopment Agency spent much of the discussion on incentives for achieving additional height and density. An overview of the residential density incentive was also provided by City staff to detail how the density incentive had changed from previous Council action. After discussion, it was the general consensus of the City Council that a list or “menu” of potential incentives be provided within the zoning code from which developers could select for their projects in order to be considered for additional building height and/or residential density. A developer would then have to achieve the incentives to be granted additional height and/or density by the City Council. The following incentives were presented as possibilities:

- Lot Consolidation
- Exceptional Architectural Design
- Green Building Design (LEED Certified or Equivalent)
- Active Street Level (Commercial) Use
- Retail Design

- Provision of 3-Bedroom Units
- Provision of Affordable For-Sale Units
- Provision of Open Space, Plaza Space Public/Community Amenities
- Public Right-of-Way Dedication
- Greater Upper Floor Stepback from Residential Property
- 15-foot First Floor Retail Ceiling Height

The following is the list of the final recommended building height, residential densities and performance-based incentives:

Table 9 – Maximum Building Height and Density with Incentives

Proposed Zone	Current Standard		Proposed Maximum By Right*		Proposed Max. With Incentives	
	Stories/Height	Max Density	Stories/Height	Max DU/Acre	Stories/Height	Max DU/Acre
C/MU-1	Four/40 feet	43 DU/acre	Four/40 Feet	43 DU/acre	N/A	N/A
C/MU-2 (West Side of Seacoast)	Three/30 feet	29 DU/acre	Three/30 Feet	29 DU/acre	N/A	N/A
C-MU-2 (Old Palm and East Side of Seacoast)	Three/30 feet	29 DU/acre	Three/30 Feet	29 DU/acre	Three/35 feet	36 DU/acre
C/MU-3	Two/28 feet	22 DU/acre	Three/30 Feet	29 DU/acre	Three/35 feet	36 DU/acre

*The proposed maximums described may, as an option, be provided with incentives, and not by right.
 Note: In C/MU-2, 40 feet for hotel uses will continue to be allowed with a Specific Plan.

Table 10 – Summary of Performance-Based Standards

Qualifier	Requirements for Performance-Based Standards
<i>A project applicant could be allowed up to 36 DU/acre and up to 35 feet in height (east side of Seacoast only) for achieving any two of the following:</i>	
Lot Consolidation	Project sites that are consolidated to a final size greater than 20,000 square feet.
Green Building	Entire project achieves Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or can demonstrate the ability to achieve certification.
Active Commercial Use	Entire project must provide a minimum of 75% active commercial uses on the ground floor.
Three-Bedroom Units	25% of proposed residential units must be three-bedroom units.
Provision of Public Open Space, Plaza Space, or Public Community Amenities	Provide an additional 100 square feet of public open space or plaza space with minimum dimensions of 6 feet by 10 feet.
Public Right-of-Way Dedication	Dedicate a minimum of 1 foot of private property frontage to public use (creates a 1-foot front setback dedicated to public use).
Provision of Greater Floor Stepback from Residential Property	Floors above first floor provide additional setback 5 feet beyond required stepback.

On May 4, 2010, staff presented the proposed Land Use Table and Use Definitions to the City Council. During this discussion, the City Council/Redevelopment Agency raised questions and expressed concerns about allowing exclusively multi-family residential (i.e., non-commercial) development in the City’s commercial zones. This concern led to a discussion about the proposed “minimum active commercial use requirements.” Staff explained the reasons for these requirements and stated that a separate focus discussion would be scheduled to discuss these requirements further. Other questions and concerns were raised about specific land use definitions, the conditional use permit (CUP) requirements for residential use and the overall

objective to preserve and enhance the commercial zones for commercial uses. The following table shows the final recommended Minimum Active Commercial Use Requirements:

Table 3 – Minimum Active Commercial Use Requirements

Proposed Zone	Former Standard	Proposed Standard
C/MU-1	None in the former C-1 zone	Active commercial uses shall be provided at 60% of the ground floor of all parcels with frontage along Palm Avenue, between 7th Street and Florida Street. As indicated in Table 4, all parcels with frontage along Palm Avenue shall contain commercial uses at the ground floor level a minimum distance of 25 feet from the front property line.
C/MU-2	None in the former C-2 zone	Active commercial uses shall be provided at 60% of the ground floor of all parcels with frontage along Old Palm Avenue and Seacoast Drive.
C/MU-3	None in the former C-3 zone	Active commercial uses shall be provided at 60% of the ground floor of all parcels with frontage along Imperial Beach Boulevard and 13th Street.

In order to graphically present the type of development that the existing and proposed development regulations might create, various prototypes for each of the commercial study areas were developed. At several of the City Council focus discussions, these prototypes were presented and discussed. An example of a prototype for Seacoast Drive is below:

Prototypical Development with Incentivized Regulations for Seacoast Drive



A development regulations pertaining to building setbacks and stepbacks also received much discussion. A critical requirement was to provide adequate separation between larger, multi-story projects developed in the city's commercial zones and adjacent residential and

residentially-zoned property. Ultimately, the City Council agreed upon the following setback and stepback requirements:

Table 6 – Setbacks

Proposed Zone	Former Standard	Proposed Standard
C/MU-1	None in the former C-1 zone	General: 0 feet front, 10 feet rear, 5 feet side, 0 feet street side Exception: 15-foot front yard/landscape setback for properties facing Donax or Calla Avenues
C/MU-2	0 feet in the former C-2 zone if lot fronts Seacoast Drive, otherwise none required	0 feet all sides Exception: 1. 10-foot rear and/or side yard setback for properties abutting any property zoned R-1-6000; and 2. 5-foot rear and/or side yard setback for properties abutting any property zoned R-2000.
C/MU-3	None in the former C-3 zone	0 feet front, 10 feet rear, 5 feet side, 0 feet street side

Table 7 – Stepbacks (new requirement)

Proposed Zone	Former Standard	Proposed Standard
C/MU-1	None in the former C-1 zone	5 feet at second floor and 10 feet at third floor for projects abutting residentially zoned property
C/MU-2	For properties fronting Seacoast Drive in the former C-2 zone, front of each building set on property line Second floor: Front yard=5 feet; 60% of frontage may be set back 0 feet Third floor: Front Yard=10 feet; 40% of frontage may be set back 5 feet	5 feet at second floor and 10 feet at third floor for projects abutting residentially zoned property Stepbacks are not required where the 10-foot setback is required or observed for at least 50% of the property line abutting residential property For properties fronting Seacoast Drive, an upper story stepback of 5 to 10 feet is required for a minimum of 50% of street-facing facades along Seacoast Drive
C/MU-3	None in the former C-3 zone	5 feet at second floor and 10 feet at third floor for projects abutting residentially zoned property

At the completion of the City Council Focus Discussions, the City of Imperial Beach staff and AECOM then conducted community workshops on Tuesday, September 28, 2010 and Thursday, October 7, 2010, to present the final Commercial Zoning Review recommendations. An identical agenda and format were used for each workshop. The primary purpose of the workshops was to present the draft commercial zoning amendments and to receive feedback and comments from community members. The workshops provided valuable feedback for the final commercial zoning recommendations. The Final Commercial Zoning Review Recommendations was presented to the City Council on October 20, 2010.

New councilmembers were elected in November of 2010. On December 7, 2011, the City Council was again given an overview of the commercial zoning amendment project, particularly for the benefit of the new City Council members. A tentative schedule of next steps in the processing of the amendments was also provided.

PROJECT EVALUATION/ DISCUSSION:

During the course of this project, a number of state laws were enacted that actually reinforced many of the objectives of the amendments. The Complete Streets Act of 2008 required

provisions for pedestrians and bicyclists as well as motorists when making amendments to the circulation element. AB 97 required the Governor's Office of Planning and Research (OPR) to amend California Environmental Quality Act (CEQA) Guidelines to reflect the de-emphasis of providing for automobile parking and encourage alternative modes of transportation to decrease the production of greenhouse gas (GHG) emissions as mandated by AB 32. SB 375 basically required future development to take place in developed areas (SANDAG's Smart Growth policy) to take advantage of existing infrastructure, reduce sprawl, provide for a more pedestrian-oriented environment, and eventually reduce GHG emissions to better adapt to if not mitigate the effects of global warming and/or climate change



The proposed Commercial Zoning Review amendments seek to provide a sufficient amount of commercial area to support the local and visitor needs for goods and services. With decreased parking requirements and particularly with the bonus incentives, the recommended zoning amendments enhance Imperial Beach's ability to attract development interest, compete for commercial tenants and customers, create jobs, and generate both business and tax revenues. By encouraging the mix of residential and commercial uses, it provides the opportunity for residents to walk to and/or avail themselves of transit to reach their shopping or job destinations.



The recommended design/development standards would provide an attractive, walkable and pedestrian-friendly environment in which to live, work, and recreate. The implementation of the Palm Avenue/SR 75 Traffic Calming/ Master Plan Streetscape Study (MF 970) combined with this project would further reinforce the objectives of the commercial zoning amendments.

The Financial Feasibility Study by Keyser Marston and Associates (KMA) provided some realistic retail capture potential with the implementation of the Commercial Zoning Amendment. This analysis demonstrated that the City has ample commercially-zoned property on which to realize and accommodate its potential commercial/retail space build-out, even when conservatively estimating the number of new housing units that would be constructed under the San Diego Association of Government's (SANDAG's) Regional Growth Forecasts. As determined by the KMA analysis, the retail space demand for the City of Imperial Beach can be summarized as follows:

	Low	High
Sales Export Recapture Potential	55,000 SF	88,000 SF
Retail Space Demand Through 2030		
Demand from New Housing Units	44,000 SF	57,000 SF
Demand from Beyond Trade Area	11,000 SF	14,000 SF
Total Retail Space Demand Through 2030	55,000 SF	71,000 SF
Sales Export Recapture Potential	110,000 SF	159,000 SF

Local Coastal Program (LCP) Amendment: This project constitutes an amendment to the Policy and Implementation Components of the City's certified LCP. It proposes to add and amend provisions of the General Plan/LCP as described above. Public notice was given of the availability of documents and request for comments pertaining to this item which began a six-week/45-day public review period. This public review period, from **April 19, 2012 to June 4, 2012**, was required for the item prior to any final action being taken by the City Council on the General Plan Amendment request, pursuant to California Code of Regulations Code §13515 (14 CCR 13515) and California Government Code §65352. Pursuant to Section 21080.5 of CEQA, the California Coastal Commission will review the proposed amendments for compliance with the certified LCP and CEQA. The proposed amendments must be submitted to the California Coastal Commission for review and certification, and it will not become effective until certified by the California Coastal Commission.

ENVIRONMENTAL INFORMATION:

As the Lead Agency, the City of Imperial Beach prepared a Draft Program Environmental Impact Report (PEIR) in accordance with CEQA for the General Plan/Local Coastal Plan (LCP) and Commercial Zoning Amendments Project. A 45-day public review and comment period was provided pursuant to CEQA Guidelines Section 15105 for the Draft PEIR (SCH# 2011041048) from **April 19, 2012 to June 4, 2012**. Comments from 7 agencies and 3 citizens were received and responses to those comments were prepared as a part of the Final PEIR (Appendix F).

Significant Environmental Effects Anticipated as a Result of the Proposed Project: The Draft PEIR determined that the proposed project could have potentially significant environmental effects in the following areas: Air Quality, Paleontological Resources, and Noise. Mitigation measures are identified in the Draft PEIR that would reduce the potential environmental impacts to these resource areas to below a level of significance.

Statement of Overriding Considerations

The Draft PEIR found that Implementation of the proposed project would result in significant and unavoidable impacts to the following issue areas: Greenhouse Gas (GHG) Emissions; Hydrology and Water Quality, and Transportation and Traffic. Implementation of the mitigation measures identified in the Draft PEIR would reduce impacts to an extent; however, even with

the proposed mitigation, the GHG emissions, hydrology and water quality, and transportation and traffic impacts would remain significant and unavoidable. Transportation Demand Management (TDM) strategies are also proposed as mitigation.

Pursuant to Section 15093 of the State CEQA Guidelines, when the lead agency approves a project that may result in the occurrence of significant effects that are identified in the Final Environmental Impact Report (EIR), but are not avoided or substantially lessened, the agency shall adopt a Statement of Overriding Considerations per CEQA stating in writing the specific reasons to support its action based on the Final EIR and/or other information in the record.

The City has adopted Findings Regarding Significant Effects for the above project, which identify that certain significant effects of implementing the project are unavoidable even after incorporation of any feasible mitigation measures. The City finds that the remaining unavoidable significant effects are acceptable due to specific economic, legal, social, technological, or other benefits which will result from approval and implementation of the project, as listed below. All of these benefits are based on the facts set forth in the Findings Regarding Significant Effects, the Final PEIR, and the record of proceedings for this project.

During this review period, the Draft PEIR and proposed General Plan/LCP and commercial zoning amendments were posted on the City's website. The City has prepared a Final PEIR for consideration and certification by the City Council that the document is in compliance with CEQA. It reflects changes made as a result of public and agency comments. It includes public comments and responses to the comments and it includes the Mitigation and Monitoring Reporting Program (Appendix G: MMRP) per CEQA Guidelines Section 15097.

FISCAL ANALYSIS:

On December 1, 2010, the City Council/Redevelopment Agency approved a contract in the amount of \$274,750 for preparation of the General Plan Amendments, the Zoning Ordinance Amendments and the Program Environmental Impact Report associated with proposed amendments that are the subject of this City Council item.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council:

1. Declare the public hearing open;
2. Receive report and entertain testimony;
3. Continue public hearing to the City Council meeting of August 15, 2012;
4. Adopt Resolution No. 2012-7236 approving the proposed General Plan/Local Coastal Program Amendment (GPA 100057), finding and certifying that the proposed zoning amendment is consistent with the Coastal Act, and certifying the Final Program Environmental Impact Report (SCH# 2011041048), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements;
5. Mayor calls for the first reading of the title of Ordinance No. 2012-1130 approving the proposed Zoning Code Amendment (ZCA 100057);
6. City Clerk to read Ordinance 2012-1130 by title only;
7. Motion to waive further reading of Ordinance No. 2012-1130 and set the matter for its second reading and adoption at the next regularly scheduled City Council meeting.

RESOLUTION NO. 2012-7236

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING GENERAL PLAN/ LOCAL COASTAL PROGRAM AMENDMENT (GPA/ LCPA) 100057, AND FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (SCH# 2011041048) AND CERTIFYING THAT PROPOSED ZONING AMENDMENT (ORDINANCE NO. 2012-1130) IS CONSISTENT WITH THE COASTAL ACT FOR THE COMMERCIAL ZONING AMENDMENT PROJECT. MF 935

APPLICANT: CITY OF IMPERIAL BEACH

WHEREAS, on August 1, 2012 and on August 15, 2012, the City Council of the City of Imperial Beach held a duly advertised public hearing to consider the merits of approving or denying an application for General Plan/ Local Coastal Program/ Zoning Code (GPA/ LCPA/ ZCA 100057) Amendment, and

WHEREAS, the City Council finds that the proposed GPA/LCPA that would amend Figure L-1 (Land Use Map) of the Imperial Beach General Plan/LCP for properties designated C-1 (General Commercial) in the Palm Avenue study area, C-2 (Seacoast Commercial) in the Old Palm Avenue and Seacoast Drive study areas, and C-3 (Neighborhood Commercial) in the 13th Street Corridor study areas; and areas zoned R-1500 (High Density Residential) that are subject to the MU-1 (Mixed Use-1) overlay designation in the Palm Avenue study area and the MU-2 (Mixed Use-2) overlay designation in the Seacoast Drive study area, pursuant to Government Code Section 65300.5, is internally consistent with other policies of the general plan/ local coastal program; and

WHEREAS, the City Council finds that the proposed Ordinance No. 2012-1130 to effect the proposed changes would be consistent with General Plan Policies L-4f and L-6 that encourage visitor-serving and tourist-oriented commercial uses and would, therefore, be externally consistent pursuant to Government Code Section 65860; and

WHEREAS, the City Council finds that the amendment is in substantial compliance with Policy D-8 of the Design Element of the General Plan/Local Coastal Plan, which promotes project design harmonious with adjoining uses as the proposed setbacks and setbacks provides a buffer from residential uses and the proposed active commercial use areas creates a more pedestrian-oriented environment and exemplifies many of the principles of form-based codes; and

WHEREAS, the City Council of the City of Imperial Beach hereby finds and certifies that the proposed Commercial Zoning Amendment is consistent with the California Coastal Act, pursuant to Public Resources Code Section 30510(a) and Title 14 of the California Code of Regulations section 13551; and

WHEREAS, the City Council of the City of Imperial Beach finds that Public notice was given of the availability of documents and request for comments pertaining to this item that began a six-week/45-day public review period (from **April 19, 2012** to **June 4, 2012**) for the item prior to any final action being taken by the City Council on this amendment request, pursuant to California Code of Regulations Code §13515 (14 CCR 13515) and California Government Code §65352; and

WHEREAS, in compliance with Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, a Program Environmental Impact Report (PEIR) has been prepared for this project and routed for public review from April 19 to June 4, 2012, and submitted to the State Clearinghouse (SCH # 2011041048) in accordance with the requirements of the (CEQA) for agency review, and

WHEREAS, the City Council has considered and heard any and all public testimony regarding the potential environmental impacts associated with this project, and hereby determines that:

- 1) the Final Program Environmental Impact Report (SCH # 2011041048)) reflects the decision-making body's independent judgment and analysis;
- 2) the decision-making body has, pursuant to CEQA Guidelines Section 15074(b), considered the information contained in the Draft and Final Environmental Impact Reports (SCH # 2011041048) and the written comments received during the public review period;
- 3) The PEIR found significant and unavoidable environmental impacts to the issue areas of greenhouse gas emissions (GHG), hydrology and water quality, and transportation and traffic.
- 4) Pursuant to Section 21081 of the California Environmental Quality Act (CEQA) and Section 15091 of the State CEQA Guidelines, the City found that mitigation for the project's greenhouse gas emissions; hydrology and water quality; and transportation and traffic impacts would not fully reduce those impacts to below a level of significance. Other potential measures were found to have specific economic, legal, technological, and social considerations that otherwise render full mitigation infeasible.
- 5) Pursuant to Section 15093 of the State CEQA Guidelines a Statement of Overriding Considerations is hereby adopted, by the City Council of the City of Imperial Beach, as certain significant effects of implementing the project are unavoidable even after incorporation of any feasible mitigation measures.
- 6) The City finds that the remaining unavoidable significant effects are acceptable due to specific economic, legal, social, technological, or other benefits which will result from approval and implementation of the project, as listed below. All of these benefits are based on the facts set forth in the Findings Regarding Significant Effects as contained in Exhibit "A" to this resolution, the Final PEIR, and the record of proceedings for this project.
- 7) The City finds that the proposed Imperial Beach General Plan/Local Coastal Plan and Commercial Zoning Amendments Project would have the following substantial Overriding Benefits as further contained in Exhibit "B" to this resolution:
 - a. Increased City Revenue for Needed Municipal Services and Facilities. Implementation of the General Plan/Local Coastal Plan and Commercial Zoning Amendments Project will help to stimulate new commercial activity in Imperial Beach, which will in turn generate increased local sales tax revenue for the City.

Increasing sales tax revenue is essential for funding existing and future municipal services as well as maintenance and improvements of public facilities that are owned and operated by the City.

- b. Employment Opportunities. Implementation of the General Plan/Local Coastal Plan and Commercial Zoning Amendments Project will generate new construction employment opportunities over the multi-year build-out. Implementation will also stimulate new and redeveloped commercial areas that will generate long-term employment opportunities at local commercial establishments. This will provide an economic benefit to the community and potentially the region as a whole.
- c. Enhancement of Local Community Character and Quality of Life. The development regulations and design guidelines associated with the project will yield development that better meets community goals for quality design and architecture, environmental sustainability, and pedestrian-friendliness in comparison to the existing zoning. Furthermore, expanding the number and diversity of local commercial businesses will allow residents and visitors to accomplish more shopping needs in Imperial Beach, resulting in shorter trips and opportunities to bike and walk to shopping, restaurant, and other commercial destinations.
- d. Pedestrian-Oriented Development. One of Imperial Beach's valued assets is its walkable environment, which is associated with reduced automobile traffic and associated air pollutants, public health benefits, viable transit access, enjoyable and well-connected urban form and connectivity, and overall quality of life advantages for residents and visitors. The new development regulations and design guidelines are intended to protect and enhance the pedestrian environment in the City's commercial corridors, thereby reinforcing and improving these benefits.

NOW, THEREFORE, BE IT RESOLVED, that General Plan/ Local Coastal Program Amendment (GPA/ LCPA 100057), as provided in Attachment 3 and made a part hereof, are hereby **approved** and the Final PEIR (SCH # 2011041048) including the Mitigation Monitoring and Reporting Program (MMRP) is hereby certified by the City Council of the City of Imperial Beach subject to the mitigation measures provided in the Final PEIR.

Appeal Process under the California Code of Civil Procedure (CCP): The time within which judicial review of a City Council decision must be sought is governed by Section 1094.6 of the CCP. A right to appeal a City Council decision is governed by CCP Section 1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

PROTEST PROVISION: The 90-day period in which any party may file a protest, pursuant to Government Code Section 66020, of the fees, dedications or exactions imposed on this development project begins on the date of the final decision.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 1st day of August, 2012, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

James C. Janney

JAMES C. JANNEY, MAYOR

ATTEST:

Jacqueline M. Hald

JACQUELINE M. HALD, MMC
CITY CLERK

APPROVED AS TO FORM:

Jennifer M. Lyon

JENNIFER M. LYON
CITY ATTORNEY

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2012-7188 A Resolution of the City of Imperial Beach APPROVING GENERAL PLAN/ LOCAL COASTAL PROGRAM AMENDMENT (GPA/ LCPA) 100057, AND FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (SCH# 2011041048) AND CERTIFYING THAT PROPOSED ZONING AMENDMENT (ORDINANCE NO. 2012-1130) IS CONSISTENT WITH THE COASTAL ACT FOR THE COMMERCIAL ZONING AMENDMENT PROJECT. MF 935

CITY CLERK

DATE

EXHIBIT "A"
RESOLUTION NO. 2012-7236

FINDINGS REGARDING SIGNIFICANT EFFECTS

**IMPERIAL BEACH GENERAL PLAN/LOCAL COASTAL PLAN
AND COMMERCIAL ZONING AMENDMENTS PROJECT
SCH: 2011041048**

August 2012

The City of Imperial Beach (City), as lead agency has prepared a Program Environmental Impact Report (PEIR) for the General Plan/Local Coastal Plan (GP/LCP) and Commercial Zoning Amendments Project (State Clearinghouse No. 2011041048). The PEIR found significant but mitigable impacts to air quality, paleontological resources, hydrology and water quality, and noise. The PEIR found significant and unavoidable environmental impacts to the issue areas of greenhouse gas emissions (GHG), hydrology and water quality, and transportation and traffic.

These findings, as well as the accompanying statement of overriding considerations have been prepared in accordance with CEQA and the CEQA Guidelines. The purpose of these findings is to satisfy the requirements of Sections 15090, 15091, 15092, 15093, and 15097 of the CEQA Guidelines, all in connection with the approval of the General Plan/Local Coastal Plan and Commercial Zoning Amendments Project.

Before project approval, an EIR must be certified pursuant to Section 15090 of the CEQA Guidelines. Prior to approving a project for which an EIR has been certified, and for which the EIR identifies one or more significant environmental impacts, the approving agency must make one or more of the following findings, accompanied by a brief explanation of the rationale, pursuant to Section 15091 of the CEQA Guidelines, for each identified significant impact:

- Changes or alterations have been required in, or incorporated into, such project which avoid or substantially lessen the significant environmental effect as identified in the final environmental impact report.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency, or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

I. OVERALL FINDINGS

Pursuant to Section 21081 of the California Environmental Quality Act (CEQA) and Section 15091 of the State CEQA Guidelines, the City finds as follows:

- A. For each significant effect identified in the Final Program Environmental Impact Report (PEIR) other than those related to greenhouse gas (GHG) emissions, hydrology and water quality, and transportation and traffic, changes or alterations have been required in, or incorporated into, the project by project conditions of approval of which mitigate or avoid each significant environmental effect, as explained below. (Public Resources Code section 21081(a)(1).)
- B. For significant direct and cumulative impacts regarding GHG emissions associated with construction and operation of the proposed project, feasible measures have been incorporated in to the project to help minimize potential impacts. However, specific technical and legal considerations render full mitigation infeasible. No other known technically feasible and legally enforceable measures exists to reduce impacts to less than significant. In addition, at a program level of analysis, there is no assurance that the mitigation measures would be adequately applied to future projects or that additional, more effective Best Management Practices (BMPs) to reduce construction-related GHG emissions should be required in the future. Thus, the GHG impacts remain significant and unmitigated.

The potential will remain for future sea level rise due to the effects of global warming that is not addressed by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps and the Imperial Beach Municipal Code. There are no technically feasible mitigation measures that can reduce this impact to less than significant due to the project's location immediately adjacent to the Pacific Ocean. Therefore, the potential impact of coastal flooding remains significant and unmitigated.

For significant traffic impacts that would occur by Year 2030, a feasible mitigation measure has been included in the project to consider and implement Transportation Demand Management (TDM) strategies. However, these would not reduce the impact to less than significant. A portion of the necessary changes or alterations to improve roadway operation are within the responsibility and jurisdiction of another government agency and have been, or can and should be adopted by that other agency, and specific economic, legal and social considerations render full mitigation infeasible. (Public Resources Code Section 21081(a)(2) and (3).) While The City will coordinate with other agencies and jurisdictions to initiate a project and establish a process to accept fair-share contributions from project applicants at the time of permit issuance to be directed towards the improvement, there is no guarantee of timing of implementation of the improvements prior to the impact occurring. Other social and economic considerations, such as removing on-street parking for roadway improvements would be in conflict with City goals to maintain on-street parking for the benefit of local businesses or would not allow for the pedestrian-oriented and bicycle-friendly street environment concepts of current City planning efforts. Therefore, potential traffic impacts remain significant and unmitigated.

A Statement of Overriding Considerations is being adopted to address these significant and unmitigated impacts.

These findings are explained below and are supported by substantial evidence in the record of these proceedings, including materials in the City's files for this project.

II. EXPLANATION OF FINDINGS

A. Pursuant to Section 15091(a)(1) of the State CEQA Guidelines, the City finds that, for each of the following significant effects as identified in the PEIR, dated August 2012 for the General Plan/Local Coastal Plan and Commercial Zoning Amendments Project (project) changes or alterations (mitigation measures) have been required in, or incorporated into, the project which avoid or substantially lessen each of the significant environmental effects as identified in the PEIR. The following are brief descriptions of the impacts and mitigation measures set forth in the PEIR and explanation of the rationale for this finding for each impact.

1. Air Quality Impacts

Emissions from construction activities could potentially conflict with an applicable air quality plan and could violate an ambient air quality standard, which would be a significant air quality impact.

Mitigation Measures AQ-1 and AQ-2: Mitigation Measure AQ-1, as specified in the PEIR has been imposed upon the project as a condition of approval, requiring a fugitive dust control plan be developed and approved by the SDAPCD for all projects prior to issuance of a grading permit and commencement of construction activities that identifies measures to minimize generation of fugitive dust from all construction activities. This measure also includes standard fugitive dust control measures to be implemented. Mitigation Measure AQ-2, as specified in the PEIR has been imposed upon the project as a condition of approval, requiring construction emission control measures to be implemented.

Rationale: Alterations in the project have been required that avoid or substantially lessen the air quality impact. Implementation of Mitigation Measures AQ-1 and AQ-2 would reduce the impact to less than significant by providing appropriate requirements to minimize the production of both dust and equipment emissions during construction activities. These measures are considered feasible and would reduce potential air quality impacts to less than significant.

2. Paleontological Resource Impacts

Paleontological resources could be encountered if substantial excavation is proposed, such as for underground parking, and result in a significant impact if the resource were to be adversely affected.

Mitigation Measure PR-1: Mitigation Measure PR-1, as specified in the PEIR has been imposed upon the project as a condition of approval. This measure requires a qualified paleontological monitor to be present during grading/excavation/trenching activities and outlines the reporting requirements and steps to be taken in the event of a discovery.

Rationale: Alterations in the project have been required that avoid or substantially lessen the paleontological resource impact. Implementation of Mitigation Measures PR-1 would reduce the impact to less than significant by requiring that a paleontological monitor be present during ground disturbing activities and shall stop such activities, evaluate the significance of the resource, and consult with the Community Development Director if a paleontological resource is discovered. These procedures will ensure that significant paleontological resources would be appropriately preserved. This measure is considered feasible and would minimize potential air quality impacts.

3. Hydrology and Water Quality Impacts

Construction and operation of new land uses within the project study areas may result in significant impacts to regional water quality.

Mitigation Measures HY-1, HY-2, HY-3, and HY-4: Mitigation Measures HY-1, HY-2, HY-3, and HY-4 as specified in the PEIR has been imposed upon the project as a condition of approval, requiring final grading and drainage plans to be reviewed for compliance with the City SUSMP; design BMPs to be incorporated into project plans for pollutant reduction; construction BMPs to be incorporated into project plans for pollutant reduction; and nonstructural post-construction operational BMPs to be implemented for pollutant reduction.

Rationale: Alterations in the project have been required that avoid or substantially lessen this water quality impact. Implementation of Mitigation Measures HY-1, HY-2,

HY-3, and HY-4 would reduce the impact to less than significant by requiring implementation of project design features and construction practices at a project level that would reduce impacts to hydrology and water quality through actions such as reducing runoff volumes both during construction and operation of a project and minimizing pollutants in runoff. These measures are considered feasible and would reduce this potential hydrology and water quality impact to less than significant.

4. Noise Impacts

Due to the potential for high short-term and instantaneous noise levels during peak construction activity near noise-sensitive receptors, businesses and residences near construction sites within the project study areas could be intermittently exposed to temporarily elevated levels of noise, which would be a significant impact.

Mitigation Measures NOI-1 and NOI-2: Mitigation Measure NOI-1, as specified in the PEIR has been imposed upon the project as a condition of approval. This measure requires noise minimizing measures to be implemented during construction activities, including equipment requirements, truck route requirements, and community noticing of noise generating activities. Mitigation Measure NOI-2, as specified in the PEIR has been imposed upon the project as a condition of approval, requiring a project-specific noise study for all construction projects within 150 feet of existing residential uses to determine the need for noise barriers or noise blankets to be incorporated into contract specifications.

Rationale: Alterations in the project have been required that avoid or substantially lessen this noise impact. Implementation of Mitigation Measure NOI-1 would reduce the impact to less than significant by requiring feasible equipment noise minimizing measures to be implemented, reducing noise to sensitive surrounding areas through appropriate truck haul routes, and notifying the surrounding community of when to expect increased noise levels. Mitigation Measures NOI-2 would serve to implement noise reduction measures at local residences when found to be potentially impacted by construction noise through a project-specific noise study. These measures are considered feasible and would reduce this noise impact to less than significant.

An increase in commercial and residential development from revitalization of underutilized properties would be expected to generate additional traffic that would result in increased noise levels, most noticeably to properties near Palm Avenue/SR-75 and Seacoast Drive. Elevated

traffic noise would be a permanent increase in the ambient noise levels in the project study areas. Noise levels within 100 feet of roadways within the project study areas exceed the City's compatibility standards as defined in the Imperial Beach General Plan/LCP Noise Element, Thus, residential or mixed-used development could be proposed in areas that may be subject to existing or future traffic noise levels in excess of 60 dB CNEL, which would be a significant operation noise impact.

Mitigation Measures NOI-3: Mitigation Measure NOI-3, as specified in the PEIR has been imposed upon the project as a condition of approval. This measure requires site-specific noise studies in areas where new residential development would be exposed to CNEL of greater than 60 dBA to determine the area of impact and to present appropriate mitigation measures, such as specific placement of outdoor areas, mechanical ventilation to maintain interior noise levels below 45 dBA, and appropriate sound-minimizing features in new residences.

Rationale: Alterations in the project have been required that avoid or substantially lessen this noise impact. Implementation of Mitigation Measure NOI-3 would reduce the impact to less than significant by requiring a site specific noise study to determine if and where noise impacts might result with new residential development. If potential noise impacts are identified, the resultant noise levels would be reduced to acceptable levels through a variety of potential design and construction features in the new residences. This measure is considered feasible and would reduce this noise impact to less than significant.

B. Pursuant to Section 15091(a)(2) of the State CEQA Guidelines, the City finds that, for each of the following significant effects as identified in the PEIR, changes or alterations which would avoid or substantially lessen these significant effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding and/or specific technical, economic, and social considerations render full mitigation infeasible; thus, these significant impact remain significant and unavoidable. The following are brief explanations of the rationale for this finding for each significant and unmitigated impact:

1. Greenhouse Gas Impacts

GHG emissions associated with construction of the proposed project would contribute to this significant cumulative GHG impact.

Mitigation Measure GHG-1: Mitigation Measure GHG-1, as specified in the PEIR has been imposed upon the project as a condition of approval. The measure requires

projects seeking discretionary approval from the City to implement all feasible measures for reducing GHG emissions associated with construction that are recommended by the City and/or San Diego Air Pollution Control District (SDAPCD) at the time individual portions of the site undergo construction. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process. The list provided within Mitigation Measure GHG-1 in the PEIR will be updated as new technologies or methods become available.

Rationale: The mitigation measure imposed upon the project as a condition of approval does not fully avoid or reduce the impact to less than significant. However, specific technical and legal considerations render full mitigation infeasible as no other known technically feasible and legally enforceable measures exist to reduce impacts to less than significant. In addition, at a program level of analysis, there is no assurance that the mitigation measures would be adequately applied to future projects or that additional, more effective BMPs to reduce construction-related GHG emissions should be required in the future. Therefore, this impact would remain significant and unavoidable; however, the unavoidable impact is overridden by the benefits of the project, as set forth in the statement of overriding considerations.

The proposed project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The proposed project would contribute to this significant cumulative GHG impact.

Mitigation Measure GHG-2: Mitigation Measure GHG-2, as specified in the PEIR has been imposed upon the project as a condition of approval. The measure requires applicants to consider and implement GHG emission reduction strategies in the categories of Energy Efficiency, Water Conservation and Efficiency, and Solid Waste Measures. The provided list of measures and their respective feasibility are likely to evolve over time.

Rationale: The mitigation measure imposed upon the project as a condition of approval does not fully avoid or reduce the impact to less than significant. Implementation of Mitigation Measure GHG-2 would reduce operational emissions, but it is unclear to what extent these proposed reduction strategies would be applied throughout the project study areas. Therefore, it cannot be ensured that these proposed reduction

measures would reduce emissions below the analysis threshold. Specific technical and legal considerations render full mitigation infeasible as no other known technically feasible and legally enforceable measures exists to reduce impacts to less than significant. Therefore, this impact would remain significant and unavoidable; however, the unavoidable impact is overridden by the benefits of the project, as set forth in the statement of overriding considerations.

2. Hydrology and Water Quality Impacts

Development of beachfront properties that would be subject to coastal flooding due to the potential of future GHG-related sea level rise, including all properties west of Ocean Lane and all properties designated as within an area of special flood hazard per IBMC Section 15.50.040, would be subject to a significant coastal flooding impact.

Mitigation Measures: No mitigation is available to be implemented by the proposed project.

Rationale: There are no technically feasible mitigation measures that can reduce the potential for future coastal flooding of beachfront properties that can be implemented by this project. The important cultural, social, and historical community identity of Imperial Beach is closely tied to the City's location immediately adjacent to the Pacific Ocean and the act of removing development out of potential coastal flood areas is not feasible. Therefore, the potential impact of coastal flooding remains significant and unmitigated; however, the unavoidable impact is overridden by the benefits of the project, as set forth in the statement of overriding considerations.

3. Transportation and Traffic Impacts

Significant impacts to roadway segments and intersections would occur as a result of an increase of 22,856 ADT by year 2030.

Mitigation Measure TR-1: The City shall require all future development projects proposed under the General Plan/LCP and commercial zoning amendments to consider and implement TDM measures during both construction activities and project operation. TDM measures shall be based on strategies recommended by SANDAG or other applicable documents and studies.

Rationale: The mitigation measure imposed upon the project as a condition of approval does not avoid or reduce the impact to less than significant and the roadways and intersections would continue to have poor future operating conditions. Full mitigation is not feasible due to a portion of the impacts occurring outside of the City's jurisdiction. While The City will coordinate with other agencies and jurisdictions to initiate a project and establish a process to accept fairshare contributions from project applicants at the time of permit issuance to be directed towards the improvement, there is no guarantee of timing of implementation of the improvements prior to the impact occurring.

While the capacity enhancements identified in Table 3.9-6 of the PEIR would improve traffic operations for impacted segments and intersections within Imperial Beach and San Diego, the capacity enhancements would require removing on-street parking and/or increasing the number of through travel lanes along Imperial Beach Boulevard, Coronado Avenue, and SR-75. These measures are considered infeasible due to social and economic considerations as they would be in conflict with City goals to maintain on-street parking for the benefit of local businesses and would not allow for the pedestrian-oriented and bicycle-friendly street environment concepts of the *Palm Avenue Commercial Corridor Master Plan*, which are intended to provide a pedestrian-oriented and bicycle-friendly street environment.

Therefore, potential traffic impacts remain significant and unmitigated; however, the unavoidable impact is overridden by the benefits of the project, as set forth in the statement of overriding considerations.

EXHIBIT "B"
RESOLUTION NO. 2012-7236

STATEMENT OF OVERRIDING CONSIDERATIONS

**IMPERIAL BEACH GENERAL PLAN/LOCAL COASTAL PLAN
AND COMMERCIAL ZONING AMENDMENTS PROJECT**

SCH: 2011041048

August 2012

Background

The City of Imperial Beach (City), as lead agency has prepared a Program Environmental Impact Report (PEIR) for the General Plan/Local Coastal Plan (GP/LCP) and Commercial Zoning Amendments Project (State Clearinghouse No. 2011041048). The PEIR found significant and unavoidable environmental impacts to the issue areas of greenhouse gas (GHG) emissions, hydrology and water quality, and transportation and traffic.

Pursuant to Section 21081 of the California Environmental Quality Act (CEQA) and Section 15091 of the State CEQA Guidelines, the City found that mitigation for the project's greenhouse gas emissions; hydrology and water quality; and transportation and traffic impacts would not fully reduce those impacts to below a level of significance. Other potential measures were found to have specific economic, legal, technological, and social considerations that otherwise render full mitigation infeasible.

Statement of Overriding Considerations

Pursuant to Section 15093 of the State CEQA Guidelines, when the lead agency approves a project that may result in the occurrence of significant effects that are identified in the Final Environmental Impact Report (EIR), but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record.

The City has adopted Findings Regarding Significant Effects for the above project, which identify that certain significant effects of implementing the project are unavoidable even after

incorporation of any feasible mitigation measures. The City finds that the remaining unavoidable significant effects are acceptable due to specific economic, legal, social, technological, or other benefits which will result from approval and implementation of the project, as listed below. All of these benefits are based on the facts set forth in the Findings Regarding Significant Effects, the Final PEIR, and the record of proceedings for this project.

Overriding Benefits

The City finds that the proposed Imperial Beach General Plan/Local Coastal Plan and Commercial Zoning Amendments Project would have the following substantial Overriding Benefits:

1. Increased City Revenue for Needed Municipal Services and Facilities

Implementation of the General Plan/Local Coastal Plan and Commercial Zoning Amendments Project will help to stimulate new commercial activity in Imperial Beach, which will in turn generate increased local sales tax revenue for the City. Increasing sales tax revenue is essential for funding existing and future municipal services as well as maintenance and improvements of public facilities that are owned and operated by the City.

2. Employment Opportunities

Implementation of the General Plan/Local Coastal Plan and Commercial Zoning Amendments Project will generate new construction employment opportunities over the multi-year build-out. Implementation will also stimulate new and redeveloped commercial areas that will generate long-term employment opportunities at local commercial establishments. This will provide an economic benefit to the community and potentially the region as a whole.

3. Enhancement of Local Community Character and Quality of Life

The development regulations and design guidelines associated with the project will yield development that better meets community goals for quality design and architecture, environmental sustainability, and pedestrian-friendliness in comparison to the existing zoning. Furthermore, expanding the number and diversity of local commercial businesses will allow residents and visitors to accomplish more shopping needs in Imperial Beach, resulting in shorter trips and opportunities to bike and walk to shopping, restaurant, and other commercial destinations.

4. Pedestrian-Oriented Development

One of Imperial Beach's valued assets is its walkable environment, which is associated with reduced automobile traffic and associated air pollutants, public health benefits, viable transit access, enjoyable and well connected urban form and connectivity, and overall quality of life advantages for residents and visitors. The new development regulations and design guidelines are intended to protect and enhance the pedestrian environment in the City's commercial corridors, thereby reinforcing and improving these benefits.

ORDINANCE NO. 2012-1130

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AMENDING TITLE 19 (ZONING) OF THE IMPERIAL BEACH MUNICIPAL CODE BY AMENDING THE PROVISIONS FOR THE C-1, C-2, AND C-3 COMMERCIAL ZONES AND AMENDING THE ZONING MAP FOR PROPERTIES DESIGNATED C-1 (GENERAL COMMERCIAL) IN THE PALM AVENUE STUDY AREA, C-2 (SEACOAST COMMERCIAL) IN THE OLD PALM AVENUE AND SEACOAST DRIVE STUDY AREAS, AND C-3 (NEIGHBORHOOD COMMERCIAL) IN THE 13TH STREET CORRIDOR STUDY AREAS AND AREAS ZONED R-1500 (HIGH DENSITY RESIDENTIAL) THAT ARE SUBJECT TO THE MU-1 (MIXED USE-1) OVERLAY DESIGNATION IN THE PALM AVENUE STUDY AREA AND THE MU-2 (MIXED USE-2) OVERLAY DESIGNATION IN THE SEACOAST DRIVE STUDY AREA. MF 935.

WHEREAS, on August 1, 2012, and on August 15, 2012, the City Council of the City of Imperial Beach held duly advertised public hearings to consider the merits of approving or denying an application for Zoning Code Amendment (ZCA) 100057 to amend the Zoning Ordinance and Zoning Map for properties designated C-1 (General Commercial) in the Palm Avenue study area, C-2 (Seacoast Commercial) in the Old Palm Avenue and Seacoast Drive study areas, and C-3 (Neighborhood Commercial) in the 13th Street Corridor study areas; and areas zoned R-1500 (High Density Residential) that are subject to the MU-1 (Mixed Use-1) overlay designation in the Palm Avenue study area and the MU-2 (Mixed Use-2) overlay designation in the Seacoast Drive study area; and

WHEREAS, the City Council finds that the proposed Commercial Zone changes to be consistent with General Plan Policies L-4f and L-6 that encourage visitor-serving and tourist-oriented commercial uses and the proposed zoning code amendment would, therefore, be externally consistent with the General Plan/ Local Coastal Plan pursuant to Government Code Section 65860; and

WHEREAS, the City Council finds that the proposed Commercial Zones promotes the local and regional goals for a walkable community, implements SANDAG's Smart Growth policy to take advantage of existing infrastructure, reduce sprawl, provide for a more pedestrian environment, and eventually reduce GHG to better adapt to if not mitigate the effects of global warming.; and

WHEREAS, in compliance with Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, a Program Environmental Impact Report (PEIR) has been prepared for this project and routed for public review from April 19 to June 4, 2012, and submitted to the State Clearinghouse (SCH # 2011041048) in accordance with the requirements of the (CEQA) for agency review, and

WHEREAS, the City Council has considered and heard any and all public testimony regarding the potential environmental impacts associated with this project, and hereby determines that:

- 1) the Final Program Environmental Impact Report (SCH # 2011041048)) reflects the decision-making body's independent judgment and analysis;

- 2) the decision-making body has, pursuant to CEQA Guidelines Section 15074(b), considered the information contained in the Draft and Final Environmental Impact Reports (SCH # 2011041048) and the written comments received during the public review period;
- 3) The PEIR found significant and unavoidable environmental impacts to the issue areas of greenhouse gas emissions (GHG), hydrology and water quality, and transportation and traffic.
- 4) Pursuant to Section 21081 of the California Environmental Quality Act (CEQA) and Section 15091 of the State CEQA Guidelines, the City found that mitigation for the project's greenhouse gas emissions; hydrology and water quality; and transportation and traffic impacts would not fully reduce those impacts to below a level of significance. Other potential measures were found to have specific economic, legal, technological, and social considerations that otherwise render full mitigation infeasible.
- 5) Pursuant to Section 15093 of the State CEQA Guidelines a Statement of Overriding Considerations is hereby adopted, by the City Council of the City of Imperial Beach, as certain significant effects of implementing the project are unavoidable even after incorporation of any feasible mitigation measures.
- 6) The City finds that the remaining unavoidable significant effects are acceptable due to specific economic, legal, social, technological, or other benefits which will result from approval and implementation of the project, as listed below. All of these benefits are based on the facts set forth in the Findings Regarding Significant Effects, the Final PEIR, and the record of proceedings for this project.
- 7) The City finds that the proposed Imperial Beach General Plan/Local Coastal Plan and Commercial Zoning Amendments Project would have the following substantial Overriding Benefits:
 - a. Increased City Revenue for Needed Municipal Services and Facilities. Implementation of the General Plan/Local Coastal Plan and Commercial Zoning Amendments Project will help to stimulate new commercial activity in Imperial Beach, which will in turn generate increased local sales tax revenue for the City. Increasing sales tax revenue is essential for funding existing and future municipal services as well as maintenance and improvements of public facilities that are owned and operated by the City.
 - b. Employment Opportunities. Implementation of the General Plan/Local Coastal Plan and Commercial Zoning Amendments Project will generate new construction employment opportunities over the multi-year buildout. Implementation will also stimulate new and redeveloped commercial areas that will generate long-term employment opportunities at local commercial establishments. This will provide an economic benefit to the community and potentially the region as a whole.

- c. Enhancement of Local Community Character and Quality of Life. The development regulations and design guidelines associated with the project will yield development that better meets community goals for quality design and architecture, environmental sustainability, and pedestrian-friendliness in comparison to the existing zoning. Furthermore, expanding the number and diversity of local commercial businesses will allow residents and visitors to accomplish more shopping needs in Imperial Beach, resulting in shorter trips and opportunities to bike and walk to shopping, restaurant, and other commercial destinations.

- d. Pedestrian-Oriented Development. One of Imperial Beach's valued assets is its walkable environment, which is associated with reduced automobile traffic and associated air pollutants, public health benefits, viable transit access, enjoyable and well connected urban form and connectivity, and overall quality of life advantages for residents and visitors. The new development regulations and design guidelines are intended to protect and enhance the pedestrian environment in the City's commercial corridors, thereby reinforcing and improving these benefits.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH DOES ORDAIN AS FOLLOWS:

SECTION 1: That the zoning amendments as provided in Attachment 3 are made a part of the ordinance herein.

SECTION 2: That the zoning classification of the properties designated C-1 (General Commercial) in the Palm Avenue study area, C-2 (Seacoast Commercial) in the Old Palm Avenue and Seacoast Drive study areas, and C-3 (Neighborhood Commercial) in the 13th Street Corridor study areas; and areas zoned R-1500 (High Density Residential) that are subject to the MU-1 (Mixed Use-1) overlay designation in the Palm Avenue study area and the MU-2 (Mixed Use-2) overlay designation in the Seacoast Drive study area are changed to C/MU-1, C/MU-2, and C/MU-3 respectively and that the Zoning Map adopted pursuant to Section 19.06.020 shall be amended to reflect the change of zoning classification.

SECTION 3: That the development of the properties as designated above are subject to the mitigation measures as provided in the Final PEIR.

SECTION 4: That this ordinance shall only become effective upon its certification by the California Coastal Commission.

Appeal Process under the California Code of Civil Procedure (CCP): The time within which judicial review of a City Council decision must be sought is governed by Section 1094.6 of the CCP. A right to appeal a City Council decision is governed by CCP Section 1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

PROTEST PROVISION: The 90-day period in which any party may file a protest, pursuant to Government Code Section 66020, of the fees, dedications or exactions imposed on this development project begins on the date of the final decision.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Imperial Beach, California, on the 1st day of August, 2012; and **THEREAFTER ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 15th day of August, 2012, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

James C. Janney

JAMES C. JANNEY, MAYOR

ATTEST:

Jacqueline M. Hald

JACQUELINE M. HALD, MMC
CITY CLERK

APPROVED AS TO FORM:

Jennifer M. Lyon

JENNIFER M. LYON
CITY ATTORNEY

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Ordinance No. 2012-1130 - An Ordinance of the City of Imperial Beach approving COMMERCIAL ZONING AMENDMENTS FOR PROPERTIES DESIGNATED C-1 (GENERAL COMMERCIAL) IN THE PALM AVENUE STUDY AREA, C-2 (SEACOAST COMMERCIAL) IN THE OLD PALM AVENUE AND SEACOAST DRIVE STUDY AREAS, AND C-3 (NEIGHBORHOOD COMMERCIAL) IN THE 13TH STREET CORRIDOR STUDY AREAS. ALSO INCLUDED IN THE PROPOSED PROJECT ARE AREAS ZONED R-1500 (HIGH DENSITY RESIDENTIAL) THAT ARE SUBJECT TO THE MU-1 (MIXED USE-1) OVERLAY DESIGNATION IN THE PALM AVENUE STUDY AREA AND THE MU-2 (MIXED USE-2) OVERLAY DESIGNATION IN THE SEACOAST DRIVE STUDY AREA. MF 935

CITY CLERK

DATE

Draft Amendments and Design Guidelines

Imperial Beach General Plan/Local Coastal Plan and Commercial Zoning Amendments Project



Prepared for:
City of Imperial Beach
Community Development Department
825 Imperial Beach Boulevard
Imperial Beach, California 91932

Prepared by:
AECOM
1420 Kettner Boulevard, Suite 500
San Diego, California 92101

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1

Proposed General Plan/
Local Coastal Plan
Amendments

City of Imperial Beach Commercial Zoning Review: Proposed General Plan/Local Coastal Plan Consistency Amendments
Draft
Revised July 2012

Page Number	Existing General Plan/Local Coastal Plan Text	Proposed Text Amendments to General Plan/Local Coastal Plan
1-9	Establishing mixed use zones in the Highway 75 and Seacoast areas.	Establishing commercial/mixed-use zones along Palm Avenue/State Highway 75, along Old Palm Avenue, along Seacoast Drive, and at 13th Street/Imperial Beach Boulevard.
C-24	<p>Policy C-22b Commercial Areas In lieu parking fees, off-site parking facilities and shared parking may be used in commercial areas where they encourage shared group parking, a pedestrian atmosphere or improved commercial design.</p> <p>The consolidation of off-street parking for several uses shall be encouraged in order to improve pedestrian flows and reduce the number of street ingress and egress points.</p>	<p>Policy C-22b Commercial/Mixed-Use Areas In lieu parking fees, off-site parking facilities, transportation demand management strategies, and shared parking may be used in commercial/mixed-use areas to facilitate mixed-use development, shared group parking, a pedestrian atmosphere, and/or improved design.</p> <p>The consolidation of off-street parking for several uses shall be encouraged to improve walkability, allow for a more pedestrian-oriented environment, reduce the number of street ingress and egress points, and to facilitate well-designed, small-lot infill development.</p>
C-24	<p>Policy C-22e Shared Parking Shared parking shall only be approved when technical evidence is presented to justify the shared use. The Urban Land Institute 1983 Shared Parking Study shall be used as a guideline and supplemented by additional findings where appropriate.</p>	<p>Policy C-22e Shared Parking Shared parking shall only be approved when technical evidence is presented to justify the shared use. The Urban Land Institute guidebook <i>Shared Parking</i> Second Edition (2005) shall be used as a guideline and supplemented by additional findings, where appropriate.</p>
C-24	<p>Policy C-22f Off-Site Parking Off-site parking when allowed under Paragraphs a, b, or c above shall only be permitted if a sign is posted indicating the off-site user, and the offsite parking is within 500 feet of the use, is used exclusively for off site use and is recorded by covenant.</p>	<p>Policy C-22f Off-Site Parking Off-site parking when allowed under Policy C-22a, C-22b, or C-22c, above, shall only be permitted if a sign is posted indicating the off-site user, and is used exclusively for off-site use, and recorded by covenant. When allowed under Policy C-22a or C-22b, and within the commercial/mixed-use zones, the off-site parking shall be within 1,000 feet of the use. When allowed under Policy C-22c, the off-site</p>

		parking shall be within 500 feet of the use.
C-24	<p>Policy C-22h Detailed Parking Standards Shall Be Included In the Zoning Ordinance</p> <p>The Standards shall use the following guidelines: Residential - 1.5 to 2.0 spaces per dwelling unit. Hotel/Motel - 1 space per guest room. Commercial - varies from 1 space per 50 sq. ft. to 1 space per 300 sq. ft. of building. Bars and Restaurants - 1 space for each seventy-five square feet of net floor area, plus one per two employees at largest work shift.</p>	<p>Policy C-22h Detailed Parking Standards Shall Be Included In the Zoning Ordinance</p> <p>Per the City of Imperial Beach Zoning Ordinance, parking standards for the commercial/mixed-use zones shall use the following guidelines:</p> <ul style="list-style-type: none"> • Commercial – C/MU-1 and C/MU-3 zones: 1 space per 500 gross sq. ft. of commercial use. • Commercial – C/MU-2 zone: 1 space per 1,000 gross sq. ft. of commercial use. • Multiple-family residential – C/MU-1, C/MU-2, and C/MU-3 zones: 1.5 spaces per dwelling unit. • Hotel without cooking facilities – C/MU-1, C/MU-2, and C/MU-3 zones: 1 space per guest room. • Hotel with cooking facilities – C/MU-1, C/MU-2, and C/MU-3 zones: 1.5 spaces per guest room. <p>In the commercial/mixed-use zones, parking reductions, shared-parking, waivers, or other strategies may be employed in order to facilitate pedestrian oriented activity and mixed-use development, and shall be subject to Policies C-22b, C-22e, and C-22f.</p> <p>For all other zones, the standards shall use the following guidelines:</p> <ul style="list-style-type: none"> • Residential: 1.5 to 2.0 spaces per dwelling unit. • Hotel/Motel: 1 space per guest room. • Commercial: varies from 1 space per 50 sq. ft. to 1 space per 300 sq. ft. of building. • Bars and restaurants: 1 space for each 75 sq. ft. of net floor area, plus 1 per 2 employees at largest work shift.
C-25	<p>Policy C-22i Interim Parking Standard in C-2 Area</p> <p>In order to stimulate development in the C-2 land use category, the City may use an interim-parking ratio for commercial properties of 1 space per 500 sq. ft. The interim ratio shall no longer be in effect after the City has approved parking for 100 parking spaces under this provision.</p>	

D-6	<p>Policy D-1 Design Review All residential properties of 2 dwelling units or more and all new non-residential structures shall be subject to design review.</p>	<p>Policy D-1 Design Review All residential properties of 2 dwelling units or more, all new mixed-use development, and all new non-residential structures shall be subject to design review.</p>
D-8	<p>Policy D-8b Three story structures adjacent to existing one and two story structures shall be designed in a way to respect the scale of the one and two story structures. Such designs could include a wider side yard set back for the 2nd and 3rd story, hip roofs, or similar features.</p>	<p>Policy D-8b Where 3- or 4-story structures are developed adjacent to existing 1- or 2-story structures, the new development shall be designed to respect the scale of the 1- and 2-story structures. Such designs could include a wider side yard setback for the 2nd and 3rd story, hip roofs, or similar features. Within the commercial/mixed-use areas, such scale-reducing design features could include varying wall planes, setbacks, and upper-story stepbacks that reduce overall massing and provide roof treatments that are complementary to adjacent properties.</p>
D-8 and 9	<p>Policy D-8c In commercial developments, safe and enjoyable browsing by customers should be encouraged by coordinated and attractive signs, walkways, patios, display windows and entrances. Optimally, the entrance to such an enjoyable area should be designed to be obvious to the passing motorist and pedestrian and be linked to the public sidewalk as well as to the parking area. Parking lots should be attractively landscaped and safe for both the motorist and the pedestrian walking from the car or the street.</p>	<p>Policy D-8c In commercial and mixed-use developments, safe and enjoyable browsing by customers should be encouraged by coordinated and attractive signs, walkways, patios, display windows, and entrances. Optimally, the entrance to such an enjoyable area should be designed to be obvious to the passing motorist and pedestrian, and be linked to the public sidewalk and parking area. Parking lots should be attractively landscaped and safe for motorists and pedestrians walking from their cars or the street.</p>
	<p>Policy D-8d Setbacks of buildings should be varied</p>	<p>Policy D-8d Setbacks of buildings should be varied. Additionally, stepbacks should be considered where transitions occur between mixed-use development and single-family residential.</p>
D-11	<p>Policy D-9 Seacoast Design Standards Detailed design standards and criteria should be developed for the Seacoast area. The standards and criteria should provide specific direction as to the design quality and image desired by the community.</p> <p>[Graphic]</p>	<p>Policy D-9 Commercial/Mixed-Use Zones Design Guidelines All development within the commercial/mixed-use zones shall be subject to the Commercial/Mixed-Use Zones Design Guidelines, per the City of Imperial Beach Zoning Ordinance, which provides specific direction for achieving high-quality, pedestrian-oriented, mixed-use retail and commercial areas.</p> <p>Adherence to the Commercial/Mixed-Use Zones Design Guidelines</p>

		<p>shall be in addition to adherence of other applicable design guidelines and standards, including the Landscape Design Guidelines for Seacoast Drive.</p> <p>The development of additional, detailed design guidelines, standards, and criteria, should be considered for all commercial/mixed-use areas, and should provide specific direction as to the design quality and image desired by the community.</p> <p>[Graphic]</p>
D-11	<p>Policy D-10 Hwy 75 Commercial Area Detailed design standards and criteria should be developed for the Highway 75 commercial area. The standards and criteria should provide specific direction as to the design quality and image desired by the community.</p>	<p>[Note: Policy D-10 has been deleted because it is addressed in Policy D-9.]</p>
Housing Element	<p>[Note: Housing Element and figures to be updated by City as part of its Housing Element update cycle.]</p>	
L-4	<p>Figure L-1: Land Use Map</p>	<p>[Revise to include new land use map]</p>
L-5	<p>Policy L-4 Commercial Uses and Areas Specific policies for commercial uses and areas are:</p>	<p>Policy L-4 Commercial and Mixed-Use Areas Specific policies for commercial and mixed-use areas are as follows:</p>
L-5 and 6	<p>Policy L-4a Attractive and Stimulating Surroundings Commercial areas should be enjoyable places in which to shop and work. This means providing pedestrian scaled design, bicycle facilities, such as racks or storage areas, landscaping of building sites and parking lots, street trees, screening unsightly storage and parking areas and banning out-of-scale advertising. All new commercial developments and major General Plan/ Local Coastal Plan L-6 <i>Land Use Element</i> expansions of existing commercial uses should be subject to design controls.</p>	<p>Policy L-4a Attractive and Stimulating Surroundings Commercial and mixed-use areas should be enjoyable places in which to shop and work. This means providing pedestrian-scaled design, bicycle facilities, such as racks or storage areas, landscaping of building sites and parking lots, street trees, screening unsightly storage and parking areas and banning out-of-scale advertising. All new commercial developments and major expansions of existing commercial uses should be subject to design controls.</p>
L-6	<p>Policy L-4b Protection of Residential Areas All commercial uses should incorporate a sensitive transition to abutting residential uses by means of such techniques as landscape buffering and setbacks, viewsheds, and careful control of loading, storage, parking areas, and lighting.</p>	<p>Policy L-4b Protection of Residential Areas All commercial and mixed-use areas should incorporate a sensitive transition to abutting residential uses by means of such techniques as landscape buffering and setbacks, upper-story building stepbacks, viewsheds, and careful control of loading, storage,</p>

		parking areas, and lighting.
L-6	<p>Policy L-4d Highway 75 Commercial (C-1 and MU-1) This commercial area requires substantial improvement. It serves as the major gateway to the City and carries more traffic than any other street in the City. The area will retain a mix of pedestrian and automobile oriented uses.</p>	<p>Policy L-4d State Highway 75 General Commercial and Mixed-Use Area (C/MU-1) This commercial/mixed-use area requires substantial improvement. It serves as the major gateway to the City and carries more traffic than any other street in the City. It is expected that the area will retain a mix of pedestrian- and automobile-oriented uses; however, as redevelopment occurs, pedestrian-oriented commercial and mixed-use development, including multi-family dwellings, are encouraged.</p>
L-6	<p>Policy L-4c Fostering New Commercial Development Commercial development should be encouraged to increase the City's tax base, and evaluated in terms of the effect it will have on the economy and quality of living in the City. Particular emphasis should be placed on the development of new businesses and fostering commercial uses providing goods and services to residents and visitors.</p>	<p>Policy L-4c Fostering New Commercial and Mixed-Use Development Commercial and mixed-use development should be encouraged to increase the City's tax base, and should be evaluated in terms of the effect it will have on the economy, as well as its compatibility with the existing character and quality of living in the City. Particular emphasis should be placed on the development of new businesses and fostering commercial uses that provide goods and services to residents and visitors.</p>
L-8 Table L-2	<p>C-1 General Commercial (4 stories) The General Commercial land use designation provides for land to meet the local demand for commercial goods and services, as opposed to the goods and services required primarily by the tourist population. It is intended that the dominant type of commercial activity in this designation will be community and neighborhood serving retail and office uses such as markets, specialty stores, professional offices, personal service department stores, restaurants, liquor stores, hardware stores, etc. Residential uses may be permitted above the first floor at a maximum density of one unit per every 1,000 square feet of land. Discretionary permit review by the City shall be required for such residential use.</p>	<p>C/MU-1 General Commercial and Mixed-Use (4 stories) The General Commercial and Mixed-Use land use designation provides for commercial development, mixed-use development, multiple-family dwellings, and businesses to meet the local demand for commercial goods and services, as opposed to the goods and services required primarily by the tourist population. It is intended that the dominant type of commercial activity in the C/MU-1 designation will be community- and neighborhood-serving retail and office uses. Multi-family residential uses may be permitted at a maximum density of 1 unit per every 1,000 sq. ft. of land, per the City of Imperial Beach Zoning Ordinance.</p>
L-8 Table L-2	<p>C-2 Seacoast Commercial (3 stories, except for hotels where 4 stories may be permitted by specific plan) The Seacoast Commercial land use designation provides for land to meet the demand for goods and services required</p>	<p>C/MU-2 Seacoast Commercial and Mixed-Use (3 stories, except for hotels, where 4 stories may be permitted by specific plan) The C/MU-2 Seacoast Commercial land use designation provides for land to meet the demand for goods and services required</p>

	<p>primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in this designation will be visitor-serving retail such as specialty stores, surf shops, restaurants, hotels and motels, etc. In order to promote a more pedestrian-oriented community character, as well as to reduce the high volume of vehicle trips attracted by drive-thru establishments, drive-thru services for restaurants, banks, dry cleaners, and other similar auto related business establishments shall be prohibited in this zone. Residential uses may (included below) be permitted above the first floor at a maximum density of one unit per every 1,500 square feet of land. Discretionary permit review by the City shall be required for such residential use. <i>[Amended by Resolution 2003-5754 on April 2, 2003, Resolution 2002-5634 on July 17, 2002, and Ordinance 98-920, February 18, 1998]</i></p>	<p>primarily by the tourist population, as well as by local residents who use the beach area. It is intended that the dominant type of commercial activity in this designation will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. To promote a more pedestrian-oriented community character, as well as to reduce the high volume of vehicle trips attracted by drive-through establishments, drive-through services for restaurants, banks, dry cleaners, and other similar auto-related business establishments shall be prohibited in this zone.</p> <p>Per the City of Imperial Beach Zoning Ordinance, multi-family residential uses shall be permitted at a maximum density of 1 unit per every 1,500 gross sq. ft. of lot area; if located on Palm Avenue or the east side of Seacoast Drive, multi-family residential uses may be increased to a maximum density of 1 unit per every 1,210 gross sq. ft. of lot area, subject to the compliance with specified development incentives and the approval of a conditional use permit.</p> <p>Additionally, the Seacoast Residential Overlay was established to preserve opportunities for single-family residences within the overlay area. Mixed-use and multi-family residences are permitted in the C/MU-2 area, as well as in the Seacoast Residential Overlay Zone.</p>
<p>L-8 Table L-2</p>	<p>C-3 Neighborhood Commercial (2 stories) The Neighborhood Commercial land use designation provides for land to meet the local neighborhood demand for commercial goods and services, as opposed to the goods and services required primarily by the tourist population or city-wide. It is intended that the dominant type of commercial activity in this designation will be neighborhood serving retail and office uses such as markets, professional offices, personal services, restaurants, hardware stores, etc. In order to maintain and promote a more pedestrian-oriented community character, as well as to reduce the high volume of vehicle trips attracted by drive-thru establishments, drive-thru</p>	<p>C/MU-3 Neighborhood Commercial and Mixed-Use (3 stories) The Neighborhood Commercial and Mixed-Use land use designation provides for mixed-use development, multiple-family dwellings, and businesses to meet the local neighborhood demand for commercial goods and services, as opposed to the goods and services required primarily by the tourist population or City-wide. To maintain and promote a more pedestrian-oriented community character, as well as to reduce the high volume of vehicle trips attracted by drive-through establishments, drive-through services for restaurants, banks, dry cleaners, and other similar auto-related business establishments shall be prohibited in this district. Per the City of Imperial Beach Zoning Ordinance, residential uses shall be</p>

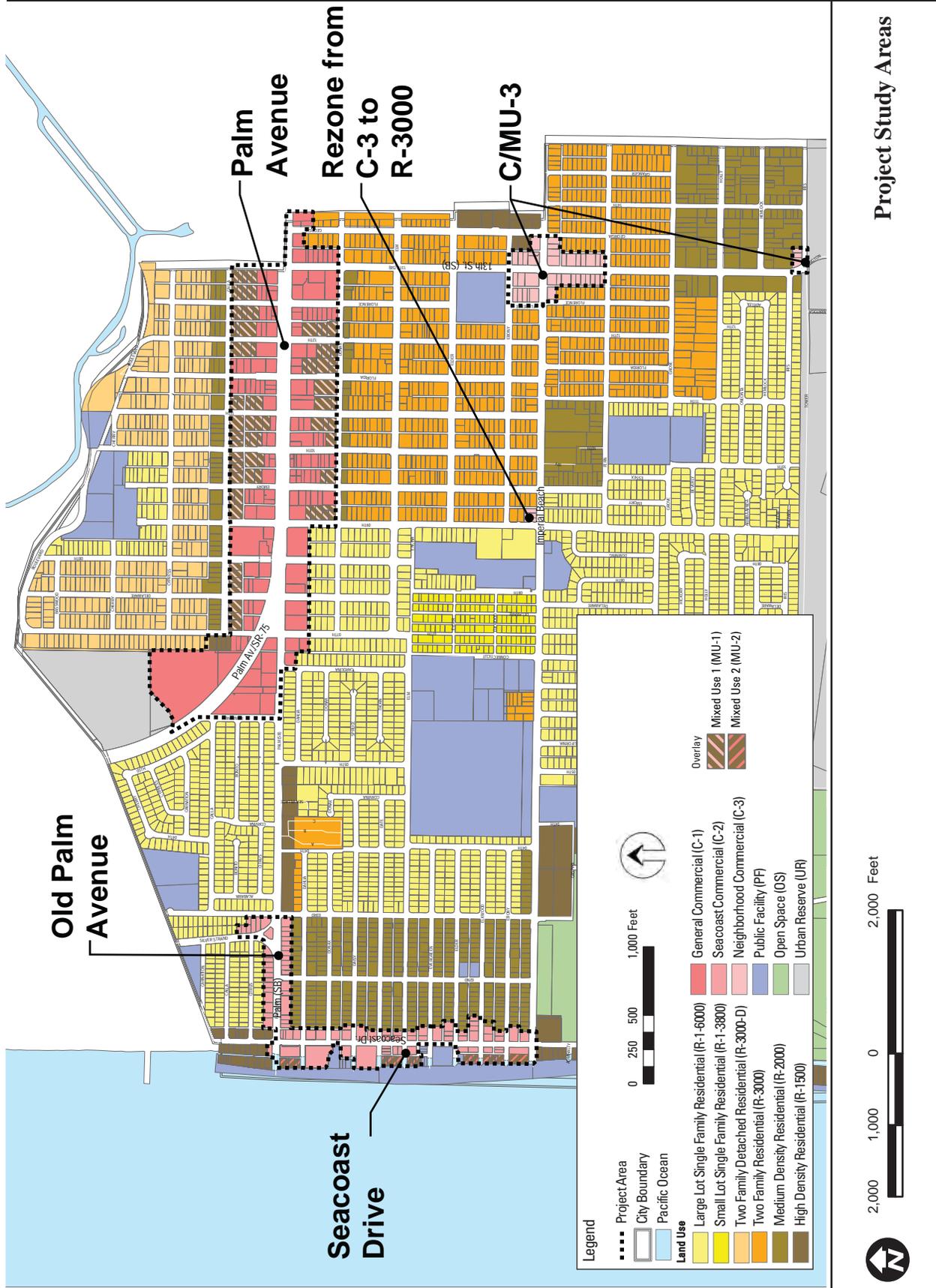
	<p>services for restaurants, banks, dry cleaners and other similar auto related business establishments shall be prohibited in this district. Residential uses may be permitted above the first floor at a maximum density of one unit per every 2,000 square feet of land. Discretionary permit review by the City shall be required for such residential use.</p>	<p>permitted at a maximum density of 1 unit per every 1,500 gross sq. ft. of lot area, and may be increased to a maximum density of 1 unit per every 1,210 gross sq. ft. of lot area, subject to the compliance of specified development incentives and the approval of a conditional use permit.</p>
L-8 Table L-2	<p>MU-1 Mixed Use Overlay The Mixed Use Overlay land use designation provides for future expansion of uses allowed in the C-1 Land Use Designation in an orderly way without requiring the amendment of the General Plan. In this overlay designation, commercial activities would be allowed to expand into areas otherwise designated as Residential. Discretionary permit review by the City shall be required for such commercial use.</p>	<p>[Note: The MU-1 Mixed-Use Overlay has been deleted, as the C/MU-1 zoning allows mixed-use by right.]</p>
L-8 Table L-2	<p>MU-2 Mixed Use Overlay The Mixed Use Overlay land use designation provides for future expansion of uses allowed in the C-2 Land Use Designation in an orderly way without requiring the amendment of the General Plan. In this overlay designation, commercial activities would be allowed to expand into areas otherwise designated as Residential. Discretionary permit review by the City shall be required for such commercial use.</p>	<p>Seacoast Residential Overlay The purpose of the Seacoast Residential Overlay land use designation is to preserve opportunities for the continuation of single-family residential uses in the area bounded by Ocean Boulevard (the beach) to the west, Ocean Lane on the east, Imperial Beach Boulevard on the south, and Palm Avenue on the north. In this area, single-family land uses shall be permitted, in addition to all uses permitted within the C/MU-2 designation.</p>
L-9	<p>Policy L-4e Seacoast Commercial (C-2 & MU-2) The Seacoast commercial area shall serve as a visitor serving, pedestrian-oriented commercial area. Existing residential uses shall be slowly transitioned to new visitor serving commercial uses. As part of the design review, 2nd or 3rd stories may be required to be set-back from Seacoast Drive. Timeshares shall be prohibited on the first floor unless 25% are reserved for overnight accommodation.</p>	<p>Policy L-4e Seacoast Commercial and Mixed-Use (C/MU-2) The Seacoast Area shall serve as a commercial and mixed-use visitor-serving, pedestrian-oriented area. A Residential Overlay Zone was established to preserve the opportunity for single-family residences to remain in a designated portion of the project area. To ensure that the existing character is maintained and enhanced, the zoning for this area shall incorporate standards for setbacks and stepbacks, and encourage pedestrian activity through the design and location of building frontages and parking provisions. Per the City of Imperial Beach Zoning Ordinance, timeshares shall require approval of a conditional use permit and shall be prohibited on the 1st floor, unless 25% are reserved for overnight accommodation.</p>

L-9	<p>Policy L-4f Thirteenth Street Commercial Areas (C-3) These commercial areas should provide for pedestrian oriented commercial centers providing goods and services primarily for neighborhood residents.</p>	<p>Policy L-4f 13th Street Neighborhood Commercial and Mixed-Use Area (C/MU-3) The 13th Street area shall provide areas for pedestrian-oriented commercial and mixed-use businesses that provide goods and services primarily for neighborhood residents.</p>
L-9	<p>Policy L-4g 9th Street/Imperial Beach Boulevard Commercial (C-3) Commercial uses may be allowed in this area only under the following conditions:</p> <ol style="list-style-type: none"> 1. The entire half block bounded by 9th Street, Imperial Beach Boulevard, Ebony Avenue and the public alley shall be developed as a single commercial project. 2. Discretionary permit review by the City shall be required for such commercial uses. General Plan/ Local Coastal Plan L-10 <i>Land Use Element</i> 3. No vehicular access shall be allowed from Imperial Beach Boulevard. 4. Permitted uses shall include neighborhood retail and service uses only. Prohibited uses shall include fast food franchises, liquor stores, video arcades, gas stations, bars and other similar type uses. <p>Until such time as the area is developed in its entirety for commercial uses, the requirements of the R-3000 zone shall regulate the area.</p>	<p>[Note: Item G has been deleted, as this area shall be subject to the C/MU-1 zoning. Additionally, the half-block bounded by 9th Street, Imperial Beach Boulevard, Ebony Avenue, and the public alley was not developed as a single commercial project but has been developed as a residential project. Therefore, this area will be rezoned from C-3 to R-3000.]</p>
S-2	<p>5. Indoor Public Assembly Facilities Public assembly facilities are defined as those in which large numbers of people congregate in generally unfamiliar surroundings. They include schools, theaters, churches, temples and a variety of recreational facilities. Gatherings of large numbers of people in these buildings create conditions conducive to mass panic in a crisis, which only worsens and increases casualties. Administering medical aid is made more difficult in these situations, as well.</p>	<p>5. Indoor Public Assembly Facilities Public assembly facilities are defined as those in which large numbers of people congregate in generally unfamiliar surroundings. They include schools, theaters/assembly, religious assembly, and a variety of recreational facilities. Gatherings of large numbers of people in these buildings create conditions conducive to mass panic in a crisis, which only worsens and increases casualties. Administering medical aid is made more difficult in these situations, as well.</p>

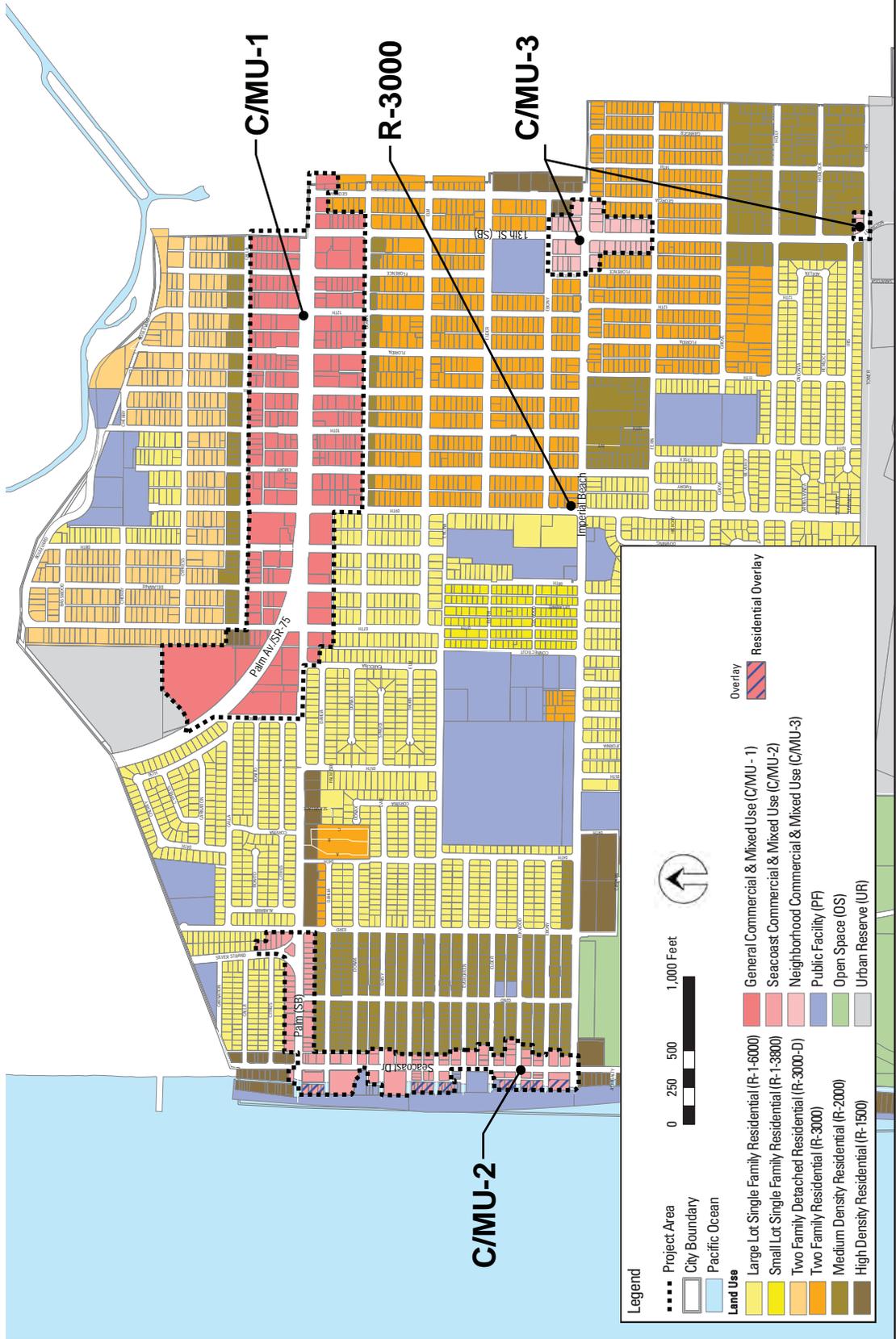
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Proposed Zoning Code Amendments



Imperial Beach General Plan/LCP and Commercial Zoning Amendments and Project PEIR
 P:\2011\11280121.01_IB_Zoning_GP\05Graphics\5.4_Proj_Graphics\Figures\Fig2-2 vrm.apr dbrady 2/17/12



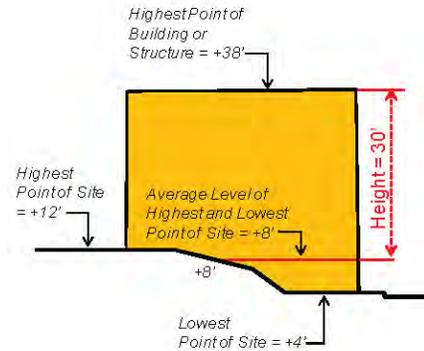
Proposed Zoning Map

Imperial Beach General Plan/LCP and Commercial Zoning Amendments and Project PEIR

PROPOSED NEW AND AMENDED DEFINITIONS

19.04.400. Height, Measurement of

Height shall be measured from the average level of the highest and lowest point of that portion of the building site covered by the building or structure to the highest point of the building or structure.



19.04.217. Religious Assembly

“Religious assembly” means an institution organized and operated for nonprofit purposes within the provisions of Section 501(c)(3) of the Internal Revenue Code and Section 23701d of the California Revenue and Taxation Code and to whom the Franchise Tax Board has issued a determination exempting the organization from tax, which people regularly attend to participate in or hold religious services, meetings, and other activities.

19.04.410. Hotel

“Hotel” means any establishment offering commercial transient lodging accommodation on a less than monthly basis to the general public, including any incidental services such as eating, drinking, meeting, banquet, entertainment, or recreational services intended primarily for the convenience of guests. Hotels shall consist of various types, which are further defined as follows:

H-1: A site area of a minimum square footage of thirty-five thousand square feet; at least thirty guest rooms; facilities for conference, meeting, or public use; and a full-service restaurant on-site.

H-2: A “motel,” which is an establishment providing guest rooms for periods less than thirty days, with most rooms gaining access from an exterior walkway.

H-3: A lot, parcel, or segment of real property dedicated to “timeshare units” as defined in Section 19.04.756 of this Code.

H-4: A “bed and breakfast” lodging place containing no more than six guest rooms and one kitchen. (Ord. 2003-1007 § 1, 2003; Ord. 94-884, 1994)

H-5: An “inn” means a commercial establishment that affords public lodging to travelers, for periods less than thirty days. A kitchen and dining area may also be included to provide meal and beverage service to guests and to the general public.

19.04.530. Massage Therapy Establishment

“Massage therapy establishment” means a fixed location at which a massage business engages in or carries on a commercial activity involving, in whole or in part, the recurring giving or administering of massages on the premises, consistent with the definition in Section 4.28.020 of the Imperial Beach Municipal Code, and in compliance with SB 731. This definition specifically excludes any adult-oriented business as defined in Section 19.60 of the Imperial Beach Municipal Code.

Active Commercial Uses

“Active commercial uses” mean commercial uses that are oriented along the street wall facing the main street at ground level. Active commercial uses should be accessible to the general public, generate walk-in pedestrian clientele, and contribute to a high level of pedestrian activity. Property entrances will be oriented to the street, which will facilitate sidewalk traffic and active streets. Uses that generate pedestrian activity include retail shops, grocery stores, restaurants, bars, theaters and the performing arts, personal convenience services, hotels, banks, travel agencies, child care services, libraries, museums and galleries, and commercial recreation and entertainment.

Active Use Area

“Active use area” means all portions of a site and buildings included in the use area, except storage, parking, and landscaping.

Antique Store

“Antique store” means a bona fide antique store in which substantially all the merchandise is antique. “Antique” means any collectible, object of art, bric-a-brac, curio, household furniture, or other furnishing offered for sale upon the basis, expressed or implied, that the value of the property, in whole or in substantial part, is derived from its age or from historical associations.

Athletic or Health Clubs

“Athletic or health clubs” means any business that offers or provides to the public, services, facilities, and/or instruction in bodybuilding, exercising, weight reduction, figure development, aerobics, or any other similar physical activity. This includes physical fitness clubs, yoga or pilates studios, and dance studios.

Courtyard

“Courtyard” means an open space unobstructed to the sky, located at or above grade level on a lot, and bounded on two or more sides by walls of a building.

Dwelling, Multiple-Family

“Multiple-family dwelling” means a residential structure containing two or more dwelling units that are attached vertically or horizontally.

Emergency Shelter

“Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Garage

“Garage” means an accessible and usable enclosed space of not less than nine feet by nineteen feet for the parking of automobiles off the street.

Green Building Utilities

“Green building utilities,” also referred to as small wind turbines, residential alternative power sources, or small alternative utilities, refers to the provision of sustainable essential services (such as water and electricity) in the form of small infrastructure that reuses water or generates electricity that is primarily used on-site and which support the principal development. Examples of green building utilities include small wind turbines, solar panels, and barrels for grey water reuse.

Ground Floor Retail (see Retail, Ground Floor, below)

Habitable Floors

“Habitable floors” are levels within a residential or mixed-use structure that permit residential, employment, visitor, or similar uses to be developed. Habitable floors do not include levels with rooftop, mechanical equipment, architectural treatments, stairwell entries, or similar uses open or partially open to the environment at the highest floor of the structure. The highest habitable floor shall not exceed the height limits defined in respective zones.

Height, First Floor

“First floor height” means the vertical distance from the average level of the highest and lowest point of that portion of the building site covered by the building or structure, to the highest point of the ceiling.

Hostel

“Hostel” means a place where travelers may stay for a limited duration at low cost in a facility that is appropriately recognized by a state, national, or international hostel organization and that may include dormitory-like sleeping accommodations.

Incidental Manufacturing

“Incidental manufacturing” means design, fabrication, and assembly of items for sale and is incidental or secondary to the use of the premises for retail sales of the items being produced. Manufacturing activities would involve production of individual items by hand manufacturing or the use of electric hand tools. Floor area used for manufacturing or storage of produced goods should not exceed the floor area used for retail sales. Typical uses would include ceramic studios, candle-making, leather-working, or custom jewelry manufacturing.

Kiosk

“Kiosk” means a small booth with an open window on one or more sides for selling small consumables such as newspapers, magazines, street maps, and confections. An information kiosk (or information booth) dispenses information in the form of maps, pamphlets, and other literature, and/or advice offered by an attendant. An electronic kiosk (or computer kiosk or interactive kiosk) houses a computer terminal that may store data locally, or retrieve it from a computer network and provide an informational public service or serve a commercial purpose. Kiosks shall be fixed in nature and may not be movable. Kiosks do not include push carts or vending machines. Additionally, a kiosk is not to exceed twenty square feet in area and shall be located on public plazas or private leaseholds.

Live/Work Units

A “live/work unit” means a structure or portion of a structure combining a residential living space for a group of persons including not more than four adults in the same unit with an integrated work space principally used by one or more of the residents of that unit.

Live Entertainment

“Live entertainment” includes live music, recorded music, music played by a DJ, comedy, karaoke, readings, dancing, acting, or other entertainment performed on a site three or more days during a calendar year. This includes dancing by patrons to live music, recorded music, or music played by a DJ or disk jockey.

Loading Area

“Loading area” means an area of adequate size for the delivery vehicles expected to be used, logically and conveniently located for bulk pickup and delivery, readily accessible when required parking spaces are filled, and located totally outside of any street or alley right-of-way.

Main Streets

“Main street” is defined as the primary street adjacent to a parcel that carries the largest amount of pedestrian and automotive traffic. For the commercial zones within the City, the main streets are considered Palm Avenue, Old Palm Avenue, State Route 75 (SR-75), Seacoast Drive, Imperial Beach Boulevard, and 13th Street.

Mixed-Use Development

“Mixed-use development” means a development consisting of one or more lots developed as a cohesive project and designed with a blend of various compatible uses such as commercial, residential, and institutional. The uses may be located in the same building or in separate buildings on the same site plan. A mixed-use development should not consist exclusively of live/work units.

Open Space, Private

“Private open space” means an area connected or immediately adjacent to a dwelling unit. The space can be a balcony, porch, ground or above grade patio, or roof deck used exclusively by the occupants of the dwelling unit and their guests.

Open Space, Public

“Public open space” means those usable outdoor spaces commonly accessible to all residents and users of the building for the purpose of passive or active recreation.

Paseo

“Paseo” means a path set aside for pedestrian walking that may pass through any part of a parcel to access points away from the main street edge.

Parapet

“Parapet” means a low protective wall or railing along the edge of a raised structure such as a roof or balcony.

Pedestrian Entrance

“Pedestrian entrance” means a functional entrance or door that is accessible to the general public from an enclosed occupied space. This does not include entrances to mechanical equipment or storage areas, emergency exits, or decorative nonfunctional doors and entrances.

Personal Convenience Services

“Personal convenience services” include commercial establishments such as, but not limited to, dry cleaners, shoe repair, drug stores, convenience stores, barber shops, hair salons, nail salons, mailing centers, ticket sales, and travel agents, excluding any adult uses as defined in Section 19.04 of the Municipal Code.

Plaza

A “plaza” is a type of public open space usually located near urban buildings and often featuring walkways, trees and shrubs, places to sit, and sometimes smaller shops.

Public Parking Lot

A “public parking lot” means a parking area that contains parking spaces available to all members of the public on a free or for-fee basis, for purposes of parking a motor vehicle while accessing other areas in the city.

Retail Sales

“Retail sales” refers to establishments primarily engaged in the sale or rental of goods or merchandise for personal or household use. Typical uses would include department stores, variety stores, drug stores, jewelry stores, apparel stores, and furniture stores.

Retail, Ground Floor

“Ground floor retail” is considered a general commercial use that is oriented along the street wall facing a main street with pedestrian movement, serves as a component of a mixed-use

or multi-story project, and is suitable for a broad range of retail types that add to and benefit from a pedestrian retail context.

Second-Hand Store or Thrift Shop

“Second-hand store” or “thrift shop” means a place of business that engages in buying and selling, trading, or accepting for sale on consignment previously sold property, excluding bona fide antique stores (see definition).

Senior Housing

“Senior housing” or “senior units” means a housing development as defined in State of California Civil Code Section 51.3.

Stepback

“Stepback” means the minimum horizontal distance between the building line of a developed floor beneath and the building line of a floor above the ground floor along any side of a structure as defined in the respective zones in this code.

Street Wall

“Street wall” means the building façade along a property line adjacent to any public street. The street wall may include arcades, colonnades, recessed entrances, private open space, and urban open space.

Urban Open Space

“Urban open space” means any usable space accessible to the general public that is one thousand square feet or greater in size such as plazas, parks, etc.

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Chapter 19.23. COMMERCIAL/ MIXED-USE USE REGULATIONS

The following land uses are allowed in the C/MU-1, C/MU-2, and C/MU-3 zones as uses that are expressly permitted, uses that require a conditional use permit, or uses that are permitted only if in compliance with specific location requirements. Any use not listed is prohibited unless the City Council determines it to be compatible with the zone.

Key to Land Use Tables				
P	Expressly permitted			
C	Permitted with conditional use permit			
N	Not permitted			
Notes				
Per the City's zoning code, hotels consist of various types and are defined as follows:				
H-1	A site area of a minimum of thirty-five thousand square feet; at least thirty guest rooms; facilities for conference, meeting, or public use; and a full-service restaurant on-site.			
H-2	A "motel," which is an establishment providing guest rooms, for periods less than thirty days, with most rooms gaining access from an exterior walkway.			
H-3	A lot, parcel, or segment of real property dedicated to "timeshare units," as defined in Section 19.04.756 of the Imperial Beach Municipal Code.			
H-4	A "bed and breakfast" lodging place containing no more than six guest rooms and one kitchen.			
H-5	An "inn" means a commercial establishment that affords public lodging to travelers, for periods less than thirty days. A kitchen and dining area may also be included to provide meal and beverage service to guests and to the general public.			
Commercial Uses	C/MU-1	C/MU-2	C/MU-3	Notes
Adult bookstore, adult hotel/motel, adult mini-motion picture theater, adult motion picture arcade, adult motion picture theater, sexual encounter studio, rap parlor, model studio	P	N	N	See definitions. Subject to requirements for adult-oriented businesses in Chapter 19.60.
Antique store	P	P	P	See definition.
Arcades and game centers	C	C	C	See definition.
Art studio, gallery, museum	P	P	P	See definition.
Athletic and health clubs	P [C]	P [C]	P [N]	See definition.
Bars or cocktail lounges	C	C	N	See definition.
with live entertainment	C	C	N	See definition.
Beach equipment rental, bike rental, surf shop, fishing supply	P	P	N	
Body piercing establishment	C	N	N	See definition. Subject to Section 19.26.020(B)(1).

Bookstore	P	P	P	
Boutique	P	P	P	
Cabaret	C	N	N	See definition. Subject to Section 19.60.
Child day care center	P	P	P	See definition.
Clinic	P	P	P	See definition.
Dancehall	C	N	N	See definition. Subject to Section 19.60.
Department store	P	N	N	
Drive-in restaurant	P	P	N	See definition.
Drive-through establishment	C	N	C	See definition.
Fortune telling establishment	C	N	N	See definition. Subject to Section 19.26.020(B)(3).
Kennel	C	N	N	See definition. Subject to Section 19.74.050.
Kiosk	P [C]	P	P [C]	See definition. In C/MU-2: Subject to Section 19.27.020(A)(2).
Liquor store	P	P	N	See definition.
Massage therapy establishment	P	P	P	See definition. Per Senate Bill 731.
Mortuary	C	N	N	
Motor vehicle sales	C	N	N	Subject to Section 19.74.070.
Palm reading establishment	C	N	N	See definition. Subject to Section 19.26.020(B)(3).
Pawnshop	C	N	C	See definition.
Personal convenience services	P	P	P	See definition.
Pool or billiard hall	C	C	N	See definition.
with live entertainment	C	C	N	See definition.
Postal services, private	P	P	P [C]	
Professional offices, financial institutions, and real estate	P	P [C]	P	
Restaurant	P	P	P	See definition.
with live entertainment	C	C	C	See definition.
Retail food store	P	P	P	
Retail sales	P	P	P	See definition.
Sales of secondhand or used merchandise	N	N	N	See definition.
Tattoo establishment	C	N	N	See definition. Subject to Section 19.26.020(B)(4).
Residential and Similar Uses	C/MU-1	C/MU-2	C/MU-3	Notes
Accessory building, structures, private garages	C	C	C	See definition of accessory building.
Boarding house	C [P]	N	N	See definition.

Emergency shelter	P	N	N	See definition.
Hostel	N	C	N	See definition.
Hotel, motel, bed and breakfast lodging, inn (H-1, H-2, H-3, H4, H-5)	P	P	P [C]	See definitions above.
Live/work unit	P	P	P	See definition.
Mixed-use development	P	P	P	See definition.
Motor home/manufactured housing community	N	N	N	See definitions.
Multiple-family dwellings	P	P	P	See definition. See requirement for active commercial uses on ground floor per Sections 19.26.020(A)(1), 19.27.020(A)(1), 19.28.020(A)(1).
Second-family units	N	N	N	
Senior housing, nursing home, retirement home	C	C	C	See definitions (definition of senior housing added).
Short-term rental	P	P	P	See definition.
Single-family detached	N	N* [P]	N	*Only permitted in Seacoast Residential Overlay Zone.
Timeshare	C	C	N	See definition.
Light Industrial Uses	C/MU-1	C/MU-2	C/MU-3	Notes
Automobile dismantling or wrecking yard	N	N	N	See definition.
Automobile repair or automobile body shop	C	N	N	See definitions.
Automobile sales lot	C	N	N	See definition.
Automobile service station/gas station	C	N	C	See definition.
Energy facility	C	N	N	See definition.
Equipment rental yard	C	N	N	
Incidental manufacturing	C	C [N]	C [N]	See definition.
Light manufacturing, manufacturing, industrial	N	N	N	
Public and Semi-public uses	C/MU-1	C/MU-2	C/MU-3	Notes
Campsites	N	N	N	See definition.
Clubs, fraternal/veteran/service organizations	C	C	C [N]	Subject to Sections 19.26.020(B)(2), 19.27.020(A)(3), 19.28.020(A)(2).
with live entertainment	C	C	C	
Educational institutions	C	C	N	

Governmental or quasi-public building	P	P	P	
Library	P	P	P	
Religious assembly	C	C	C	See definition. Subject to Sections 19.26.020(B)(2), 19.27.020(A)(3), 19.28.020(A)(2).
Public parking lot	P	P [C]	P	
Theatre/Assembly	C	C	C	
Wireless communication facility	C	C	C	See definition. Subject to Section 19.90.
Green Building Utilities	C/MU-1	C/MU-2	C/MU-3	Notes
Green Building Utilities	P	P	P	See definition. Subject to Section 19.92.
Open Space and Recreation	C/MU-1	C/MU-2	C/MU-3	Notes
Passive public parks	P	P	P	
Playground and recreation areas	C	C	C	Permitted if incidental and accessory to a permitted use.
Public riding and hiking trails	P	P	P	

Notes:

[C] or [P] or [N] text indicates land use permission in the existing ordinance that is proposed to be changed.

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Draft
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Chapter 19.26. C/MU-1 GENERAL COMMERCIAL AND MIXED-USE ZONE

19.26.010. Purpose of zone.

The purpose of the C/MU-1 zone is to provide areas for mixed-use development, multiple-family dwellings, and for businesses to meet the local demand for commercial goods and services. It is intended that the dominant type of commercial activity in the C/MU-1 zone will be community and neighborhood serving retail and office uses. (Ord. 94-884, 1994)

19.26.020. Permitted uses.

A. Specified commercial, residential, light industrial, public and semi-public, green building utilities, and open space and recreation uses allowed in the C/MU-1 zone are listed in Chapter 19.23, including those requiring a conditional use permit, and shall also comply with the following land use regulations:

1. For all buildings with frontage along Palm Avenue between 7th Street and Florida Street, including those with multiple-family dwelling units, “active commercial uses” as defined in Chapter 19.05 are required to be provided at a minimum of sixty percent of each building’s ground floor square footage, have direct pedestrian access from the Palm Avenue sidewalk or a plaza, and have a minimum building depth of twenty-five feet. Exceptions would require approval of a conditional use permit.

2. Residential dwelling units may be permitted at a maximum density of one unit per every one thousand gross square feet of lot area.

3. A kiosks shall not exceed twenty square feet in area, and shall be located on public plazas or private leaseholds. Kiosks shall not exceed ten locations in the C/MU-1 zone.

4. Time shares require approval of a conditional use permit and shall be prohibited on the first floor unless twenty-five percent of the units are restricted to overnight accommodations.

B. The following uses are permitted subject to the approval of a conditional use permit and in compliance with requirements specified below:

1. Body piercing establishments may be permitted, subject to the approval of a conditional use permit; however, it is unlawful to establish any such body piercing establishment if the location is within one hundred feet of any property that is zoned R-1-6000, R-1-3800, R-3000-D, R-3000, R-2000 or R-1500, or any other area that is primarily residential in character, as evidenced by letter designation in the zoning law of the City; or within two hundred feet of any of the following:

- a. Bar, cocktail lounge, or liquor store;
- b. Body piercing establishment;
- c. Religious assembly;

- d. Educational institution;
 - e. Public park; or
 - f. Tattoo establishment.
2. Religious assemblies, clubs, fraternal organizations (e.g., Masons, Moose, Elks, and Eagles), service organizations (e.g., Rotary, Kiwanis, Lions Club, and Jaycees), and veterans organizations (e.g., American Legion, VFW, FRA, and Disabled American Veterans), may be permitted, subject to the approval of a conditional use permit and to subsections E, F, G, and H of this chapter as appropriate.
3. Fortune telling or palm reading establishments may be permitted, subject to the approval of a conditional use permit; however, it is unlawful to establish any such fortune telling or palm reading establishment if the location is within:
- a. One hundred feet of any property that is zoned R-1-6000, R-1-3800, R-3000-D, R-3000, R-2000, or R-1500, or any other area that is primarily residential in character, as evidenced by letter designation in the zoning law of the City; or
 - b. Five hundred feet of any mobilehome park, manufactured housing community, or senior housing development; or
 - c. One thousand feet of any similar establishment.
4. Tattoo establishments may be permitted, subject to the approval of a conditional use permit; however, it is unlawful to establish any such tattoo establishment if the location is within one hundred feet of any property that is zoned R-1-6000, R-1-3800, R-3000-D, R-3000, R-2000, or R-1500, or any other area that is primarily residential in character, as evidenced by letter designation in the zoning law of the City; or within two hundred feet of any of the following:
- a. Bar, cocktail lounge, or liquor store;
 - b. Body piercing establishment;
 - c. Religious assembly;
 - d. Educational institution;
 - e. Public park; or
 - f. Tattoo establishment.
- C. Site plan review by the City Council will be required if any of the following applies to proposed uses located in the C/MU-1 zone:
- 1. All proposed developments involving new construction.
 - 2. Any addition, construction, or alteration of existing buildings resulting in an increase of ten percent or greater of the gross floor area of a commercial structure or in an individual commercial space within the structure or within a commercial shopping center.
 - 3. Any proposed use or structure requiring the approval of a conditional use permit.
 - 4. Any development including residential dwelling units.

D. Site plan review by the community development director (administrative approval) will be required if any of the following applies for proposed uses located in the C/MU-1 zone:

1. Any addition, construction, or alteration of existing buildings resulting in a one-time increase of less than ten percent of the gross floor area of a commercial structure or in an individual commercial space within the structure or within a commercial shopping center. Multiple additions to existing commercial buildings that cumulatively result in an increase of ten percent or greater of the originally approved gross floor area of a commercial building shall require site plan review by the City Council.

2. Exterior facade alterations to existing buildings located on a design review corridor as identified in subsection 19.83.020(A)(1) of this code.

3. The building or site or a portion of the building or site that is proposed to be occupied has been vacant for a period of two years or greater.

4. Public parking lots.

E. Notice to adjoining property owners of any application for conditional use permit for a religious assembly, club, fraternal organization, service organization, or veteran's organization, under subsection (B)(2) of this section shall be given pursuant to Section 19.86.050 of this code. Additionally, notice of hearing shall be made by mailing a postal card or letter to all the business owners within three hundred feet of the exterior boundary of the property involved, such business owners and their addresses being established for this purpose by the latest business licenses issued by the City; provided, however, that in the case where the ownership or address has recently changed and such knowledge is available to the Community Development Department, notice shall also be sent in this manner to the current business owners. Such notice shall include the nature of the proposal, a description of the property under consideration, and the time and place of the public hearing. In certain cases where mailed notice of hearing is deemed impractical, notice may be affected by posting upon the subject property and within the area of the subject property a notice bearing the same information as contained in the notice to be mailed. The notice shall be posted at least ten days prior to the date set for the public hearing, and the Community Development Department shall sign an affidavit of posting to be held in the record. No defect or irregularity in the giving of such notice shall invalidate the public hearing.

F. The report prepared by staff for the City Council on the conditional use permit application for a religious assembly, club, fraternal organization, service organization, or veteran's organization under subsection (B)(2) of this section, shall provide a listing of the number of property owners, business owners, and types of businesses located within three hundred feet of the exterior boundaries of the subject property. Prior to the scheduled public hearing, the applicant shall attempt to contact the property owners and business owners located within three hundred feet of the exterior boundary of the subject property to determine how many support and how many oppose the application for the conditional use permit on the subject property. The results of the survey of the property owners and business owners shall be forwarded to City staff for inclusion in the staff report to the City Council.

G. Prior to the issuance of a conditional use permit for a religious assembly, club, fraternal organization, service organization, or veteran's organization under subsection (B)(2) of

this section, the applicant must demonstrate and the City Council must make a finding that the parking requirements of Chapter 19.48 of this code are met and that sufficient parking exists to accommodate the proposed uses.

H. Any conditional use permit issued for a religious assembly, club, fraternal organization, service organization or veteran's organization under subsection (B)(2) of this section shall, at a minimum, specifically address the following:

1. Proposed uses or activities;
2. Hours of operations, uses, and activities;
3. The days of the week and times for meetings or gatherings and the number of people attending those meetings or gatherings;
4. The number, time, and days of the week of any proposed musical activities, performances, or entertainment;
5. The number, time, and days of the week of activities involving infants, pre-teens, teens, or young adults;
6. The dates, times, and number of persons in attendance for any special meetings, events, or gatherings not included in the normal hours of operation, that are directly related to the operation, uses, and activities of the facility, or are attended by the principal membership of the facility;
7. The dates, times and number of persons in attendance for any special meetings, events, or gatherings not included in the normal hours of operation, if any, that are not directly related to the operation, uses, and activities of the facility, nor are attended by the principal membership of the facility; and
8. No child care services by persons unrelated to the parent or child, child day care center, or educational institution shall be operated on the premises unless specifically provided for under the conditional use permit issued for the religious assembly, club, fraternal organization, service organization, or veteran's organization. Nothing in subsections E, F, G, or H of this section shall supersede or preempt the issuance criteria for a conditional use permit as set forth in Chapter 19.82 of this code. (Ord. 2003-1013 § 4, 2003; Ord. 2002-986 §§ 2, 3, 2002; Ord. 2002-983 §§ 21, 22, 2002; Ord. 2001-973 §§ 3—6, 2001; Ord. 2001-971 §§ 3—5, 2001; Ord. 2001-960 §§ 3—8, 2001; Ord. 94-884, 1994)

19.26.040. Yards.

Yard requirements for the C/MU-1 zone are as follows:

- A. Front Yard. Zero feet; up to forty percent of the project frontage may be set back up to an additional five feet. Front yards facing Donax Avenue or Calla Avenue shall be a minimum of fifteen feet.
- B. Side Yard. There shall be a minimum side yard of five feet.
- C. Rear Yard. There shall be a minimum rear yard of ten feet.
- D. The open space and landscaping requirements as stated in Chapter 19.50 of this code shall be met.

19.26.041. Stepbacks

For property with a side or rear yard abutting a residential zone, the second floor shall be set back a minimum of five feet from the abutting residential property line and the third floor shall be set back a minimum of ten feet from the abutting residential property line.

19.26.050. Minimum lot size.

The minimum lot size for any new lot created in the C/MU-1 zone shall be three thousand square feet (for related provisions concerning small lots, see Chapter 19.42.). (Ord. 94-884, 1994)

19.26.060. Frontage.

Every new lot created in the C/MU-1 zone shall have a minimum width along a street of thirty feet (for related provisions concerning small lots, see Chapter 19.42.). (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.26.070. Building height.

No building in the C/MU-1 zone shall exceed four stories or forty feet in height, whichever is less. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983). All commercial spaces on the ground floor shall have a minimum fifteen-foot floor-to-ceiling height; and single-story commercial buildings shall have a minimum building height of twenty feet.

19.26.080. Separation of buildings.

No buildings shall be located less than five feet from any other building on the same lot. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.26.110. Parking.

For provisions on parking applicable in the C/MU-1 zone, see Chapter 19.48. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.26.120. Signs.

For provisions on signs applicable in the C/MU-1 zone, see Chapter 19.52. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.26.130. Uses conducted outside buildings.

For provisions on uses conducted outside buildings applicable in the C/MU-1 zone, see Chapter 19.72. (Ord. 94-884, 1994)

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Chapter 19.27. C/MU-2 SEACOAST COMMERCIAL AND MIXED-USE ZONE

19.27.010. Purpose of zone.

The purpose of the C/MU-2 zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Additionally, the Seacoast Residential Overlay Zone has been established to preserve opportunities for single-family residences within the overlay area. Mixed-use and multiple-family residences are also permitted in the C/MU-2 zone and in the Seacoast Residential Overlay Zone. The development standards of the C/MU-2 zone encourage pedestrian activity through the design and location of building frontages and parking provisions. (Ord. 94-884, 1994)

19.27.020. Permitted uses.

A. Specified commercial, residential, light industrial, public and semi-public, green building utilities, and open space and recreation uses allowed in the C/MU-2 zone are listed in Chapter 19.23, including those requiring a conditional use permit, and shall also comply with the following land use regulations:

1. For all buildings with frontage along Seacoast Drive, including those with multiple-family dwelling units, “active commercial uses” as defined in Chapter 19.04 are required to be provided at a minimum sixty percent of each building’s ground floor square footage and have direct pedestrian access from the Seacoast Drive sidewalk or a plaza. Exceptions would require approval of a conditional use permit.

2. Kiosks are not to exceed twenty square feet in area each, shall be located on public plazas or private leaseholds, and shall not exceed ten locations in the C/MU-2 zone.

3. Religious assemblies, clubs, fraternal organization (e.g., Masons, Moose, Elks, and Eagles), service organizations (e.g., Rotary, Kiwanis, Lions Club, and Jaycees), and veterans organizations (e.g., American Legion, VFW, FRA, and Disabled American Veterans) require approval of a conditional use permit and are subject to subsections D, E, F, and G of this section as appropriate.

4. Time shares require approval of a conditional use permit and shall be prohibited on the first floor unless twenty-five percent of the units are restricted to overnight accommodations.

5. Multiple-family residential dwelling units are permitted at a maximum density of one unit per every one thousand five hundred gross square feet of lot area; or if located on Palm Avenue and the east side of Seacoast Drive, residential dwelling units may be increased to a maximum density of one dwelling unit for each one thousand two hundred and ten gross square feet of lot area with approval of a conditional use permit by the City Council that demonstrates compliance with two or more of the following development incentives:

- a. Project sites that are consolidated to a final size greater than twenty thousand square feet;
- b. Entire project achieves Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or can demonstrate the ability to achieve certification;
- c. Entire project provides a minimum of seventy-five percent “active commercial uses” on the ground floor;
- d. At least twenty-five percent of proposed residential units must be three-bedroom units;
- e. Provide an additional one hundred square feet of public open space or plaza space with minimum dimensions of six feet by ten feet;
- f. Dedicate a minimum of one foot of private property frontage to public use (creates a one-foot front setback dedicated to public use);
- g. Floors above first floor provide additional setback of five feet beyond required setback.

B. Site plan review by the City Council will be required if any of the following applies for proposed uses located in the C/MU-2 zone:

- 1. All proposed developments involving new construction;
- 2. Any addition, construction, remodeling or alteration of existing buildings resulting in an increase of ten percent or greater of the gross floor area of a commercial structure or in an individual commercial space within the structure or within a commercial shopping center;
- 3. Any proposed commercial use, residential use, or structure requiring the approval of a conditional use permit;
- 4. Any development including residential dwelling units; and
- 5. Public parking lots.

C. Site plan review by the community development director (administrative approval) will be required if any of the following applies for proposed uses located in the C/MU-2 zone:

- 1. Any addition, construction, remodeling, or alteration of existing buildings resulting in a one-time increase of less than ten percent of the gross floor area of a commercial structure or in an individual commercial space within the structure or within a commercial shopping center. Multiple additions to existing commercial buildings that cumulatively result in an increase of ten percent or greater of the originally approved gross floor area of a commercial building shall require site plan review by the City Council;
- 2. Exterior facade alterations to existing buildings located on a design review corridor as identified in subsection 19.83.020(A)(1) of this title;
- 3. The building or site or a portion of the building or site that is proposed to be occupied has been vacant for a period of two years or greater; and
- 4. Kiosks.

D. Notice to adjoining property owners of any application for conditional use permit for a religious assembly, club, fraternal organization, service organization, or veteran's organization, under subsection (A)(3) of this section shall be given pursuant to Section 19.86.050 of this code. Additionally, notice of hearing shall be made by mailing a postal card or letter to all the business owners within three hundred feet of the exterior boundary of the property involved, such business owners and their addresses being established for this purpose by the latest business licenses issued by the City; provided, however, that in the case where the ownership or address has recently changed and such knowledge is available to the Community Development Department, notice shall also be sent in this manner to the current business owners. Such notice shall include the nature of the proposal, a description of the property under consideration, and the time and place of the public hearing. In certain cases where mailed notice of hearing is deemed impractical, notice may be affected by posting upon the subject property and within the area of the subject property a notice bearing the same information as contained in the notice to be mailed. The notice shall be posted at least ten days prior to the date set for the public hearing, and the Community Development Department shall sign an affidavit of posting to be held in the record. No defect or irregularity in the giving of such notice shall invalidate the public hearing.

E. The report prepared by staff for the City Council on the conditional use permit application for a religious assembly, club, fraternal organization, service organization, or veteran's organization under subsection (A)(3) of this section, shall provide a listing of the number of property owners, business owners, and types of businesses located within three hundred feet of the exterior boundaries of the subject property. Prior to the scheduled public hearing, the applicant shall attempt to contact the property owners and business owners located within three hundred feet of the exterior boundary of the subject property to determine how many support and how many oppose the application for the conditional use permit on the subject property. The results of the survey of the property owners and business owners shall be forwarded to City staff for inclusion in the staff report to the City Council.

F. Prior to the issuance of a conditional use permit for a religious assembly, club, fraternal organization, service organization, or veteran's organization under subsection (A)(3) of this section, the applicant must demonstrate and the City Council must make a finding that the off-street parking requirements of Chapter 19.48 of this code are met and that sufficient parking exists to accommodate the proposed uses.

G. Any conditional use permit issued for a religious assembly, club, fraternal organization, service organization, or veteran's organization under subsection (A)(3) of this section shall, at a minimum, specifically address the following:

1. Proposed use or activities;
2. Hours of operations, uses, and activities;
3. The days of the week and times for meetings or gatherings and the number of people attending those meetings or gatherings;
4. The number, time, and days of the week of any proposed musical activities, performances, or entertainment;
5. The number, time, and days of the week of activities involving infants, pre-teens, teens, or young adults;

6. The dates, times and number of persons in attendance for any special meetings, events, or gatherings not included in the normal hours of operation, that are directly related to the operation, uses, and activities of the facility or are attended by the principal membership of the facility;

7. The dates, times, and number of persons in attendance for any special meetings, events, or gatherings not included in the normal hours of operation, if any, that are not directly related to the operation, uses, and activities of the facility, nor are attended by the principal membership of the facility; and

8. No child care services by persons unrelated to the parent or child, child day care center, or educational institution shall be operated on the premises unless specifically provided for under the conditional use permit issued for the facility. Nothing in subsections D, E, F, or G of this section shall supersede or preempt the issuance criteria for a conditional use permit as set forth in Chapter 19.82 of this code. (Ord. 2003-1013 § 5, 2003; Ord. 2002-983 §§ 23, 24, 2002; Ord. 2001-960 §§ 9—13, 2001; Ord. 98-930 § 1, 1998; Ord. 98-920 § 1 (part), 1998; Ord. 97-910 § 1, 1997; Ord. 94-888 § 1, 1994; Ord. 94-884, 1994)

19.27.040. Yards.

Yard requirements of the C/MU-2 zone are as follows:

A. On property fronting on Seacoast Drive, the front of each building shall be set on the front property line. For purposes of this requirement an arcade is considered a part of the building. For lots not fronting on Seacoast Drive there are no front, side, or rear yard setbacks in the C/MU-2 zone except as follows:

1. A ten-foot rear and/or side yard setback is required for properties abutting any property zoned R-1-6000;

2. A five-foot rear and/or side yard setback is required for properties abutting any property zoned R-2000; and

B. For properties within the Seacoast Residential Overlay Zone, the setbacks shall be as required in Section 19.27.140(B); and

1. The open space and landscaping requirements as stated in Chapter 19.50 of this code shall be met.

.19.27.041. Stepbacks.

A. On property with a side or rear yard abutting a residential zone, the second-floor stepback shall be a minimum of five feet from the abutting residential property line and the third-floor stepback shall be a minimum of ten feet from the abutting residential property line.

B. Stepbacks are not required where the ten-foot setback is required or observed for at least fifty percent of the property line abutting residential property.

C. On properties fronting Seacoast Drive, an upper-story setback of five to ten feet is required for a minimum of fifty percent of street-facing facades along Seacoast Drive.

19.27.050. Minimum lot size.

The minimum lot size for any new lot created in the C/MU-2 zone shall be three thousand square feet (for related provisions concerning small lots, see Chapter 19.42). (Ord. 98-920 § 3 (part), 1998; Ord. 94-884, 1994)

19.27.060. Frontage.

Every new lot created in the C/MU-2 zone shall have a minimum width along a street of thirty feet (for related provisions concerning small lots, see Chapter 19.42). (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.27.070. Building height.

A. No building in the C/MU-2 zone shall exceed three stories or thirty feet in height, whichever is less, except as follows:

1. Properties within the Seacoast Residential Overlay Zone are subject to a reduced single-family residential building height of two stories or twenty-six feet, whichever is less, per Section 19.27.140(C);

2. Properties east of Seacoast Drive shall have a height limit not to exceed three stories and thirty-five feet with approval of a conditional use permit that demonstrates compliance with two or more of the development incentives listed in Section 19.27.020(A)(5); and

3. Hotel, as defined in Section 19.04.410 as an H-1 type hotel, shall have a height limit not to exceed forty feet as part of an approved Specific Plan pursuant to Section 19.27.150. (Ord. 2003-1007 § 2, 2003; Ord. 94-884, 1994).

B. All commercial spaces on the ground floor shall have a minimum fifteen-foot floor-to-ceiling height; and single-story commercial buildings shall have a minimum building height of twenty feet.

19.27.080. Separation of buildings.

No buildings shall be located less than five feet from any other building on the same lot. (Ord. 94-884, 1994)

19.27.110. Parking.

For provisions on parking applicable in the C/MU-2 zone, see Chapter 19.48. (Ord. 94-884, 1994)

19.27.120. Signs.

For provisions on signs applicable in the C/MU-2 zone, see Chapter 19.52. (Ord. 94-884, 1994)

19.27.130. Uses conducted outside buildings.

For provisions on uses conducted outside buildings applicable in the C/MU-2 zone, see Chapter 19.72. (Ord. 94-884, 1994)

19.27.140. Seacoast Residential Overlay Zone.

The area located between Ocean Boulevard on the west, Ocean Lane on the east, and between Imperial Beach Boulevard on the south and Palm Avenue on the north is designated as the Seacoast Residential Overlay Zone. The purpose of this overlay zone is to preserve opportunities for continuation of single-family residential uses in this area.

- A. The following uses shall be permitted in the Seacoast Residential Overlay Zone:
 - 1. Single-family residential;
 - 2. Short-term rentals as defined in Section 19.040.692 of this code; and
 - 3. Any use listed in Chapter 19.27.020 as a permitted use in the C/MU-2 zone is a permitted use in the Seacoast Residential Overlay Zone.

B. Yard requirements in the Residential Overlay Zone are as follows:

- 1. Residential uses:

Ocean Lane: five feet.

Side yard: five feet.

Ocean Boulevard (Beach): ten feet.

- 2. Commercial uses:

Ocean Lane: zero feet.

Side yard: fifteen feet.

Ocean Boulevard (Beach): ten feet.

C. Height requirements in the Seacoast Residential Overlay Zone are as follows:

Single-family uses. Two stories or twenty-six feet, whichever is less.

All other uses. As permitted per Section 19.27.070.

19.27.145. Conditional Use Permit.

Conditions for a conditional use permit may include, but shall not be limited to, requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulations of vehicular ingress and egress and traffic circulation; regulations of signs; regulations of hours of operation; establishment of development schedules or time limits for performance or completion; requirements for periodic review; and such other conditions as may be deemed necessary to ensure compatibility with existing surrounding uses, and to preserve the public health, safety, and welfare. (Ord. 2003-1013 §§ 6, 7, 2003; Ord. 94-884, 1994)

19.27.150. Specific Plan.

A. The City Council may approve a specific plan for an H-1 hotel as defined in Chapter 19.25 of this code that allows deviations from the following regulations in the C/MU-2 zone:

1. Building heights specified in Section 19.27.070, provided that a height deviation may not exceed four stories or forty feet, whichever is less;

2. Building yard requirements specified in Section 19.27.040 and building setbacks specified in Section 19.27.041. The specific plan shall establish setbacks and setbacks to create public view corridors to and along the beach and to avoid impacts to existing public ocean views. The specific plan shall set back private development from public use areas to maximize public access, create open space buffers, and avoid conflicts between public and private uses;

3. Parking requirements specified in Section 19.48.035 may be reduced to one parking space per unit if a site-specific parking study, taking into account the demand for parking associated with ancillary uses such as conference areas and restaurants, establishes that parking demand will not exceed one parking space per unit.

B. The intent of this section is to accommodate, to the greatest extent possible, an equitable balance of project design, project amenities, public improvements, and community and city benefits. The purpose of the specific plan is to provide flexibility in the application of development regulations for hotel projects where strict application of those regulations would restrict design options and result in a less desirable project.

C. All of the following findings must be made before a specific plan may be approved under this section:

1. The proposed project will not adversely affect the general plan or the local coastal program;

2. The proposed project will not be detrimental to the public health, safety, or welfare;

3. The proposed project, when considered as a whole, will be beneficial to the community and the city; and

4. The proposed deviations are appropriate for the location and will result in a more desirable project than would be achieved if designed in strict conformance with zoning regulations in the C/MU-2 zone.

E. A specific plan approved under this section must state the ways in which the project benefits the community and the city and the ways in which the resulting project is preferable to what the existing regulations would have allowed. (Ord. 2003-1002 § 1, 2003: Ord. 2002-984 § 1, 2002)

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Chapter 19.28. C/MU-3 NEIGHBORHOOD COMMERCIAL AND MIXED-USE ZONE

19.28.010. Purpose of zone.

The purpose of the C/MU-3 zone is to provide areas for businesses to meet the local neighborhood demand for commercial goods and services. It is intended that the dominant type of commercial activity in the zone will be neighborhood-serving retail and office uses such as markets, professional offices, personal convenience services, restaurants, and hardware stores. Multiple-family residences are also permitted in the C/MU-3 zone. (Ord. 94-884, 1994)

19.28.020. Permitted uses.

A. Specified commercial, residential, light industrial, public and semi-public, green building utilities, and open space and recreation uses allowed in the C/MU-3 zone are listed in Chapter 19.23, including those requiring a conditional use permit, and shall also comply with the following land use regulations:

1. For all buildings with frontage along Imperial Beach Boulevard and 13th Street, including those with multiple-family dwelling units, “active commercial uses” as defined in Chapter 19.04 are required to be provided at a minimum of sixty percent of each building’s ground floor square footage and have direct pedestrian access from the Imperial Beach Boulevard and 13th Street sidewalks or a plaza. Exceptions would require approval of a conditional use permit.

2. Religious assemblies, clubs, fraternal organization (e.g., Masons, Moose, Elks, and Eagles), service organizations (e.g., Rotary, Kiwanis, Lions Club, and Jaycees), and veterans organizations (e.g., American Legion, VFW, FRA, and Disabled American Veterans) require approval of a conditional use permit and are subject to subsections D, E, F, and G of this section as appropriate.

3. Multiple-family residential dwelling units at a maximum density of one unit per every one thousand five hundred gross square feet of lot area; or one dwelling unit for each one thousand two hundred and ten gross square feet of lot area and subject to approval of a conditional use permit that demonstrates compliance with two or more of the following development incentives:

- a. Project sites that are consolidated to a final size greater than twenty thousand square feet;
- b. Entire project achieves Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or can demonstrate the ability to achieve certification;
- c. Entire project provides a minimum of seventy-five percent “active commercial uses” on the ground floor;
- d. At least twenty-five percent of proposed residential units must be three-bedroom units;

- e. Provide an additional one hundred square feet of public open space or plaza space with minimum dimensions of six feet by ten feet;
- f. Dedicate a minimum of one foot of private property frontage to public use (creates a one-foot front setback dedicated to public use);
- g. Floors above first floor provide additional stepback five feet beyond required stepback.

4. Kiosks are not to exceed twenty square feet in area each, shall be located on public plazas or private leaseholds, and shall not exceed ten locations in the C/MU-3 zone.

B. Site plan review by the City Council will be required if any of the following applies for proposed uses located in the C/MU-3 zone:

- 1. All proposed developments involving new construction;
- 2. Any addition, construction, remodeling, or alteration of existing buildings resulting in an increase of ten percent or greater of the gross floor area of a commercial structure or in an individual commercial space within the structure or within a commercial shopping center;
- 3. Any proposed commercial use or structure requiring the approval of a conditional use permit;
- 4. Any development including residential dwelling units; and
- 5. Public parking lots.

C. Site plan review by the community development director (administrative approval) will be required if any of the following applies for proposed uses located in the C/MU-3 zone:

- 1. Any addition, construction, or alteration of existing buildings resulting in a one-time increase of less than ten percent of the gross floor area of a commercial structure or in an individual commercial space within the structure or within a commercial shopping center. Multiple additions of the originally approved gross floor area of a commercial building shall require site plan review by the City Council;
- 2. Exterior facade alterations to existing buildings located on a design review corridor as identified in subsection 19.83.020(A)(1); and
- 3. The building site or a portion of the building or site that is proposed to be occupied has been vacant for a period of two years or greater.

D. Notice to adjoining property owners of any application for conditional use permit for a religious assembly, club, fraternal organization, service organization, or veteran's organization, under subsection (A)(2) of this section shall be given pursuant to Section 19.86.050 of this code. Additionally, notice of hearing shall be made by mailing a postal card or letter to all the business owners within three hundred feet of the exterior boundary of the property involved, such business owners and their addresses being established for this purpose by the latest business licenses issued by the City; provided, however, that in the case where the ownership or address has recently changed and such knowledge is available to the Community Development Department, notice shall also be sent in this manner to the current business owners. Such notice

shall include the nature of the proposal, a description of the property under consideration, and the time and place of the public hearing. In certain cases where mailed notice of hearing is deemed impractical, notice may be affected by posting upon the subject property and within the area of the subject property a notice bearing the same information as contained in the notice to be mailed. The notice shall be posted at least ten days prior to the date set for the public hearing, and the Community Development Department shall sign an affidavit of posting to be held in the record. No defect or irregularity in the giving of such notice shall invalidate the public hearing.

E. The report prepared by staff for the City Council on the conditional use permit application for a religious assembly, club, fraternal organization, service organization, or veteran's organization, under subsection (A)(2) of this section, shall provide a listing of the number of property owners, business owners, and types of businesses located within three hundred feet of the exterior boundaries of the subject property. Prior to the scheduled public hearing, the applicant shall attempt to contact the property owners and business owners located within three hundred feet of the exterior boundary of the subject property to determine how many support and how many oppose the application for the conditional use permit on the subject property. The results of the survey of the property owners and business owners shall be forwarded to City staff for inclusion in the staff report to the City Council.

F. Prior to the issuance of a conditional use permit for a religious assembly, club, fraternal organization, service organization, or veteran's organization, under subsection (A)(2) of this section, the applicant must demonstrate and the City Council must make a finding that the off-street parking requirements of Chapter 19.48 of this code are met and that sufficient parking exists to accommodate the proposed uses.

G. Any conditional use permit issued for a religious assembly, club, fraternal organization, service organization, or veteran's organization, under subsection (A)(2) of this section shall, at a minimum, specifically address the following:

1. Proposed uses or activities;
2. Hours of operations, uses, and activities;
3. The days of the week and times for meetings or gatherings and the number of people attending those meetings or gatherings;
4. The number, time, and days of the week of any proposed musical activities, performances, or entertainment;
5. The number, time, and days of the week of activities involving infants, pre-teens, teens, or young adults;
6. The dates, times, and number of persons in attendance for any special meetings, events, or gatherings not included in the normal hours of operation, that are directly related to the operation, uses, and activities of the facility, or are attended by the principal membership of the facility;
7. The dates, times, and number of persons in attendance for any special meetings, events, or gatherings not included in the normal hours of operation, if any, that are not directly related to the operation, uses, and activities of the facility, nor are attended by the principal membership of the facility; and

8. No child care services by persons unrelated to the parent or child, child day care center, or educational institution shall be operated on the premises unless specifically provided for under the conditional use permit issued for the facility. Nothing in subsections D, E, F, or G of this section shall supersede or preempt the issuance criteria for a conditional use permit as set forth in Chapter 19.82 of this code. (Ord. 2002-986 §§ 7, 8, 2002; Ord. 2002-983 §§ 25, 26, 2002; Ord. 2001-973 §§ 11, 13, 14, 2001; Ord. 2001-972 §§ 1, 2, 2001; Ord. 2001-971 §§ 8, 9, 2001; Ord. 2001-960 §§ 14—18, 2001; Ord. 94-884, 1994)

19.28.030. Yards.

Yard requirements for the C/MU-3 zone are as follows:

- A. Front Yard and Side Street. Zero feet; up to forty percent of the project frontage may be set back up to an additional five feet.
- B. Side Yard. There shall be a minimum side yard of five feet.
- C. Rear Yard. There shall be a minimum rear yard of ten feet.
- D. The open space and landscaping requirements as stated in Chapter 19.50 of this code shall be met.

19.28.031. Stepbacks.

For property with a side or rear yard abutting a residential zone, the second-floor stepback shall be a minimum of five feet from the abutting residential property line and the third-floor stepback shall be a minimum of ten feet from the abutting residential property line.

19.28.040. Minimum lot size.

The minimum lot size for any new lot created in the C/MU-3 zone shall be three thousand square feet. (For related provisions concerning small lots, see Chapter 19.42). (Ord. 94-884, 1994)

19.28.050. Frontage.

Every new lot created in the C/MU-3 zone shall have a minimum width along a street of thirty feet. (For related provisions concerning small lots, see Chapter 19.42). (Ord. 94-884, 1994)

19.28.060. Building height.

No building in the C/MU-3 zone shall exceed three stories and thirty feet in height, whichever is less; or three stories or thirty-five feet in height and subject to approval of a conditional use permit that demonstrates compliance with two or more of the development incentives listed in Section 19.28.020(A)(3). All commercial spaces on the ground floor shall have a minimum fifteen-foot floor-to-ceiling height; and single-story commercial buildings shall have a minimum building height of twenty feet. (Ord. 94-884, 1994).

19.28.070. Separation of buildings.

No buildings shall be located less than ten feet from any other building on the same lot. (Ord. 94-884, 1994)

19.28.080. Parking.

For provisions on parking applicable in the C/MU-3 zone, see Chapter 19.48. (Ord. 94-884, 1994)

19.28.090. Signs.

For provisions on signs applicable in the C/MU-3 zone, see Chapter 19.52. (Ord. 94-884, 1994)

19.28.100. Uses conducted outside buildings.

For provisions on uses conducted outside buildings applicable in the C/MU-3 zone, see Chapter 19.72. (Ord. 94-884, 1994)

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Chapter 19.48. OFF-STREET PARKING

19.48.010. Purpose of provisions.

The parking regulations contained in this chapter are intended to provide space off public streets for automobiles and other vehicles, to prevent traffic congestion, to encourage safe vehicular travel, and to provide for the welfare and convenience of residents and shoppers. This chapter recognizes that adequate off-street parking facilities should be provided in accordance with the type of land use, and the standards set forth in this Title should be the minimum required to provide reasonable assurance that the public health, safety, and welfare will be maintained. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.48.020. Requirements generally—Existing buildings and additions.

A. The parking requirements of this chapter shall be observed only for proposed uses or developments requiring site plan review by the City Council or Community Development Director as identified in chapters 19.26, 19.27, and 19.28, provided that in no case shall the number of existing parking spaces be reduced and that any new and all existing parking spaces shall be permanently available and be permanently maintained for parking purposes.

B. Cumulative alterations or additions to existing residential structures that are not new dwelling units of up to five hundred square feet, or a combined total (existing square footage plus new square footage) of up to fifteen hundred square feet, neither of which is exceeded, shall be allowed without providing additional off-street parking as required by this chapter, provided that in no case shall the number of existing off-street parking spaces be reduced and that any new and all existing off-street parking spaces shall be made permanently available and be permanently maintained for parking purposes.

The parking exemption shall not be allowed for multifamily structures where the addition consists of a new bedroom or would be located on a portion of the lot that could otherwise be used for parking, on lots west of Seacoast Drive, and on lots fronting on the east side of Seacoast Drive.

C. Cumulative alterations or additions greater than five hundred square feet to existing residential structures, that are not new dwelling units, or a combined total (existing square footage plus new square footage) greater than fifteen hundred square feet, may be allowed without providing additional off-street parking as required by this chapter with the approval of a site plan and design review application by the community development department that demonstrate that there are inadequate side yards or areas to provide the additional parking, that

there is no adjacent alley to provide access for the additional parking, and that substitute tandem parking in the driveway will be provided. (Ord. 2007-1052, 2007; Ord. 2005-1032, 2005; Ord. 94-888, 1994)

19.48.030. Required spaces—Residential uses.

The number of required off-street parking spaces for residential uses shall be as follows:

A. R-1-6000, R-1-3800, R-3000, and R-3000-D: two spaces per dwelling unit, one hundred percent enclosed;

B. R-2000 and R-1500: two spaces per dwelling unit, fifty percent enclosed.

19.48.035. Required spaces in the C/MU-1, C/MU-2, and C/MU-3 zones.

For new development or expansion of existing structures designed to accommodate a variety of shops, stores, offices, restaurants, personal convenience services, and athletic and health clubs in the C/MU-1, C/MU-2, and C/MU-3 zones, off-street parking shall be provided in accordance with the standard listed in the following table. During site plan review, the City would determine whether the standard for required parking could be reduced based on the types of proposed land uses and existing land use, and the availability of parking (both private and public parking) in the project area. Shared parking shall be permitted and shall only be approved when technical evidence is presented to justify the shared use. The Urban Land Institute guidebook Shared Parking Second Edition (2005) shall be used as a guideline and supplemented by additional findings, where appropriate.

Zone/Land Use	Standard	25% Reduction for Vertical Mixed-use	Eligible for Waiver for Commercial Uses Less Than 1,000 SF	Eligible for Additional Parking Reduction for Shared Parking
C/MU-1 and C/MU-3	1 space per 500 gross SF of commercial	X	X	X
C/MU-2	1 space per 1,000 gross SF of commercial	X	X	X
Multiple-family Residential	1.5 spaces per dwelling unit	X		X
Hotel without Cooking Facilities	1 space per guest room	X		
Hotel with Cooking Facilities	1.5 spaces per guest room	X		

19.48.040. Required spaces—Other residentially oriented uses.

The number of required off-street parking spaces for other residentially oriented uses shall be as follows:

- A. Boarding houses, retirement homes, and clubs having sleeping rooms: two spaces plus one space for each three beds;
- B. Hostels: one space per five beds, plus two total employee spaces;
- C. Mobile home parks, trailer parks: one and one-half spaces for each trailer space;
- D. Hospitals, sanitariums: one and one-half spaces for each bed. (Ord. 2002-986 §§ 9, 10, 2002; Ord. 94-888, 1994; Ord. 601 § 1 (part), 1983).

19.48.050. Required spaces—Commercial and other uses.

The number of required off-street parking spaces for commercial and other uses shall be as follows:

- A. Automobile service stations: one space for each pump island;
- B. Bowling alleys: two spaces for each lane;
- C. Car washes, self-service or attendant-operated: three spaces for each stall;
- D. Educational institutions: five spaces plus one for each employee;
- E. The following uses require one space for each fifty square feet of net floor area; plus one space per two employees at largest work shift:
 - 1. Drive-in restaurants, drive-through establishments, and food stands.
- F. The following uses require one space for each seventy-five square feet of net floor area, plus one per two employees at largest work shift:
 - 1. Establishments for the sale and consumption on the premises of food and beverages (minimum four spaces).
- G. The following uses require one space for each one hundred square feet of net floor area, plus one space per two employees:
 - 1. Auditoriums;

2. Funeral home;
3. Mortuaries;
4. Sports arenas;
5. Stadiums;
6. Theaters.

H. The following uses require one space per each one hundred square feet of net floor area, plus one space per two employees minimum. When a conditional use permit is required for any of these uses, applicant shall provide a report by a qualified Civil Engineer or other specialist that shows the proposed uses and maximum required parking:

1. Religious assemblies;
2. Fraternal organizations (Masons, Moose, Elks, Eagles, etc.);
3. Service organizations (such as Rotary, Kiwanis, Lions Club, Jaycees, etc.);
4. Veterans organizations (American Legion, VFW, FRA, Disabled American Veterans, etc.).

I. All other commercial uses require one space for each five hundred square feet of net floor area.

J. In the C/MU-1, C/MU-2, and C/MU-3 zones, shared parking or off-site parking within one thousand feet of the project site may be used to satisfy this requirement with the approval of a conditional use permit. Projects in these zones shall be reviewed to determine the suitability and feasibility of implementing one or more transportation demand management strategies that may be approved through a development agreement. (Ord. 2005-1032 § 3; Ord. 2001-960 § 19, 2001; Ord. 94-888 § 3, 1994; Ord. 94-884, 1994; Ord. 640 § 1, 1984; Ord. 635 § 3, 1984; Ord. 601 § 1 (part), 1983)

For mixed-use development of multiple-family residential over commercial use, required parking may be reduced by up to twenty-five percent with approval of a conditional use permit.

19.48.060. Required spaces—Uses not listed.

Where parking requirements for a use are not specifically defined in this chapter, the parking requirements for such use shall be determined by the community development department, subject to approval by the City Council. Such determination shall be based upon the

requirements for the most comparable use specified in this chapter or professionally accepted standards. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.48.070. Required spaces—Fractional requirements.

Where computation of required off-street parking results in a fractional requirement, the requirement shall be calculated as follows:

- A. If the fraction is one-half or more, it shall be calculated as one space;
- B. If the fraction is less than one-half, it shall be disregarded. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.48.090. Size of spaces.

Each parking space shall be not less than eight and one-half feet in width, eighteen feet in length, and seven feet in height, except as follows:

A. Alley Spaces. Off-street parking spaces aligned perpendicular to an alley and accessing directly off an alley such that the alley is used for back-out shall be a minimum of twenty-two feet in length.

B. Parallel Spaces. Parallel spaces are those located parallel to a property line, accessway, building, or structure in such manner that a vehicle occupying the space must maneuver from a parallel position to the parking space. Parallel spaces shall not be less than twenty-two feet in length by eight feet in width.

C. Each parking space adjoining a wall, column, or other obstruction higher than 0.75 feet shall be increased by one foot on each obstructed side.

D. Disabled parking requirements as established under State law and the California Building Code shall be satisfied. (Ord. 94-884, 1994; Ord. 690 § 13 (part), 1986; Ord. 635 § 4, 1984; Ord. 601 § 1 (part), 1983)

19.48.100. Access.

A. No parking area in a C/MU-1, C/MU-2, or C/MU-3 zone shall be located so as to require or encourage the backing of automobiles or other vehicles across any street lot line to effect egress from the place of parking.

B. Parking areas in R zones shall meet the following standard:

1. Where properties abut both an alley and a street designed as a collector, major, or prime arterial, no new street curb cuts or parking layouts requiring backing into the street shall be allowed;

2. Where properties abut both a collector, major, or prime arterial and a local street, access shall be taken only from the local street;

3. Properties abutting both an alley and residential street shall take access from the alley with the exception that one sixteen-foot-wide curb cut allowing no more than two vehicles to back into the street may be allowed.

C. Each parking space shall be provided with adequate ingress and egress to a public street or alley. "Adequate ingress and egress" means a driveway meeting the following conditions:

1. Minimum width of nine feet;

2. Surfaced as required in this chapter;

3. No part included in the area of a required parking space;

4. Minimum width of driveway serving more than two dwelling units or a commercial use shall be twelve feet;

5. Minimum width of driveway providing two-way access shall be eighteen feet;

6. Minimum width of driveway providing two-way access to a parking area serving nine or fewer spaces on a fifty-foot-wide or smaller lot shall be twelve feet, when the parking area is not between a structure and a street subject to site plan approval by the community development department;

7. Any driveway also used for back-out and maneuvering for adjacent parking shall provide a width required under subsection D of this section.

D. The free-and-clear back-out and turning radius from a parking space to a drive aisle shall be no less than twenty-four feet.

E. All accessways shall be kept free and clear of any obstructions for a height of not less than seven feet.

F. Notwithstanding lesser setback requirements or other provisions of this title, the minimum distance from the street lot line to the door of a garage or the entrance of a carport shall be twenty feet where the garage or the entrance of a carport faces the street and the driveway is perpendicular to the street; this setback distance may be reduced to fifteen feet

subject to site plan and design review approval by the community development department. (Ord. 2005-132 § 5; Ord. 94-884, 1994; Ord. 635 § 5, 1984; Ord. 628 § 1, 1984; Ord. 690 § 13 (part), 1983; Ord. 601 § 1 (part), 1983)

19.48.110. Location.

Off-street parking facilities shall be located as follows:

A. Same Building Site. Required off-street parking spaces shall be located on the same lot they are required to serve.

B. Tandem Parking. Every required parking space shall have unrestricted ingress and egress that does not require the moving of another vehicle. This restriction may be modified by the community development department for those projects subject to Section 19.48.020(C).

C. Angle Parking. Where required parking spaces are located at an angle to the required access way of greater or less than ninety degrees, the one-way drive aisle width for a sixty degree angle shall be eighteen feet, for a forty-five degree angle thirteen feet six inches, and for a thirty degree angle twelve feet.

D. The minimum two-way aisle width shall be twenty-four feet in all cases.

E. Commercial Parking. Required off-street parking facilities serving commercial or mixed commercial-residential buildings or uses may be located in any part of a lot except within five feet of any street lot line.

F. Residential Dwellings. Required off-street parking facilities serving dwelling units shall be located as follows:

1. Unenclosed and uncovered parking spaces shall be permitted in any portion of a lot, except the required front yard of any lot (in any case not within fifteen feet of the front property line) and the required street side yard of a corner or reversed corner lot. This restriction may be modified by site plan/design review approval pursuant to Section 19.48.020(C). Any parking enclosure or cover shall respect structural yard requirements as established under this title.

2. No parking area, the location of which is not regulated by the requirements enumerated in this section, shall be located any closer than three feet from any side property line except for parking in a rear yard accessing off an alley. (Ord. 205-1032 § 5; Ord. 94-884, 1994; Ord. 690 §§ 14, 15, 1986; Ord. 635 § 6, 1984; Ord. 601 § 1 (part), 1983)

19.48.120. Surfacing.

All parking spaces, parking areas, and driveways shall be surfaced with Portland cement concrete on a suitable base as determined by the building official or may be surfaced with alternative paving materials approved by the community development department such as, but not limited to, turf pavers, ribbon driveways, and pervious concrete. Urban runoff from imperviously surfaced driveways and parking areas shall be designed to drain toward approved biofiltration areas or media filtration mechanisms. Parking spaces and parking areas shall be part of or adjacent to the paved driveway. Parking off a paved driveway, on lawns or on unpaved areas, shall not be allowed. (Ord. 2005-1032 § 5; Ord. 98-933 § 4, 1998; Ord. 98-931 § 9 1998; Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.48.130. Marking.

A. Each parking space shall be clearly marked and striped with paint or other more durable materials, contrasting in color with the surface to which it is applied, so as to delineate the boundaries of such space. Markings shall not be required where the boundaries are evident because of curbs, termination of paving, or similar reasons.

B. Parking spaces serving multiple family buildings (more than two dwelling units) shall be marked with the apartment number (or other designation) of each dwelling unit, so that each dwelling unit is assigned a parking space. Additional parking spaces, required or optional, need not be marked. (Ord. 2005-1032 § 5; Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.48.140. Bumpers.

All parking spaces abutting buildings or structures, or located so that access and egress are provided from one direction, shall be provided with concrete curb or bumper, or its equivalent, at least six inches in height. Bumpers shall be located not more than three feet from the front edge of the parking space. Bumpers shall be adequately anchored to the ground. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.48.150. Fences.

Where parking areas abut property zones for residential uses they shall be separated from such property by a solid fence, wall, or building six feet in height, provided that in the required front yard the fence or wall shall not exceed four feet in height. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.48.160. Landscaping.

For landscaping provisions applicable to off-street parking, see Chapter 19.50. (Ord. 94-884, 1994; Ord. 635 § 7, 1984; Ord. 601 § 1 (part), 1983)

19.48.170. Lighting.

All outdoor lighting for parking areas shall be so shaded and adjusted that light therefrom is directed to fall only on the same premises where such light source is located. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.48.180. Refuse and recycling container storage prohibited.

No required parking spaces shall be used for storage of refuse and recycling containers. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.48.190. Regulation of other parking areas.

Any area regularly used for the parking of vehicles shall be developed, improved, and maintained in the same manner as required parking areas. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

**City of Imperial Beach Commercial Zoning Review: Zoning Amendments
Draft
Revised July 2012**

ZONING ORDINANCE AMENDMENTS

19.06.010. Zones established.

The several zones established and into which the City is divided are designated as follows:

A. R-1-6000 — Single-family residential zone, one single-family detached dwelling unit per lot with a minimum lot size of six thousand square feet.

B. R-1-3800 — Single-family residential zone, one single-family detached dwelling unit per lot, with a minimum lot size of three thousand eight hundred square feet.

C. R-3000-D — Medium density or two-family detached residential zone, one detached dwelling unit for every three thousand square feet of lot area.

D. R-3000 — Medium density or two-family residential zone, one dwelling unit for every three thousand square feet of lot area.

E. R-2000 — Medium density residential zone, one dwelling unit for every two thousand square feet of lot area.

F. R-1500 — High density residential zone, one dwelling unit for every one thousand five hundred square feet of lot area.

G. PF — Public Facilities zone.

H. C/MU-1 — General Commercial and Mixed-use zone, one dwelling unit for every one thousand gross square feet of lot area.

I. C/MU-2 — Seacoast Commercial and Mixed-use zone, one dwelling unit for every one thousand five hundred gross square feet of lot area.

J. C/MU-3 — Neighborhood Commercial and Mixed-use zone, one dwelling unit for every one thousand five hundred gross square feet of lot area.

K. OS — Open Space zone.

L. UR — Urban Reserve zone.

(Ord. 94-884, 1994)

19.44.020. Access.

A. No parking area in the C/MU-1, C/MU-2, or C/MU-3 zone shall be located so as to require or encourage the backing of automobiles or other vehicles across any street lot line to effect egress from the place of parking.

B. Parking areas in R zones shall meet the following standard:

1. Where properties abut both an alley and a street designed as a collector, major, or prime arterial, no new street curb cuts or parking layouts requiring backing into the street shall be allowed.

2. Where properties abut both a collector, major, or prime arterial and a local street, access shall be taken only from the local street.

3. Properties abutting both an alley and residential street shall take access from the alley with the exception that one sixteen-foot-wide curb cut allowing no more than two vehicles to back into the street may be allowed. (Ord. 94-884, 1994)

19.50.031. Requirements generally—Existing buildings.

The commercial landscaping requirements of this Chapter shall be observed only for proposed commercial uses or developments requiring Site Plan Review by the City Council, as identified in Section 19.26.020, 19.27.020, and 19.28.020, provided that in no case shall the amount of existing landscaping be reduced and that any new and all existing landscaping shall be permanently maintained. (Ord. 94-884, 1994)

19.52.050. Signs Allowed on Private Property.

Signs shall be allowed on private property in the City in accordance with and only in accordance with Table “A”. If a “Yes” appears for a sign type in a column, such a sign is allowed in the zones represented by that column. If a “No” appears for a sign type in a column, such a sign is not allowed in the zones represented by that column under any circumstances.

Although permitted under the previous paragraph, a sign designated by a “Yes” in Table “A” shall be allowed only if:

A. The sum of the area of all building and freestanding signs on the lot conforms with the maximum permitted sign area as determined by the formula for the zone in which the lot is located as specified in Table “A”;

B. The size, location, and number of signs on the lot conform with the requirements of Table “B”, which establishes permitted sign dimensions by sign type, and with any additional limitations listed in Table A; and

C. The characteristics of the sign conform with the limitations of Tables “A” and “B”. (Ord. 94-884, 1994)

Table “A”

Sign Type	R-1-6000 R-1-3800 R-1-3000-D R-1-3000	R-2000, R-1500	C/MU-1	C/MU-2	C/MU-3
Freestanding					
Monument	Yes	Yes	Yes	Yes	Yes
Incidental	No	Yes	Yes	Yes	Yes
Pole	No	No	No	No	No
Building					
Banner	No	No	Yes	Yes	Yes
Canopy	No	Yes	Yes	Yes	Yes
Incidental	No	Yes	Yes	Yes	Yes
Marquee	No	Yes	Yes	Yes	Yes
Projecting	No	Yes	Yes	Yes	Yes
Roof	No	No	No	No	No
Roof Integral	No	No	Yes	yes	Yes
Suspended	No	No	Yes	Yes	Yes
Wall	No	Yes	Yes	Yes	yes
Window	No	No	Yes	Yes	Yes
Miscellaneous*					
Balloons and inflatable signs	No	No	No	No	No
Banner	No	No	Yes	Yes	Yes
Beacons	No	No	No	No	No
Billboards	No	No	No	No	No
Flag	Yes	Yes	Yes	Yes	Yes
Pennants	No	No	No	No	No
Portable	No	No	No	No	No
Other					
Animated	No	No	No	No	No
Changeable copy	No	No	No	No	No
Illumination internal	No	Yes	Yes	Yes	Yes
Illumination external	No	No	Yes	Yes	Yes
Illumination neon	No	No	Yes	Yes	Yes
Time and temperature	No	No	Yes	Yes	Yes

Table “B”

Sign Type	R-1-6000 R-1-3800 R-1-3000-D R-1-3000	R-2000 R-1500	C/MU-1	C/MU-2	C/MU-3
Freestanding					
Area (sq. ft)	N.A.	12	40	40	40
Height (feet)	N.A.	6	8	8	8
Number permitted per lot frontage	N.A.	1	1	1	1
Building signs (except window)					
Area (max sq.ft.)	N.A.	32	1 per lineal ft. of wall face	1 per lineal ft. of wall face	1 per lineal ft. of wall face
Window signs	N.A.	N.A.	35% of total window area	35% of total window area	35% of total window area

Chapter 19.60. ADULT-ORIENTED BUSINESSES

19.60.010. Allowed in C/MU-1 zone only.

A. The following described businesses shall only be permitted within the C/MU-1 zone:

1. Adult bookstores;
2. Adult motion picture theaters;
3. Adult mini-motion picture theaters;
4. Adult motion picture arcades;
5. Adult hotels or motels;
6. Model studios;
7. Sexual encounter studios and rap parlors.

B. The following described businesses shall only be permitted within the C/MU-1 zone, and shall require the approval of a conditional use permit:

1. Dance halls
2. Cabarets

(Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.60.020. Establishment and location.

A. An adult-oriented business shall only be located in a C/MU-1 zone. It is unlawful to establish any such adult-oriented business if the location is:

1. Within five hundred feet of any religious assembly, public school, park, or playground;

2. Within two hundred feet of any area that is denominated as an R-1-6000, R-1-3800, R-3000-D, R-3000, R-2000, or R-1500 zone, or any other area that is primarily residential in character, as evidenced by letter designation in the zoning law of the City.

3. Within five hundred feet of another adult-oriented business.

B. The establishment of any adult-oriented business shall include the opening of such a business as a new business, relocation of such business, or the conversion of an existing business location to any adult-oriented business use. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

Chapter 19.62. BARS AND COCKTAIL LOUNGES

19.62.010. Purpose of provisions.

The purpose of this Chapter is to provide for the location of bars and cocktail lounges in the City and to provide minimum regulations designed to protect the health, safety, and welfare of the general public. The purpose is not to regulate alcoholic beverage sales or in any way to conflict with the State in its control of alcoholic beverages. (Ord. 601 § 1 (part), 1983; Ord. 94-884, 1994)

19.62.020. Conditional Use Permit—Required.

Bars or cocktail lounges shall be permitted in the C/MU-1 and C/MU-2 zones with approval of a conditional use permit. (Ord. 94-884, 1994)

19.62.030. Conditional Use Permit—Issuance criteria.

In considering the granting of a conditional use permit for a bar or cocktail lounge, the City Council shall use the following criteria as guidelines:

A. Establishments should not be less than two hundred feet from a residential zone;

B. Establishments should not be less than two hundred feet from an existing residential building;

C. Establishments should not be less than three hundred feet from a religious assembly or public school, playground, or park;

- D. Amount of existing and proposed off-street parking;
- E. Hours of operation of the proposed establishment;
- F. The type of business proposed;
- G. The number of bars or cocktail lounges in close proximity to the proposed establishment;
- H. The possible effect of the operation of the proposed establishment on health, safety, and welfare of the neighborhood. (Ord. 94-884, 1994; Ord. 601 § 1 (part), 1983)

19.74.070. Motor vehicle sales.

A. Establishment of businesses designed for the sale, lease, or rental of new and/or used motor vehicles shall require approval of a conditional use permit and shall be permitted only in the C/MU-1 zone.

B. Before approval of a conditional use permit, the City Council shall consider the following, to be submitted by the applicant:

1. A site plan showing the parking alignment, the location of all structures, and the proposed on-site traffic flow;
2. A sign program showing all existing and proposed signing;
3. A landscape plan showing at least a ten-foot strip of permanently maintained landscaping abutting each street, except for approved areas of ingress and egress.
4. A lighting plan for display areas. (Ord. 601 § 1 (part), 1983; Ord. 94-884, 1994)

19.83.050. Design guidelines.

The Design Review Board in its project review, and the Community Development Department in its review of projects which do not appear before the Design Review Board, shall both use the “Design Manual and Design Review Guidelines” as adopted by the City Council on June 19, 1984, as a guide in reviewing projects throughout the community, with the exception of those areas for which specific unique design criteria have been established. In these cases the specific criteria will be used by the Design Review Board or the Community Development Department. (Ord. 97-917 § 1 (part), 1997) Specific design criteria for the C/MU-1, C/MU-2, C/MU-3 Commercial/Mixed-Use Zones (Commercial/Mixed-Use Zones Design Guidelines) that are adopted by the City Council are to be used by the Design Review Board and the Community Development Department when reviewing commercial and mixed-use projects.

19.92. Green Building Utilities.

Applicable standards:

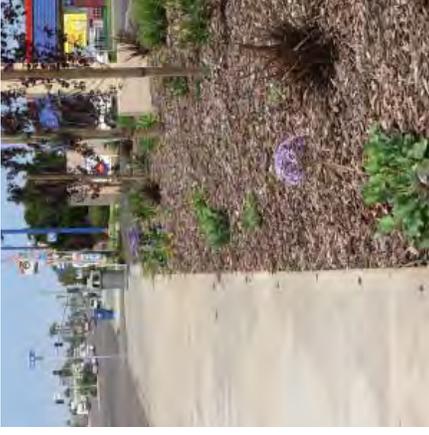
1. Setbacks:
 - a. Green building utilities associated with, or mounted to, a building/structure shall respect the setbacks of the established building/structure of the parcel; where encroachment is necessary for the function or design of the system, no portion of the system shall be closer than two feet to any property line and/or adjacent building/structure.
 - b. Green building utilities shall be set back a minimum of ten feet from any property line abutting a street or public right-of-way. Where devices include moving parts, the measurement shall be taken from the outermost edge of the moving portion of the device.
 - c. Stand-alone, ground-mounted small energy utility units are prohibited.
2. Height: Small wind turbine shall be roof mounted, with a height not to exceed fifteen feet from base/mount of the unit to the top of the unit (including blade length in vertical position where applicable). Small wind turbines shall be permitted to exceed the height limitations of the applicable zones. All other devices shall conform to the height limitations of the applicable zones.
3. Size/Coverage: A green building utility shall not exceed thirty percent area coverage of the surface to which the system is mounted; this standard shall apply to single or multiple system installations.
4. Noise: The green building utility shall be operated in such manner that it does not exceed the City's noise standards in Chapter 9.32 of the Municipal Code.
5. Design of wind system units shall be of a white, grey, or other non-obtrusive color. Design of non-solar/non-wind units shall complement the design of the associated building/structure.
6. Standard drawings and an engineering analysis of the green building utility are required showing compliance with latest version of the California Building Code.
7. Applicant shall submit line drawing of electrical components of the energy system in sufficient detail to demonstrate compliance with the applicable electrical code.
8. Applicant shall submit plan and elevation diagram of the utility and placement showing compliance with the standards identified herein.

9. Any non-operational energy systems shall be removed within twelve months after becoming non-operational.

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Proposed Commercial/ Mixed-Use Zones Design Guidelines



**City of Imperial Beach Commercial Zoning Review
Draft for Public Review
April 2012**

COMMERCIAL/MIXED-USE ZONES DESIGN GUIDELINES

The following design guidelines apply to all commercial/mixed-use zones:

- C/MU-1 Zone: General Commercial and Mixed-Use
- C/MU-2 Zone: Seacoast Commercial and Mixed-Use
- C/MU-3 Zone: Neighborhood Commercial and Mixed-Use

DESIGN GUIDELINES

1.0 Relationship of Buildings to Site and Surrounding Area

- ❑ 1.1 View corridors to the oceanfront should be preserved, or created where possible. This can be accomplished through the use of upper story breezeways or courtyards that provide a view, or at the ground floor with mid-block pedestrian connections, plazas, or paseos that are oriented toward the view.

2.0 Circulation and Parking

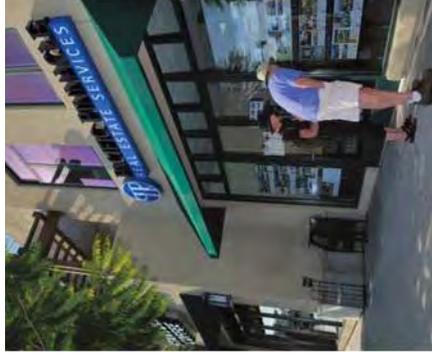
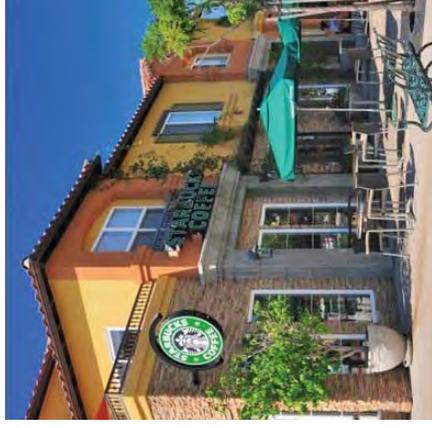
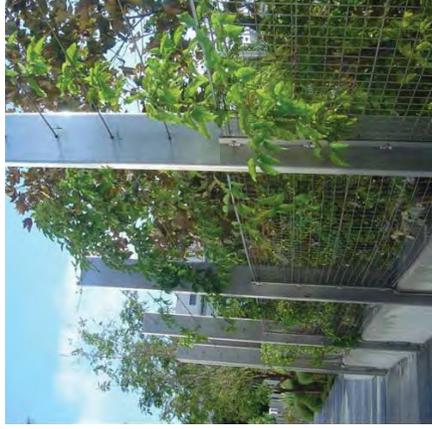
- ❑ 2.1 Curb cuts or access to parking lots should be limited along Seacoast Drive, Old Palm Avenue, Palm Avenue/State Route 75, and 13th Street.
- ❑ 2.2 Parking lots should be placed at the rear of the building where feasible.
- ❑ 2.3 Parking lots should include shade elements such as trees, vine-covered trellises, or overhead solar panels. The design of shade elements should consider safety and visibility.

3.0 Commercial and Mixed-Use Development

- ❑ 3.1 All buildings located along Palm Avenue, Seacoast Drive, or the intersection of 13th Street and Imperial Beach Boulevard should locate their primary entrances facing on or toward the street or another public space that intersects the sidewalk. Primary entrances oriented only to parking lots are discouraged.
- ❑ 3.2 Innovative and imaginative design and architecture is strongly encouraged.

4.0 Building Facades Should Be Well Articulated

- ❑ 4.1 Variation and expression of building details, form, line, colors, and materials should be used to create visual interest.
- ❑ 4.2 Variation in wall plane and roof line is strongly encouraged to reduce the scale and bulk of the buildings, and to add visual interest.
- ❑ 4.3 Individual units should be expressed where possible.
- ❑ 4.4 Street-facing building facades should incorporate pedestrian-scaled elements such as balconies, awnings, and windows, to enliven the street edge.
- ❑ 4.5 Blank walls, or walls without windows, doors, or other articulation, are strongly discouraged. The maximum length of any blank wall should be limited to twenty feet.



DESIGN GUIDELINES

5.0 Ground Floor Uses and Street Level Design

- ❑ 5.1 Ground floors should consist of primarily active uses, such as active commercial, retail, and restaurants, as well as active residential uses such as building amenities, common rooms, and building lobbies.
- ❑ 5.2 A minimum of sixty percent of the street-facing facades of ground floor non-residential uses should be composed of clear non-reflective glass that allows views of the indoor space. Interior blinds, drapes, posters, signage, and/or interior shelving for product displays may potentially obscure a maximum of twenty-five percent of the required transparent area.
- ❑ 5.3 The maximum height of the bottom sill of required display windows should not exceed thirty inches above the adjacent sidewalk. The minimum head height for storefronts and windows at the ground floor should be eighty inches above the adjacent sidewalk.
- ❑ 5.4 Architectural features such as canopies, awnings, lighting, and other design features should be incorporated into the ground floor to add human scale to the streetscape and add to the pedestrian experience.
- ❑ 5.5 Projects should strive to achieve three-sided or four-sided architecture to shield service and delivery areas, utility boxes, and associated infrastructure.



6.0 Landscape Improvements and Open Space

- ❑ 6.1 The public realm should be enhanced by creating an attractive pedestrian atmosphere. This may include the use of landscaping, seat walls, seating, plazas, fountains, public art, and other high-quality design features.
- ❑ 6.2 Common open space should be imaginatively landscaped, well designed, and well maintained.
- ❑ 6.3 Service areas, storage, trash collection areas, and equipment should be located at the rear of buildings if possible, and screened from view by the use of walls, high-quality fencing, planting, or a combination of these solutions.
- ❑ 6.4 Drought-tolerant, native plant materials should be used whenever possible.
- ❑ 6.5 Landscape plans should incorporate provisions for storm water runoff, including bioswales or other comparable methods.



Final Environmental Impact Report

Imperial Beach
General Plan/Local Coastal Plan
and Commercial Zoning Amendments Project

Prepared for:

City of Imperial Beach
Community Development Department
825 Imperial Beach Boulevard
Imperial Beach, California 91932

Prepared by:

AECOM
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San Diego, California 92101

~~DRAFT~~ FINAL ENVIRONMENTAL IMPACT REPORT
SCH No. 2011041048

**IMPERIAL BEACH GENERAL PLAN/LOCAL COASTAL PLAN
AND COMMERCIAL ZONING AMENDMENTS PROJECT
IMPERIAL BEACH, CALIFORNIA**

Prepared for:

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~~April~~ August 2012

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LIST OF ACRONYMS AND ABBREVIATIONS

°F	degrees Fahrenheit
AB	Assembly Bill
ADT	average daily traffic
AMSL	above mean sea level
APS	Alternative Planning Strategy
ARB	Air Resources Board
ATCM	Air Toxic Control Measures
B.P.	before present
BAAQMD	Bay Area Air Quality Management District
BACT	best available control technology
Basin	San Diego Air Basin
BAU	business-as-usual
BMP	best management practice
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CAAQS	California Ambient Air Quality Standards
Cal/EPA	California Environmental Protection Agency
CalEEMod	California Emission Estimator Model
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CBC	California Building Code
CCAA	California Clean Air Act
CCAT	California Climate Action Team
CEC	California Education Code
CEQA	California Environmental Quality Act
CFC	California Fire Code
CH ₄	methane
CNEL	community noise equivalent level
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ e	carbon dioxide equivalent
COPPS	Community Oriented Policing and Problem Solving
CRHR	California Register of Historical Resources
CUP	conditional use permit

CWA	Clean Water Act
cy	cubic yards
dB	decibel
dBA	A-weighted decibel
DD	doubling of the distance
diesel PM	diesel particulate matter
DOT	Department of Transportation
DPLU	County of San Diego Department of Planning and Land Use
DRB	Design Review Board
DUA	dwelling units per acre
DWR	California Department of Water Resources
EIR	Environmental Impact Report
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GHG	greenhouse gas
GWP	global warming potential
HA	hydrologic area
HRA	health risk assessment
HSA	hydrologic subareas
HSC/H&SC	Health and Safety Code
HU	hydrologic unit
HUD	U.S. Department of Housing and Urban Development
HVAC	heating, ventilation, and air conditioning
Hz	hertz
I-5	Interstate 5
IBMC	Imperial Beach Municipal Code
IPCC	Intergovernmental Panel on Climate Change
IS	Initial Study
JURMP	Jurisdictional Urban Runoff Management Plan
LCP	Local Coastal Plan
LEED	Leadership in Energy and Environmental Design
L _{eq}	equivalent noise level
LID	Low Impact Development
LOS	level of service
MACT	maximum available control technology
MEP	maximum extent practicable

MLD	Most Likely Descendent
MMT	millions of metric tons
MPO	Metropolitan Planning Organization
MT	metric ton
N ₂ O	nitrous oxide
NAAQS	national ambient air quality standards
NAHC	Native American Heritage Commission
NB	northbound
NHPA	National Historic Preservation Act
NO ₂	nitrogen dioxide
NOP	Notice of Preparation
NO _x	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NWR	National Wildlife Refuge
O ₃	ozone
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
Pb	lead
PEIR	Programmatic EIR
PM	paleontological monitor
PM	particulate matter
PM ₁₀	respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less
PM _{2.5}	fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less
ppm	parts per million
ppv	peak particle velocity
PRC	Public Resources Code
RAQS	Regional Air Quality Strategy
RBSP	Regional Beach Sand Project
ROG	reactive organic gas
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SANDAG	San Diego Association of Governments
SB	Senate Bill
SB	southbound

SBUSD	South Bay Union School District
SCAQMD	South Coast Air Quality Management District
SCS	Sustainable Communities Strategy
SDAPCD	San Diego Air Pollution Control District
SHRC	State Historical Resources Commission
SIP	State Implementation Plan
SMAQMD	Sacramento Metropolitan Air Quality Management District
SO ₂	sulfur dioxide
SONGS	San Onofre Nuclear Generating Station
SP	service population
SR	State Route
SUHSD	Sweetwater Union High School District
SUSMP	Standard Urban Runoff Mitigation Plan
SWPPP	Storm Water Pollution Prevention Plan
TAC	toxic air contaminant
TIF	traffic impact fee
TMDL	total maximum daily load
UBC	Uniform Building Code
UCD ITS	University of California, Davis Institute of Transportation Studies
UFC	California Uniform Fire Code
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
v/c ratio	volume to capacity ratio
VOC	volatile organic compound

SUMMARY

This Program Environmental Impact Report (PEIR) has been prepared by the City of Imperial Beach (City) to address the environmental effects of proposed amendments to the City's General Plan/LCP and Zoning Ordinance. The proposed amendments are intended to provide more effective direction for development and improvement of properties within the City's commercial corridors of Palm Avenue (State Route 75), Old Palm Avenue, and Seacoast Drive, and for the commercial areas on 13th Street at Imperial Beach Boulevard and at Iris Avenue. The proposed amendments seek to facilitate infill development and revitalization in these commercial areas by allowing a mix of compatible businesses and multiple-family residences. The development standards in the proposed amendments reflect objectives for pedestrian-oriented development and enhancement of local community character.

S.1 PROJECT DESCRIPTION AND LOCATION

The City proposes to amend the Imperial Beach General Plan/LCP and Zoning Ordinance for properties currently designated C-1 (General Commercial) in the Palm Avenue study area, C-2 (Seacoast Commercial) in the Old Palm Avenue and Seacoast Drive study areas, and C-3 (Neighborhood Commercial) in the 13th Street Corridor study area. Also included in the proposed project are areas currently zoned R-1500 (High Density Residential) and subject to the MU-1 (Mixed Use-1) overlay designation in the Palm Avenue study area and the MU-2 (Mixed Use-2) overlay designation in the Seacoast Drive study area. The study areas are delineated on Figure 2-2 in the Chapter 2 of this PEIR.

The General Plan/LCP and commercial zoning amendments would apply a C/MU-1 General Plan/Zone designation to the Palm Avenue study area, a C/MU-2 General Plan/Zone designation to the Seacoast Drive study area, and a C/MU-3 General Plan/Zone designation to the 13th Street Corridor study area. In addition, property at the northeast corner of 9th Street and Imperial Beach Boulevard has been included in the proposed project to change the existing C-3 General Plan/Zone designation to R-3000 (Medium Density or Two-family Residential). See Figure 2-3 in Chapter 2 of this PEIR.

The proposed list of uses in C/MU-1, C/MU-2, and C/MU-3 zones identify all potential uses as permitted by right, by conditional use permit or site plan, as well as uses not permitted in each zone. Attached multiple-family residences would be permitted uses in each of the C/MU zones at densities ranging from 1 dwelling unit per 1,000 square feet to 1 dwelling unit per 2,000 square feet. A proposed Residential Overlay Zone would replace the existing Seacoast Commercial MU-2 Overlay Zone for beachfront residential properties west of Ocean Lane.

The purpose of the Residential Overlay Zone is to preserve opportunities for the continuation of single-family residential uses in the area. Residential units, including detached single-family units, would continue to be permitted by right. Additionally, all uses permitted within the C/MU-2 zone would also be permitted in the Residential Overlay Zone.

Commercial parking requirements would be changed from a standard that varies by type of commercial use to a standard of 1 space per 500 gross square feet of commercial use in the proposed C/MU-1 and C/MU-3 zones, and to 1 space per 1,000 gross square feet of commercial use in the proposed C/MU-2 zone. In addition, a reduction in required parking would be permitted when technical evidence is presented to justify shared use for vertical mixed-use projects of commercial, multiple-family, or hotel uses; parking would be waived for commercial uses of less than 1,000 square feet; and opportunities to satisfy parking requirements by use of shared parking or off-site parking located within 1,000 feet (an increase from 500 feet) would be allowed for multiple-family residential and commercial uses (except hotels).

New or revised definitions would be added to the zoning ordinance for terms used in the proposed C/MU zones, such as active commercial uses, incidental manufacturing, live/work units, mixed-use development, personal convenience services, and urban open space.

S.2 SUMMARY OF SIGNIFICANT EFFECTS AND MITIGATION MEASURES THAT REDUCE OR AVOID THE SIGNIFICANT EFFECTS

Table S.1 provides a brief summary of each potential environmental effect found to be significant with implementation of the proposed project, the mitigation measures that would reduce or avoid that effect, and the conclusion as to whether the effect is reduced to below a level of significance by applying the mitigation measures. [The Mitigation Monitoring and Reporting Plan prepared for this project is included as Appendix G to this PEIR.](#)

S.3 NOTICE OF PREPARATION

The Notice of Preparation for the PEIR was distributed on April 12, 2011, for a 30-day comment period and a public scoping meeting was held at City Hall on April 26, 2011. Comments received during this comment period and the scoping meeting have been considered in the evaluation of environmental impacts in this PEIR. The scoping process identified the following topic areas as issues of concern: Aesthetics, Air Quality, Cultural Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, Population and Housing, Public Services, and Transportation/Traffic.

S.4 ISSUES TO BE RESOLVED BY THE DECISION-MAKING BODY

This PEIR identifies potential significant impacts and mitigation measures for air quality, paleontological resources, greenhouse gas emissions, hydrology and water quality, noise, and transportation/traffic. Impacts to aesthetics, population and housing, and public services were determined to be less than significant. The City Council, as lead agency for the project under the California Environmental Quality Act, will be required to make findings that the project will not have a significant impact on the environment or has eliminated or substantially lessened all significant effects on the environment, or any remaining significant effects on the environment are unavoidable but are acceptable due to overriding considerations that are supported by substantial evidence in the record.

S.5 PROJECT ALTERNATIVES

Alternatives to the proposed project are required to be identified and evaluated to determine if they would lessen or avoid the significant impacts identified in Chapter 3.0 of the PEIR. These alternatives are described and evaluated in Chapter 6.0. The No Project Alternative would not adopt the proposed General Plan/LCP and commercial zoning amendments and would allow continued development in accordance with existing development regulations. The Vehicular Capacity Enhancement Alternative would install improvements on three roadway segments within Imperial Beach to increase their traffic capacity. The segments are Palm Avenue/State Route 75 from 13th Street to the east city limits; Imperial Beach Boulevard from 11th Street to 12th Street; and Imperial Beach Boulevard from 13th Street to the east city limits.

In addition to these alternatives evaluated in detail in Chapter 6.0, the PEIR determined that alternatives that would improve operations on all roadway segments and intersections to level of service (LOS D) or better would be infeasible. The impact of additional traffic from housing and population growth projected by the San Diego Association of Governments would cause 11 roadway segments and five intersections to operate at LOS E or F by year 2030. Only three of the 11 impacted segments and none of the five impacted intersections are located within Imperial Beach. While the population growth within Imperial Beach would contribute to traffic impacts east of the city limits, up to 21,600 future average daily traffic levels would be contributed by land uses within San Diego and would require action by San Diego or the California Department of Transportation (Caltrans) to install the improvements to these roadway segments and intersections. No funding to construct the improvements by San Diego or Caltrans has been identified and, therefore, this PEIR finds that these improvements are “within the responsibility and jurisdiction of another public agency.”

**Table S.1
Summary of Significant Effects and Mitigation Measures**

Description of Impact	Mitigation	Conclusion and Mitigation Effectiveness
Air Quality		
<p>Emissions from construction activities could potentially conflict with an applicable air quality plan and could violate an ambient air quality standard, which would be a significant air quality impact.</p>	<p>AQ-1. The City and project contractors shall implement the following measures during all construction activities involving demolition or exterior construction. Furthermore, a fugitive dust control plan shall be developed and approved by the SDAPCD for all projects prior to issuance of a grading permit and commencement of construction activities. The fugitive dust control plan shall specifically identify measures that would minimize generation of fugitive dust from all construction activities. In addition, the following standard measures shall be implemented:</p> <ul style="list-style-type: none"> • Comply with and implement all applicable SDAPCD rules and regulations that pertain to construction activities (e.g., asphalt paving ROG requirements, administrative requirements, fugitive dust management practices). Implement all construction-related requirements recommended by SDAPCD and the City of Imperial Beach. • Water all exposed surfaces three times a day or sufficiently to prevent visible dust emissions. • Apply water, nontoxic chemical stabilizers, or dust suppressants, or use tarps or other suitable material in all disturbed areas that will not be utilized for 10 days or more. • Prevent carryout and trackout of fugitive dust on construction vehicles. Methods to limit carryout and trackout include, but are not limited to, using wheel washers, sweeping any trackout on adjacent public streets at the end of each workday, and lining access points with gravel, mulch, or wood chips. • Cover or wet the filled cargo compartment of all transport trucks to limit visible dust emissions during transport, and maintain at least 2 feet of freeboard space from the top of the cargo compartment. • Install sandbags or other erosion control measures on sites with a slope greater than 1% to prevent silt runoff to public roadways. <p>AQ-2. In addition to mitigating fugitive PM dust emissions, construction activities would also</p>	<p>Less than significant</p>

Description of Impact	Mitigation	Conclusion and Mitigation Effectiveness
	<p>generate exhaust ozone precursors (among other exhaust pollutants), for which the region is also nonattainment. The City and project contractors shall implement the following mitigation measures:</p> <ul style="list-style-type: none"> • Maintain all construction equipment according to the manufacturers’ specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. • Use diesel-powered construction equipment that meets ARB’s 1996 or newer certification standard for off-road heavy-duty diesel engines. • Minimize idling time either by shutting off equipment when it is not in use or reducing the time of idling to no more than 5 minutes. Provide clear signage regarding idling at site access points. • Use alternative fueled (e.g., compressed natural gas, liquefied natural gas, propane), or electric-powered construction equipment where feasible. • Use equipment with diesel oxidation catalysts, catalyzed diesel PM filters, or other applicable SDAPCD-approved emission reduction retrofit devices where feasible. 	
Paleontological Resources		
<p>Paleontological resources could be encountered if substantial excavation is proposed, such as for underground parking, and results in a significant impact.</p>	<p>PR-1. For future projects with the study areas, a paleontological monitor (PM) determined by the City Community Development Director to be qualified, shall be present during grading/excavation/trenching activities to perform the following activities:</p> <ul style="list-style-type: none"> • The PM shall document field activity and shall maintain a daily site visit until completion of grading/excavation/trenching activities and shall notify the Community Development Director of the start and completion of site grading/excavation/trenching activities and provide documentation of monitoring activities and results. • In the event of a discovery, the PM shall direct the contractor to temporarily divert grading/excavation/trenching activities in the area of discovery and immediately notify the Community Development Director. • The PM shall evaluate the significance of the resource. If the resource is significant, the PM shall submit a Paleontological Recovery Program and obtain written approval from the 	<p>Less than significant</p>

Description of Impact	Mitigation	Conclusion and Mitigation Effectiveness
	<p>Community Development Director. Impacts to significant resources must be mitigated before ground-disturbing activities in the area of discovery would be allowed to resume. Upon completion of grading/excavation/trenching activities, the PM shall submit a letter to the Community Development Director of the results of the monitoring. The letter shall indicate that fossil resources will be collected, curated, and documented.</p> <ul style="list-style-type: none"> If the resource discovered is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PM shall notify the Community Development Director that a nonsignificant discovery has been made and shall continue to monitor the area until completion of grading/excavation/trenching activities. 	
Greenhouse Gas Emissions		
<p>Existing regulatory efforts and new regulations that are expected to be enacted under AB 32 will help reduce GHG emissions generated by construction activity throughout the state. However, given the information available today, GHG emissions associated with construction of the proposed project would contribute to this significant cumulative GHG impact.</p>	<p>GHG-1. Measures for Reducing Construction-Related GHG Emissions. To reduce construction-generated GHG emissions, projects seeking discretionary approval from the City shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by the City and/or SDAPCD at the time individual portions of the site undergo construction.</p> <p>The project applicant(s) for any particular discretionary project may submit to the City a report that substantiates why specific measures are considered infeasible for construction of that particular discretionary project and/or at that point in time. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.</p> <p>The recommended measures for reducing construction-related GHG emissions at the time of writing this PEIR are listed below. The list will be updated as new technologies or methods become available. The project applicant(s) shall, at a minimum, be required to implement the following:</p> <ul style="list-style-type: none"> Improve fuel efficiency of construction equipment: <ul style="list-style-type: none"> reduce unnecessary idling (modify work practices, install auxiliary power for driver 	<p>Significant and unavoidable</p>

Description of Impact	Mitigation	Conclusion and Mitigation Effectiveness
	<p>comfort);</p> <ul style="list-style-type: none"> ○ perform equipment maintenance (inspections, detect failures early, corrections); ○ train equipment operators in proper use of equipment; ○ use the proper size of equipment for the job; and ○ use equipment with new technologies (repowered engines, electric drive-trains). <ul style="list-style-type: none"> ● Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power. ● Use an ARB-approved low-carbon fuel, such as biodiesel or renewable diesel for construction equipment. Emissions of NO_x from the use of low carbon fuel must be reviewed and increases mitigated. Additional information about low-carbon fuels is available from ARB’s Low Carbon Fuel Standard Program (ARB 2009). ● Reduce electricity use in the construction offices by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones. ● Recycle or salvage nonhazardous construction and demolition debris. ● Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials). ● Develop a plan to efficiently use water for adequate dust control. This may consist of the use of nonpotable water from a local source. 	
<p>The proposed project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The proposed project would contribute to this significant cumulative GHG impact.</p>	<p>GHG-2. Implement Measures to Reduce Long-Term Operational GHG Emissions. GHG emission reduction strategies and their respective feasibility are likely to evolve over time. The applicants shall consider and implement, as feasible, the following nonexclusive and nonexhaustive list of measures. These measures are derived from multiple sources, including Appendix B of the CAPCOA white paper, <i>CEQA & Climate Change</i> (CAPCOA 2008); CAPCOA’s <i>Quantifying Greenhouse Gas Mitigation Measures. A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures</i> (CAPCOA 2010); the</p>	<p>Significant and unavoidable</p>

Description of Impact	Mitigation	Conclusion and Mitigation Effectiveness
	<p>California Attorney General’s Office publication entitled <i>The California Environmental Quality Act: Addressing Global Warming Impacts at the Local Agency Level</i> (California Attorney General’s Office 2008); and the BAAQMD’s CEQA Guidelines (BAAQMD 2010).</p> <p><u>Energy Efficiency</u></p> <ul style="list-style-type: none"> • Install clean alternative energy features to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines). • Install solar water heaters. • Buildings shall exceed by 20% the Title 24 Energy Efficiency Standards for Residential and Nonresidential Building of the California Code of Regulations. • Require smart meters and programmable thermostats. • Require heating, ventilation, and air conditioning (HVAC) duct sealing and periodic inspection. • Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use. Plant shade trees within 40 feet of the south sides or within 60 feet of the west sides of properties. • Install efficient lighting in all project buildings. Also install lighting control systems, where practical. Maximize daylight as an integral part of lighting systems in all buildings. • Install cool roof materials (albedo \geq 30). • Install light-colored cool pavements, and strategically locate shade trees along all bicycle and pedestrian routes. <p><u>Water Conservation and Efficiency</u></p> <ul style="list-style-type: none"> • With the exception of ornamental shade trees, use water-efficient landscapes with native, drought-resistant species in all public areas and commercial residential landscaping. Use water-efficient turf in parks and other turf-dependent spaces. • Install the infrastructure and necessary treatment to use reclaimed water for landscape irrigation and/or washing cars, including installation of rainwater collection systems. • Install water-efficient irrigation systems and 	

Description of Impact	Mitigation	Conclusion and Mitigation Effectiveness
	<p>devices, such as soil moisture-based irrigation controls.</p> <ul style="list-style-type: none"> • Design buildings and lots to be water-efficient. Install only water-efficient fixtures and appliances. • Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff. Prohibit businesses from using pressure washers for cleaning driveways, parking lots, sidewalks, and street surfaces. These restrictions should be included in the Covenants, Conditions, and Restrictions of property-owner associations. • Provide education about water conservation and available programs and incentives. • To reduce stormwater runoff into the City’s wastewater treatment system, construct residential driveways and parking lots with pervious surfaces such as porous concrete turf blocks or pervious pavers. <p><u>Solid Waste Measures</u></p> <ul style="list-style-type: none"> • Provide interior and exterior storage areas for recyclables, food waste, and green waste at all buildings; and create food waste and greenwaste curbside pickup. • Provide adequate recycling containers in public areas, including parks, school grounds, and pedestrian zones in areas of commercial and mixed-use development. • Provide education and publicity about reducing waste and available recycling services. 	
Hydrology and Water Quality		
<p>Although existing ordinances and procedures are in place to comply with federal, state, and regional water quality goals and standards, construction and operation of new land uses within the project study areas may result in significant impacts to regional water quality.</p>	<p>HY-1. Prior to City approval of construction permits, final grading and drainage plans shall be reviewed for compliance with the City SUSMP.</p> <p>HY-2. Design BMPs shall be incorporated into project plans for pollutant reduction to the satisfaction of the City Public Works Director. These BMPs may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Wherever possible, runoff from parking areas and impervious surfaces shall be directed through landscaped areas before entering storm drains, so that vegetation would provide bio-filtration to remove pollutants and prevent motor vehicle-related pollutants such as grease and oil 	<p>Less than significant</p>

Description of Impact	Mitigation	Conclusion and Mitigation Effectiveness
	<p>being washed into storm drains.</p> <ul style="list-style-type: none"> • Landscaping shall be installed as may be needed to prevent soil erosion and sediment generation. • Trash storage areas and pick-up bins shall be located or designed to prevent runoff from contacting trash, debris, and other pollutants. • If below-grade parking is proposed, channel drains shall be installed at the parking entrance and be equipped with fossil filters to prevent runoff-borne pollutants from reaching the storm drain system; and an oil and grease separator sump pump shall be installed so that any runoff draining into the garage or being carried by vehicles would be collected and directed to a fossil filter for pollutant removal. • Impervious areas such as driveways, parking surfaces, and other common areas shall be kept free of trash, debris, oil, and other pollutants through regular and pre-storm cleanup programs. • Adjacent drain inlets shall be stenciled with a message such as “I live downstream” in Spanish and English. • An efficient irrigation system with a timer and rain shutoff valves shall be installed. • Pesticides shall be used only when other means of pest control have failed. • Pollutants from rooftop runoff shall be collected by downspouts and private storm drain systems that would allow treatment for pollutants in sediment runoff and for removal of trash and debris by downspout filters (FloGard® or similar) or flow-through planter boxes. • For projects with private storm drain systems that direct runoff to on-site catch basins, the basins shall use inlet inserts, such as ClearWater® inlet filters, prior to being discharged into the public storm drain system. • For projects with lawn areas, signs shall be posted to clean up pet waste; and plastic bag dispensers and waste containers shall be made available in each area. <p>HY-3. Construction BMPs shall be incorporated into project plans for pollutant reduction to the satisfaction of the City Public Works Director. These BMPs may include, but are not limited to, the following:</p>	

Description of Impact	Mitigation	Conclusion and Mitigation Effectiveness
	<ul style="list-style-type: none"> • Placement of gravel bags as needed to prevent pollutant-laden runoff from the project site to reach adjacent streets and downstream storm drain systems. • Grate inlet protection with fiber rolls or other suitable runoff containment devices are to be installed at storm drain inlets adjacent to project sites. • During demolition, grading, and construction, a stabilized construction entrance to reduce sedimentation caused by vehicle tracking is to be installed. All vehicles stored on-site are to use drip pans to minimize oil and grease pollution. • Material storage, solid waste management, hazardous material management, concrete waste management, and sanitary waste are to be placed at the easterly side of the construction sites located west of Seacoast Drive. <p>HY-4. Nonstructural post-construction operational BMPs shall be implemented for pollutant reduction and may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • A public/employee education program to raise the level of awareness of shoreline/ocean water quality issues, including elements such as new employee indoctrination and annual employee formal training consistent with the City's JURMP commercial training plan, inlet and catch basin stenciling, and public awareness signs placed in or adjacent to grass-lined runoff infiltration swales as directed by the City. • A material use control program for materials with a potential to contaminate stormwater including guidelines for proper storage and disposal practices for potential pollutants (e.g., motor oils, paints, pool chemicals, cleaning supplies), prohibiting the storage of uncovered hazardous substances in outdoor areas, prohibiting the use of pesticides and herbicides listed by the USEPA, and spill prevention/response procedures and shipping/receiving practices; • A hardscape sweeping and cleaning program for all pedestrian and vehicle use areas. • A landscape management plan designed by a horticulturalist that includes herbicide/pesticide management. 	

Description of Impact	Mitigation	Conclusion and Mitigation Effectiveness
<p>Development of beachfront properties that would be subject to coastal flooding, including all properties west of Ocean Lane and all properties designated as within an area of special flood hazard per IBMC Section 15.50.040, would be subject to a significant coastal flooding impact.</p>	<p>No mitigation is available to be implemented by the proposed project.</p>	<p>Significant and unavoidable</p>
Noise		
<p><u>Construction Noise.</u> Due to the potential for high short-term and instantaneous noise levels during peak construction activity near noise-sensitive receptors, businesses and residences near construction sites within the project study areas could be intermittently exposed to temporarily elevated levels of noise, which would be a significant impact.</p>	<p>NOI-1. The City shall require the following measures to be incorporated into contract specifications for all construction projects implemented under the proposed General Plan/LCP and commercial zoning amendments:</p> <ul style="list-style-type: none"> • All internal combustion-engine-driven equipment shall be equipped with mufflers that are in good operating condition and appropriate for the equipment. • “Quiet” models of air compressors and other stationary construction equipment shall be employed where such technology exists. • Stationary noise-generating equipment shall be located as far as reasonable from sensitive receptors when sensitive receptors adjoin or are within 150 feet of a construction site. • Unnecessary idling of internal combustion engines (i.e., in excess of 5 minutes) shall be prohibited. • Foundation pile holes shall be predrilled, as feasible based on geologic conditions, to minimize the number of impacts required to seat the pile. • Construction-related traffic shall be routed along major roadways and away from noise-sensitive receptors. • Construction activities, including truck movements and the loading and unloading of materials, shall be limited to the hours specified in the City Noise Ordinance (Section 9.32.020). • Residences and other noise-sensitive land uses within 150 feet of construction sites shall be notified of the construction in writing. The notification shall describe the activities anticipated, provide dates and hours, and provide contact information with a description of the complaint and response procedure. <p>NOI-2. Based on a project-specific noise study, the</p>	<p>Less than significant</p>

Description of Impact	Mitigation	Conclusion and Mitigation Effectiveness
	<p>City shall determine the need to require the following measures to be incorporated into contract specifications for all construction projects within 150 feet of existing residential uses implemented under the proposed project:</p> <ul style="list-style-type: none"> • Temporary noise barriers to be constructed around construction sites adjacent to, or within 150 feet of, residences or other noise-sensitive land uses. Temporary noise barriers shall be constructed of material with a minimum weight of 4 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. • Erect a temporary sound control blanket barrier, if necessary, along building façades facing construction sites. This mitigation would only be necessary if conflicts occurred that were irresolvable by proper scheduling and other means of noise control were unavailable. The sound blankets are required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70. The sound blankets shall be of sufficient length to extend from the top of the building and drape on the ground or be sealed at the ground. The sound blankets shall have a minimum overlap of 2 inches. 	
<p><u>Operation Noise.</u> An increase in commercial and residential development from revitalization of underutilized properties would be expected to generate additional traffic that would result in increased noise levels, most noticeably to properties near Palm Avenue/SR-75 and Seacoast Drive. Elevated traffic noise would be a permanent increase in the ambient noise levels in the project study areas. Noise levels within 100 feet of roadways within the project study areas exceed the City’s compatibility standards as defined in the Imperial Beach General Plan/LCP Noise Element. Thus, residential or mixed-used development could be proposed in areas that may be subject to existing or future traffic noise levels in excess of 60 dB</p>	<p>NOI-3. In areas where new residential development would be exposed to CNEL of greater than 60 dBA, the City shall require site-specific noise studies prior to issuance of building permits to determine the area of impact and to present appropriate mitigation measures, which may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Utilize site planning to minimize noise in shared residential outdoor activity areas by locating the areas behind the buildings or in courtyards, or orienting the terraces to alleyways rather than streets, whenever possible. • Provide mechanical ventilation in all residential units proposed along roadways or in areas where noise levels could exceed 60 dBA CNEL so that windows can remain closed at the choice of the occupants to maintain interior noise levels below 45 dBA CNEL. 	<p>Less than significant</p>

Description of Impact	Mitigation	Conclusion and Mitigation Effectiveness
<p>CNEL, which would be a significant operation noise impact.</p>	<ul style="list-style-type: none"> Install sound-rated windows and construction methods to provide the requisite noise control for residential units proposed along roadways or in areas where noise levels could exceed 60 dBA CNEL. 	
Transportation and Traffic		
<p>Significant impacts to roadway segments and intersections would occur as a result of an increase of 22,856 ADT by year 2030.</p>	<p>TR-1. The City shall require all future development projects proposed under the General Plan/LCP and commercial zoning amendments to consider and implement to the City’s satisfaction, Transportation Demand Management (TDM) measures. This shall include TDM measures to be implemented during both construction activities and project operation. TDM measures shall be based on strategies recommended by SANDAG or other applicable documents and studies.</p> <p>TDM measures shall also be included as part of any project development agreements negotiated during the City’s project permitting process.</p>	<p>Significant and unavoidable</p>
<p>Significant impacts to roadway segments and intersections would occur as a result of an increase of 22,856 ADT by year 2030. Of the roadway segments that would be significantly impacted by local and regional growth, only the segment of SR-75 between 13th Street and the Imperial Beach city limits and two segments of Imperial Beach Boulevard are within Imperial Beach.</p>	<p>No <u>additional</u> feasible mitigation measures are currently available to enable the City to avoid the impacts to roadway segments and intersections identified in Tables 3.9-4 and 3.9-5 for year 2030 with the proposed project. While the capacity enhancements identified in Table 3.9-6 would improve traffic operations for impacted segments and intersections within Imperial Beach and San Diego, the capacity enhancements listed in Table 3.9-6 would require removal of on-street parking and/or increasing the number of through travel lanes along Imperial Beach Boulevard, Coronado Avenue, and SR-75.</p> <p>Table 3.9-7 identifies a lesser level of road widening and intersection improvements that would improve operations to LOS D or better at four of the eleven significantly impacted segments and at one of the three impacted intersections. However, only one of these improvements would be within Imperial Beach and improvement of the other facilities would require that San Diego construct the improvements or establish a TIF program for their impacted facilities. Similarly, Caltrans would need to participate in the improvement program within the I-5 right-of-way.</p>	<p>Significant and unavoidable</p>

CHAPTER 1.0 INTRODUCTION

This Program Environmental Impact Report (PEIR) is a first-tier evaluation of the environmental effects associated with the adoption and implementation of the proposed Imperial Beach General Plan/Local Coastal Plan (General Plan/LCP) and Commercial Zoning Amendments Project (project) by the City of Imperial Beach (City). The proposed amendment of the City's General Plan/LCP and Zoning Ordinance (City Municipal Code Title 19) constitutes a project for the purposes of the California Environmental Quality Act (CEQA) of 1970 and the Guidelines for Implementation of CEQA.

This PEIR has been prepared in accordance with CEQA (Public Resources Code [PRC] Section 21000 et seq.) and the CEQA Guidelines (California Administrative Code Section 15000 et seq.) published by the Resources Agency of the State of California. It is intended to provide information to public agencies, the general public, and decision makers regarding potential environmental impacts related to adoption and implementation of the project.

The purpose of an environmental impact report (EIR) under the provisions of CEQA is “to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided” (PRC Section 21002.1[a]). This PEIR provides a first-tier analysis of the environmental effects of the proposed project. Section 15152 of the CEQA Guidelines indicates that tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy, or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration.

Subsequent activities that rely on the actions of this project must be examined in light of this PEIR to determine whether additional environmental analysis is needed. If a subsequent project or later activity would have effects that were not examined in this PEIR or were not examined at an appropriate level of detail to be used for the later activity, an initial study would need to be prepared, leading to a negative declaration, addendum, or EIR. If the City finds that, pursuant to Section 15152 of the CEQA Guidelines, no new effects could occur or new mitigation measures would be required on a subsequent project, the City can approve the activity as being within the scope of the project covered by this PEIR and no new environmental documentation would be required.

1.1 PROJECT BACKGROUND

The City is undertaking this General Plan/LCP and zoning amendment process to provide more effective direction for development and improvement of properties within the City's commercial corridors of Palm Avenue (State Route [SR]-75), Old Palm Avenue, and Seacoast Drive, and for the commercial areas on 13th Street at Imperial Beach Boulevard and at Iris Avenue. The proposed project seeks to facilitate infill development and revitalization that would encourage long-term sustainable commercial, retail, and mixed-use activity in these commercial areas. In time, this would create a mix of compatible businesses and multiple-family residences. The development standards in the proposed amendments reflect objectives for pedestrian-oriented development and enhancement of local community character.

1.2 EIR PREPARATION AND REVIEW PROCESS

Preparation and processing of this PEIR was conducted in accordance with Article 7, EIR Process, of the CEQA Guidelines (Sections 15080–15097). This portion of the CEQA Guidelines specifies the following procedures:

Preparation of Draft EIR

- Issuance of a Notice of Preparation (NOP)
- Public consultation during EIR preparation
- Filing a Notice of Completion with the California Office of Planning and Research
- Consultation with affected local, state, and federal agencies
- Providing notice of a public review period for the draft EIR

Preparation of Final EIR

- Evaluation of and response to public comments on the draft EIR
- Preparation of a final EIR
- Certification of the final EIR
- Adoption of Findings and MMRP in accordance with Section 15091 of the CEQA Guidelines

The public review draft PEIR ~~was~~ ~~is~~ ~~be~~ available at the City Hall for a 45-day public review period from April 19, 2012 through June 4, 2012. City Hall is located at 825 Imperial Beach Boulevard, Imperial Beach, California 91932. The documents ~~are~~ ~~were~~ also available for public review at the Imperial Beach Public Library, located at 810 Imperial Beach Boulevard, Imperial

Beach, California 91932. Documents ~~may~~ were available to be reviewed during regular business hours. The PEIR ~~will~~ was also ~~be~~ available on the City's website at www.cityofib.com. Following the public review period, public notice ~~will~~ was ~~again~~ be provided of a public hearing by the City Council.

Comments regarding the environmental analysis presented in the PEIR ~~should~~ were to be postmarked by June 4, 2012 and submitted in writing to:

Jim Nakagawa
City of Imperial Beach, Community Development Department
825 Imperial Beach Boulevard
Imperial Beach, CA 91032
jnakagawa@cityofib.org

[A total of ten comment letters were received during the public comment period. The public comment period was extended two days per the request of the California Department of Transportation in order to allow for receipt of their comment letter. A list of persons, public agencies, and organizations that provided comment on the draft PEIR is provided in Appendix F. Appendix F also contains all of the comments letters received and the response to each comment.](#)

1.3 SCOPE OF THIS PEIR

The initial identification of general areas of environmental impacts to be addressed in this PEIR is contained in the NOP and Initial Study issued by the City. The comments received in response to the NOP were used to determine the scope of the PEIR. The NOP, Initial Study, and comments received are attached as Appendix A, and identified the following issues to be evaluated for potential significant effects:

- Aesthetics
- Air Quality
- Cultural Resources
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Noise
- Population and Housing
- Public Services
- Transportation/Traffic

1.4 ORGANIZATION OF THIS REPORT

This PEIR is organized to provide a comprehensive and programmatic analysis of the significant environmental impacts, mitigation measures, and alternatives for the proposed project. To describe the impacts (direct, indirect, and cumulative), mitigation measures, and alternatives, this PEIR is organized in the following manner:

- Chapter 2.0 Project Description – Describes the proposed General Plan/LCP and zoning ordinance amendments, study area and environmental setting, objectives, project construction activities, and beach replenishment.
- Chapter 3.0 Environmental Analysis – Provides an analysis of the significant environmental impacts and mitigation measures.
- Chapter 4.0 Analysis of Cumulative Impacts – Includes a comprehensive discussion of potential and planned cumulative projects and an analysis of their potential cumulative effects on the environment, combined with the project’s effects.
- Chapter 5.0 Other Considerations Required by CEQA – Provides a discussion of growth-inducing impacts, significant irreversible environmental changes, significant unavoidable environmental impacts, and effects found not to be significant.
- Chapter 6.0 Project Alternatives – Discusses the following project alternatives: the No Project alternative and the Vehicular Capacity Enhancement alternative. It also provides a discussion of the alternatives rejected as infeasible.
- Chapter 7.0 References and Contributors – Provides a list of sources cited in the PEIR and persons responsible for preparation of the PEIR.

CHAPTER 2.0

PROJECT DESCRIPTION

The City proposes to amend the Imperial Beach General Plan/LCP (updated October 2010) and Zoning Ordinance to revise existing land use designations and zoning regulations for properties designated C-1 (General Commercial) in the Palm Avenue study area, C-2 (Seacoast Commercial) in the Old Palm Avenue and Seacoast Drive study areas, and C-3 (Neighborhood Commercial) in the 13th Street Corridor study area. Also included in the proposed project are areas zoned R-1500 (High Density Residential) and subject to the MU-1 (Mixed Use-1) overlay designation in the Palm Avenue study area and the MU-2 (Mixed Use-2) overlay designation in the Seacoast Drive study area. The General Plan/LCP and commercial zoning revisions are based on the City's Commercial Zoning Review document, together with the proposed Zoning Ordinance amendments. All associated zoning review and amendment documents are available at the City's Community Development Department office as well as on the City website, as described in Section 1.2. A regional location map is shown in Figure 2-1 and a map of the project study areas showing existing General Plan/LCP and zoning designations is provided as Figure 2-2. The General Plan/LCP and zoning designations in Imperial Beach have coincident boundaries.

The proposed General Plan/LCP and zoning designations are shown in Figure 2-3 and would apply the proposed C/MU-1 General Plan/Zone designation to the Palm Avenue study area, the proposed C/MU-2 General Plan/Zone designation to the Seacoast Drive study area, and the proposed C/MU-3 General Plan/Zone designation to the 13th Street Corridor study area. In addition, property at the northeast corner of 9th Street and Imperial Beach Boulevard has been included in the proposed project to change the existing C-3 General Plan/Zone designation to R-3000 (Medium Density or Two-family Residential) This property has been fully developed with residential use and the proposed R-3000 zone reflects the existing development on the site and on the adjacent properties to the north and east.

2.1 PROJECT OBJECTIVES

The City has established the following objectives for the project:

- Establish zoning regulations that will help achieve the City's economic and community development goals.

- Promote more commercial and mixed-use development and ensure that commercial and mixed-use development projects are appropriately designed.
- Facilitate active, pedestrian-oriented commercial uses as development projects are proposed.
- Maintain the health and safety of adjacent residential neighborhoods.
- Establish development incentives to improve the quality of projects and allow developers to reach maximum permissible development size.
- Reduce required parking for vertical mixed-use projects and small commercial businesses through increased reliance on shared parking.
- Improve the City's existing Design Guidelines to require more emphasis on ground floor retail, pedestrian orientation, and the public realm in commercial and mixed-use districts.

2.2 ZONING AMENDMENTS AND PERMITTED USES

The proposed project would amend the City Zoning Ordinance in Chapters 19.26 (C-1 General Commercial zone), 19.27 (C-2 Seacoast Commercial zone), and 19.28 (C-3 Neighborhood Commercial zone). Other chapters of the City Zoning Ordinance would also be amended to be consistent with the above-listed chapters of the Zoning Ordinance or with amendments to the General Plan/LCP. The proposed Zoning Map amendment is shown in Figure 2-3 and the complete proposed Zoning Ordinance Amendment is available at the City's Community Development Department office as well as on the City website, as described in Section 1.2. The effect of the zoning ordinance amendments would be to rezone the properties within the study areas. Following are summaries of the proposed amendments to the City Zoning Ordinance and Zoning Map.

C-1 Zone and R-1500/MU-1 Zone to C/MU-1 Zone: General Commercial and Mixed-Use

The City Zoning Ordinance would be amended in Chapter 19.26 to consolidate both the R-1500/MU-1 and C-1 designations into the new C/MU-1 zone. This would concurrently amend the City General Plan/LCP and Zoning Map to designate properties within the Palm Avenue study area to C/MU-1.

C-2 Zone and R-1500/MU-2 Zone to C/MU-2 Zone: Seacoast Commercial and Mixed-Use

The City Zoning Ordinance would be amended in Chapter 19.27 to consolidate both the R-1500/MU-2 and C-2 designations into the new C/MU-2 zone. This would concurrently amend the City General Plan/LCP and Zoning Map to designate properties within the Old Palm Avenue and Seacoast Drive study areas to C/MU-2.

C-3 Zone to C/MU-3 Zone: Neighborhood Commercial and Mixed-Use

The City Zoning Ordinance would be amended in Chapter 19.28 to create the new C/MU-3 zone. This would concurrently amend the City General Plan/LCP and Zoning Map to designate properties within the 13th Street Corridor study area to C/MU-3.

Residential Overlay Zone

The Residential Overlay Zone would replace the existing Seacoast Commercial MU-2 Overlay Zone for beachfront residential properties west of Ocean Lane. The purpose of the Residential Overlay Zone is to preserve opportunities for the continuation of single-family residential uses in the area. Residential units, including detached single-family units, would continue to be permitted by right. Additionally, all uses permitted within the C/MU-2 zone would also be permitted in the Residential Overlay Zone.

Permitted and Conditional Uses

Zoning Ordinance regulations for land uses permitted by right, by conditional use permit (CUP), or by site plan would be revised for the proposed zones described above. The list of uses in C/MU-1, C/MU-2, and C/MU-3 zones would be modified to be inclusive of all potential land uses by replacing the lists of uses in each chapter of the Zoning Ordinance with the tables of land uses found in the complete proposed Zoning Ordinance Amendment. Following is a partial list of the proposed changes in land use requirements:

- Attached multiple-family residences, including live-work units, would be permitted uses in the C/MU-2 zone. The C/MU-1 and C/MU-3 zones would also permit multiple-family residences. Permitted density would be 1 dwelling unit per 1,000 square feet in the C/MU-1 zone, 1 dwelling unit per 1,500 square feet in the C/MU-2 zone, and 1 dwelling unit per 2,000 square feet in the C/MU-3 zone. In the C/MU-2 and C/MU-3 zones,

density may be increased to 1 dwelling unit per 1,210 square feet (36 dwelling units per acre [DUA]) by compliance with specified development incentives.

- The Residential Overlay Zone would replace the existing Seacoast Commercial MU-2 Overlay Zone for beachfront residential properties west of Ocean Lane. The purpose of the Residential Overlay Zone is to preserve opportunities for the continuation of single-family residential uses in the area. Residential units, including detached single-family units, would continue to be permitted by right. Additionally, all uses permitted within the C/MU-2 zone would also be permitted in the Residential Overlay Zone. Live/work units would be allowed in the C/MU-1, C/MU-2, and C/MU-3 zones.
- Specialty shops (including antique stores, boutiques, art studios, galleries, and museums) would be added as permitted uses in the C/MU-1, C/MU-2, and C/MU-3 zones.
- Athletic and health clubs would be changed to permitted uses in the C/MU-1, C/MU-2 (except within the Seacoast residential overlay zone), and C/MU-3 zones.
- Senior housing, nursing homes, and retirement homes would be added as requiring a CUP in the C/MU-1, C/MU-2, and C/MU-3 zones.
- Prohibited uses in all commercial/mixed-use zones would include automobile dismantling and wrecking yards, and campsites.
- Live entertainment in bars, cocktail lounges, restaurants, and clubs and fraternal/veterans/service organizations would be added as requiring a CUP in the C/MU-1 and C/MU-2 zones, and in restaurants with a CUP in the C/MU-3 zone.

In addition, bars, cocktail lounges, and pool/billiard halls would continue to require a CUP in the C/MU-1 and C/MU-2 zones, and be prohibited in the C/MU-3 zone and within the Seacoast residential overlay zone.

2.3 DEVELOPMENT STANDARDS

The proposed Zoning Ordinance amendments would also add requirements for active commercial uses on the ground floor in certain zoning districts, and add development standards for density, building height, first-floor height, building setbacks, and stepbacks for upper floors. Following is a partial list of the proposed revisions to development standards:

- First-floor height is required to be 15 feet for all ground-floor commercial spaces; single-story buildings are required to have a minimum height of 20 feet in the C/MU-1, C/MU-2, and C/MU-3 zones.
- Yard requirements in the C/MU-1 zone would be 0 feet front and side street setbacks, except a 15-foot front yard/landscaped setback is required for properties facing Donax or Calla avenues, and side street setbacks other than on Palm Avenue would be 5 feet. Side yard setbacks would be 5 feet. Rear yard setbacks would be 5 feet for commercial uses; for multiple-family uses rear yard setbacks would be 5 feet if on an alley and 10 feet if no alley. The open space and landscaping requirements in Chapter 19.50 are to be met.
- Yard requirements in the C/MU-2 zone would continue to be 0 feet on all sides except those adjacent to specified residential zones. A 10-foot side and/or rear yard setback will be required abutting property zoned R-1-6000 and a 5-foot side and/or rear yard setback will be required abutting property zoned R-2000. All lots not fronting on Seacoast Drive are to comply with the open space and landscaping requirements in Chapter 19.50.
- Yard requirements in the Residential Overlay Zone will continue to observe the existing yard requirements of the MU-2 Overlay Zone. Variations from specified development standards will continue to be allowed subject to approval of a CUP.
- Yard requirements in the C/MU-3 zones would be 0 feet front yard and street side yard; except front yards on Florence Street, Ebony Avenue, or Fern Avenue would be a minimum of 15 feet and side street setbacks other than on Imperial Beach Boulevard and 13th Street would be a minimum of 5 feet. Rear yard setbacks would be 5 feet for commercial uses; for multiple-family rear it would be 5 feet if on an alley and 10 feet if no alley. The open space and landscaping requirements in Chapter 19.50 are to be met.

These amendments are intended to enable development of more active mixed-use districts of commercial and residential uses that would have pedestrian-friendly streets, inviting commercial storefronts, streetscape design amenities, and outdoor dining and market spaces. More detail on some of the development standards is provided in the following sections.

Maximum Density and Building Height

The proposed General Plan/LCP and Zoning Ordinance amendments would also revise the maximum density regulations in the proposed C/MU-2 and C/MU-3 zones and would allow residential uses as a permitted (by right) use rather than requiring a CUP in all newly designated zones. As shown in the table below, the C/MU-3 zone permitted density would be increased

from 1 dwelling unit per 2,000 square feet of lot area (22 DUA) to 1 dwelling unit per 1,500 square feet of lot area (29 DUA). Maximum building height in the C/MU-3 zone would also be changed from two stories/28 feet to three stories/30 feet.

Zone	Current Standard		Proposed Maximum by Right		Proposed Maximum with Incentives	
	Stories/Height	Density*	Stories/Height	Density	Stories/Height	Density
C/MU-1 Palm Avenue/SR-75	Four/40 feet	43 DUA	Four/40 feet	43 DUA	No change	No change
C/MU-2 West Side of Seacoast	Three/30 feet	29 DUA	Three/30 feet	29 DUA	No change	No change
C/MU-2 Old Palm Avenue & East Side of Seacoast	Three/30 feet	29 DUA	Three/30 feet	29 DUA	Three/35 feet	36 DUA
C/MU-3 13th Street Corridor	Two/28 feet	22 DUA	Three/30 feet	29 DUA	Three/35 feet	36 DUA

*Conditional use permit required for multiple-family residential in the existing C-1, C-2, and C-3 zones.
DUA = dwelling units per acre

Additional height and density could also be achieved in the C/MU-2 zone within the Old Palm Avenue study area and on the east side of Seacoast Drive through compliance with specified development incentives. Development in the C/MU-3 zone would also be eligible for an increase in height and density through compliance with the development incentives, which are described below.

Development Incentives

The development incentives proposed to be added to the C/MU-2 zone on Old Palm Avenue and the east side of Seacoast Drive, and in the C/MU-3 zone, are intended to increase development capability by allowing for density and height bonuses with approval of a conditional use permit by City Council that demonstrates compliance with two or more of the following development incentives:

- a. Project sites that are consolidated to a final size greater than 20,000 square feet.
- b. Entire project achieves Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or can demonstrate the ability to achieve certification.
- c. Entire project provides a minimum of 75% “active commercial uses” on the ground floor.
- d. At least 25% of proposed residential units must be three-bedroom units.

- e. Provide an additional 100 square feet of public open space or plaza space with minimum dimensions of 6 feet by 10 feet.
- f. Dedicate a minimum of 1 foot of private property frontage to public use (creates a 1-foot setback dedicated to public use).
- g. Floors above the first floor provide additional setback 5 feet beyond the required setback.

Parking Standards

Chapter 19.48 of the City Zoning Ordinance would be amended to change the parking requirements in the commercial zones from a standard that varies by use to a standard of 1 space per 500 gross square feet of commercial use in the proposed C/MU-1 (Palm Avenue) and C/MU-3 (13th Street Corridor) zones, and to 1 space per 1,000 gross square feet of commercial use in the proposed C/MU-2 (Old Palm Avenue and Seacoast Drive) zone. The multiple-family residential parking standard of 1.5 spaces per unit would remain, as would the parking standard for hotels without cooking facilities (1 space per unit) and hotels with cooking facilities (1.5 spaces per unit).

In addition, the project would permit a reduction in required parking to be achieved for the following uses and zones when technical evidence is presented to justify the shared use: a 25% reduction for vertical mixed-use projects of commercial, multiple-family, or hotel uses; a waiver of parking for commercial uses of less than 1,000 square feet; and increased eligibility for multiple-family residential and commercial uses (except hotels) to satisfy parking requirements by use of shared parking or off-site parking located within 1,000 feet (an increase from 500 feet) by amending Section 19.48.050K of the City Zoning Ordinance. [The consideration and use of Transportation Demand Management \(TDM\) strategies has been incorporated where appropriate.](#)

Definitions

Chapter 19.04 of the City Zoning Code would be amended to revise the definition of “Height, Measurement of” and “Massage therapy establishment” (which would replace “massage parlor”); and to add definitions for the following terms used in the amended zoning ordinance:

- Active commercial uses
- Active use area
- Antique store
- Mixed-use development
- Open space, private
- Open space, public

- Courtyard
- Dwelling, multiple-family
- Garage
- Ground floor retail
- Habitable floors
- Height, first floor
- Hostel
- Incidental manufacturing
- Live/work units
- Live entertainment
- Loading area
- Main streets
- Massage therapy establishment
- Paseo
- Parapet
- Pawnshop
- Pedestrian entrance
- Personal convenience services
- Plaza
- Public parking lot
- Second-family unit
- Second-hand store or thrift shop
- Senior housing
- Stepback
- Street wall
- Urban open space

2.4 GENERAL PLAN/LOCAL COASTAL PLAN AMENDMENTS

The proposed project would amend the Land Use Element of the City General Plan, which would include revisions to the land use map, land use categories, and land use policies. Table L-2, Land Use Designations and Specifications, would be amended for the following designations: C-1 General Commercial, C-2 Seacoast Commercial, and C-3 Neighborhood Commercial, which would be changed to C/MU-1, C/MU-2, and C/MU-3. The proposed General Plan/LCP and zoning designations are shown in Figure 2-3.

2.5 PROJECT STUDY AREAS AND ENVIRONMENTAL SETTING

The project site consists of existing developed properties in four study areas containing primarily commercial and residential land uses. Some vacant properties exist where previous improvements have been removed; however, no natural areas of native vegetation exist within the project study areas. More detailed descriptions of each of the project study areas are provided below.

2.5.1 Palm Avenue/SR-75 Study Area

This study area (also referred to as Palm Avenue) extends east-west along approximately 1 mile of Palm Avenue from the eastern City boundary to approximately 350 feet northwest of Rainbow Drive. The south study area boundary is Donax Avenue between 9th Street and 13th Street.

Existing commercial properties along the south side of Palm Avenue west of 9th Street and east of 13th Street are also included. The west study area boundary is Carolina Street on the south side of Palm Avenue and Rainbow Drive north of Palm Avenue. The north study area boundary is Calla Avenue and continues west to include Bernardo Shores RV Park.

This study area contains mostly community commercial services along both sides of Palm Avenue, such as automotive services, retail stores, personal convenience services, restaurants, and fast food outlets. Included in this study area are two commercial centers: Imperial Beach Promenade, which contains Wally's Marketplace, a CVS store, and several other shops and food outlets; and Silver Strand Plaza, which contains stores, restaurants, and offices. North and south of Palm Avenue along Calla and Donax avenues are mostly multiple-family residences, with some single-family residences interspersed within the study area. Existing zoning is C-1 along Palm Avenue. Many of the properties located along Calla and Donax avenues and along the connecting streets north and south of Palm Avenue are zoned R-1500 with an MU-1 overlay designation. Bernardo Shores RV Park is in the C-1 zone and contains 124 spaces for daily, weekly, or monthly visitors. All of the Palm Avenue study area is within the Coastal Zone, except at the south side of Palm Avenue east of 13th Street.

2.5.2 Old Palm Avenue Study Area

This east/west study area extends along approximately 0.25 mile of Palm Avenue from Third Street to east of Seacoast Drive and mainly consists of small independent neighborhood businesses, boutiques, cafes, restaurants, taverns, and the Imperial Beach Adult Education Center. Two multiple-family residential buildings are also within the study area: a newer mixed-use complex of three-story buildings on Palm Avenue with enclosed parking occupying the ground floor; and an older two-story building on Silver Strand. Existing zoning in the study area is C-2. All of the Old Palm Avenue study area is within the Coastal Zone.

2.5.3 Seacoast Drive Study Area

This north/south study area extends along approximately 0.5 mile of Seacoast Drive from Palm Avenue to Imperial Beach Boulevard. It provides access to beachfront properties, visitor services, and local residences. Visitor accommodations are provided in apartments, time-shares, condominiums, hotels, motels, and residences. Commercial uses are primarily independent businesses serving visitors and local residents and include recreational rental facilities, cafes, restaurants, taverns, offices, and beauty salons. Mixed-use residential over commercial buildings are found along this corridor, in addition to old and new apartment buildings, condominiums,

oceanfront homes and duplexes, and a few beach cottages. The Imperial Beach Pier extends into the ocean from the west end of Evergreen Avenue and provides shops and food service. Existing zoning along both sides of Seacoast Drive is C-2, and most of the oceanfront properties are zoned R-1500 with an MU-2 overlay designation. Property zoned PF (Public Facility) is also included in this study area. All of the Seacoast Drive study area is within the Coastal Zone.

2.5.4 13th Street Corridor Study Area

This study area consists of two commercial intersections: at Imperial Beach Boulevard and at Iris Avenue. The larger commercial area at Imperial Beach Boulevard extends from Ebony Avenue on the north to Fern Avenue on the south. The west boundary is at Florence Street and the east boundary is at Georgia Street. The commercial district provides a wide variety of neighborhood commercial services in several multiple-tenant centers, and also includes newer mixed-use buildings with residential over commercial, restaurants and taverns, gas stations and automotive services, and multiple-family residences. Central Elementary School is adjacent to the northwest. The Iris Avenue commercial site consists of a small neighborhood market and two adjacent single-family residences. Existing zoning in both subareas of the 13th Street Corridor is C-3. The main entrance to the Naval Outlying Landing Field, Imperial Beach, historically referred to as Ream Field, is adjacent to the study area on the south side of Iris Avenue. Only the portion of the study area that is north of Imperial Beach Boulevard and west of 13th Street is within the Coastal Zone.

2.5.5 Expected Development Capacity

For analysis of potential impacts from future development in the project study areas, the PEIR uses population estimates for year 2030 from the San Diego Association of Governments (SANDAG) and a report prepared by Keyser Marston Associates, “Development Trends and Retail Space Needs Assessment” (2007). These sources indicate that development in the proposed project study areas could result in 155,000 square feet of additional commercial space plus one new grocery store, and 1,842 additional dwelling units by year 2030.

2.6 PROJECT CONSTRUCTION

Construction of individual projects would be expected to typically require 6 months to 1 year for new buildings, although additions and remodels would take much less time. The larger projects may involve excavation and compaction to create a stable building site. Underground parking may be proposed in some locations, and excavations for seawall construction along beachfront lots would also be expected.

Each construction project would be expected to have localized effects due to construction noise and dust, and larger projects may require temporary closure of sidewalks or on-street parking. Demolition of existing structures may encounter hazardous materials such as asbestos and lead-based paint, which would require disposal of materials through an authorized hazardous waste carrier, as required by federal, state, and local regulations. Nonhazardous materials from demolition would be taken to a permitted construction materials recycling/disposal site. Materials not suitable for recycling would be taken to a permitted landfill, such as Otay Landfill in Chula Vista.

2.7 INTENDED USES OF THIS PEIR

This PEIR serves as the basis for environmental review and impact mitigation for adoption and implementation of the proposed General Plan/LCP and Commercial Zoning Amendments Project. The City would review subsequent implementation projects for consistency with the PEIR and prepare appropriate environmental documentation pursuant to CEQA provisions for Program EIRs and subsequent projects. Subsequent projects under the PEIR may include, but are not limited to the following implementation activities:

- Zoning text amendments
- Rezoning of properties
- Approval of specific plans
- Approval of development plans, including tentative maps, variances, conditional use permits, and other land use permits
- Issuance of permits and other approvals necessary for implementation of the General Plan/LCP
- Issuance of permits and other approvals necessary for public and private development projects

Lead, responsible, and trustee agencies may use this PEIR in approval or permitting of subsequent implementation activities. The California Coastal Commission will review this PEIR as part of their approval process for the proposed amendments to the General Plan/LCP.



Figure 2-1
Regional Location Map

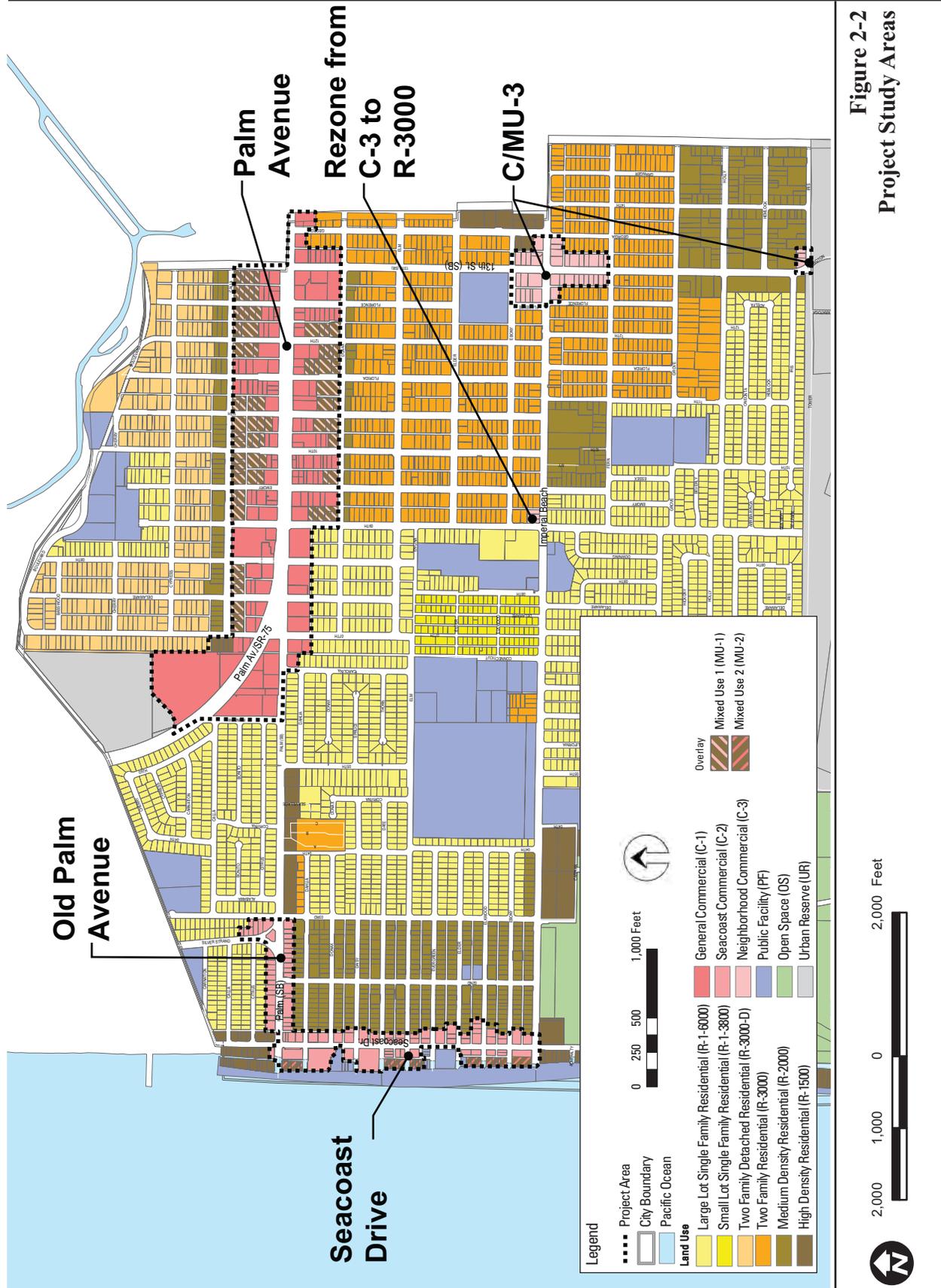
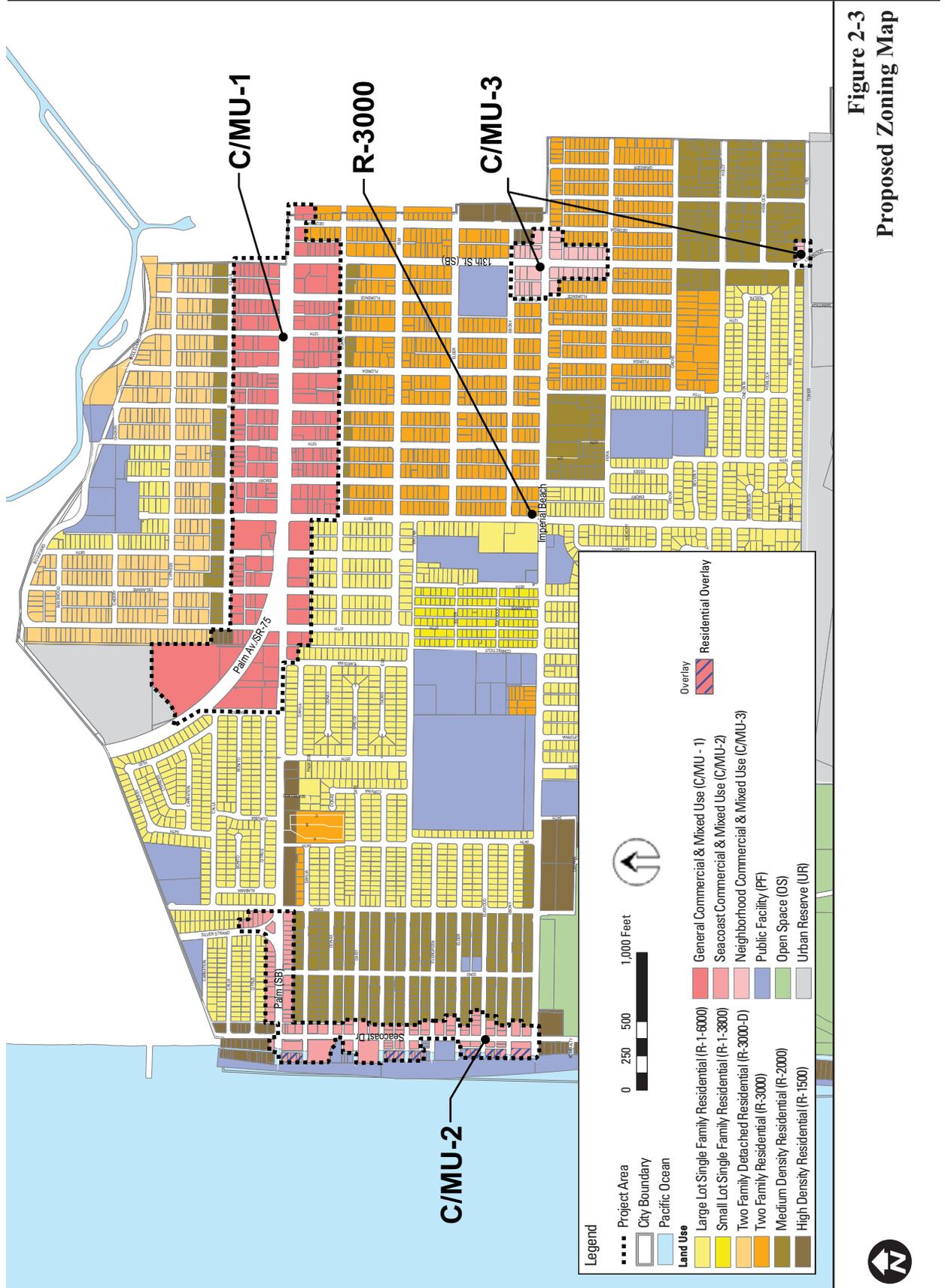


Figure 2-2
Project Study Areas



CHAPTER 3.0

ENVIRONMENTAL ANALYSIS

An Initial Study (IS) was prepared for the project (see Appendix A) to identify potentially significant environmental issues that could be impacted by the project and environmental issues for which the project would have no impact or a less than significant impact. Chapter 3.0 provides a detailed analysis of the issue areas identified in the IS that would have a potential to create significant environmental effects if the project were to be implemented. For potential significant impacts, mitigation measures are described. Each issue analysis includes the following sections:

- **Existing Conditions** – This section describes the existing conditions of the project study areas with regard to the environmental issue being analyzed and the applicable regulations that apply to the issue area.
- **Significance Criteria** – This section presents the thresholds used to identify how an impact is judged to be significant.
- **Determination of Significant Project Impacts** – This section presents an analysis of each specific environmental issue area and identification of any potentially significant impacts that would result.
- **Mitigation Measures** – This section identifies mitigation measures that would be required to mitigate each impact found to be significant. Mitigation measures are numbered to correspond with the associated impact. The mitigation measure defines what actions would be required to mitigate the impact, the timing of those activities, and the responsible party for ensuring implementation of that measure.
- **Significance of Impact after Mitigation** – This section is present only where mitigation is proposed. It states the resulting level of significance after the mitigation measure is implemented. When a mitigation measure is found not to reduce an impact to less than significant, discussion is provided to show why the measure does not fully mitigate the impact and why additional measures are not feasible.

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3.1 AESTHETICS

This section describes potential environmental effects on aesthetic and visual character that may result from implementation of the proposed project. Existing aesthetics and visual characteristics are discussed, and environmental impacts associated with implementation of the proposed project are described.

3.1.1 Existing Conditions

Imperial Beach is located along approximately 3.5 miles of the Pacific Ocean coastline with scenic views of the ocean afforded from coastal areas of the City. Within the Seacoast Drive study area, 11 east-west streets along Seacoast Drive from Palm Avenue to Imperial Beach Boulevard provide visual and physical access to the beach, as do the Imperial Beach Pier and Dunes Park. Imperial Beach Boulevard also provides visual and physical access to the Tijuana River National Wildlife Refuge (NWR).

The City's General Plan/LCP also specifies the Tijuana River NWR, Naval Outlying Landing Field, and the Salt Evaporation Ponds/South San Diego Bay as scenic resources. The topography of Imperial Beach is basically level with no areas of significant elevation from which panoramic views of the City are available.

The project study areas consist of urban development. With the exception of the beachfront, the study areas do not contain any unique natural scenic features or resources considered unique under CEQA. Photographs of the project study areas, focusing on the scenic resources in the Seacoast Drive and Old Palm Avenue study areas, are shown in Figures 3.1-1 through 3.1-3. Beginning at the northern boundary of Imperial Beach, SR-75 traveling north is an officially designated State Scenic Highway (Caltrans 2010). This designation begins immediately north of the Palm Avenue (SR-75) study area. No scenic highway designations exist within the project study areas.

The Seacoast Drive study area and Old Palm Avenue Study Area are near the coastline, and the Seacoast Drive study area is near the Tijuana River NWR, though separated from it by Imperial Beach Boulevard and existing apartment buildings on the south side of the street. The southern portion of the 13th Street Corridor study area is immediately adjacent to the north of the Naval Outlying Landing Field.

Visual Character

Architectural Characteristics. The project study areas display a wide variety of building styles with an inconsistent architectural theme. Single-story buildings are most common in the Palm Avenue commercial district, many of which reflect standard corporate architectural styles, though many older commercial buildings and the newer Imperial Beach Promenade and Silver Strand Plaza also exist along this corridor. Buildings along Calla and Donax avenues are primarily two-story multiple-family residential interspersed with older one-story single-family homes. Also along Donax Avenue is a commercial center and automotive repair in the block between 13th Street and Florence Street. A U.S. Post Office is also located in an older building on Donax Avenue at Emory Street. A similar mix of one-story single-family and two-story multiple-family residences of varied architectural character also exists along the south side of Donax Avenue and along both sides of Calla Avenue.

The architectural character of the Old Palm Avenue study area is characterized by reuse and architectural enhancement of many of the older single-story commercial buildings along this corridor, most of which have a 10-foot front setback. The appearance of most of the commercial buildings has been improved by installation of awnings, exterior decks, paint treatments, landscaping, and other enhancements. The two-story adult education center is located within this study area, and its bulk, scale, minimal use of windows on the first floor, and minimum front setback make it atypical within the neighborhood visual aesthetic. A 7-11 store, with a typical front parking lot and lack of landscaping or other aesthetic treatment, is also within the Old Palm Avenue study area.

Landscape Characteristics. Landscaped medians are provided in several locations along Palm Avenue, consisting of mature California fan palms (*Washingtonia filifera*), other smaller trees, shrubs, and ground covers. Mature California fan palms are also found in a few locations along the parkway strip. Landscaped medians with California fan palms are also provided along Old Palm Avenue. Queen palms (*Syagrus romanzoffianum*) are regularly spaced within the parkway strip or front setback along the corridor, with the exception of the 7-11 store's frontage. A recently installed series of surfboard sculptures commemorating famous surfers and their surfboard styles from "Ancient/Waikiki Redwood" and more recent styles from the 1930s through 1985 extends along both sides of Old Palm Avenue from 3rd Street to Seacoast Drive.

Queen palms are also the dominant street tree along Seacoast Drive, though primarily along the west side of the street and not as regularly spaced as on Old Palm Avenue. There are no

landscaped medians on Seacoast Drive. There are also no landscaped medians and very little parkway landscaping in the 13th Street Corridor study area.

Regulatory Setting

City General Plan/LCP Design Element

The Design Element contains General Plan/LCP Goal 4, Visual Quality is Important, which states:

The visual quality of the City's environment shall be preserved and enhanced for the aesthetic enjoyment of both residents and visitors and the economic well-being of the community. Development of neighborhoods, streets, and individual properties should be pleasing to the eye, rich in variety, and harmonious with existing development. The feeling of being near the ocean and bay should be emphasized even when the water is not visible. Designs reflective of a traditional California seaside community should be encouraged (City of Imperial Beach 1984).

This goal is supported by the following partial list of policies that are relevant to the proposed project:

D-1 Design Review

All residential properties of 2 dwelling units or more and all new non-residential structures shall be subject to design review.

D-8 Project Design

- a. The design of development projects should respect, work with, and enhance the natural features of the land.
- b. Projects should be designed so there is a harmonious relationship with adjoining uses.
- c. Developments should be designed to respect and enhance the view and safety of the passerby.
- d. Development should attempt, through design, to give the appearance of a suburban density and scale.

Policies D-9 and D-10 also state that detailed design standards and criteria should be developed for the Seacoast area and the Highway 75 commercial area. The proposed project would implement these policies by providing detailed design standards and criteria.

City Design Review Manual and Design Review Guidelines

The City Design Review Manual and Design Review Guidelines (City of Imperial Beach 1984) provides a statement of the City's official design policy and is intended to guide the Design Review Board (DRB) during its consideration of development proposals. The Design Review Manual and Design Review Guidelines specify that DRB review is required for the following areas and projects:

- Development adjacent to the following corridors: Highway 75, Palm Avenue, Silver Strand, Rainbow, Imperial Beach Boulevard, Seacoast Drive, 9th Street, and 13th Street;
- All commercial development;
- All development requiring a Site Plan or Conditional Use Permit;
- All development in the Seacoast Residential Commercial and Seacoast Commercial zones; and
- All development within the beachfront development project area.

In addition, the Community Development Director may also submit variance applications and sign permits to the DRB when deemed necessary.

The Design Review Manual and Design Review Guidelines provide specific guidelines for the following criteria:

- Relationship of buildings to the site and the surrounding area for desirable transitions with the existing streetscape, landscaping, parking areas, architectural styles, and height, bulk, mass, and scale;
- Building design, colors, and materials that provide variation of detail, form, and siting to create visual interest;
- Landscape improvements and exterior lighting to provide an inviting atmosphere in pedestrian-oriented areas, which would include appropriate fencing, seating, plazas,

statues, fountains, and other design features, and with exterior lighting that enhances the building's architecture and landscaping;

- Sign criteria for compatibility with the architectural concept and with colors and lighting used harmoniously and with restraint;
- Circulation and parking criteria for parking areas that are screened from view, enhanced with landscaped areas, and for multiple-family areas, off-street parking should not be located between the buildings and the street;
- Multiple-family residential environment that provides residential privacy, site planning, and architectural designs that are coordinated with adjacent developments, and provides usable open space; and
- Commercial and industrial development with land use patterns, circulation, forms, and spatial relationships that are harmonious with the areas they serve.

City Zoning Ordinance

Chapter 19.50 of the City Zoning Ordinance provides standards for required minimum open space for residential property, which is a minimum of 300 square feet per dwelling unit and that not less than 50% of the front yard and side street setbacks shall be landscaped. For commercial property, not less than 15% of the site shall be landscaped and minimum landscape requirements for parking lots are also specified. Both residential and commercial building permits require approval of a landscape plan by the Community Development Department.

Lighting regulations are contained in Chapter 19.56 of the City Zoning Ordinance and prohibit light sources of industrial and commercial uses to be directed to and unshielded from adjacent residential properties. A similar requirement for shielding of light sources is also specified for residential uses between the hours of 11:00 p.m. and 6:00 a.m. Lighting plans are required to have approval by the Community Development Department for any projects that require site plan review.

3.1.2 Significance Criteria

The impact of the proposed project related to aesthetics would be considered significant if it would exceed the following threshold of significance, in accordance with Appendix G of the CEQA Guidelines:

- Have a substantial adverse effect on a scenic vista.

The IS (provided in Appendix A) also analyzed the following thresholds of significance, for which the project was determined to have no impact or a less than significant impact:

- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; and
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The findings for these determinations of project significance are discussed in Section I of the IS, provided in Appendix A.

3.1.3 Determination of Significant Project Impacts

Scenic Vista

Views of the City's coastline and views of the project study areas from the public beach would constitute the scenic resources that could be impacted by the project. Most specifically, in the Seacoast Drive study area, the C/MU-2 zone would replace the existing C-2 and R-1500/MU-2 designations. This change would include removing the MU-2 Seacoast Commercial Overlay and applying the Residential Overlay to the area currently formerly designated with the MU-2 Overlay. The purpose of the Residential Overlay Zone is to preserve opportunities for the continuation of single-family residential uses in the area. Residential units, including detached single-family units, would continue to be permitted by right. Additionally, all uses permitted within the C/MU-2 zone would also be permitted in the Residential Overlay Zone.

The proposed Residential Overlay would apply to existing beachfront residential properties west of Ocean Lane between Palm and Dahlia avenues, from Date Avenue to the alley south of Elm Avenue, and from the south side of the lifeguard station on Elder Avenue to Imperial Beach Boulevard. Residential units, including detached single-family units, would continue to be permitted by right as currently allowed in the existing MU-2 Overlay Zone and would be allowed at a maximum density of 29 DUA as currently allowed in the existing R-1500 zone.

The main change for these beachfront properties would be to allow hotels/motels, bed and breakfast inns, and time-shares by right; and to allow commercial uses by right for a variety of stores and shops that are allowed in the existing C-2 zone but are not allowed in the R-1500 zone. These permitted uses would require design review by the DRB and, for some uses, design review by the City Council. Permitted uses include beach equipment rental, surf shop, and fishing supply; and antique stores, bookstores, boutiques, food stores, and restaurants.

Introducing commercial and other uses by right and by CUP along the beachfront would be a potentially significant aesthetics impact. However, the project would revise the City's existing Design Review Manual and Design Review Guidelines to incorporate the proposed development standards prepared for the City of Imperial Beach Commercial Zoning Review. All proposed development in the beachfront portion of the project study area would include evaluation of the aesthetic character of the proposed projects, particularly as viewed from the beachfront, in accordance with standards in the revised Design Review Manual and Design Review Guidelines. Therefore, the project impact to scenic vistas would be **less than significant**.

Other changes to permitted and conditional uses in the non-beachfront project sites would be consistent with the existing uses in the current C-1, C-2, and C-3 zones and would have a **less than significant** aesthetics impact on a scenic vista.

Building Height and Residential Density within a Scenic Vista

The existing maximum building height in the MU-2 overlay for beachfront lots west of Seacoast Drive is three stories or 30 feet for commercial use and two stories or 26 feet for residential use. The proposed C/MU-2 zone would apply the same height standard of three stories and 30 feet to both commercial and residential uses on Seacoast Drive. For properties on the east side of Seacoast Drive and in the Old Palm Avenue area, as well as in the proposed C/MU-3 zone on 13th Street, the maximum height and density would be increased to three stories and 35 feet, and 36 DUA for projects that provide the development incentives described above in Section 2.2.1 of this PEIR. The existing provision in Section 19.27.070 of the Zoning Ordinance to allow a maximum height of 40 feet for hotels with a minimum of 30 rooms, conference facilities, and a restaurant, would still apply within the proposed C/MU-2 zone. The 5-foot increase in allowable building height would not substantially alter the visual environment. The increase in building height would not create new visual barriers to ocean views that do not already exist with the current level of development. The proposed changes to building height and permitted density would not substantially alter existing regulations and the resulting change in aesthetics due to

new development would be very similar to the existing structures and character of the area and would have a **less than significant impact** on a scenic vista.

Visual Character within a Scenic Vista

The amendments proposed as part of the project would include policies aimed at improving the aesthetic quality of the existing developed areas through visual consistency, architectural requirements, and other visual considerations. As shown in Chapter 3, Proposed Commercial/Mixed-Use Zones Design Guidelines of the complete proposed Zoning Ordinance Amendments, recommended design guidelines are identified for the proposed commercial and mixed-use project study areas. Cities and counties in California are authorized by Section 65302 of the California Government Code to provide text and diagrams in general plans and zoning ordinances to “express community intentions regarding urban form and design.” Although the existing residential character of the beachfront would be altered by introducing a variety of shops, stores, and restaurants that are not currently part of the visual character of the existing beachfront, all proposed development would include evaluation of aesthetic character and would be required to comply with the Design Guidelines, in addition to adherence of other applicable design guidelines and standards. The design guidelines would be applied to all development within the study areas. Therefore, the project impact to visual character within a scenic vista would be **less than significant**.

3.1.4 Mitigation Measures

The impact to aesthetics and visual resources would be less than significant and no mitigation is required. Implementation of the proposed amendments would not result in a substantial adverse effect on a scenic vista. Impacts would be less than significant without mitigation.



Beachfront view south from end of Palm Avenue.



Beachfront view south from Pier

Figure 3.1-1
Existing Views Photographs 1 and 2



Beachfront view north from Pier



Seacoast Drive view north of Pier

Figure 3.1-2
Existing Views Photographs 3 and 4



Seacoast Drive view near Old Palm Avenue



Old Palm Avenue

**Figure 3.1-3
Existing Views Photographs 5 and 6**

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3.2 AIR QUALITY

This section provides a description of existing air quality conditions in the planning area, a summary of applicable regulations, an analysis of potential air quality impacts associated with project construction and operation, and identification of feasible mitigation measures. The air quality calculations conducted for the project are attached as Appendix B of this PEIR.

3.2.1 Existing Conditions

Air quality is defined by the concentration of pollutants related to human health. Ambient concentrations of air pollutants are determined by the rate and location of pollutant emissions released by pollution sources, and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, atmospheric stability, and sunlight. Therefore, ambient air quality conditions in the San Diego Air Basin (Basin) are influenced by such natural factors as topography, meteorology, and climate, in addition to the amount of air pollutant emissions released by existing air pollutant sources. The boundary of the Basin is coincident with the San Diego County boundary.

Climate, Topography, and Meteorology

Climate, topography, and meteorology influence regional and local ambient air quality. Southern California is characterized as a semiarid climate, although it contains three distinct zones of rainfall with coinciding floristic patterns. The region's climatic zones may be roughly defined as being coincident with its broad geographic and topographic regions of coast, mountain, and desert. Subregions within these regions consist of coastal valleys lying below the mountains, separated from the ocean shore by plateaus and low hills behind the coastline. The Basin is a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean to the west and high mountain ranges to the east.

The City of Imperial Beach is located in the southwest corner of San Diego County, which lies within the Basin. The topography in the San Diego region varies greatly, from beaches on the west to mountains and desert on the east. Much of the topography in between consists of mesa tops intersected by canyon areas. The mountains to the east prohibit dispersal of pollutants to the east and help to trap them in temperature inversion layers.

The climate of the Basin is characterized by warm, dry summers and mild winters. One of the main determinants of its climatology is a semipermanent high-pressure area (the Pacific High) in

the eastern Pacific Ocean. In the summer, this pressure center is located well to the north, causing storm tracks to be directed north of California. This high-pressure cell maintains clear skies for much of the year. When the Pacific High moves southward during the winter, this pattern changes, and low-pressure storms are brought into the region, causing widespread precipitation. During fall, the region often experiences dry, warm easterly winds, locally referred to as Santa Ana winds, which raise temperatures and lower humidity, often to less than 20%. Rainfall in the Basin averages approximately 9 to 14 inches annually. The heaviest precipitation occurs in November through April. The mean temperature is 62.2 degrees Fahrenheit (°F) and the mean maximum and mean minimum temperatures are 75.7°F and 48.5°F, respectively.

A dominant characteristic of spring and summer is night and early morning cloudiness, locally known as the marine layer. Low clouds form regularly, frequently extending inland over the coastal foothills and valleys. These clouds usually dissipate during the morning, and afternoons are generally clear.

A common atmospheric condition known as a temperature inversion affects air quality in the Basin. During an inversion, air temperatures get warmer rather than cooler with increasing height. Subsidence inversions occur during the warmer months (May through October) as descending air associated with the Pacific high-pressure cell comes into contact with cool marine air. The boundary between the layers of air represents a temperature inversion, which is located approximately 2,000 feet above mean sea level (AMSL) during the months of May through October and approximately 3,000 feet AMSL during the winter months of November through April. Inversion layers are important determinants of local air quality because they inhibit the dispersion of pollutants, thus resulting in a temporary degradation of air quality.

The atmospheric pollution potential of an area is largely dependent on a combination of winds, atmospheric stability, solar radiation, and terrain. The combination of low wind speeds and low inversions produces the greatest concentration of air pollutants. On days without inversions, or on days of winds averaging over 15 miles per hour, the atmospheric pollution potential is greatly reduced.

Criteria Air Pollutants

The California Air Resources Board (ARB) and the U.S. Environmental Protection Agency (USEPA) focus on the following air pollutants as indicators of ambient air quality: ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less (PM₁₀), fine

particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less (PM_{2.5}), and lead (Pb). Because these are the most prevalent air pollutants known to be deleterious to human health and extensive health-effects criteria documentation is available for these pollutants, they are commonly referred to as “criteria air pollutants.” Health-based air quality standards have been established for these pollutants by ARB at the state level, and by USEPA at the national level. These standards were established to protect the public with a margin of safety from adverse health impacts due to exposure to air pollution. California has also established standards for sulfates, visibility-reducing particles, hydrogen sulfide, and vinyl chloride. A brief description of each criteria air pollutant including source types and impacts to health is provided below along with the most current monitoring station data and attainment designations for the project study areas. Table 3.2-1, presents the California Ambient Air Quality Standards (CAAQS) and the National Ambient Air Quality Standards (NAAQS).

Ozone (O₃)

O₃ is a colorless, odorless gas at certain concentrations and primarily exists in the upper atmosphere (stratosphere) as the O₃ layer and in the lower atmosphere (troposphere) as a pollutant. O₃ is a principal cause of lung and eye irritation in the urban environment. It is the principal component of smog, which is formed in the troposphere through a series of reactions involving reactive organic gases (ROG¹) and oxides of nitrogen (NO_x) in the presence of sunlight. Therefore, ROG and NO_x are precursors of O₃. ROG and NO_x emissions are both considered critical in O₃ formation. Control strategies for O₃ have focused on reducing these emissions from vehicles, industrial processes using solvents and coatings, and consumer products. Significant O₃ concentrations are normally produced only in the summer, when atmospheric inversions are greatest and temperatures are high.

Nitrogen Dioxide (NO₂)

NO₂ is a gas that is a product of the combustion of fossil fuels generated from vehicles and stationary sources, such as power plants and boilers. NO₂ can cause lung damage. As noted above, NO₂ is a type of NO_x and is a principal contributor to O₃ and smog production.

¹ Reactive organic gases (ROG) are also identified as volatile organic compounds (VOCs). In this PEIR, the term ROG is used.

Sulfur Dioxide (SO₂)

SO₂ is a gas that is a product of the combustion of fossil fuels, with the primary source being power plants and heavy industry that utilize coal or oil as fuel. SO₂ is also a product of diesel engine emissions. The human health effects of SO₂ include lung disease and breathing problems for asthmatics. SO₂ in the atmosphere contributes to the formation of acid rain. In the Basin, there is relatively little combustion of coal and oil; therefore, SO₂ is less of a concern than in other parts of the country.

Carbon Monoxide (CO)

CO is a colorless and odorless gas that, in the urban environment, is associated primarily with the incomplete combustion of fossil fuels in motor vehicles. Relatively high concentrations are typically found near crowded intersections and along heavily used roadways carrying slow-moving traffic. Even under the most severe meteorological and traffic conditions, high concentrations of CO are limited to locations within a relatively short distance (300 to 600 feet) of heavily traveled roadways. Overall, CO emissions are decreasing because of the Federal Motor Vehicle Control Program, which has mandated increasingly lower emission levels for vehicles manufactured since 1973. CO concentrations are typically higher in the winter; therefore, California has required the use of oxygenated gasoline in the winter months to reduce CO emissions.

Lead (Pb)

Pb is a highly toxic metal that may cause a range of human health effects. Pb anti-knock additives in gasoline represent a major source of Pb emissions to the atmosphere. However, Pb emissions have significantly decreased due to the near elimination of leaded gasoline use. Lead-based paint, banned or limited by USEPA in the 1980s, is a health hazard when it deteriorates by peeling, chipping, or cracking; or generates lead dust when scraped, sanded, or heated.

Particulate Matter (PM)

PM is a complex mixture of extremely small particles and liquid droplets. PM is made up of a number of components, including acids (such as nitrates and sulfates), organic chemicals, metals, and soil or dust particles. Natural sources of particulates include windblown dust and ocean spray. Some particles are emitted directly into the atmosphere. Others, referred to as secondary particles, result from gases that are transformed into particles through physical and chemical processes in the atmosphere.

The size of PM is directly linked to the potential for causing health problems. USEPA is concerned about particles that are 10 micrometers in diameter or smaller because those are the particles that generally pass through the throat and nose and enter the lungs. Once inhaled, these particles can affect the heart and lungs and cause serious health effects such as aggravation of respiratory and cardiovascular disease, lung disease, decreased lung function, asthma attacks, and certain cardiovascular problems such as heart attacks and irregular heartbeat. Individuals particularly sensitive to fine particle exposure include older adults, people with heart and lung disease, and children. USEPA groups PM into two categories, coarse PM or PM₁₀, and fine PM or PM_{2.5}, as described below.

Inhalable coarse particles (PM₁₀), such as those found near roadways and dusty industries, are larger than 2.5 micrometers and smaller than 10 micrometers in diameter. Sources of coarse particles include crushing or grinding operations and dust from paved or unpaved roads. Control of PM₁₀ is primarily achieved through the control of dust at construction and industrial sites, the cleaning of paved roads, and the wetting or paving of frequently used unpaved roads.

PM₁₀ includes the subgroup of finer particles (PM_{2.5}), such as those found in smoke and haze, with an aerodynamic diameter of 2.5 microns or smaller. These finer particles pose an increased health risk because they can deposit deep in the lungs and contain substances that are particularly harmful to human health. Sources of fine particles include all types of combustion activities such as motor vehicles, power plants, wood burning, and certain industrial processes. PM_{2.5} is the major cause of reduced visibility (haze) in California. Control of PM_{2.5} is primarily achieved through the regulation of emission sources; these regulations include USEPA's Clean Air Interstate Rule and Clean Air Visibility Rule for stationary sources, the 2004 Clean Air Nonroad Diesel Rule, the Tier 2 Vehicle Emission Standards, and Gasoline Sulfur Program; or ARB's Goods Movement Reduction Plan and Air Toxic Control Measures (ATCM).

Localized Carbon Monoxide

In addition to regional CO emissions, localized CO emissions can be of concern. Vehicle traffic emissions can cause localized CO impacts, and severe vehicle congestion at major signalized intersections can generate elevated CO levels, called "hotspots," that can be hazardous to human receptors adjacent to the intersections. Severe vehicle congestion is determined by level of service (LOS) analysis for roadways and intersections. According to the Transportation Project-level Carbon Monoxide Protocol (UCD ITS 1997), localized CO impacts are typically of concern at signalized intersections that are frequently congested and operate at unacceptable LOS. Such intersections are characterized by lengthy queues of idling cars that may be forced to wait through two or more cycles of green lights.

Odor

Odor is considered an air quality issue, either at the local level (e.g., odor from wastewater treatment) or at the regional level (e.g., smoke from wildfires). An air pollutant means any fume, smoke, PM, vapor, gas, odorous substance, or any combination thereof. Odors are generally regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache).

Attainment Status

Specific geographic areas are classified as either "attainment" or "nonattainment" areas for each pollutant based on the comparison of measured data with federal and state standards. The Basin currently meets NAAQS for all criteria air pollutants except O₃, and meets the CAAQS for all criteria air pollutants except O₃, PM₁₀, and PM_{2.5}. For the 8-hour O₃ standard, the Basin was previously classified as "basic" nonattainment, which is the designation USEPA assigns to regions that were in attainment of the previous 1-hour standard, but would become nonattainment when subject to the new 8-hour standard. However, USEPA was challenged on its justification for "basic" designations and in January 2009 published proposed reclassifications for all "basic" nonattainment areas. This resulted in the Basin being considered "moderate" nonattainment.

Adoption of the new designations would require the San Diego Air Pollution Control District (SDAPCD) to reevaluate its Ozone Attainment Plan to ensure compliance with the attainment requirements for "moderate" nonattainment areas (Reider 2009). However, USEPA, in response to a court decision, is expected to rule that the Basin's basic nonattainment status for the 8-hour O₃ standard be reclassified as a "serious" nonattainment area and with a mandatory attainment date of June 15, 2013. Final USEPA action on this proposed reclassification has yet to be taken (SANDAG 2011a).

The Basin currently falls under a federal maintenance plan for CO, following a 1998 redesignation as a CO attainment area. The Basin is currently classified as a state "serious" O₃ nonattainment area and a state nonattainment area for PM₁₀ and PM_{2.5}.

Existing Air Quality

Ambient air pollutant concentrations in the Basin are measured at 10 air quality monitoring stations operated by SDAPCD. The air quality monitoring station closest to the project study

areas is the Chula Vista monitoring station, located at 80 East J Street, approximately 5 miles northeast of Imperial Beach. The Chula Vista station is in an urbanized area and, therefore, may not completely represent the existing conditions at the project study areas, especially for CO, PM₁₀, and PM_{2.5}, which are pollutants attributable to local emission sources. Levels of SO₂ are not a regional concern; data for this pollutant have not been recorded at the Chula Vista station since before 2005.

Table 3.2-2 presents the most recent available data from the Chula Vista monitoring station as summaries of the exceedances of standards and the highest pollutant levels recorded for years 2006 through 2009.

As shown in Table 3.2-2, ambient air concentrations of CO and NO₂ at the Chula Vista monitoring station have not exceeded the CAAQS for the years 2006–2009. The PM₁₀ concentrations have not exceeded the federal standards for the years 2006–2009. The PM_{2.5} concentrations have not exceeded the federal standards, with the exception of PM_{2.5} in 2007, which has been designated as “exceptional event” data due to wildfires, and in 2009. Concentrations of O₃ registered at the monitoring station for years 2006 through 2009 exceeded the CAAQS and NAAQS at least once in the years of 2007 through 2009; however, 2006 did not register exceedances of either standard and no exceedances of NAAQS occurred in 2009.

Sensitive Receptors

Some members of the population are especially sensitive to air pollutant emissions and should be given special consideration when evaluating air quality impacts from projects. These include children, the elderly, people with preexisting respiratory or cardiovascular illness, and athletes and others who engage in frequent exercise.

Residential areas are considered sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Recreational land uses are considered moderately sensitive to air pollution. Exercise places a high demand on respiratory functions, which can be impaired by air pollution even though exposure periods during exercise are generally short. In addition, noticeable air pollution can detract from the enjoyment of recreation. Industrial and commercial areas are considered the least sensitive to air pollution. Exposure periods are relatively short and intermittent as most workers tend to stay indoors most of the time.

Regulatory Setting

Criteria Air Pollutants

Federal

At the federal level, USEPA is charged with implementing national air quality programs. USEPA's air quality mandates are drawn primarily from the federal Clean Air Act (CAA), which was enacted in 1970. The most recent major amendments made by Congress occurred in 1990.

The CAA required USEPA to establish primary and secondary NAAQS. The CAA also required each state to prepare an air quality control plan referred to as a State Implementation Plan (SIP). The federal Clean Air Act Amendments of 1990 (CAAA) added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. USEPA is responsible for reviewing all state SIPs to determine conformation to the mandates of the CAAA and to determine whether implementation will achieve air quality goals. If USEPA determines an SIP is inadequate, a Federal Implementation Plan that imposes additional control measures may be prepared for the nonattainment area.

State

ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA). The CCAA was adopted in 1988 and required ARB to establish the CAAQS. ARB has established CAAQS for sulfates, hydrogen sulfide, vinyl chloride, visibility-reducing particulate matter, and criteria air pollutants. In most cases, the CAAQS are more stringent than the NAAQS and incorporate a margin of safety to protect sensitive individuals.

ARB and local air pollution control districts are currently developing plans for meeting new national air quality standards for O₃ and PM_{2.5}. California's adopted 2007 State Strategy was submitted to USEPA as a revision to the SIP in November 2007 (ARB 2008a).

Regional

In San Diego County, the SDAPCD is the agency responsible for protecting the public health and welfare through the administration of federal and state air quality laws and policies. SDAPCD is responsible for monitoring air pollution, preparing the San Diego County portion of the SIP, and

publicizing rules and regulations. The SIP includes strategies and tactics to be used to attain and maintain acceptable air quality in the County; this list of strategies is called the Regional Air Quality Strategy (RAQS). The rules and regulations include procedures and requirements to control the emission of pollutants and prevent significant adverse impacts.

Toxic Air Contaminants. Air quality regulations also focus on localized hazardous air pollutants, which are also called toxic air contaminants (TACs). For those TACs that may cause cancer there is, in general, no minimum concentration that does not present some risk. This contrasts with the criteria air pollutants, for which acceptable levels of exposure can be determined and ambient standards have been established (i.e., NAAQS).

USEPA and ARB have ongoing programs to identify and regulate TACs. Among the many substances identified as TACs are diesel exhaust particulates, asbestos, and Pb. The regulation of TACs is generally through statutes and rules that require the use of the maximum or best available control technology (MACT or BACT) to limit TAC emissions.

Particulate exhaust emissions from diesel-fueled engines (diesel PM) were identified as a TAC by ARB in 1998. The control of diesel PM emissions is a very active current concern of regulatory agencies at all levels. The majority of the estimated local health risk from TACs is from diesel PM. The composition of diesel PM emissions from diesel-fueled engines varies depending on engine type, operating conditions, fuel composition, lubricating oil, and whether an emission control system is present. Federal and state efforts to reduce diesel PM emissions have focused on the use of improved fuels, adding particulate filters to engines, and requiring the production of new-technology engines that emit fewer exhaust particulates.

MACT/BACT for asbestos and Pb TACs have been identified for many years and there are established rules and procedures to prevent dispersion and inhalation of these substances. Asbestos is a naturally occurring mineral used in building materials for thermal and acoustical insulation and fire resistance until the mid-1980s when a partial ban by USEPA was imposed in 1989. Pb was used in paint for housing until 1978 when lead-based paint was banned by USEPA for use in housing. Asbestos and Pb, when disturbed during building demolition, can become airborne as inhalable health hazard pollutants and, therefore, require abatement before demolition.

3.2.2 Significance Criteria

The impact of the proposed project related to air quality would be considered significant if it would exceed the following thresholds of significance, in accordance with Appendix G of the CEQA Guidelines:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors); or
- Expose sensitive receptors to substantial pollutant concentrations.

The IS (provided in Appendix A) also analyzed the following threshold of significance, for which the project was determined to have no impact or a less than significant impact:

- Create objectionable odors affecting a substantial number of people.

The findings for these determinations of project significance are discussed in Section III of the IS, provided in Appendix A.

As stated in Appendix G of the CEQA Guidelines, the significance criteria established by the applicable air quality management board or air pollution control district may be relied on to make the impact determinations for specific program elements. In San Diego County, a project would be considered to have a significant adverse effect on air quality if any of the following would occur as a result of a project-related component:

- Conflict with or obstruct the implementation of the RAQS and/or applicable portions of the SIP, or
- Result in emissions that would violate any federal or state ambient air quality standards or contribute substantially to an existing or projected air quality violation.

The City of Imperial Beach has not developed its own significance thresholds. Therefore, in place of local significance thresholds, the federal *de minimis* thresholds for the Basin will be used as significance thresholds. Federal *de minimis* thresholds are based on the attainment status of a region. These thresholds have been used by various air districts to set significance thresholds. For a basic O₃ nonattainment area, the *de minimis* level would be 100 tons per year. Therefore, emissions of O₃ precursors in excess of 100 tons per year would be considered significant. In addition, although PM₁₀ and PM_{2.5} do not exceed the NAAQS, they do exceed the CAAQS in the Basin. Therefore, to establish a threshold for other nonattainment pollutants, the serious nonattainment *de minimis* threshold for O₃ of 50 tons per year, rather than PM₁₀ (70 tons per year) will be used for PM₁₀ and PM_{2.5} to determine significance. Using the serious nonattainment *de minimis* level for O₃ provides a more conservative significance threshold.

Both dispersion modeling and/or a screening threshold can be used to determine if a proposed project would cause an exceedance of the CO ambient air quality standard. Dispersion modeling is typically data-intensive and focuses a specific site or receptor. Conversely, a screening threshold is developed using conservative assumptions so that it requires less site-specific data and can be used to evaluate a larger range of scenarios. If a project is able to pass a screening threshold, it is highly unlikely that it would cause a significant impact if evaluated using dispersion modeling. Dispersion modeling tends to result in lower pollutant concentrations because it uses site-specific parameters rather than the most conservative parameters for modeling. Therefore, for the purposes of this analysis, because Imperial Beach has not developed screening criteria for CO hot spots (i.e., exceedance of the state or federal ambient air quality standard), both the Bay Area Air Quality Management District's (BAAQMD) and Sacramento Metropolitan Air Quality Management District (SMAQMD's) screening thresholds will be used to evaluate the project. If the project would exceed either screening criteria, dispersion modeling would be required. However, because of the conservative nature of screening thresholds and the use of two screening thresholds, it is anticipated that a project that passes these evaluations, would be considered less than significant.

3.2.3 Determination of Significant Project Impacts

Conflict with Air Quality Plan or Violate Air Quality Standard

Construction

The General Plan/LCP and commercial zoning amendments would allow for additional commercial and residential development within the project study areas, which could result in

construction-related air quality emissions. At the time of this writing, the development schedule for these additional uses is unknown. It is anticipated that these additional construction emissions would occur over an extended period depending on factors such as the economy and market trends. Therefore, the construction emissions resulting from the additional development would not likely occur within a single year. Nevertheless, construction projects have the potential to generate criteria air pollutants and precursors that could cause a significant air quality impact during the construction period.

During construction, criteria air pollutant and precursor emissions would be temporarily and intermittently generated from a variety of sources. Potential demolition, excavation, and site grading activities would generate fugitive PM dust emissions. Fugitive PM dust emissions are primarily associated with ground disturbance and material transport and vary as a function of parameters such as soil silt content and moisture, wind speed, acreage of disturbance area, and the intensity of activity performed with construction equipment. Exhaust emissions from diesel equipment, material transport trips, and construction worker-commute trips also contribute to short-term increases in PM emissions, but to a lesser extent. Exhaust emissions from these construction-related mobile sources would also include ROG and NO_x. In addition, the application of architectural coatings (i.e., interior and exterior surface painting) would result in off-gas emissions of ROG, PM₁₀, and PM_{2.5}.

The timing and intensity of construction activities cannot, at this time, be accurately quantified nor compared with a significance threshold. However, because the City does not require standard construction mitigation for projects, it is concluded that emissions from construction activities could potentially conflict with an applicable air quality plan and could violate an ambient air quality standard, which would be a **significant air quality impact**. Mitigation Measure AQ-1 requires preparation of a fugitive dust control plan for all projects involving grading, demolition, or exterior building construction and AQ-2 requires measures to reduce generation of construction exhaust ozone precursors. A more detailed qualitative discussion of mitigation and their impacts on construction sources is provided in Section 3.2.5, Significance of Impact after Mitigation.

Operational

The proposed General Plan/LCP and commercial zoning amendments would allow an increased intensity of development in the four project study areas. The additional development would include land uses such as residential, retail, offices, and general commercial services. Daily activities associated with the operation of these land uses would generate criteria air pollutant

and precursor emissions from mobile and area sources. Mobile sources include vehicle trips coming to and leaving from the planned land uses. Area sources include sources such as consumer products (i.e., ROG), natural gas combustion for water and space heating, landscape maintenance equipment, hearth operation in residential homes, and periodic architectural coatings. While construction emissions are considered short term and temporary, operational emissions are considered long term and occur for the lifetime of the project and the resulting land uses that are established. Therefore, operational emissions have a greater potential to affect the attainment status and implementation of an air quality plan within an air basin, particularly as a result of increased traffic from additional development.

The operational emissions associated with the day-to-day activities of the proposed additional land uses were quantified using the California Emission Estimator Model (CalEEMod) Version 2011.1. CalEEMod allows the user to enter project-specific information such as types of land uses, amount of land uses, and vehicle trip generation rates. The model contains region-specific parameters for variables such as on-road vehicle distribution and hearth operations, among others. It should be noted that the projects modeled in CalEEMod for the proposed amendments represent the sum of all additional projects that could be developed as a result of the General Plan/LCP amendments and commercial zoning amendments. Therefore, the emissions shown would not occur from one distinct project, but rather from multiple projects over several development years. To conservatively analyze a potential project occurring from the proposed amendments and to avoid underestimating future operational emissions, it was assumed that the largest project occurring from the amendments would be half of the total additional development.

Table 3.2-3 presents the proposed project's total emissions along with the assumed largest project occurring from the amendments. Because the Basin is nonattainment for the state and federal O₃ standard, and nonattainment for the state PM₁₀ and PM_{2.5} standards, the emissions and their precursors are the pollutants of main concern. As shown in Table 3.2-3, annual operational emissions resulting from the worst-case individual project would not exceed the surrogate thresholds of significance for NO_x, PM₁₀, and PM_{2.5}.

The sum of all projects enabled by the proposed amendments would be expected to exceed the ROG threshold, and ROG emissions, together with NO_x emissions, are considered critical in O₃ formation. However, control strategies for O₃ have focused on reducing these emissions from vehicles, industrial processes using solvents and coatings, and consumer products. As discussed above, ROG emissions are not realistically attributable to a single project that can be compared with a threshold.

Therefore, long-term operational emissions associated with the proposed General Plan/LCP and commercial zoning amendments would not conflict with an applicable air quality plan or violate an ambient air quality standard. This impact would be **less than significant**.

Increase Criteria Pollutants

The BAAQMD CEQA Guidelines suggest that projects that would not violate any of the following preliminary screening criteria would not be anticipated to result in or substantially contribute to an exceedance of CO CAAQS:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans.
- The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing of air is substantially limited.

Furthermore, the SMAQMD has developed screening criteria where a project would not result in significant localized CO impacts if the following would occur:

- The project would not result in an affected intersection experiencing more than 31,600 vehicles per hour.
- The project would not contribute traffic to a tunnel, parking garage, bridge, underpass, urban street canyon, or below-grade roadway; or other locations where horizontal or vertical mixing of air would be substantially limited.
- The mix of vehicles at the intersection is not anticipated to be substantially different from the County average.

The Traffic Impact Study prepared for the project determined that total traffic volumes during the AM and PM peak hours, including the increase in trips from the project study areas, would be a maximum of 2,617 trips during the AM peak hours and 6,006 during the PM peak hours (see Table 3.9-3 in Section 3.9 of this PEIR). These volumes would be less than the BAAQMD

and SMAQMD screening criteria and, therefore, the air quality impact from the project's AM and PM peak hour volumes would be **less than significant**.

Impact Sensitive Receptors

CO Hotspots

CO concentration is a direct function of motor vehicle activity, particularly during peak commute hours, and meteorological conditions. Under specific meteorological conditions, CO concentrations may reach unhealthy levels with respect to local sensitive land uses, such as residential areas, schools, preschools, playgrounds, and hospitals. As a result, air districts typically recommend analysis of CO emissions at a local rather than a regional level. Increased CO concentrations are usually associated with roadways that are congested with heavy traffic volume. Therefore, many air districts have established preliminary screening criteria to determine with fair certainty that, if not violated, project-generated, long-term operational local mobile-source emissions of CO would not result in, or substantially contribute to, emissions concentrations that exceed the 1-hour ambient air quality standard of 20 parts per million (ppm) or the 8-hour standard of 9 ppm, respectively.

As determined in the traffic study, several intersections in the project region would operate at LOS D or below. The LOS of an intersection indicates the flow of traffic through an intersection. LOS A would represent a free-flowing intersection, while LOS F would represent a congested intersection where vehicles are idling for extended periods. Intersections with LOS D or below are considered to have the potential to generate a CO hotspot.

The proposed amendments would not generate conditions where large volumes of vehicles are traveling in an enhanced area for CO hotspots such as a tunnel, bridge, or urban street canyon. In addition, the proposed amendments would not include transportation infrastructure that could conflict with a congestion management plan. Furthermore, as shown in Figures 3.9-6 and 3.9-7 in Section 3.9 of this PEIR, the impacted intersections that are projected to operate at LOS F in year 2030 with the proposed General Plan/LCP and commercial zoning amendments, would not have more than 31,600 (AM) or 24,000 (PM) vehicles per hour during the AM or PM peak hours, which are the levels cited above for a potentially significant localized CO impact to occur. Therefore, it is not anticipated that implementation of the proposed General Plan/LCP and commercial zoning amendments and subsequent projects would cause a CO hotspot. This impact from CO concentrations would be **less than significant**.

Toxic Air Contaminants

Construction

During construction of the additional land uses, heavy-duty construction equipment, on-site generators, and construction worker vehicles could generate diesel PM, which has been identified as a TAC by ARB. The project General Plan/LCP and commercial zoning amendments areas occur where residential receptors are located adjacent or nearby to potential construction sites. Generation of diesel PM from construction projects typically occurs in a single area for a short period. The dose (of TAC) to which receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance in the environment and the extent of exposure a person has with the substance; a longer exposure period to a fixed amount of emissions would result in higher health risks for the Maximally Exposed Individual. According to the Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments (HRAs) used to determine the exposure of sensitive receptors to TAC emissions should be based on a 70-year exposure period; however, such assessments should also be limited to the period/duration of activities associated with the proposed project. Building construction activities for individual projects resulting from the rezone are anticipated to last approximately 6 months to a year. Thus, if the duration of potentially harmful construction activities near a sensitive receptor was 1 year, the exposure would be approximately 1% of the total exposure period used for typical health risk calculations.

The OEHHA Guidance Manual for Preparation of Health Risk Assessments (HRA Guidance) (OEHHA 2003) allows a 9-year exposure period to represent the first 9 years of a child's life, which physiologically and behaviorally result in higher exposure levels. However, the HRA Guidance does not support an HRA for exposures of less than 9 years. For cases where exposure would last less than 9 years, OEHHA suggests assuming a minimum exposure of 9 years. Therefore, the exposure period for the most conservative analysis would be approximately 10% of the required exposure period. Considering this information, the highly dispersive nature of diesel PM, and the fact that construction activities would occur intermittently and at various locations over approximately 18 years (i.e., 2012 to 2030), it is not anticipated that the proposed project would expose sensitive receptors to substantial TAC concentrations and the impact from construction TAC would be **less than significant**.

Operations

The proposed land uses would be primarily residential and commercial in nature. These land uses are typically not the types that generate large TAC sources such as manufacturing facilities, heavy industrial uses, and refineries. All TAC emissions associated with potential residential and commercial land uses would be minimal and all refuse and solid wastes would be disposed of properly in compliance with City Municipal Code Chapter 8.36. Therefore, it is not anticipated that operational activities would expose sensitive receptors to substantial TAC emissions and this impact would be **less than significant**.

3.2.4 Mitigation Measures

AQ-1 The City and project contractors shall implement the following measures during all construction activities involving demolition or exterior construction. Furthermore, a fugitive dust control plan shall be developed and approved by the SDAPCD for all projects prior to issuance of a grading permit and commencement of construction activities. The fugitive dust control plan shall specifically identify measures that would minimize generation of fugitive dust from all construction activities. In addition, the following standard measures shall be implemented:

- Comply with and implement all applicable SDAPCD rules and regulations that pertain to construction activities (e.g., asphalt paving ROG requirements, administrative requirements, fugitive dust management practices). Implement all construction-related requirements recommended by SDAPCD and the City of Imperial Beach.
- Water all exposed surfaces three times a day or sufficiently to prevent visible dust emissions.
- Apply water, nontoxic chemical stabilizers, or dust suppressants, or use tarps or other suitable material in all disturbed areas that will not be utilized for 10 days or more.
- Prevent carryout and trackout of fugitive dust on construction vehicles. Methods to limit carryout and trackout include, but are not limited to, using wheel washers, sweeping any trackout on adjacent public streets at the end of each workday, and lining access points with gravel, mulch, or wood chips.

- Cover or wet the filled cargo compartment of all transport trucks to limit visible dust emissions during transport, and maintain at least 2 feet of freeboard space from the top of the cargo compartment.
- Install sandbags or other erosion control measures on sites with a slope greater than 1% to prevent silt runoff to public roadways.

AQ-2 In addition to mitigating fugitive PM dust emissions, construction activities would also generate exhaust ozone precursors (among other exhaust pollutants), for which the region is also nonattainment. The City and project contractors shall implement the following mitigation measures:

- Maintain all construction equipment according to the manufacturers' specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.
- Use diesel-powered construction equipment that meets ARB's 1996 or newer certification standard for off-road heavy-duty diesel engines.
- Minimize idling time either by shutting off equipment when it is not in use or reducing the time of idling to no more than 5 minutes. Provide clear signage regarding idling at site access points.
- Use alternative fueled (e.g., compressed natural gas, liquefied natural gas, propane), or electric-powered construction equipment where feasible.
- Use equipment with diesel oxidation catalysts, catalyzed diesel PM filters, or other applicable SDAPCD-approved emission reduction retrofit devices where feasible.

3.2.5 Significance of Impact after Mitigation

Implementation of Mitigation Measure AQ-1 would ensure that all construction activities associated with the proposed General Plan/LCP and commercial zoning amendments that would involve soil disturbance or demolition activities develop a site grading plan that must be approved by the SDAPCD. In addition to implementing the mitigation measures listed in Mitigation Measure AQ-1, this would ensure that all aspects of soil and building disturbance will be thoroughly considered (in the dust control plan) and mitigated appropriately in accordance to SDAPCD's requirements. SDAPCD, being the regulatory agency responsible for healthful air in the region, can require additional dust control mitigation for projects that would involve

intensive soil or building disturbance activities or activities near sensitive receptors. Therefore, with the oversight of SDAPCD and requirement of standard mitigation practices, it is not anticipated that construction of the proposed project would generate PM₁₀ or PM_{2.5} emissions that exceed the 50 tons per year threshold described above.

Construction activities would also generate ozone precursors for which the region is nonattainment. Implementation of Mitigation Measure AQ-2 would ensure that all equipment used for the proposed project would operate at ideal and efficient conditions, which would minimize emissions associated with improperly working equipment. In addition, by enforcing idling restrictions at all construction sites for equipment and motor vehicles, Mitigation Measure AQ-2 will minimize unnecessary fuel combustion and subsequent ozone precursor emissions. Lastly, the use of alternative fueled vehicles and retrofit devices will reduce the total amount of gasoline and diesel fuel consumption and exhaust emissions over the entire construction schedule. It is anticipated that proposed land uses would be built out over several years and perhaps longer; therefore, with the implementation of these exhaust-related measures and the incremental development of the proposed project, ozone precursors would not exceed the 100 tons per year threshold described above.

It is not anticipated that construction activities associated with the proposed project would occur for an extended period or be particularly intensive due to the infill nature of many of the projects. With implementation of Mitigation Measure AQ-1 and AQ-2, and considering the reasons discussed above, it is unlikely that ozone precursors, PM₁₀, and/or PM_{2.5} emissions from construction would exceed the thresholds of significance. Furthermore, though construction and operational emissions are typically considered separately due to their short-term and long-term nature, respectively, it is important to consider the effect that short-term construction emissions for certain projects have on the region's long-term emissions profile. However, as discussed above, the anticipated construction schedule along with compliance with all requirements of Mitigation Measure AQ-1 and AQ-2 would reduce potential impacts associated with project construction emissions to a level of **less than significant**.

**Table 3.2-1
National and California Ambient Air Quality Standards**

Pollutant	Averaging Time	National ^a		California ^b
		Primary ^{c, d}	Secondary ^{c, e}	Concentration ^c
Ozone	1 hour	—	Same as primary standard	0.09 ppm (180 µg/m ³)
	8 hour	0.075 ppm (147 µg/m ³)		0.070 ppm (137 µg/m ³)
Respirable particulate matter	24 hour	150 µg/m ³	Same as primary standard	50 µg/m ³
	Annual arithmetic mean	—		20 µg/m ³
Fine particulate matter	24 hour	35 µg/m ³	Same as primary standard	No separate state standard
	Annual arithmetic mean	15 µg/m ³		12 µg/m ³
Carbon monoxide	8 hour	9 ppm (10 mg/m ³)	None	9.0 ppm (10 mg/m ³)
	1 hour	35 ppm (40 mg/m ³)		20 ppm (23 mg/m ³)
	8 hour (Lake Tahoe)	—		6 ppm (7 mg/m ³)
Nitrogen dioxide	Annual arithmetic mean	0.053 ppm (100 µg/m ³)	Same as primary standard	0.030 ppm (57 µg/m ³)
	1 hour	0.100 ppm	None	0.18 ppm (339 µg/m ³)
Sulfur dioxide	Annual arithmetic mean	0.030 ppm (80 µg/m ³)	—	—
	24 hour	0.14 ppm (365 µg/m ³)	—	0.04 ppm (105 µg/m ³)
	3 hour	—	0.5 ppm (1,300 µg/m ³)	—
	1 hour	—	—	0.25 ppm (655 µg/m ³)
Lead ^f	30-day average	—	—	1.5 µg/m ³
	Calendar quarter	1.5 µg/m ³	Same as primary standard	—
	Rolling 3-month average ^g	0.15 µg/m ³		—
Visibility-reducing particles	8 hour	No national standards		Extinction coefficient of 0.23 per kilometer—visibility of 10 miles or more (0.07 to 30 miles for Lake Tahoe) because of particles when the relative humidity is less than 70%. Method: Beta attenuation and transmittance through filter tape.
Sulfates	24 hour			25 µg/m ³
Hydrogen sulfide	1 hour			0.03 ppm (42 µg/m ³)
Vinyl chloride ^f	24 hour			0.01 ppm (26 µg/m ³)

Notes: mg/m³ = milligrams per cubic meter; PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less; PM₁₀ = respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less; ppm = parts per million; µg/m³ = micrograms per cubic meter.

^a National standards (other than those for ozone and particulate matter and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration in a year, averaged over 3 years, is equal to or less than the standard. For PM₁₀, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³ is equal to or less than 1. For PM_{2.5}, the 24-hour standard is attained when 98% of the daily concentrations, averaged over 3 years, are equal to or less than the standard. Contact U.S. Environmental Protection Agency for further clarification and current federal policies.

^b California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter—PM₁₀, PM_{2.5}, and visibility-reducing particles—are values that are not to be exceeded. All others are not to be equal to or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

Source: ARB 2010a.

^c Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based on a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

^d National primary standards: The levels of air quality necessary, with an adequate margin of safety, to protect the public health.

^e National secondary standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

^f The California Air Resources Board has identified lead and vinyl chloride as “toxic air contaminants” with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

^g National lead standard, rolling 3-month average: final rule signed October 15, 2008.

**Table 3.2-2
Ambient Air Quality Summary – Chula Vista Monitoring Station**

Pollutant Standards	2006	2007	2008	2009
Carbon Monoxide (CO)				
National maximum 8-hour concentration (ppm)	2.20	2.24	1.87	1.43
State maximum 8-hour concentration (ppm)	2.20	2.24	1.87	1.43
State maximum 1-hour concentration (ppm)	2.7	3.1	2.0	2.0
<u>Number of Days Standard Exceeded</u>				
NAAQS 8-hour (>9.0 ppm)	0	0	0	0
CAAQS 8-hour (>9.0 ppm)	0	0	0	0
CAAQS 1-hour (>20.0 ppm)	0	0	0	0
Nitrogen Dioxide (NO₂)				
State maximum 1-hour concentration (ppm)	0.074	0.082	0.072	0.065
Annual Average (ppm)	0.017	0.015	0.015	0.013
<u>Number of Days Standard Exceeded</u>				
CAAQS 1-hour	0	0	0	0
Ozone (O₃)				
State max 1-hour concentration (ppm)	0.084	0.105	0.107	0.098
National maximum 8-hour concentration (ppm)	0.068	0.087	0.083	0.075
<u>Number of Days Standard Exceeded</u>				
CAAQS 1-hour (>0.09 ppm)	0	2	1	1
NAAQS 8-hour (>0.075 ppm)	0	1	3	0
Particulate Matter (PM₁₀)^a				
National maximum 24-hour concentration (µg/m ³)	51.0	57.0	53.0	57.0
State maximum 24-hour concentration (µg/m ³)	52.0	58.0	54.0	58.0
State annual average concentration (µg/m ³)	26.2	26.1	26.7	26.2
<u>Estimated Number of Days Standard Exceeded</u>				
NAAQS 24-hour (>150 µg/m ³)	0	0	0	0
CAAQS 24-hour (>50 µg/m ³)	12.1	12.2	6.1	6.1
Particulate Matter (PM_{2.5})^a				
National maximum 24-hour concentration (µg/m ³)	30.2	77.8	32.9	43.7
State maximum 24-hour concentration (µg/m ³)	30.2	77.8	32.9	43.7
National annual average concentration (µg/m ³)	11.2	12.5	12.3	11.4
State annual average concentration (µg/m ³)	11.2	*	12.3	11.4
<u>Estimated Number of Days Standard Exceeded</u>				
NAAQS 24-hour (>65 µg/m ³)	0.0	9.9*	0.0	3.1

Notes:

* Data unavailable

^a State and national statistics may differ for the following reasons: State statistics are based on California-approved samplers, whereas national statistics are based on samplers using federal reference or equivalent methods. State and national statistics may therefore be based on different samplers. State statistics are based on *local* conditions; national statistics are based on *standard* conditions. State criteria for ensuring that data are sufficiently complete for calculating valid annual averages are more stringent than the national criteria.

^b This data point was designated as “exceptional event” data due to wildfires.

ppm = parts per million; µg/m³ = micrograms per cubic meter

Source: ARB 2010b

Table 3.2-3
Proposed General Plan/LCP and Commercial Zoning Amendments –
Operational Emissions from Additional Development

Operational Condition	NO_x	PM₁₀	PM_{2.5}
Total Area Sources (tpy)	1	14	14
Total Energy Sources (tpy)	3	0.3	0.3
Total Mobile Sources (tpy)	44	25	3
Total Operational (tpy)	49	39	17
Worst-Case Individual Project (2030)	25	20	9
Significance Threshold (tpy)	100	50	50
Exceed Threshold	No	No	No

3.3 CULTURAL RESOURCES

This section analyzes the proposed project as it relates to cultural resources. Cultural resources are districts, buildings, sites, structures, areas of traditional use, or objects with historical, architectural, archaeological, paleontological, cultural, or scientific importance.

3.3.1 Existing Conditions

Regional Setting

Historical Resources

In the 1880s, southern California underwent a land boom, creating many speculative or paper towns. Development of railroads opened up much of San Diego County to settlement. The growth and decline of communities occurred in response to an increasing and shifting population, fostering a “boom and bust” cycle. As early as 1868 San Diego was promoted as a natural sanitarium, enticing people into the area. By 1887, developers such as R. R. Morrison, George Chaffey, and Frank J. Cullen, Jr., were subdividing the area for development. Mr. George Chaffey is credited with the naming of Imperial Beach as a marketing strategy in creating a summer retreat for the citizens of Imperial Valley.

In 1889, the Coronado Railroad Company extended a steam train to the area connecting the Coronado Hotel with the Coronado Pier. The train circled the bay over the strand to Coronado Heights, the South San Diego Saltworks, Imperial Beach, National City, and on to San Diego.

The U.S. Navy established a small radio compass station in 1920 to aid ships in navigation. The facility was located at the edge of the beach, located at the present-day YMCA Surf Camp. The Army’s Coastal Artillery acquired land in 1942 for Fort Emory to serve as a subpost for Fort Rosecrans, which was the headquarters of coastal defense for San Diego during World War II. Fort Emory was located north of the Navy’s small radio compass station. The City of Imperial Beach was incorporated in 1956.

Archaeological Resources

The sequence of human occupation of coastal southern California begins in the Paleoindian period (11,500–8500 years before present [B.P.]). This was a time in which adaptations were formerly believed to be focused on the hunting of large game but are now recognized to

represent more generalized hunting and gathering, with considerable emphasis on marine resources (Erlandson and Colten 1991; Jones 1991). The following period, the Archaic (8500–1300 B.P.) is traditionally seen as encompassing both a coastal and an inland focus, with the coastal Archaic represented by the shell middens of the La Jolla complex and the inland Archaic represented by the Pauma complex. The Late Prehistoric period (1300–200 B.P.) is marked by the appearance of small projectile points indicating the use of the bow and arrow, the common use of ceramics, and the replacement of inhumations with cremations.

Paleontological Resources

Like most of the South Bay area, Imperial Beach is underlain by the San Diego Formation, a tertiary shallow water marine deposit of Pliocene Age, which is locally fossiliferous. The formation consists of dense, easily pulverized, silty, very finely bedded sandstones (City of Imperial Beach 2010).

Project Study Areas

A records search was conducted at the South Coastal Information Center at San Diego State University. The archival search consisted of an archaeological and historical records and literature review. The results indicated that no archaeological sites or historic resources have been recorded within the project study areas.

According to the Conservation and Open Space Element of the Imperial Beach General Plan/LCP (City of Imperial Beach 1994), several minor cultural sites have been identified within the City of Imperial Beach; the largest of which covers approximately 10 acres along the Otay River channel along the northern City boundaries. Two smaller sites also have been recorded in the same general area along the southern reach of San Diego Bay. Generally, these identified sites are composed of the remains of shellfish-gathering activities and associated discarded tools. No evidence of permanently inhabited villages has been found to date. All three sites in the northern part of Imperial Beach are currently heavily impacted by existing urban uses. Another site has been located and excavated at the far southern end of Imperial Beach at Borderfield State Park. All these sites appear to be associated with the Early Milling La Jolla culture, which dominated the South Bay area between 7,000 and 5,000 years ago. Other sites have reportedly been encountered near the Oneonta Slough during construction activity, although it is not known whether steps were taken to preserve the reported sites or whether it was a legitimate archaeological site.

In terms of historical resources, there appears to have been a cavalry post on the present site of Westview Elementary School. There is also photographic evidence that at one time a “wave-action” device was constructed at or near the municipal pier. The purpose of this device was apparently to harness the energy from the waves falling to shore (City of Imperial Beach 1994).

Regulatory Setting

Regulations have been enacted to protect cultural resources, including human remains. These regulations include, but are not limited to, the following.

National Historic Preservation Act

Enacted in 1966, the National Historic Preservation Act (NHPA) established the National Register of Historic Places (NRHP) program under the Secretary of the Interior, authorized funding for state programs with provisions for pass-through funding and participation by local governments, created the Advisory Council on Historic Preservation, and established the Section 106 review process for protecting historic resources. The goal of the Section 106 review process is to offer a measure of protection to sites that are determined eligible for listing in the NRHP. As part of this process, the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Preserving Historic Buildings were developed to provide guidance to federal agencies in reviewing potential impacts to historic resources. The NHPA provides the legal framework for most state and local preservation laws.

California Register of Historical Resources

The Office of Historic Preservation administers the California Register of Historic Resources (CRHR), which was established in 1992 through amendments to the PRC, as an authoritative guide to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected from substantial adverse change. The CRHR includes resources that have been formally determined eligible for, or listed in, the NRHP, State Historical Landmark Number 770 or higher, Points of Historical Interest recommended for listing by the State Historical Resources Commission (SHRC), resources nominated for listing and determined eligible in accordance with criteria and procedures adopted by the SHRC, and resources and districts designated as city or county landmarks when the designation criteria are consistent with CRHR criteria.

California Environmental Quality Act

With establishment of the CRHR and the SHRC, the State Legislature amended CEQA in 1992 to define historical resources as a resource listed in, or determined eligible for listing in, the CRHR; a resource included in a local register of historical resources or identified as significant in a historical resource survey that meets certain requirements; and any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be significant. Generally, a resource is considered historically significant if it meets the criteria for listing in the CRHR. However, a lead agency under CEQA is not precluded from determining a resource is significant that is not listed in or determined eligible for listing in the CRHR, not included in a local register, or identified in a historical resources survey as a historical resource, as defined in the PRC. CEQA was further amended to clarify that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.

While demolition and destruction are fairly obvious significant impacts, it is more difficult to assess when change, alteration, or relocation crosses the threshold of substantial adverse change. The CEQA Guidelines provide that a project that demolishes or alters those physical characteristics of a historical resource that convey its historical significance (i.e., its character-defining features) can be considered to materially impair the resource's significance. However, a project that conforms to the Secretary of the Interior's Standards for the Treatment of Historic Properties can generally be considered a project that will not cause a significant impact.

California Health and Safety Code

California Health and Safety Code Section 7050.5 regulates the procedure in the event of human remains discovery. Pursuant to PRC Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the County Coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are determined to be Native American, the County Coroner is required to contact the Native American Heritage Commission (NAHC). The NAHC is responsible for contacting the most likely Native American descendent, who will consult with the local agency regarding how to proceed with the remains. According to Section 15064.5 of the CEQA Guidelines, all human remains are a significant resource.

Native American Consultation

Government Code Section 65352.3 (Senate Bill [SB] 18) requires local governments to consult with California Native American tribes identified by the California NAHC prior to the adoption or amendment of a general plan or specific plan. The purpose of this consultation is to preserve or mitigate impacts to cultural places.

Imperial Beach General Plan

The Open Space and Conservation Element of the Imperial Beach General Plan/LCP takes into consideration the preservation and conservation of various natural resources, including areas of historic/cultural value. The Open Space and Conservation Element indicates that there are presently no identified historical or archaeological sites of major importance. No conservation or preservation measures or procedures are included in the General Plan/LCP.

3.3.2 Significance Criteria

The impact of the proposed project related to cultural resources would be considered significant if it would exceed the following thresholds of significance, in accordance with Appendix G of the CEQA Guidelines:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;
- Directly or indirectly destroy a unique paleontological resource; or
- Disturb any human remains, including those interred outside of formal cemeteries.

3.3.3 Determination of Significant Project Impacts

Historical Resources

The proposed General Plan/LCP amendments and rezone could result in the demolition or altering of structures and facilities located within the project sites. It is possible that some structures within the project study areas could be historic resources and land use alterations or

construction activities could cause an adverse effect on the historic resource. However, as described earlier in this section, the records search and literature review of the area identified no known historic resources. Individual development projects would be reviewed by the City for project-specific impacts during any required environmental review. Thus, the potential for program-level impacts to historic resources is **less than significant**.

Archaeological Resources

The project study areas are currently developed with existing urban uses that have previously altered and disturbed the land. It is likely that any existing archaeological resources would have been disrupted during development of the existing urban uses, such as ground disturbance for structural footings, utility trenching, roadbed grading, etc. Anticipated new development would involve infill and redevelopment of existing developed areas and would generally not create new areas of disturbance. Thus, the likelihood of finding new or undiscovered archaeological resources is limited and may occur only if excavation depths or areas were to extend beyond previously disturbed areas, such as for underground parking. Typically, archeological resources are not buried at substantial depths, as they include human-generated artifacts that would have been originally located at or not substantially below the ground surface. Additionally, the records search and literature review of the project study areas identified no known archaeological resources. Individual development projects would be reviewed by the City for project-specific impacts during any required environmental review. If project-specific significant impacts are identified, applicable mitigation measures would be placed on the project as conditions of approval. Thus, the potential for program-level impacts to archaeological resources is **less than significant**.

Paleontological Resources

The project study areas are currently developed with existing urban uses that have previously altered and disturbed the land. However, paleontological resources could be encountered if substantial excavation is proposed, such as for underground parking. Destruction of or damage to paleontological resources would be a **significant project impact**. Mitigation Measure PR-1 requires monitoring during grading and recovery of paleontological resources.

Disturbance to Human Remains

The project site is currently developed with existing urban uses that have previously altered and disturbed the land. Though human remains are not expected to be found within the project site,

new ground disturbance during construction resulting from the proposed amendments could potentially disturb unknown human remains. If human remains are encountered during grading and excavation, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the NAHC who will notify a Most Likely Descendent (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Adherence to these required regulations would reduce any potential impact related to the discovery of human remains to **less than significant**.

3.3.4 Mitigation Measures

Paleontological Monitoring

PR-1 For future projects with the study areas, a paleontological monitor (PM) determined by the City Community Development Director to be qualified, shall be present during grading/excavation/trenching activities to perform the following activities:

- The PM shall document field activity and shall maintain a daily site visit until completion of grading/excavation/trenching activities and shall notify the Community Development Director of the start and completion of site grading/excavation/trenching activities and provide documentation of monitoring activities and results.
- In the event of a discovery, the PM shall direct the contractor to temporarily divert grading/excavation/trenching activities in the area of discovery and immediately notify the Community Development Director.
- The PM shall evaluate the significance of the resource. If the resource is significant, the PM shall submit a Paleontological Recovery Program and obtain written approval from the Community Development Director. Impacts to significant resources must be mitigated before ground-disturbing activities in the area of discovery would be allowed to resume. Upon completion of grading/excavation/trenching activities, the PM shall submit a letter to the

Community Development Director of the results of the monitoring. The letter shall indicate that fossil resources will be collected, curated, and documented.

- If the resource discovered is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PM shall notify the Community Development Director that a nonsignificant discovery has been made and shall continue to monitor the area until completion of grading/excavation/trenching activities.

3.3.5 Significance of Impact after Mitigation

Implementation of Mitigation Measure PR-1 would ensure that a paleontological monitor determined by the City Community Development Director to be qualified, shall be present during grading/excavation/trenching activities and shall stop such activities, evaluate the significance of the resource, and consult with the Community Development Director if a paleontological resource is discovered. These procedures will ensure that significant paleontological resources would be appropriately preserved. Therefore, compliance with all requirements of Mitigation Measure PR-1 would reduce potential impacts to paleontological resources to a level of **less than significant**.

3.4 GREENHOUSE GAS EMISSIONS

This section provides a description of global climate change, greenhouse gas (GHG) emissions, the existing regulatory framework surrounding GHG emissions, and an analysis of the potential impacts related to GHG emissions that would result from implementation of the project. The GHG emissions associated with construction and operation of the project are quantified and analyzed in the context of the evolving GHG/climate change regulatory environment. The results of the GHG emission calculations and estimates are provided in Appendix C.

3.4.1 Existing Conditions

Background

Scientific Basis of Climate Change

Certain gases in Earth's atmosphere, classified as GHGs, play a critical role in determining Earth's surface temperature. Solar radiation enters Earth's atmosphere from space. A portion of the radiation is absorbed by Earth's surface and a smaller portion of this radiation is reflected back toward space. The absorbed radiation is emitted from Earth as low-frequency infrared radiation; however, the infrared radiation is absorbed by GHGs in the atmosphere. As a result, the radiation that otherwise would have escaped back into space is instead "trapped" in the atmosphere, resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on Earth. Without the greenhouse effect, Earth would not be able to support life as we know it.

Key GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons, chlorofluorocarbons, and sulfur hexafluoride. Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for intensifying the greenhouse effect and have led to a trend of unnatural warming of Earth's climate, known as global climate change or global warming. It is unlikely that global climate change of the past 50 years can be explained without acknowledging the contribution from human activities (Intergovernmental Panel on Climate Change 2007).

Climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and TACs, which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about 1 day), GHGs have much longer atmospheric lifetimes of 1 year to several thousand years, which allow GHGs to be

dispersed around Earth. Although the exact lifetime of any particular GHG molecule is dependent on multiple variables and cannot be pinpointed, it is understood by scientists who study atmospheric chemistry that more CO₂ is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, and other forms of sequestration. Of the total annual human-caused CO₂ emissions, approximately 54% is sequestered within 1 year through ocean uptake, by northern hemisphere forest regrowth, and other terrestrial sinks; the remaining 46% of human-caused CO₂ emissions remains stored in the atmosphere (Seinfeld and Pandis 1998).

Similarly, impacts of GHGs are borne globally, as opposed to localized air quality effects of criteria air pollutants and TACs. The quantity of GHGs that it takes to ultimately result in climate change is not precisely known; suffice it to say, the quantity is enormous, and no single project alone would measurably contribute to a noticeable incremental change in the global average temperature, or to global, local, or micro climate. From the standpoint of CEQA, GHG impacts to global climate change are inherently cumulative.

Greenhouse Gas Emission Sources

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/manufacturing, electric utility, residential, commercial, and agricultural sectors. Emissions of CO₂ are byproducts of fossil fuel combustion while CH₄, a highly potent GHG, is the primary component in natural gas and also is associated with agricultural practices and landfills. N₂O is also largely attributable to agricultural practices and soil management.

ARB performs an annual GHG inventory for emissions and sinks of the six major GHGs listed above. California produced 484 million gross metric tons (MT) of CO₂ equivalent (CO₂e) in 2008 (ARB 2011). CO₂e is a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential (GWP) of a GHG, is dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Expressing emissions in CO₂e takes the contributions of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO₂ were being emitted.

The inventory is divided into the following major categories or sectors of emissions: transportation, electricity generation, commercial and residential, industrial, waste, high GWP, agriculture, and forestry. Combustion of fossil fuel in the transportation sector was the single largest source of California's GHG emissions in 2004, accounting for 38% of total GHG

emissions in the state. The transportation sector was followed by the electric power sector, which accounts for 22% of total GHG emissions in the state (including both in-state and out-of-state sources); and the industrial sector, which accounts for 20% of total GHG emissions in the state (ARB 2011).

Adaptation to Climate Change

According to the Intergovernmental Panel on Climate Change (IPCC), which was established in 1988 by the World Meteorological Organization and the United Nations Environment Programme, global average temperature is expected to increase by 3–7°F by the end of the century, depending on future GHG emission scenarios (Intergovernmental Panel on Climate Change 2007). Potential effects of climate change include loss of snowpack, changes in precipitation, increased temperatures, sea level rise, and increased wildfires. For example, an increase in the global average temperature is expected to result in a decreased volume of precipitation falling as snow in California and an overall reduction in snowpack in the Sierra Nevada. Snowpack in the Sierra Nevada provides both water supply (runoff) and storage (within the snowpack before melting), which is a major source of supply for the state (including the project site). An increase in precipitation falling as rain rather than snow also could lead to increased potential for floods because water that would normally be stored as snow in the Sierra Nevada until spring could flow into the Central Valley concurrently with winter storm events. This scenario would place more pressure on California's levee/flood control system (DWR 2006).

Another outcome of global climate change is sea level rise. Sea levels rose approximately 7 inches during the last century and are predicted to rise an additional 7–22 inches by 2100, depending on the future levels of GHG emissions (Intergovernmental Panel on Climate Change 2007). If this occurs, resultant effects could include increased coastal flooding, saltwater intrusion, and disruption of wetlands (CEC 2006). As the existing climate throughout California changes over time, the ranges of various plant and wildlife species could shift or be reduced, depending on the favored temperature and moisture regimes of each species. In the worst cases, some species would become extinct or be extirpated from the state if suitable climate conditions are no longer available.

Regulatory Setting

Federal Plans, Policies, Regulations, and Laws

USEPA is the federal agency responsible for implementing the federal CAA. The Supreme Court of the United States ruled on April 2, 2007, that CO₂ is an air pollutant as defined under the CAA, and that USEPA has the authority to regulate emissions of GHGs.

Proposed Endangerment and Cause or Contribute Findings for GHG under the CAA

On December 7, 2009, USEPA signed two distinct findings regarding GHGs under section 202(a) of the CAA:

- **Endangerment Finding:** The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases — carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆) — in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding:** The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

These findings do not themselves impose any requirements on industry or other entities. However, this action is a prerequisite to finalizing the USEPA's proposed GHG emission standards for light-duty vehicles, which USEPA proposed in a joint proposal including the U.S. Department of Transportation's (DOT) proposed Corporate Average Fuel Economy standards on September 15, 2009.

Mandatory Greenhouse Gas Reporting Rule

On September 22, 2009, USEPA published the Final Mandatory Greenhouse Gas Reporting Rule (Reporting Rule) in the Federal Register. The Reporting Rule requires reporting of GHG data and other relevant information from fossil fuel and industrial GHG suppliers, vehicle and engine manufacturers, and all facilities that would emit 25,000 MT or more of CO₂e per year. Facility owners are required to submit an annual report with detailed calculations of facility GHG

emissions due on March 31 for emissions in the previous calendar year. The Reporting Rule would also mandate recordkeeping and administrative requirements to enable USEPA to verify the annual GHG emissions reports. Owners of existing facilities that commenced operation prior to January 1, 2011, would be required to submit an annual report for calendar year 2011.

State Plans, Policies, Regulations, and Laws

ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the CCAA.

Assembly Bill (AB) 1493

AB 1493, signed in 2002, required that ARB develop and adopt by January 1, 2005, regulations that achieve “the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty trucks and other vehicles determined by ARB to be vehicles whose primary use is noncommercial personal transportation in the state.”

In 2004, ARB adopted standards requiring automobile manufacturers to meet fleet-average GHG emissions limits for all passenger cars, light-duty trucks within various weight criteria, and medium-duty passenger vehicle weight classes (i.e., any medium-duty vehicle with a gross vehicle weight rating less than 10,000 pounds that is designed primarily for the transportation of persons), and beginning with the 2009 model year. For passenger cars and light-duty trucks, the GHG emission limits for the 2016 model year are approximately 37% lower than the limits for the first year of the regulations, the 2009 model year. Before the regulations could go into effect, USEPA had to grant California a waiver under the CAA, allowing California to regulate GHG emissions from motor vehicles within the state. USEPA granted the waiver in 2009.

In April 2010, DOT and USEPA established GHG gas emission and fuel economy standards for model year 2012–2016 light-duty cars and trucks. In the fall of 2010, California accepted compliance with these federal GHG standards as meeting similar state standards as adopted in 2004, resulting in the first coordinated national program. On January 24, 2011, DOT, USEPA, and the State of California announced a single timeframe for proposing fuel economy and GHG standards for model year 2017–2025 cars and light-duty trucks. The standards require these vehicles to meet an estimated combined average emissions level of 250 grams of CO₂ per mile in model year 2016, which is equivalent to 35.5 miles per gallon if the automobile industry were to meet this CO₂ level solely through fuel economy improvements.

Executive Order S-3-05

Executive Order S-3-05, signed in June 2005, proclaimed that the State of California is vulnerable to the impacts of climate change. Executive Order S-3-05 declared that increased temperatures could reduce the Sierra Nevada's snowpack, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To combat those concerns, the Executive Order established total GHG emission targets. Specifically, emissions are to be reduced to the 2000 level by 2010, the 1990 level by 2020, and to 80% below the 1990 level by 2050.

Executive Order S-3-05 directed the Secretary of the California Environmental Protection Agency (Cal/EPA) to coordinate a multi-agency effort to reduce GHG emissions to the target levels and to submit biannual reports to the Governor and the State Legislature describing progress made toward reaching the emission targets, impacts of global warming on California's resources, and mitigation and adaptation plans to combat these impacts. The Secretary of Cal/EPA created the California Climate Action Team (CCAT), made up of members from various state agencies and commissions, which is responsible for implementing global warming emissions reduction programs. CCAT is also responsible for reporting on the progress made toward meeting the statewide GHG targets.

AB 32 Climate Change Proposed Scoping Plan

In December 2008, ARB adopted its *Climate Change Scoping Plan* (Scoping Plan), which contains the main strategies California will implement to achieve reduction of approximately 169 million metric tons (MMT) of CO₂e, or 28.4% from California's projected 2020 emission level of 596 MMT of CO₂e under a business-as-usual (BAU) scenario. The Scoping Plan also includes ARB-recommended GHG reductions for each emissions sector of California's GHG inventory (ARB 2008b). The Scoping Plan calls for the largest reductions in GHG emissions to be achieved by implementing the following measures and CO₂e reduction standards:

- improved emissions standards for light-duty vehicles (31.7 MMT CO₂e);
- the Low-Carbon Fuel Standard (15.0 MMT CO₂e);
- energy efficiency measures in buildings and appliances, and the widespread development of combined heat and power systems (26.3 MMT CO₂e); and
- a renewable portfolio standard for electricity production (21.3 MMT CO₂e).

ARB has not yet determined what amount of GHG reductions it recommends from local government operations; however, the Scoping Plan does state that land use planning and urban growth decisions will play an important role in the state's GHG reductions because local governments have primary authority to plan, zone, approve, and permit how land is developed to accommodate population growth and the changing needs of their jurisdictions.

Executive Order S-1-07

Executive Order S-1-07, signed in 2007, establishes a goal that the carbon intensity of transportation fuels sold in California should be reduced by a minimum of 10% by 2020. ARB identified this Low Carbon Fuel Standard as a discrete early action item under AB 32, and the final ARB resolution (No. 09-31) was issued on April 23, 2009.

SB 1078, SB 107, and XI-2

SB 1078 requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20% of their supply from renewable sources by 2017; SB 107 changed the target date to 2010. Executive Order S-14-08, signed in November 2008, expands the state's Renewable Energy Standard to 33% renewable power by 2020. In 2009, San Diego Gas and Electric, which provides electricity and natural gas to the project site, used 10.5% renewable energy to provide electricity to customers.

SB 97

Signed in August 2007, SB 97 acknowledges that climate change is a prominent environmental issue that requires analysis under CEQA. This bill directed the California Office of Planning and Research to prepare, develop, and transmit to the California Natural Resources Agency, guidelines for the feasible mitigation of GHG emissions, or the effects of GHG emissions, under CEQA. On February 16, 2010, the Office of Administrative Law approved the CEQA amendments and filed them with the Secretary of State for inclusion in the California Code of Regulations. The CEQA amendments became effective on March 18, 2010. The amended guidelines establish two new guidance questions in the Environmental Checklist of Appendix G of the CEQA Guidelines. The amendments do not establish a GHG emission threshold and allow a lead agency to develop, adopt, and apply its own threshold of significance or those developed by other agencies or experts.

SB 375

Signed in September 2008, SB 375 aligns regional transportation planning efforts, regional GHG-reduction targets, and land use and housing allocation. It requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS), which would prescribe land use allocations in that MPO's Regional Transportation Plan (RTP). ARB has established reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets are to be updated every 8 years but can be updated every 4 years if advancements in emission technologies affect the reduction strategies to achieve the targets. ARB is also charged with reviewing each MPO's SCS or APS for consistency with its assigned targets. If MPOs do not meet the GHG-reduction targets, transportation projects would not be eligible for funding programmed after January 1, 2012.

SB 375 also extends the minimum time period for the Regional Housing Needs Allocation cycle from 5 years to 8 years for local governments located within an MPO that meets certain requirements. City or county land use policies (including general plans) are not required to be consistent with the RTP (and associated SCS or APS). However, new provisions of CEQA would incentivize qualified projects that are consistent with an approved SCS or APS, which would be categorized as "transit priority projects." ARB adopted regional targets on September 23, 2010 (ARB 2010c).

Local Plans, Policies, and Laws

ARB's Scoping Plan states that local governments are "essential partners" in the effort to reduce GHG emissions. The Scoping Plan also acknowledges that local governments have "broad influence and, in some cases, exclusive jurisdiction" over activities that contribute to significant direct and indirect GHG emissions through their planning and permitting processes, local ordinances, outreach and education efforts, and municipal operations. Many of the proposed measures to reduce GHG emissions rely on local government actions. The Scoping Plan encourages local governments to reduce GHG emissions by approximately 15% from current levels by 2020 (ARB 2008b).

San Diego Air Pollution Control District

SDAPCD has no regulations relative to GHG emissions.

City of Imperial Beach

The Imperial Beach General Plan/LCP does not contain any goals or policies that explicitly relate to climate change or GHG emissions (City of Imperial Beach 1994). However, several policies of the Imperial Beach General Plan/LCP would contribute to reducing GHG emissions, including the following:

- Support the control of various industrial and commercial endeavors within the City through regulations applying to stationary sources of air pollution. The City shall remain cognizant of State and local regulations applying to such sources and shall require the submission of all applications to the Air Pollution Control District for approval prior to the issuance of local building or engineering permits.
- Support the control of various industrial and commercial endeavors within the City through the issuance of permits and land use permit procedures to the extent of scheduling the incorporation of new and improved air pollutant control devices.
- Support the efforts of the Air Pollution Control District to maintain the constant surveillance of all permit holders and installations within the City. The City should establish a formal complaint process for local residents and periodically advise of and encourage its use. Complaints will be recorded and forwarded to the Air Pollution Control Board for formal action. The process should handle both physical, odoriferous, and noise pollution cases. A system of follow-up procedures on any Board actions shall be established. Reports to the initiators on actions taken will be made, as well as reports to the total citizenry through news publications.
- Encourage the development and use of emission reduction equipment for private and commercial vehicles. The City shall encourage operators of vehicular fleets using City streets to use lower weight or horsepower or low emission vehicles whenever feasible. The City shall strive to set the example by purchasing such vehicles for its own use whenever feasible, or converting existing vehicles to meet such standards.
- Pursue the development of alternative means of transportation, which would reduce the use of the automobile within the City. The development or licensing of any future public transportation system should be limited to the use of the most advanced low or non-emission powered vehicles. Transportation by means other than motor vehicles shall be encouraged.

- Encourage surrounding communities to join in a total campaign to maintain a high standard of air quality in the southern San Diego County area. Joint agreements with their governing bodies and the San Diego County Board of Supervisors should be developed. Programs and program results should be highly publicized in the local news media in order to gain the support and cooperation of all citizens living in the area.
- Continue to review all new developments to ensure that they meet acceptable air quality standards as set forth by the State and local Air Pollution Control District, preferably through the environmental assessment process.
- Developments shall be designed to conserve energy and water and work toward healthful air quality.
- New developments shall incorporate energy-saving design features such as appropriate building and roof orientations and architectural features, reduced glass area where appropriate, adequate insulation, heat efficient spaces and arrangements, solar and wind energy capturing systems and energy efficient utilities and appliances.
- Water-saving systems shall be used in developments as technology and economics make them feasible. These include drip irrigation and low water use appliances and fixtures.
- Project design shall encourage the use of mass transit. This may include the clustering of units and the provision of bus shelters/benches, turnouts, schedule signs and sidewalks.

3.4.2 Significance Criteria

The impact of the proposed project related to GHG emissions would be considered significant if it would exceed the following thresholds of significance, in accordance with Appendix G of the CEQA Guidelines:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

With regard to emissions of GHGs, SDAPCD has not adopted a significance threshold for analyzing GHG emissions from plans or development projects or a methodology for analyzing impacts related to global warming as of the writing of this document.

The County of San Diego Department of Planning and Land Use (DPLU) has developed an interim approach for evaluating GHG emission impacts. DPLU recommends using the 900 MT screening criteria referenced in the California Air Pollution Control Officers Association (CAPCOA) white paper (CAPCOA 2008) for determining which projects require further analysis and mitigation. If the project exceeds 900 MT per year, then DPLU recommends that the significance be based on whether the project would impede the implementation of AB 32. To demonstrate that the project would not impede the implementation of AB 32, the project should demonstrate how the carbon emissions generated by the project would be reduced to 33% below projected BAU levels in 2020. The 33% reduction target is based on the San Diego County Greenhouse Gas Inventory: An Analysis of Regional Emissions and Strategies to Achieve AB 32 Targets (Anders et al. 2008).

The project-level threshold proposed by DPLU would not be appropriate for a program-level analysis, such as the Imperial Beach General Plan/LCP and Commercial Zoning amendments project. By adopting AB 32, the California Legislature has indicated that global climate change is a serious environmental issue and has identified a statewide GHG emissions target. To meet the goals of AB 32, California would need to generate fewer GHGs than current levels. It is recognized, however, that for most development projects, there is no simple metric available to determine whether the individual project would substantially increase or decrease overall emission levels of GHGs.

The legislation dealing with climate change in California (as well as international treaties and agreements on the subject) identifies goals for the rate of emissions of GHGs, relative to specific benchmark years. In the case of California, AB 32 requires 1990 GHG emission levels to be achieved by the year 2020, or about a 28% reduction from current emissions levels (ARB 2008b). Neither state legislation nor executive order suggests that California intends to limit population growth to reduce the state's GHG emission levels. Therefore, the intent is to accommodate population growth in California, but achieve a lower rate of GHGs despite this larger population. In other words, California jurisdictions must become more GHG efficient.

For the purposes of this analysis, the sum of the number of jobs and the number of residents at a point in time is termed the "service population" (SP). Emission rates per SP can show how GHG-efficient new development and existing development must be to achieve AB 32 targets for land use-related sectors.

The BAAQMD has adopted a 2020 SP metric of 6.6 MT CO₂e/SP/yr (BAAQMD 2010). The SCAQMD Working Group has proposed several possible thresholds for analysis of general and

area plan impacts, including a 2020 SP metric of 6.6 MT CO₂e/SP/yr (SCAQMD 2009), which is consistent with the significance threshold for general plans adopted by the BAAQMD. The working group has also proposed a 2035 SP metric of 4.1 MT CO₂e/SP/yr for general plans.

These proposed significance thresholds are used within this PEIR. For purposes of this analysis, a 2030 GHG efficiency threshold of 4.9 MT CO₂e/SP/yr was interpolated from the proposed 2020 and 2035 thresholds to coincide with the planning horizon of the proposed General Plan/LCP and commercial zoning amendments.

Thus, if the General Plan/LCP and commercial zoning amendments meets the 2020 GHG efficiency threshold of 6.6 MT CO₂e/SP/yr, it would accommodate growth in a manner that does not conflict with the Scoping Plan and would not hinder California's ability to achieve AB 32 emission reduction targets. If the General Plan/LCP and commercial zoning amendments meets the 2030 GHG efficiency threshold of 4.9 MT CO₂e/SP/yr, it would not conflict with Executive Order S-3-05.

At the time of this writing, no federal, state, regional, or local air quality regulatory agency has adopted a quantitative threshold of significance for construction-related GHG emissions.

3.4.3 Determination of Significant Project Impacts

Generation of GHG Emissions

Construction-Related GHG Emissions

GHG emissions generated by construction would be primarily in the form of CO₂. Although emissions of other GHGs, such as CH₄ and N₂O, are important with respect to global climate change, the emission levels of these other GHGs from on- and off-road vehicles used during construction are relatively small compared with the level of CO₂ emissions, even when factoring in the relatively larger global warming potential of CH₄ and N₂O.

Construction-related GHG exhaust emissions would be generated by sources such as heavy-duty off-road equipment, trucks hauling materials to the site, and worker commutes. Construction activities are anticipated to commence as early as 2012 and last until approximately 2030. Given that exhaust emission rates of the construction equipment fleet in California are expected to decrease over time due to efforts led by ARB and SCAQMD, annual construction emissions were estimated using the earliest calendar year when construction could begin (i.e., 2012) in

order to generate conservative estimates. It is anticipated, however, that in later years advancements in engine technology, retrofits, and turnover in the equipment fleet would result in increased fuel efficiency, potentially more alternative fuel equipment, and lower levels of GHG emissions.

Accordingly, total construction emissions for the buildout period associated with implementation of the zoning amendments were estimated using CalEEMod. This program is designed to model construction emissions for land use development projects based on building size, land use and type, and disturbed acreage, and allows for the input of project-specific information. Construction-generated GHG emissions were modeled based on general land use information provided in the project description, and default settings and parameters attributable to the proposed land use types and site locations. Refer to Appendix C of this PEIR for a detailed summary of the modeling assumptions, inputs, and outputs.

Estimated GHG emissions from construction at the project sites would be approximately 3,342 MT of CO₂. This value accounts only for exhaust emissions of GHGs that would be generated by heavy-duty equipment, haul trucks, and vehicle trips. Construction-generated exhaust emissions would be temporary and short term in that they would only occur during the buildout period. In addition, the regulatory environment that continues to evolve under the mandate of AB 32 is expected to reduce some of the GHG emissions from construction activity.

ARB's Scoping Plan does not directly discuss GHG emissions generated by construction activity; however, it does recommend measures for improving the efficiency of medium- and heavy-duty on-road vehicles and efficiency strategies for off-road vehicles (e.g., forklifts, bulldozers). In addition, existing programs for air quality improvement in California, including the Diesel Risk Reduction Plan and the 2008 SIP, will result in the accelerated phase-in of cleaner technology for virtually all of California's diesel engine fleets, including construction equipment (ARB 2008a). Measures implemented under these plans are likely to result in future fleets of construction equipment that are more GHG efficient than existing fleets. For these reasons, levels of GHG emissions associated with construction activity are expected to decrease over time as new regulations are developed under the mandate of AB 32.

Neither ARB nor SDAPCD directly discuss how to evaluate GHG emissions generated by construction activity. Also, SDAPCD does not have a quantitative threshold of significance for construction-related GHG emissions; therefore, the threshold is based on a qualitative evaluation of whether the project implements applicable BMPs for reducing GHG emissions related to construction activities.

Nonetheless, construction-generated GHG emissions resulting from the proposed zoning amendments would make an incremental contribution to GHGs that cause climate change. Although the construction activity would be temporary, GHGs as a result of those activities would persist in the atmosphere. Existing regulatory efforts and new regulations that are expected to be enacted under AB 32 will help reduce GHG emissions generated by construction activity throughout the state. However, given the information available today, GHG emissions associated with construction of the proposed project would contribute to this **significant cumulative GHG impact**. Mitigation Measure GHG-1 would reduce impacts of GHG emissions during construction, but not to a level of less than significant.

Operational GHG Emissions

Operational GHG emissions may be both direct and indirect emissions and would be generated by area, mobile, and stationary sources. Area-source emissions would be associated with activities such as maintenance of landscaping and grounds. Natural gas combustion for space and water heating is also a direct area source of GHG emissions but is considered separately from other area sources. This analysis assumes that no wood-burning fireplaces would be installed in any of the residential units. Lastly, solid waste disposal and wastewater treatment from residential and commercial uses would result in direct, off-site emissions of GHGs.

Mobile-source emissions of GHGs would also include project-generated vehicle trips by residents. The General Plan/LCP and commercial zoning amendments would result in approximately 155,000 additional square feet of commercial uses, one grocery store, and 1,842 additional dwelling units by the year 2030. According to the project traffic report, the rezone project will conservatively generate an additional 22,856 daily trips above year 2011 existing conditions (KOA Corporation 2011).

Indirect emissions sources include stationary-source emissions from electricity generation at off-site utility providers. Consumption of water would also result in indirect GHG emissions because of the electricity consumption associated with the off-site conveyance, distribution, and treatment of water and wastewater. Table 3.4-1 shows the summary of operational GHG emissions estimated for the proposed project.

Because AB 32 defines a quantifiable goal of reducing emissions to the 1990 level by year 2020, operational GHG emissions from implementation of the rezone were estimated and compared to the proposed threshold of significance. Table 3.4-1 presents operational emissions estimated for 2020 and assumes a linear progression toward buildout in 2030.

As shown in Table 3.4-1, the proposed project would result in approximately 11,599 and 35,755 MT of CO₂e per year in 2020 and 2030, respectively. Transportation sources are the largest source of emissions and represent approximately 57% to 63% of the total emissions. Energy consumption, including electricity and natural gas, is the next largest category at 27% to 31% of the total CO₂e emissions.

As discussed in Section 3.7, Population and Housing, it is estimated that the commercial zones in the project study areas would accommodate 5,152 new residents at full buildout. Employment can be estimated based on a standard factor of 500 square feet per employee for commercial land uses. Based on the additional 155,000 square feet of commercial land uses and a grocery store, it is anticipated that the General Plan/LCP and commercial zoning amendments will result in an additional 410 jobs. Therefore, the total service population in 2030 would be 5,552. Assuming linear growth from 2011, this would result in a project-related population of 1,932 and 154 jobs in 2020.

As shown in Table 3.4-1, the total operational CO₂e emissions divided by the service population associated with the proposed project in 2020 would result in 5.6 MT per service population per year, which would not exceed the 6.6 MT threshold of significance (SCAQMD 2009). However, the efficiency calculations in 2030 would result in emissions of 6.4 MT per service population per year, which would exceed the 4.9 MT threshold of significance for that year, as estimated and discussed in Section 3.4.2 above. Therefore, the proposed project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The proposed project would contribute to this **significant cumulative GHG impact**. Mitigation Measure GHG-2 would reduce impacts of operational GHG emissions, but not to a level of less significance.

Conflict with an Applicable Plan, Policy, or Regulation Adopted to Reduce Greenhouse Gas Emissions

In addition to reducing GHG emissions to 1990 levels by 2020, AB 32 directed ARB to develop a Scoping Plan and identify a list of early action GHG reduction measures. ARB has developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local governments and community groups, and state incentive and regulatory programs. The adopted Scoping Plan (ARB 2008b) includes proposed GHG reductions from direct regulations, alternative compliance mechanisms, monetary and nonmonetary incentives, voluntary actions, and market-based mechanisms such as cap-and-trade systems. The Scoping Plan did not directly create any regulatory requirements for the City or for

projects anticipated under the General Plan/LCP and commercial zoning amendments. However, regulatory changes would affect GHG emission rates from vehicles used by residents and businesses. Regulatory changes could affect GHG emissions rates associated with electricity demand created by future project land uses, which will be required to comply with future applicable regulatory changes.

ARB's Scoping Plan includes measures that would indirectly address GHG emission levels associated with construction activity, including the phasing-in of cleaner technology for diesel engine fleets (including construction equipment) and the developments under the Low Carbon Fuel Standard Program (ARB 2009). Policies formulated under the mandate of AB 32 that are applicable to construction-related activity, either directly or indirectly, are assumed to be implemented during construction within the proposed project areas if those policies and laws are developed before construction begins. Therefore, it is assumed that project construction would not conflict with the Scoping Plan.

The draft General Plan/LCP and commercial zoning amendments would not conflict with the AB 32 Scoping Plan, or any other plans, policies, or regulations for the purpose of reducing GHG emissions. Neither the City nor any other agency with jurisdiction over this project has adopted climate change or GHG reduction measures with which the General Plan/LCP and commercial zoning amendments would conflict. The impact is **less than significant**.

3.4.4 Mitigation Measures

GHG-1 Measures for Reducing Construction-Related GHG Emissions

To reduce construction-generated GHG emissions, projects seeking discretionary approval from the City shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by the City and/or SDAPCD at the time individual portions of the site undergo construction.

The project applicant(s) for any particular discretionary project may submit to the City a report that substantiates why specific measures are considered infeasible for construction of that particular discretionary project and/or at that point in time. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.

The recommended measures for reducing construction-related GHG emissions at the time of writing this PEIR are listed below. The list will be updated as new technologies or methods become available. The project applicant(s) shall, at a minimum, be required to implement the following:

- Improve fuel efficiency of construction equipment:
 - reduce unnecessary idling (modify work practices, install auxiliary power for driver comfort);
 - perform equipment maintenance (inspections, detect failures early, corrections);
 - train equipment operators in proper use of equipment;
 - use the proper size of equipment for the job; and
 - use equipment with new technologies (repowered engines, electric drive-trains).
- Use alternative fuels for electricity generators and welders at construction sites, such as propane or solar, or use electrical power.
- Use an ARB-approved low-carbon fuel, such as biodiesel or renewable diesel for construction equipment. Emissions of NO_x from the use of low carbon fuel must be reviewed and increases mitigated. Additional information about low-carbon fuels is available from ARB's Low Carbon Fuel Standard Program (ARB 2009).
- Reduce electricity use in the construction offices by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones.
- Recycle or salvage nonhazardous construction and demolition debris.
- Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials).
- Develop a plan to efficiently use water for adequate dust control. This may consist of the use of nonpotable water from a local source.

GHG-2 Implement Measures to Reduce Long-Term Operational GHG Emissions

GHG emission reduction strategies and their respective feasibility are likely to evolve over time. The applicants shall consider and implement, as feasible, the following nonexclusive and nonexhaustive list of measures. These measures are derived from multiple sources, including Appendix B of the CAPCOA white paper, *CEQA & Climate Change* (CAPCOA 2008); CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures. A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures* (CAPCOA 2010); the California Attorney General's Office publication entitled *The California Environmental Quality Act: Addressing Global Warming Impacts at the Local Agency Level* (California Attorney General's Office 2008); and the BAAQMD's CEQA Guidelines (BAAQMD 2010).

Energy Efficiency

- Install clean alternative energy features to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines).
- Install solar water heaters.
- Buildings shall exceed by 20% the Title 24 Energy Efficiency Standards for Residential and Nonresidential Building of the California Code of Regulations.
- Require smart meters and programmable thermostats.
- Require HVAC duct sealing and periodic inspection.
- Site buildings to take advantage of shade and prevailing winds, and design landscaping and sun screens to reduce energy use. Plant shade trees within 40 feet of the south sides or within 60 feet of the west sides of properties.
- Install efficient lighting in all project buildings. Also install lighting control systems, where practical. Maximize daylight as an integral part of lighting systems in all buildings.
- Install cool roof materials (albedo ≥ 30).
- Install light-colored cool pavements, and strategically locate shade trees along all bicycle and pedestrian routes.

Water Conservation and Efficiency

- With the exception of ornamental shade trees, use water-efficient landscapes with native, drought-resistant species in all public areas and commercial residential landscaping. Use water-efficient turf in parks and other turf-dependent spaces.
- Install the infrastructure and necessary treatment to use reclaimed water for landscape irrigation and/or washing cars, including installation of rainwater collection systems.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Design buildings and lots to be water-efficient. Install only water-efficient fixtures and appliances.
- Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff. Prohibit businesses from using pressure washers for cleaning driveways, parking lots, sidewalks, and street surfaces. These restrictions should be included in the Covenants, Conditions, and Restrictions (CC&R) of property-owner associations.
- Provide education about water conservation and available programs and incentives.
- To reduce stormwater runoff into the City's wastewater treatment system, construct residential driveways and parking lots with pervious surfaces such as porous concrete turf blocks or pervious pavers.

Solid Waste Measures

- Provide interior and exterior storage areas for recyclables, food waste, and green waste at all buildings; and create food waste and greenwaste curbside pickup.
- Provide adequate recycling containers in public areas, including parks, school grounds, and pedestrian zones in areas of commercial and mixed-use development.
- Provide education and publicity about reducing waste and available recycling services.

3.4.5 Significance of Impact after Mitigation

Implementation of Mitigation Measure GHG-1 identifies known feasible BMPs for construction-related GHG emissions. No other known feasible and enforceable measures exist to reduce impacts to less than significant. In addition, at a program level of analysis, there is no assurance that the mitigation measures would be adequately applied to future projects or that additional, more effective BMPs to reduce construction-related GHG emissions should be required in the future. Therefore, this impact would remain **significant and unavoidable**.

Implementation of Mitigation Measure GHG-2 would reduce operational emissions, but it is unclear to what extent these proposed reduction strategies would be applied throughout the project study areas. Therefore, it cannot be ensured that these proposed reduction measures would reduce emissions below the 4.9 MT threshold per service population per year in 2030. This impact would remain **significant and unavoidable**.

Impacts that are determined to be significant and unavoidable would require adoption of findings and a statement of overriding considerations, which requires that the City make a determination that specific economic, legal, technological, or other benefits of the project outweigh the unavoidable adverse environmental effects.

**Table 3.4-1
Imperial Beach General Plan/LCP and Commercial Zoning
Amendments – Operational GHG Emissions**

Emissions Source	2020	2030
	MT CO ₂ e	MT CO ₂ e
Area Source	580	1,548
Energy	3,564	9,477
Transportation	6,611	22,462
Solid Waste	436	1,183
Water & Wastewater	408	1,085
Total	11,599	35,755
Population	1,932	5,152
Employment	154	410
Service Population (Population+Employment)	2,086	5,552
CO₂e Per Capita	6.0	6.9
CO₂e Per Service Population	5.6	6.4
SCAQMD Proposed Service Population Threshold	6.6	4.9
Exceeds Threshold?	NO	YES

Notes: CO₂e = carbon dioxide equivalent; MT= metric tons.

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3.5 HYDROLOGY AND WATER QUALITY

This section contains information regarding existing water quality conditions at the project study areas and potential existing and future pollutant sources that may impact water quality. Information regarding the potential for beach erosion is based on the Wave Uprush Study prepared for the New Seacoast Inn project by Moffatt & Nichol (2005); and from the Seacoast Inn Final Environmental Impact Report (City of Imperial Beach 2007).

3.5.1 Existing Conditions

Hydrology and Drainage

Hydrologic Basin 9, which drains to the Pacific Ocean, encompasses most of San Diego County and parts of southwestern Riverside and southwestern Orange counties. Basin 9 is divided into 11 major hydrologic units (HUs), 54 hydrologic areas (HAs), and 147 hydrologic subareas (HSAs). Imperial Beach is split between the Otay HU (910.00) in the northern portion of the City and the Tijuana HU (911.00) in the southern portion. The Palm Avenue study area is in the Otay Valley HA (910.20), and the Old Palm Avenue and the northern portion of the Seacoast Drive study areas are in the Coronado HA (910.10). Stormwater runoff from these areas drains to the Otay River or San Diego Bay. The southern portion of the Seacoast Drive study area is located within the San Ysidro HSA (911.11) of the Tijuana Valley HA (911.10). Stormwater runoff from these areas drains to the Tijuana Estuary. Within both of these watersheds, a small portion of the coastal area drains directly to the Pacific Ocean via three ocean outfalls. Annual precipitation within the City is typically less than 11 inches per year.

Based on the 2009 *Clean Water Act Sections 305(b) and 303(d) Integrated Report for the San Diego Region* as published by San Diego RWQCB (2009), the primary locations of polluted runoff from nonpoint sources and the pollutants of concern are listed below:

Pacific Ocean Shoreline

- At Imperial Beach Pier: Fecal Coliform, Polychlorinated Biphenyls (PCBs), Total Coliform
- At Carnation Avenue: Total Coliform
- At 0.75 mile north of Tijuana River: Enterococcus, Fecal Coliform
- At end of Seacoast Drive: Total Coliform

The Tijuana River and estuary are also identified on the 303(d) list for the following pollutants:

- Eutrophication
- Indicator Bacteria
- Pesticides
- Phosphorous
- Sedimentation/Siltation
- Selenium
- Solids
- Surfactants
- Synthetic Organics
- Toxicity
- Trace Elements
- Trash
- Lead
- Low Dissolved Oxygen
- Nickel
- Thallium
- Turbidity
- Total Nitrogen

Coastal Resources and Erosion

The western portion of the Seacoast Drive study area is situated adjacent to the Pacific Ocean and is within the Silver Strand littoral cell, an area of the ocean that extends from the Tijuana River inlet to the San Diego Bay entrance. The primary sediment sources that supply beach sand along the Silver Strand include the Tijuana River delta, erosion of the Playas de Tijuana sea cliffs, and artificial beach sand nourishment projects. The primary sediment sink is the shoal at the southern (Zuniga Jetty) entrance to San Diego Bay.

Active erosion and passive erosion along Imperial Beach are serious, existing problems that extensive U.S. Army Corps of Engineers federal studies have evaluated (USACE 1978, 1995a, 1995b, 2000, 2002a, 2002b). Active erosion refers to the reduction of sand volume and beach width in front of a seawall (or revetment) or adjacent to it because of long-lasting sand scour, sand loss, or sand blockage that would not have occurred without the wall. Increased wave reflection from seawalls; turbulent scour in front, along the sides, or at the corners of seawalls; and sand obstruction due to a structure jutting far out onto the active sand transport area of beaches; have all been cited as possible causes of active, structure-induced erosion. Passive erosion assumes that on a retreating coast there will always be a beach between the shoreline and the back-beach line as these two recede landward more or less together. If the back beach is prevented from eroding by a shore protection structure, then the beach will narrow and eventually disappear as the shoreline continues to migrate landward, in effect pinching out the beach (City of Imperial Beach 2007).

Seawalls have been constructed along the Seacoast Drive study area, primarily adjacent to recently constructed multiple-family residences, as well as at Dunes Park and Pier Plaza. In some locations large boulders (riprap) have also been installed in place of, or along with, seawalls. The

proposed Seacoast Inn, now under construction, proposes to construct a new concrete seawall approximately 35 feet landward of the previous timber seawall that supported the earlier hotel.

SANDAG is embarking on the second Regional Beach Sand Project (RBSP II) (SANDAG 2011b). Through funding from the California Department of Boating and Waterways and contributions from the region's coastal cities, SANDAG proposes to continue the process of restoring the region's eroded beaches by implementing proactive measures to protect and enhance the quality of the San Diego region coastline. RBSP II is scheduled for construction in spring 2012 and would include beach replenishment along the City beachfront. Under Alternative 1, approximately 120,000 cubic yards (cy) of fill is proposed along a 2,310-foot-long beach fill. The beach berm would be 120 feet wide at +12 feet mean lower low water level. Under Alternative 2, the Imperial Beach receiver site would be extended to 5,750 feet in length with a volume of 650,000 cy and a 260-foot-wide berm.

Coastal Flooding

The National Flood Insurance Program of the Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRM) to identify "Special Flood Hazard Areas" that are subject to inundation by a 100-year flood. Imperial Beach Municipal Code (IBMC) Chapter 15.50, Flood Damage Protection, defines "coastal high hazard area" as the area that is subject to high velocity waters, including coastal and tidal inundation or tsunamis.

The majority of the City is designated on the FIRM map as Zone X and not within designated flood hazard areas. Areas immediately adjacent to the beach, (within approximately 100 feet of the beach, such as locations west of Ocean Lane) are designated as being located within zones of Special Flood Hazard Areas Inundated by the 100-Year Flood (including Zones AE and V) (FEMA 1997). The FIRM map, as well as the Safety Element of the General Plan/LCP, also indicate that along with the immediate beachfront area, the majority of the 100 year floodplain areas within the City are associated with the Tijuana River Valley in the southern portion of the City (FEMA 1997, City of Imperial Beach 2010).

Regulatory Setting

Federal Clean Water Act

The Federal Clean Water Act (CWA) was adopted in 1972 and requires that local jurisdictions maintain a minimum level of pollutant management using the best available technology. It also

requires that the condition of surface waters be evaluated so that limitations can be established to control the amount of pollution that the water can be exposed to without adversely affecting the beneficial uses of those waters. Section 303(d) of the CWA requires that the states make a list of waters that are not in compliance with water quality standards and, for waters on this list, the states are to develop total maximum daily loads (TMDLs) that account for all sources of pollutants that caused the water to be listed. A TMDL requires that all sources of pollution and all aspects of a watershed's drainage system be reviewed, not just the pollution coming from discrete conveyances (known as point sources), such as a discharge pipe from a factory or a sewage treatment plant. "Nonpoint source" pollution (also called polluted runoff) is the release of pollutants from everything other than point sources. These include landscape sources such as stormwater and agricultural runoff, as well as dust and air pollution that find their way into water bodies. USEPA has established regulations (40 Code of Federal Regulations 122) requiring that National Pollutant Discharge Elimination System (NPDES) permits be revised to be consistent with any approved TMDL.

Porter-Cologne Water Quality Control Act

In California, the State Regional Water Resources Control Board has interpreted state law (Porter-Cologne Water Quality Control Act, California Water Code Section 13000 et seq.) to require that implementation be addressed when TMDLs are incorporated into Basin Plans for the state's nine water quality control basins. The Porter-Cologne Act requires each Regional Water Quality Control Board (RWQCB) to formulate and adopt water quality control plans for all areas within its region. It also requires that a program of implementation be developed that describes how water quality standards will be attained.

Jurisdictional Urban Runoff Management Program (JURMP)

The San Diego RWQCB Order No. R9-2007-0001 renewed the requirement that all jurisdictions (referred to as "Copermittees") within the San Diego region prepare JURMPs to address both construction activities and existing development. The City has adopted a JURMP (City of Imperial Beach 2008), which establishes a series of source control, site design, and treatment control BMPs to protect and improve the water quality of stormwater flows to the Tijuana Estuary, the Pacific Ocean, and San Diego Bay. The City is also participating with the other Copermittees in updating the Model Standard Urban Storm Water Mitigation Plan (SUSMP) that defines minimum standards of Low Impact Development (LID) and other BMPs that will be incorporated in the City's JURMP.

City of Imperial Beach Urban Runoff Management and Discharge Control Ordinance

Chapter 8.30 of the IBMC establishes requirements for stormwater management, including source control requirements, to prevent and reduce pollution and erosion due to urban runoff. This includes requirements for projects to have prepared a Stormwater Pollution Prevention Plan (SWPPP) for specified commercial, industrial, or land disturbance activities and to identify BMPs that will be used to prevent or control pollution of stormwater to the maximum extent practicable (MEP). Land development and redevelopment projects with the potential to add pollutants to stormwater or to affect the flow rate or velocity of stormwater runoff after construction is completed, are required to implement post-construction BMPs to ensure that pollutants and runoff from the development will be reduced to the MEP and will not cause or contribute to an exceedance of receiving water quality objectives.

Preparation a SWPPP is also required for projects involving demolition or grading so that control of pollutants in compliance with the City JURMP is assured. The locations of all erosion-control devices need to be noted on project plans and the applicant would be responsible for monitoring and maintaining the BMP erosion-control measures on a weekly basis. Typical construction BMPs include fiber rolls, storm drain inlet protection, street sweeping and vacuuming, stabilized construction entrance/exit, containment of material delivery and storage areas, and management of concrete and other construction and hazardous wastes.

Stormwater/Urban Runoff Pollution Reduction Charge

IBMC Chapter 8.31 establishes a fund to be designated “stormwater/urban runoff pollution reduction fund” and all revenue derived from the user charges designated in this chapter is deposited into the stormwater/urban runoff pollution reduction fund.

Standard Urban Stormwater Mitigation Plan (SUSMP)

IBMC Chapter 8.30 implements the NPDES permit requirement that more specific criteria to reduce the discharge of stormwater pollutants to the MEP be required of “priority development projects.” Table 1 in IBMC Section 8.32.040 provides of list of priority development projects that includes housing developments of 10 or more dwelling units, including multiple-family units; commercial developments greater than 1 acre, including shopping malls, hotels, and office buildings; and certain heavy industrial developments greater than 1 acre. Also regulated are automotive repair shops, gas stations, restaurants, development directly adjacent to or discharging to an environmentally sensitive area, and parking lots greater than 5,000 square feet.

IBMC Section 8.32.080 further provides that SUSMP requirements be incorporated into projects; and Section 8.32.090 requires that all priority projects implement one or a combination of stormwater BMPs, including LID and site design BMPs, source control BMPs, and structural treatment BMPs after the pollutants and conditions of concern have been identified. Priority projects may also be required to implement hydromodification mitigation measures so that post-project runoff flow rates and durations do not exceed pre-project flow rates and durations when increases in flow rates would result in an increased potential for erosion or significant impacts to beneficial water uses.

Flood Hazard Reduction Standards

IBMC Section 15.50.160, Flood Hazard Reduction Standards, requires that within coastal high hazard areas the following standards shall apply:

1. All new construction and substantial improvements shall be elevated on pilings or columns so that:
 - a. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level; and
 - b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction.

3.5.2 Significance Criteria

The impact of the proposed project related to hydrology and water quality would be considered significant if it would exceed the following thresholds of significance, in accordance with Appendix G of the CEQA Guidelines:

- Violate any water quality standards or waste discharge requirements;
- Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;

- Otherwise substantially degrade water quality;
- Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map; or
- Result in inundation by seiche, tsunami, or mudflow.

The IS (provided in Appendix A of this PEIR) also analyzed the following thresholds of significance, for which the project was determined to have no impact or a less than significant impact:

- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; or
- Place within a 100-year flood hazard area structures which would impede or redirect flood flows.

The findings for these determinations of project significance are discussed in Section IX of the IS, provided in Appendix A.

3.5.3 Determination of Significant Project Impacts

Regional Water Quality

The project would enable revitalization of the project study areas, potentially inducing additional commercial and residential development and potential new sources of polluted runoff from construction and operation of new land uses. This could result in direct discharge of polluted runoff from nonpoint sources into CWA Section 303(d) impaired receiving water bodies as described below.

Although the project site is already extensively developed with urban uses, some vacant or underutilized properties would be expected to be developed with more intensive commercial and multiple-family residential uses with increased areas of impervious surfaces from roofs, paving, sidewalks, and hardscape. In addition, not all existing storm drains in the project areas contain water quality treatment units to remove pollutants such as sediment, heavy metals, organic compounds, and nutrients before discharge of runoff to the ocean outfalls, the Tijuana River Estuary, or San Diego Bay.

Increased traffic in the area would also generate additional amounts of pollutants on the roadways and in paved parking areas. These auto-related nonpoint source pollutants, such as oil, gasoline, or other chemicals associated with vehicle operation, could accumulate in surface water runoff.

Construction could include the demolition of existing structures, clearing and grubbing, excavation for foundations or subsurface parking, paving of surface parking areas, and landscaping. Some projects could also involve construction of seawalls or placement of riprap along the Seacoast Drive beachfront. These activities could result in impacts to water quality via stormwater and non-stormwater runoff. Clearing and grubbing would expose topsoil and may result in sediment runoff. Grading may cause sediment, oil, and grease pollution. Landscaping, including planting and hydroseeding, may lead to pesticides, organic material, and oxygen demanding substances entering water bodies via storm drains.

Construction activities associated with new construction or redevelopment could also result in increased runoff. The City's JURMP and IBMC Chapter 8.30, Urban Runoff Management and Discharge Control, require BMPs to reduce the potential for polluted runoff during construction and operation of new development and would avoid any substantial adverse indirect effects on nearby habitat associated with the ocean shoreline, Tijuana River Estuary, or San Diego Bay.

Although existing ordinances and procedures are in place to comply with federal, state, and regional water quality goals and standards, construction and operation of new land uses within the project study areas may result in **significant impacts to regional water quality**. Specific water pollutant source control and construction practices are identified herein as Mitigation Measures HY-1, HY-2, HY-3, and HY-4.

Drainage Systems

The urban area in which the project is located currently has an existing drainage system in place to control runoff. Redevelopment or new development would not substantially alter the existing

drainage patterns of the developed area as most would occur within sites that have previously been developed with impervious surfaces. The project area is already highly developed with urban uses and generally covered with impervious surfaces; therefore, the amount of new runoff generated by development activities would be limited and would not overburden the existing drainage system. The project impact would be **less than significant**.

Coastal Flooding

Development of beachfront properties that would be subject to coastal flooding, including all properties west of Ocean Lane and all properties designated as within an area of special flood hazard per IBMC Section 15.50.040, would be subject to significant coastal flooding. This would include a minimal area along the very westernmost portion of the Seacoast Drive study area. Any development in these special flood hazard areas would be subject to requirement of the IBMC Section 15.50.160, Flood Hazard Reduction Standards to reduce potential for risk for flooding hazards and flood-related damage as described in Section 3.5.1.

In addition, as stated in Section 3.4, Greenhouse Gas Emissions, an outcome of global climate change is sea level rise. Sea levels rose approximately 7 inches during the last century (Intergovernmental Panel on Climate Change 2007) and the State of California predicts an additional rise of 10 to 17 inches by 2050 and a rise of 31 to 69 inches by 2100, depending on the future levels of GHG emissions (State of California 2010). If this occurs, resultant effects could include increased coastal flooding. Compliance with IBMC Section 15.50.160, Flood Hazard Reduction Standards, would require development within coastal high hazard areas to be elevated above the base flood level and be adequately anchored to resist flotation, collapse, and lateral movement as detailed in the regulatory setting section. Adherence to these development safety standards would minimize potential hazards from coastal flooding and reduce the impact of coastal flooding. However, the potential will remain for additional sea level rise not addressed by the FEMA FIRM maps and the IBMC. Therefore, the impact of coastal flooding would be **significant and unavoidable**.

Other Potential Hydrology and Water Quality Impacts

Imperial Beach is not dependent on groundwater supplies; there are no streams or rivers within the project site that would be altered by the project. As shown in Figure S-1 of the Imperial Beach General Plan/LCP Safety Element, only a small western portion of the Seacoast Drive study area is located within a 100-year flood hazard area while the rest of the study areas are not within flood hazard area. Therefore, the project would have **no impact** on these environmental resources.

3.5.4 Mitigation Measures

Compliance with IBMC Section 15.50.160, Flood Hazard Reduction Standards, would require development within coastal high hazard areas to be elevated above the base flood level and be adequately anchored to resist flotation, collapse, and lateral movement. Adherence to these development safety standards would minimize potential hazards from coastal flooding and reduce its potential impact to coastal properties. No additional mitigation is available at this time to avoid potential impacts from sea level rise due to global warming affecting existing and planned land uses.

During the review of ministerial and discretionary permits within the project site, the City Public Works Director shall apply, as needed, the following or other necessary mitigation measures to avoid hydrology and water quality impacts:

HY-1 Prior to City approval of construction permits, final grading and drainage plans shall be reviewed for compliance with the City SUSMP.

HY-2 Design BMPs shall be incorporated into project plans for pollutant reduction to the satisfaction of the City Public Works Director. These BMPs may include, but are not limited to, the following:

- Wherever possible, runoff from parking areas and impervious surfaces shall be directed through landscaped areas before entering storm drains, so that vegetation would provide bio-filtration to remove pollutants and prevent motor vehicle-related pollutants such as grease and oil being washed into storm drains.
- Landscaping shall be installed as may be needed to prevent soil erosion and sediment generation.
- Trash storage areas and pick-up bins shall be located or designed to prevent runoff from contacting trash, debris, and other pollutants.
- If below-grade parking is proposed, channel drains shall be installed at the parking entrance and be equipped with fossil filters to prevent runoff-borne pollutants from reaching the storm drain system; and an oil and grease separator sump pump shall be installed so that any runoff draining into the garage or being carried by vehicles would be collected and directed to a fossil filter for pollutant removal.

- Impervious areas such as driveways, parking surfaces, and other common areas shall be kept free of trash, debris, oil, and other pollutants through regular and pre-storm cleanup programs.
- Adjacent drain inlets shall be stenciled with a message such as “I live downstream” in Spanish and English.
- An efficient irrigation system with a timer and rain shutoff valves shall be installed.
- Pesticides shall be used only when other means of pest control have failed.
- Pollutants from rooftop runoff shall be collected by downspouts and private storm drain systems that would allow treatment for pollutants in sediment runoff and for removal of trash and debris by downspout filters (FloGard[®] or similar) or flow-through planter boxes.
- For projects with private storm drain systems that direct runoff to on-site catch basins, the basins shall use inlet inserts, such as ClearWater[®] inlet filters, prior to being discharged into the public storm drain system.
- For projects with lawn areas, signs shall be posted to clean up pet waste; and plastic bag dispensers and waste containers shall be made available in each area.

HY-3 Construction BMPs shall be incorporated into project plans for pollutant reduction to the satisfaction of the City Public Works Director. These BMPs may include, but are not limited to, the following:

- Placement of gravel bags as needed to prevent pollutant-laden runoff from the project site to reach adjacent streets and downstream storm drain systems.
- Grate inlet protection with fiber rolls or other suitable runoff containment devices are to be installed at storm drain inlets adjacent to project sites.
- During demolition, grading, and construction, a stabilized construction entrance to reduce sedimentation caused by vehicle tracking is to be installed. All vehicles stored on-site are to use drip pans to minimize oil and grease pollution.

- Material storage, solid waste management, hazardous material management, concrete waste management, and sanitary waste are to be placed at the easterly side of the construction sites located west of Seacoast Drive.

HY-4 Nonstructural post-construction operational BMPs shall be implemented for pollutant reduction and may include, but are not limited to, the following:

- A public/employee education program to raise the level of awareness of shoreline/ocean water quality issues, including elements such as new employee indoctrination and annual employee formal training consistent with the City's JURMP commercial training plan, inlet and catch basin stenciling, and public awareness signs placed in or adjacent to grass-lined runoff infiltration swales as directed by the City.
- A material use control program for materials with a potential to contaminate stormwater including guidelines for proper storage and disposal practices for potential pollutants (e.g., motor oils, paints, pool chemicals, cleaning supplies), prohibiting the storage of uncovered hazardous substances in outdoor areas, prohibiting the use of pesticides and herbicides listed by the USEPA, and spill prevention/response procedures and shipping/receiving practices.
- A hardscape sweeping and cleaning program for all pedestrian and vehicle use areas.
- A landscape management plan designed by a horticulturalist that includes herbicide/pesticide management.

3.5.5 Significance of Impact after Mitigation

Implementation of Mitigation Measures HY-1 through HY-4 would require implementation of project design features and construction practices at a project level that would reduce impacts to hydrology and water quality to **less than significant**.

The potential will remain for additional sea level rise due to the effects of global warming that is not addressed by the FEMA Flood Insurance Rate Maps and the IBMC. Therefore, the impact of coastal flooding would be **significant and unavoidable**.

3.6 NOISE

This section evaluates potential noise impacts resulting from the proposed changes in land use designations, specifically the potential for the project to cause a substantial temporary or permanent increase in ambient noise levels, or exposure of people to excessive noise levels as a result of construction and operation of land uses in the project study areas. Construction noise modeling calculations for the project are included in this PEIR as Appendix D.

Noise and Vibration Terms and Concepts

Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may, therefore, be classified as a specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment (Caltrans 2009).

Decibels and Frequency

In its most basic form, a continuous sound can be described by its frequency or wavelength (pitch) and its amplitude (loudness). Frequency is expressed in cycles per second, or hertz. Frequencies are heard as the pitch or tone of sound. High-pitched sounds produce high frequencies; low-pitched sounds produce low frequencies. Sound pressure levels are described in decibel (dB) units.

Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used for earthquake magnitudes. Thus, a doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; a halving of the energy would result in a 3 dB decrease.

Perception of Noise at the Receiver and A-Weighting

The human ear is not equally sensitive to all frequencies within the sound spectrum. To accommodate this phenomenon, the A-scale, which approximates the frequency response of the average young ear when listening to most ordinary everyday sounds, was devised. When people make relative judgments of the loudness or annoyance of a sound, their judgments correlate well with the A-scale sound levels of those sounds. Noise levels using A-weighted measurements are written dB(A) or dBA. Table 3.6-1 shows the relationship of various noise levels to commonly experienced noise events.

Human perception of noise has no simple correlation with acoustical energy. The perception of noise is not linear in terms of dBA or in terms of acoustical energy. Two noise sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA increase or decrease, and a change of 5 dBA is readily perceptible.

Noise Propagation

From the source to the receiver, noise changes both in level and frequency spectrum. The most obvious is the decrease in noise as the distance from the source increases. The manner in which noise reduces with distance depends on the important factors described in the following discussion.

Geometric spreading from point and line sources: Sound from a small localized source (approximating a “point” source) radiates uniformly outward as it travels away from the source in a spherical pattern. The sound level attenuates or drops off at a rate of 6 dBA per each doubling of the distance (DD) (FTA 2006). The movement of vehicles makes noise from this source of sound appear to emanate from a line (line source) rather than a point when viewed over some time interval. The sound level attenuates or drops off at a rate of 3 dBA/DD for line sources (Caltrans 2009).

Ground absorption: Hard sites (i.e., sites with a reflective surface between the source and the receiver, such as parking lots) receive no excess ground attenuation, and the changes in noise levels with distance (drop-off rate) are simply the geometric spreading of the source. Soft sites are sites that have an absorptive ground surface such as soft dirt, grass, or scattered bushes and trees and receive an additional ground attenuation value of 1.5 dBA per doubling of distance (i.e., 7.5 dBA/DD for point sources and 4.5 dBA/DD for line sources) (FTA 2006).

Atmospheric effects: Wind speed will bend the path of sound to “focus” it on the downwind side and make a “shadow” on the upwind side of the source. At short distances, up to 165 feet, the wind has minor influence on the measured sound level. For longer distances, the wind effect becomes appreciably greater. Temperature gradients create effects similar to those of wind gradients, except that they are uniform in all directions from the source. On a sunny day with no wind, temperature decreases with altitude, giving a shadow effect for sound. On a clear night, temperature may increase with altitude, focusing sound on the ground surface (Caltrans 2009).

Shielding by natural and man-made features, noise barriers, diffraction, and reflection: A large object in the path between a noise source and a receiver can significantly attenuate noise levels at that receiver location. The level of noise attenuation provided by this shielding depends on the size of the object and the frequencies of the noise levels. Natural terrain features such as hills and dense woods, as well as features such as buildings and walls, can significantly alter noise levels.

Noise Descriptors

The intensity of environmental noise fluctuates over time, and several different descriptors of time-averaged noise levels are used. The selection of a proper noise descriptor for a specific source depends on the spatial and temporal distribution, duration, and fluctuation of both the noise source and the environment. The noise descriptors used in this PEIR to describe environmental noise are defined below:

- L_{\max} (Maximum Noise Level): The highest noise level occurring during a specific period of time.
- L_{\min} (Minimum Noise Level): The lowest noise level during a specific period of time.
- Peak: The highest weighted or unweighted instantaneous peak-to-peak noise level occurring during a measurement period.
- L_n (Statistical Descriptor): The measured noise level exceeded as a percentage of a specific period of time, generally accepted as an hourly noise measurement statistic. An L_{90} would be the noise level that is exceeded during 90% of the measurement period.
- L_{eq} (Equivalent Noise Level): L_{eq} represents a measured average of the sound energy occurring over a specified period. Effectively, the varying sound level over a specified period contains the same acoustical energy as a steady-state sound level in that same period.
- L_{dn} (Day-Night Noise Level): The 24-hour L_{eq} with a 10-dB “penalty” applied during nighttime noise-sensitive hours, 10:00 p.m. through 7:00 a.m. The L_{dn} attempts to account for the fact that noise during this specific period of time is a potential source of disturbance during normal sleeping hours.

Vibration

Groundborne vibration consists of oscillatory waves that propagate from the source through the ground to adjacent structures. The frequency of a vibrating object describes how rapidly it is oscillating. The frequency of this oscillation is measured by hertz (Hz), which is a measurement of cycles per second. The normal frequency range of most groundborne vibration that can be felt generally starts from a low frequency of less than 1 Hz to a high of about 200 Hz. While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration of building components can take the form of an audible low-frequency rumbling noise, which is referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration is dominated by frequencies in the upper end of the range (60 to 200 Hz), or when foundations or utilities, such as sewer and water pipes, connect the structure and the construction activity. Although groundborne vibration is sometimes noticeable in outdoor environments, groundborne vibration is almost never annoying to people who are outdoors (FTA 2006). The primary concern from vibration is the ability to be intrusive and annoying to local residents and other vibration-sensitive land uses.

Vibration levels are usually expressed as single-number measure of vibration magnitude, in terms of velocity or acceleration, which describes the severity of the vibration without the frequency variable. The peak particle velocity (ppv) is defined as the maximum instantaneous positive or negative peak of the vibration signal, usually measured in inches per second. Since it is related to the stresses that could result in damage to buildings, ppv is often used in monitoring vibrations from nearby blasting during project construction.

3.6.1 Existing Conditions

Affected Environment

Noise impacts would generally be limited to noise-sensitive receptors within and surrounding the project study areas. Noise-sensitive receptors are generally considered humans engaged in activities or utilizing land uses that may be subject to the stress of significant interference from noise. Activities usually associated with sensitive receptors include talking, reading, and sleeping. Land uses often associated with sensitive receptors include residences, hotels, motels, hospitals and medical centers, nursing homes, schools, and libraries.

Measured Existing Noise Levels

Existing noise level measurements were conducted on June 16, 2011. Short-term measurements were conducted between 8:00 a.m. and 5:00 p.m. The weather was overcast with a marine layer and moderate breezes from the west averaged 1 to 3 miles per hour.

Noise measurements were taken with a Larson Davis 820 sound level meter set on “slow” response and “A-weighting.” The meters were positioned 5 feet above the existing ground elevation at all measurement locations. The results of the short-term noise measurements are summarized in Table 3.6-2. The noise measurement locations are shown in Figure 3.6-1. Detailed measurement data are provided in Appendix D of this PEIR. Table 3.6-3 shows that noise levels within 100 feet of roadways within the project study areas exceed the City’s compatibility standards as defined in the Imperial Beach General Plan/LCP Noise Element per Table 3.6-4.

The predominant noise source in the project study areas is vehicle traffic on local roadways. Other sources are helicopter activity from Ream Field, temporary construction noise, animal vocalizations, pedestrians, and general activities associated with local businesses.

Regulatory Setting

State of California Title 24

Title 24 of the California Administrative Code requires that residential structures, other than detached single-family dwellings, be designed to prevent the intrusion of exterior noise so that the interior community noise equivalent level (CNEL) with windows closed does not exceed 45 dBA CNEL in any habitable room. The State Building Code Section 1208A.8.2 implements this standard by stating that “interior noise levels attributable to exterior sources shall not exceed 45 dBA CNEL in any habitable room.”

Noise Element of the City of Imperial Beach General Plan/LCP

The City adopted a General Plan/LCP Noise Element in October 1994. The goal of the Noise Element is “to regulate and control unnecessary excessive and annoying sounds and vibrations emanating from uses and activities within the City, and to prohibit such sounds and vibrations as are detrimental to the public health, welfare and safety of its residents” (City of Imperial Beach 1994). Figure 3.6-2 shows the community noise exposure limits for different land use types that are

used as compatibility guidelines for development within Imperial Beach. The Noise Element also establishes policies to achieve the established goal, which include the following policies that are relevant to the project:

- N-1 Noise Ordinance: The City shall develop and adopt an ordinance to control noise levels. The ordinance shall set forth specific noise levels that are unacceptable and not permitted in the City.
- N-2 Commercial Vehicles: The City shall establish regulations limiting routes, speeds, and operating hours of vehicles generating noise nuisance such as trucks and buses. Trucks over 5000 lbs. load capacity should be limited to Highway 75, unless they are making deliveries.
- N-5 Land Use Compatibility-Transportation: The City shall require all new development to meet the exterior noise requirements of the compatibility guidelines shown in Figure N-3 [see PEIR Table 3.6-4].

Imperial Beach Municipal Code

Title 9 of the IBMC contains the City’s noise control regulations (City of Imperial Beach 2011a). The IBMC does not contain quantifiable noise level limits at property lines but instead regulates noise based on disturbance of “the peace, quiet and comfort of the community by creating unreasonably loud or disturbing unnecessary noises.” Section 9.32.020(H) of the IBMC provides various prohibited noise sources including signaling devices, vehicle noises, hawkers and peddlers, advertising, and construction; and prohibits construction noise from “[t]he use of any tools, power machinery or equipment so as to cause noises disturbing to the comfort and repose of any person residing or working in the vicinity, or in excess of seventy-five decibels between the hours of ten p.m. and seven a.m.”

3.6.2 Significance Criteria

The impact of the proposed project related to noise would be considered significant if it would exceed the following thresholds of significance, in accordance with Appendix G of the CEQA Guidelines:

- Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;

- Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; or
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, if the project would expose people residing or working in the project area to excessive noise levels.

The IS (provided in Appendix A) also analyzed the following thresholds of significance, for which the project was determined to have no impact or a less than significant impact:

- Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; or
- For a project within the vicinity of a private airstrip, if the project would expose people residing or working in the project area to excessive noise levels.

The findings for these determinations of project significance are discussed in Section XII of the IS, provided in Appendix A.

3.6.3 Determination of Significant Project Impacts

Construction Noise

New development that may result from the project would require temporary construction activity, typically between six months and one year in duration. Noise impacts from construction are a function of the noise generated by the construction equipment, the location and sensitivity of nearby land uses, and the timing and duration of the noise-generating activities. Noise levels within and adjacent to the specific construction sites would increase during the construction period. Construction would not cause long-term impacts, since it would be temporary and daily construction activities would be limited by compliance with the City Noise Ordinance.

Typical construction projects, with equipment moving from one point to another, work breaks, and idle time, have long-term noise averages that are lower than loud short-term noise events. Typical maximum noise levels at a distance of 50 feet from various pieces of construction equipment are shown in Table 3.6-5. For purposes of analysis, a maximum 1-hour average noise

level of 80 dBA L_{eq} at a distance of 50 feet from the edge of a typical construction site is assumed to occur and would typically be associated with site preparation and foundation work. Noise levels of other activities, such as framing or paving, would be lower. Pile driving may occur at some development sites, particularly where higher structures would be allowed. Pile driving can produce very high noise levels of up to 101 dBA L_{max} at 50 feet.

Noise levels from construction activities are typically considered as point sources and would drop off at a rate of 6 dBA per doubling of distance over hard sites, such as streets and parking lots; the drop-off rate would increase slightly over soft sites such as grass fields and open terrain with vegetation (FTA 2006). Additionally, intervening structures also attenuate noise levels. Noise levels may be attenuated 3.0 to 5.0 dBA by a first row of houses/buildings and 1.5 dBA for each additional row of houses in built-up environments (FHWA 2011). These factors generally limit the distance construction noise travels and localize construction noise impacts.

Although construction noise would be localized to individual sites during construction, businesses and residences near construction sites within the project study areas could be intermittently exposed to temporarily elevated levels of noise, which would be a **significant impact**. Due to the potential for high short-term and instantaneous noise levels during peak construction activity near noise-sensitive receptors, Mitigation Measures NOI-1 and NOI-2 would reduce noise levels associated with construction.

Operation Noise

The project is expected to enable revitalization of underutilized properties, which would likely cause an increase in commercial and residential development. The new uses would be similar in nature to existing commercial and residential uses and would not be expected to generate substantial new noise sources. However, anticipated additional traffic would result in increased noise levels, most noticeably to properties near Palm Avenue/SR-75 and Seacoast Drive. Elevated traffic noise would be a permanent increase in the ambient noise levels in the project study areas. Table 3.6-3 identifies existing and future operational noise levels with traffic generated from the proposed project in comparison to the future noise levels under the City's existing General Plan/LCP.

Although the comparative increase in noise levels would not be a significant project impact, Table 3.6-3 shows that noise levels within 100 feet of roadways within the project study areas exceed the City's compatibility standards as defined in the Imperial Beach General Plan/LCP Noise Element, Table 3.6-4. Thus, residential or mixed-used development could be proposed in

areas that may be subject to existing or future traffic noise levels in excess of 60 dB CNEL. Where existing noise conditions exceed the levels shown in Table 3.6-4, site design or noise attenuation features identified in Mitigation Measure NOI-3 would be required to avoid a **significant operation noise impact**.

The Naval Outlying Landing Field is located immediately south of the southern portion of the 13th Street Corridor study area and is a substantial source of noise due to helicopter activity. As indicated in Figure N-2 of the Imperial Beach General Plan/LCP Noise Element, all portions of the project areas would be located outside of the 60-dBA CNEL contour lines of the airfield facility. Though the helicopter noise would be audible and considered a nuisance at times, the noise levels from the airfield would be within the compatible range for any new commercial and residential development resulting from the project, as defined by Noise Element, Table 3.6-4, and the noise impact would be **less than significant**.

3.6.4 Mitigation Measures

Construction Noise

NOI-1 The City shall require the following measures to be incorporated into contract specifications for all construction projects implemented under the proposed General Plan/LCP and commercial zoning amendments:

- All internal combustion-engine-driven equipment shall be equipped with mufflers that are in good operating condition and appropriate for the equipment.
- “Quiet” models of air compressors and other stationary construction equipment shall be employed where such technology exists.
- Stationary noise-generating equipment shall be located as far as reasonable from sensitive receptors when sensitive receptors adjoin or are within 150 feet of a construction site.
- Unnecessary idling of internal combustion engines (i.e., in excess of 5 minutes) shall be prohibited.
- Foundation pile holes shall be predrilled, as feasible based on geologic conditions, to minimize the number of impacts required to seat the pile.

- Construction-related traffic shall be routed along major roadways and away from noise-sensitive receptors.
- Construction activities, including truck movements and the loading and unloading of materials, shall be limited to the hours specified in the City Noise Ordinance (Section 9.32.020).
- Residences and other noise-sensitive land uses within 150 feet of construction sites shall be notified of the construction in writing. The notification shall describe the activities anticipated, provide dates and hours, and provide contact information with a description of the complaint and response procedure.

NOI-2 Based on a project-specific noise study, the City shall determine the need to require the following measures to be incorporated into contract specifications for all construction projects within 150 feet of existing residential uses implemented under the proposed project:

- Temporary noise barriers to be constructed around construction sites adjacent to, or within 150 feet of, residences or other noise-sensitive land uses. Temporary noise barriers shall be constructed of material with a minimum weight of 4 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales.
- Erect a temporary sound control blanket barrier, if necessary, along building façades facing construction sites. This mitigation would only be necessary if conflicts occurred that were irresolvable by proper scheduling and other means of noise control were unavailable. The sound blankets are required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70. The sound blankets shall be of sufficient length to extend from the top of the building and drape on the ground or be sealed at the ground. The sound blankets shall have a minimum overlap of 2 inches.

Operation Noise

NOI-3 In areas where new residential development would be exposed to CNEL of greater than 60 dBA, the City shall require site-specific noise studies prior to issuance of building permits to determine the area of impact and to present appropriate mitigation measures, which may include, but are not limited to, the following:

- Utilize site planning to minimize noise in shared residential outdoor activity areas by locating the areas behind the buildings or in courtyards, or orienting the terraces to alleyways rather than streets, whenever possible.
- Provide mechanical ventilation in all residential units proposed along roadways or in areas where noise levels could exceed 60 dBA CNEL so that windows can remain closed at the choice of the occupants to maintain interior noise levels below 45 dBA CNEL.
- Install sound-rated windows and construction methods to provide the requisite noise control for residential units proposed along roadways or in areas where noise levels could exceed 60 dBA CNEL.

3.6.5 Significance of Impact after Mitigation

Implementation of Mitigation Measures NOI-1 through NOI-3 would reduce potential noise impacts as a result of the proposed project to **less than significant**.

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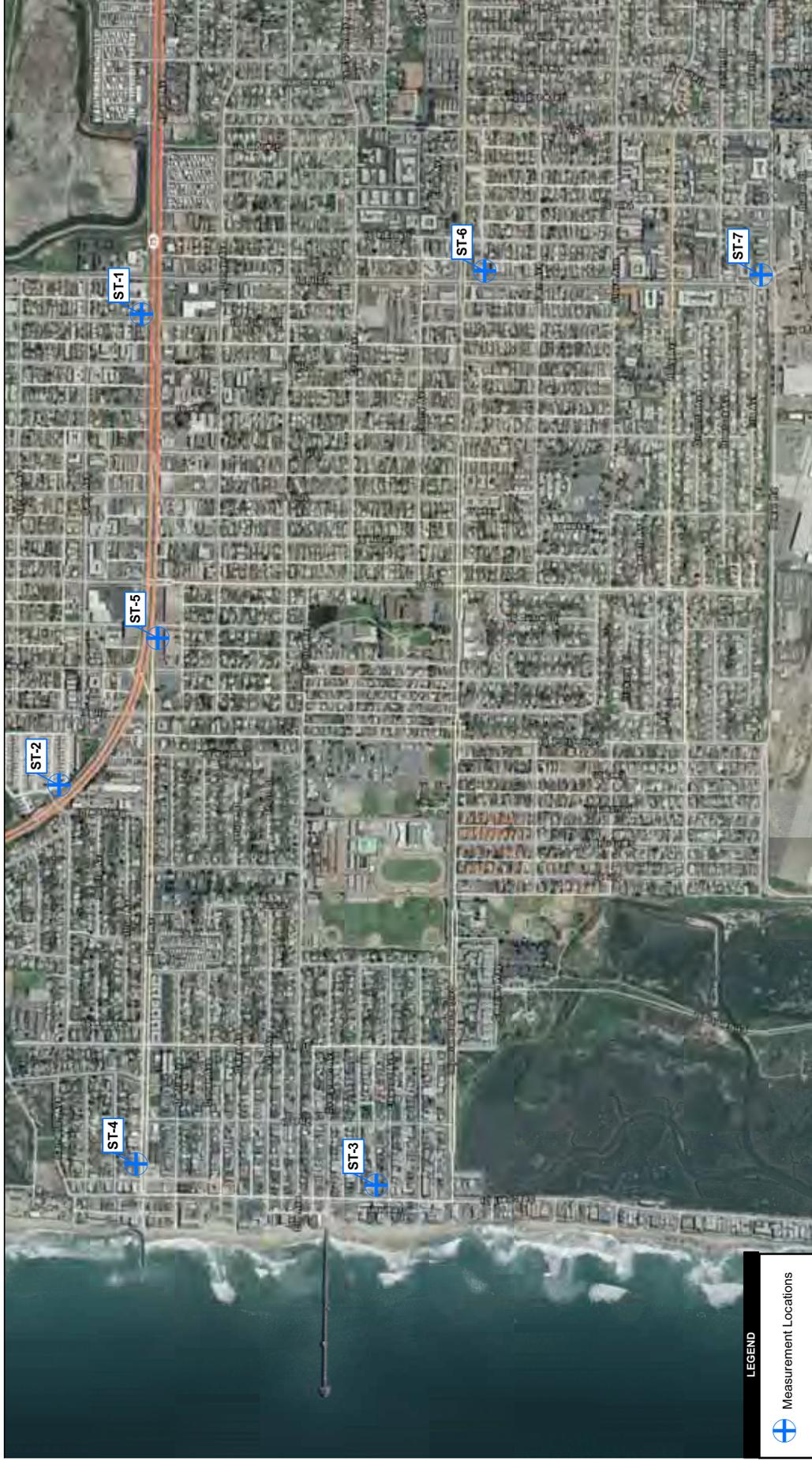


Figure 3.6-1
Noise Measurement Locations

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**Table 3.6-1
Typical Noise Levels**

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	--110--	Rock Band
Jet Fly-over at 300 meters (1,000 feet)	--100--	
Gas Lawn Mower at 1 meter (3 feet)	--90--	
Diesel Truck at 15 meters (50 feet), at 80 kilometers per hour (50 miles per hour)	--80--	Food Blender at 1 meter (3 feet); Garbage Disposal at 1 meter (3 feet)
Noisy Urban Area, Daytime Gas Lawn Mower at 30 meters (100 feet)	--70--	Vacuum Cleaner at 3 meters (10 feet)
Commercial Area Heavy Traffic at 90 meters (300 feet)	--60--	Normal Speech at 1 meter (3 feet)
Quiet Urban Daytime	--50--	Large Business Office Dishwasher in Next Room
Quiet Urban Nighttime	--40--	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime	--30--	Library
Quiet Rural Nighttime	--20--	Bedroom at Night, Concert Hall (Background)
	--10--	Broadcast/Recording Studio
Lowest Threshold of Human Hearing	--0--	Lowest Threshold of Human Hearing

Source: Caltrans 2009

**Table 3.6-2
Short-term Noise Measurement Summary (dBA)**

Site*	Location	Start Time of Measurement	L _{eq}	L _{max}	L _{min}	L ₉₀
ST-1	Northeast corner of Palm Ave. and Florence St. (VFW Apartments)	10:30 a.m.	65.8	77.5	48.6	56.5
ST-2	500 Highway 75 (Bernardo Shores RV Park)	11:30 a.m.	62.3	79.2	45.7	52.1
ST-3	Northeast Corner of Seacoast Dr. and Elwood Dr. (Parking lot)	1:59 p.m.	58.6	71.4	46.3	50.9
ST-4	134 Palm Ave. (Colwell Realty)	2:23 p.m.	62.0	79.8	47.5	53.3
ST-5	827 Palm Ave. (Goodwill)	3:10 p.m.	64.4	81.6	51.6	58.3
ST-6	1133 13th St. (Commercial Parking lot)	3:58 p.m.	64.2	83.4	55.6	59.7
ST-7	Northeast corner of 13th St. and Iris Ave. (Neighbors Market)	4:47 p.m.	69.8	82.7	51.8	61.9

*The Short-term (ST) Site ID number corresponds to locations shown in Figure 3.6-1.

**Table 3.6-3
Modeled Traffic Noise Levels**

Roadway	Segment		Noise Level at 100 feet (dBA CNEL)			Change in Noise Level	
	From	To	Existing	With 2030 Rezone	Existing General Plan	With 2030 Rezone	Existing General Plan
SR-75	Rainbow Drive	7th Street	71	72	72	0	0
	7th Street	Delaware Street	68	68	68	0	0
	Delaware Street	9th Street	70	71	71	1	0
	9th Street	Florida Street	71	72	71	1	0
	Florida Street	13th Street	72	72	72	1	0
	13th Street	Imperial Beach Limits	72	73	73	1	0
	San Diego Limits	16th Street	72	73	73	1	0
	Saturn Boulevard	Saturn Boulevard	70	72	72	1	1
	Green Bay Street	I-5 SB Ramps	70	71	71	1	1
	I-5 SB Ramps	I-5 NB Ramps	70	70	70	0	0
	Seacoast Drive	Connecticut Street	61	62	61	1	0
	Connecticut Street	9th Street	65	66	66	1	0
	9th Street	11th Street	66	67	67	1	0
11th Street	12th Street	67	68	67	1	0	
12th Street	13th Street	67	68	68	1	0	
13th Street	Imperial Beach Limits	69	70	70	1	1	
San Diego Limits	15th Street	69	70	70	1	1	
15th Street	Saturn Boulevard	70	71	71	1	1	
Saturn Boulevard	Green Bay Street	70	72	72	1	1	
Green Bay Street	I-5 SB Ramps	70	71	71	1	1	
I-5 SB Ramps	I-5 NB Ramps	69	71	71	1	1	
Seacoast Drive	3rd Street	61	62	61	1	0	
3rd Street	SR-75	66	66	66	1	0	
Seacoast Drive	Imperial Beach Boulevard	60	61	60	1	0	
7th Street	SR-75	57	57	57	1	0	
9th Street	Imperial Beach Boulevard	62	63	62	1	0	
13th Street	Imperial Beach Boulevard	64	65	65	1	0	

**Table 3.6-4
Imperial Beach Land Use Compatibility Guidelines for Development**

Land Use	Community Noise Exposure LDN or CNEL					
	55	60	65	70	75	80
Residential, Theaters, Auditoriums, Music Halls, Meeting Halls, Religious Assembly						
Transient Lodging – Motels, Hotels						
Schools, Libraries, Museums, Hospitals, Nursing Homes						
Playgrounds, Parks						
Commercial and Office Buildings						
	ACCEPTABLE Specified land use is satisfactory. No noise mitigation measures are required.					
	CONDITIONALLY ACCEPTABLE Use should be permitted only after careful study and inclusion of protective measures as needed to satisfy the policies of the Noise Element.					
	UNACCEPTABLE Development is usually not feasible in accordance with the goals of the Noise Element.					

Source: City of Imperial Beach 1994

**Table 3.6-5
Typical Maximum Construction Equipment Noise Levels**

Equipment	Noise Level at 50 feet (dBA L_{max})	Typical Duty Cycle
Auger Drill Rig	85	20%
Backhoe	80	40%
Blasting	94	1%
Chain Saw	85	20%
Clam Shovel	93	20%
Compactor (ground)	80	20%
Compressor (air)	80	40%
Concrete Mixer Truck	85	40%
Concrete Pump	82	20%
Concrete Saw	90	20%
Crane (mobile or stationary)	85	20%
Dozer	85	40%
Dump Truck	84	40%
Excavator	85	40%
Front End Loader	80	40%
Generator (25 KVA or less)	70	50%
Generator (more than 25 KVA)	82	50%
Grader	85	40%
Impact Pile Driver (diesel or drop)	95	20%
Soil Sampling Rig	84	20%
Jackhammer	85	20%
Mounted Impact Hammer	90	20%
Paver	85	50%
Pneumatic Tools	85	50%
Pumps	77	50%
Rock Drill	85	20%
Roller	74	40%
Scraper	85	40%
Tractor	84	40%
Vacuum Excavator	85	40%
Vibratory Concrete Mixer	80	20%
Vibratory Pile Driver	95	20%

Source: FTA 2006; Thalheimer 2000
KVA = kilovolt amps

3.7 POPULATION AND HOUSING

This section addresses population and housing trends in Imperial Beach, and whether the project would have the potential to induce substantial population growth.

3.7.1 Existing Conditions

According to population and housing data from SANDAG, the City's total estimated population was 22,869 in 1980, increased by 17% during the 1980s to 26,512 by 1990, and has stayed relatively level since that time. As of March 2011, the City had an estimated 26,324 residents in 9,860 dwelling units. Preliminary growth forecasts by SANDAG show an increase to 30,574 residents by year 2030 and to 36,198 residents by year 2050. Housing growth is expected to increase by 650 new dwelling units by year 2030 and by 2,310 new dwelling units by year 2050 (SANDAG 2011c). Housing types are predominantly multiple-family, including duplexes, apartment buildings, and condominiums, which account for 68.7% of the total dwelling units (SANDAG 2010).

Housing conditions in the project study areas vary greatly, with most residents living in the Palm Avenue study area. The Palm Avenue Study area includes both older and newer multiple-family dwellings along Donax and Calla avenues. Newer multiple-family and mixed-use development with residential over commercial has also occurred in the Seacoast Drive study area and near Imperial Beach Boulevard in the 13th Street study area. One new multiple-family complex has been built in the Old Palm Avenue study area.

Regulatory Setting

No applicable federal, state, or local laws, regulations, plans, or policies that are relevant to the environmental analysis of population and housing impacts were identified.

3.7.2 Significance Criteria

The impact of the proposed project related to population and housing would be considered significant if it would exceed the following threshold of significance, in accordance with Appendix G of the CEQA Guidelines:

- Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

The IS also analyzed the following thresholds of significance, for which the project was determined to have no impact or a less than significant impact:

- Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere; or
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

The findings for these determinations of project significance are discussed in Section XIII of the IS, provided in Appendix A.

3.7.3 Determination of Significant Project Impacts

Induce Substantial Population Growth

The proposed amendments would modify allowed residential land uses and other regulations by replacing the existing C-1, C-2, and C-3 designations and the MU-1 and MU-2 overlay designations with the proposed C/MU-1, C/MU-2, and C/MU-3 General Plan/LCP and zoning designations. The amendments would enable additional single-family and multiple-family residential development within the project site, which would cause an increase in the population of Imperial Beach.

Keyser Marston Associates prepared a Development Trends Overview and Retail Space Needs Assessment for the City. The assessment estimates that, of the City's additional 2,320 housing units projected by SANDAG to be needed by year 2050 to accommodate the projected population, 1,732 of these housing units could be multiple-family dwellings developed in the City's commercial zones through adoption of the proposed General Plan/LCP and commercial zoning amendments (Keyser Marston Associates 2007). SANDAG estimates that the City's household population would increase from the January 1, 2010, estimate of 28,001 residents to 36,198 residents by year 2050, an increase of 8,197 residents (SANDAG 2011c). Based on the same ratio of residents to housing units, the project's proposed commercial zone amendments would accommodate 5,152 of these new residents. While the proposed project would allow for increased density that would accommodate additional population, this would be in response to

population growth forecasts and the resulting housing demand. This growth would be expected to occur regardless of the proposed project. Thus, the proposed project would not induce a substantial increase in the amount of population growth in the area and would result in a **less than significant** impact.

3.7.4 Mitigation Measures

The impact to population and housing would be **less than significant** and no mitigation is required.

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3.8 PUBLIC SERVICES

This section describes the public services that would serve the project study areas. Specifically, this section includes an examination of fire protection and emergency medical services, police services, lifeguard services, schools, libraries, and recreational facilities. Each subsection includes descriptions of existing facilities, service standards, and potential environmental impacts to public services resulting from implementation of the proposed project, and if impacts are determined to be significant, mitigation measures would be identified.

3.8.1 Existing Conditions

Fire Protection

The project site is served by the City of Imperial Beach Fire Department (Fire Department). The Fire Department has one fire station located at 865 Imperial Beach Boulevard. The fire station was built in 1979 and is staffed with 11 fire suppression personnel, 1.25 fire prevention inspectors, one management analyst, and one public safety director/fire chief. The fire suppression staff works a 56-hour work week consisting of three platoons. The fire suppression personnel include three captains, three engineer/paramedics, and five firefighter/paramedics.

The Fire Department operates one engine daily and houses a reserve engine at the fire station. The engine has a 24-foot ground extension ladder, which can reach the second story of a building. Though the Fire Department does not have a Ladder Truck Company on-site, the cities of San Diego, Coronado, and Chula Vista are available to respond, via automatic aid agreements, to all structural fires and rescue emergencies. The City's first responding fire engine (#IBE39) has an average response time of under 5 minutes to anywhere within Imperial Beach.

The Fire Department responds to approximately 1,900 calls for emergency service each year, including fires, hazardous material incidents, traffic collisions, emergency medical aids, and public service requests. The majority of calls to the Fire Department are for medical assistance. The Fire Department staff is trained to provide the initial Advanced Life Support response as part of the countywide trauma system (City of Imperial Beach 2011b).

Police Protection

The San Diego County Sheriff's Department provides contract law enforcement services to the City of Imperial Beach. Based out of the Imperial Beach Station at 845 Imperial Beach

Boulevard, Sheriff's Department personnel provide all aspects of law enforcement services, including patrol, traffic, crime prevention and investigations, and Community Oriented Policing and Problem Solving (COPPS) to the City's residents, businesses, and visitors. Additionally, the Imperial Beach Station provides law enforcement services to over 18,500 residents who reside in the unincorporated communities of Bonita, Sunnyside, Lincoln Acres, Proctor Valley, Otay Valley, and Otay Mesa.

The Imperial Beach Station consists of 26 contracted (in whole or part) sworn personnel. The Traffic Division consists of one traffic sergeant, one motorcycle traffic deputy, two traffic investigators, and four community service officers. The Imperial Beach Station's Detective Unit consists of three detectives, four patrol sergeants, and 11 patrol deputies. A school resource officer and four civilian personnel are also assigned to the Imperial Beach Station. A satellite COPPS Unit located at 900 Seacoast Drive is staffed by two COPPS deputies and provides the opportunity for more community interaction. The COPPS deputies provide beach patrol during the summer months using all-terrain vehicles (San Diego County Sheriff's Department 2011).

Lifeguard Services

The Ocean/Beach Safety Division of the City of Imperial Beach provides for the safety of beach and ocean users. The number of lifeguards stationed at any given time is based on season, weather, special events, and day of the week. In general, summer staffing would include 16 lifeguards Monday through Friday and 18 lifeguards on the weekends. During the fall and spring seasons, lifeguard staffing varies and has, on average, 10 lifeguards on weekends and six lifeguards on weekdays. The winter season typically requires staffing of four lifeguards every day of the week.

The City of Imperial Beach Ocean/Beach Safety Division has a permanent lifeguard station at the Imperial Beach Pier and six portable lifeguard stations that are strategically located according to population density and activity.

Schools

Public school education in Imperial Beach is provided by South Bay Union School District (SBUSD) for elementary schools, and Sweetwater Union High School District (SUHSD) provides middle and high school service. Imperial Beach is served by five elementary schools: Bayside Elementary, Central Elementary, Imperial Beach Elementary, Oneonta Elementary, and West View Elementary. Mar Vista is the middle school for the community (located in the City of

San Diego) and area high schools are Mar Vista High School and Southwest High School (located in the City of San Diego).

The Facilities and Services Element of the Imperial Beach General Plan/LCP states that both school districts that serve the community are over capacity with more students than the school's fixed facilities can accommodate (City of Imperial Beach 2010). Both SBUSD and SUHSD collect school fees for construction of new residential, commercial, and industrial buildings.

Libraries

The local library serving Imperial Beach is the Imperial Beach Branch of the County of San Diego Library. The library is located at 810 Imperial Beach Boulevard and is open Monday through Saturday. The library is situated approximately 0.5 mile south of the Palm Avenue study area and 0.5 mile west of the 13th Street Corridor study area. The library hosts special events and public meetings such as children's story times, family movie night, teen advisory group, quilters, and other similar activities.

Recreational Facilities

Imperial Beach is known for its 3.5 miles of white sand beaches, which are used for recreation activities such as swimming, jogging, sunbathing, surfing, and building sand castles.

In addition to the beach, the City owns and maintains approximately 14.74 acres of park land. The Sports Park Recreation Center and Park, located at 425 Imperial Beach Boulevard, provides recreation facilities that consist of an 8,600-square-foot gymnasium, three activity rooms, six ball fields, a playground, and a picnic area. Recreation programming at the center is provided by one full-time recreation coordinator, three recreation leaders, and five part-time recreation leaders who coordinate weekly activities for all ages, including sports leagues, a teen room, music programs, and special events throughout the year. The Imperial Beach Skate Park is also located at the Sports Park Recreation Center. The 7,100-square-foot Skate Park opened in November 2010 and features a bowl, ramps, grind rails, and benches.

Veterans Park, located at 1075 8th Street, is the largest park in the City. It has sports fields, an open grass area, and a youth soccer field with artificial turf. In addition, the park has a gazebo stage, a playground, and picnic tables (City of Imperial Beach 2011c).

Dunes Park is a beachfront park located at 700 Seacoast Drive. Park amenities include picnic tables, bathrooms and showers, a grass area, a basketball hoop, and a playground. This park is popular for activities such as volleyball, horseshoes, and picnicking.

Portwood Pier Plaza includes grassy expanses, picnic areas, a playground, an entertainment stage, access to the pier and beach, and many tributes to Imperial Beach's long history as a surfing destination. A key icon within the City of Imperial Beach is known as "Surfhenge," which consists of four brightly colored 16- to 20-foot-high surfboard-shaped arches and is located at Portwood Pier Plaza.

Reama Park is located in a residential neighborhood at the corner of Elder Avenue and 2nd Street. This park has picnic tables, barbecues, grassy areas, and a playground.

Teeple Park is located in a residential neighborhood at the corner of Florida Street and Calla Street. The park includes playgrounds as well as picnic benches and barbecues.

Other recreation opportunities exist in the Imperial Beach community, including the Tijuana River Estuary National Park, which offers a visitor's center and 4 miles of walking trails into prime bird watching areas and to the river mouth where the Tijuana River meets the Pacific Ocean. The park offers free guided nature and bird walks on weekends. The park has barbecue rings, restrooms, and beach access. Additionally, Border Field State Park is located within the Tijuana River National Estuarine Research Reserve, an important wildlife habitat. The park provides restrooms, picnic areas, barbecues, horse corrals, and interpretive displays. Recreation opportunities for park visitors include surf fishing, beachcombing, hiking, horseback riding, and bird watching (California State Parks 2011).

Regulatory Setting

City of Imperial Beach

The City of Imperial Beach does not identify adopted regulatory requirements in the General Plan/LCP for public services such as emergency response times or standards for parkland per capita.

The City of Imperial Beach requires a residential construction fee for all residential development. Fees that may be applicable to development resulting from the proposed project include \$800 per

new dwelling unit plus \$100 per bedroom. These general development fees are used for public facility construction and other improvements.

State

California Education Code Section 17620 authorizes school districts to levy a fee, charge, dedication, or other form of requirement against any development project, which is to be used for the construction or reconstruction of school facilities.

Uniform Fire Code

The Uniform Fire Code (UFC) is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The UFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The UFC and the Uniform Building Code (UBC) use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the UFC employs a permit system based on the level of a hazard classification.

California Fire Code

The California Fire Code (CFC) and Office of the State Fire Marshal provide regulations and guidance for local agencies in the development and enforcement of fire safety standards. The CFC also establishes minimum requirements that would provide a reasonable degree of safety from fire, panic, and explosion.

3.8.2 Significance Criteria

The impact of the proposed project related to public services would be considered significant if it would exceed the following thresholds of significance, in accordance with Appendix G of the CEQA Guidelines:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental

impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services;

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

3.8.3 Determination of Significant Project Impacts

The project study areas are currently used for commercial and residential purposes, and the proposed amendments would guide revitalization and redevelopment within existing urban settings. This revitalization is estimated to result in 155,000 square feet of additional commercial use, one new grocery store, and 1,842 additional residential units within the project study areas.

Fire Protection

Fire protection in the project study areas is currently provided by the Imperial Beach Fire Department and provision of service would continue with implementation of the proposed project. The increase in commercial facilities and residential units would create additional demand for fire protection services, including an increase in the number of emergency medical, fire, false alarms, and miscellaneous emergency and nonemergency responses by the Fire Department. Emergency access to the project study areas would remain the same via existing public streets passing through the areas. Any new development would be required to be designed to meet safety requirements of the current California UFC and UBC.

Because the proposed amendments would allow for development of generally similar commercial and residential uses that already exist in the project study areas, the need for fire protection services is also expected to be similar to the current types of emergencies responded to by the Fire Department. The increase in demand for emergency fire protection services is not anticipated to be substantial enough in volume or increased severity to necessitate the need for additional fire protection facilities or equipment; thus, the project is not expected to result in significant impacts to fire protection resources that could cause adverse environmental impacts to maintain adequate service. Therefore, the impact regarding fire protection would be **less than significant**.

Police Protection

Police protection is provided in the project study areas by the San Diego County Sheriff's Department, Imperial Beach Division. Similar to fire protection services, the increase in commercial facilities and residential units would create additional demand for police services, including both emergency and nonemergency calls. Emergency access to the study areas would remain the same via the public streets passing through the areas.

Because the proposed amendments would allow for development of generally similar commercial and residential uses that already exist in the project study areas, the need for police protection services is also expected to be similar to the current types of emergency and nonemergency responses by County Sheriff personnel. The City would continue to contract with the San Diego Sheriff's Department to appropriately staff the Imperial Beach Station. Increased revenues to the General Fund as a result of new development would assist in offsetting any potential impact associated with increased demand. Thus, new development as a result of the project would not be expected to cause significant adverse environmental impacts in order to maintain adequate service. Therefore, the impact regarding police protection would be **less than significant**.

Lifeguard Services

New residents in the project study areas, as well as visitors to new businesses, may use the nearby beaches that are served by the City lifeguards. The strategic placement and number of lifeguards protecting the local beaches are determined based on factors such as density of beach visitors. The increase in beach use due to increased residents in the area is not anticipated to require additional lifeguard facilities; thus, the project is not expected to affect the ability to maintain adequate lifeguard services in a manner that could cause significant adverse environmental impacts. Therefore, the impact regarding lifeguard service would be **less than significant**.

Schools

The revitalization of the project study areas would allow for more dense residential development, resulting in additional school-aged children living in the study areas. Children in the project study areas would attend local schools and the increase in enrollment could place additional demands on the already overcrowded school system and its facilities.

California law allows the governing body of a school district to impose fees on all new development within a district's jurisdiction for the purpose of funding the construction or

reconstruction of school facilities. SBUSD and SUHSD collect the Statutory School Fee applicable to new residential and commercial/industrial development (SBUSD 2011, SUHSD 2011). Although the fee is often an insufficient amount to fund 100% of new school facility construction and operation, the California State Legislature has declared that the school impact fee is full and adequate mitigation under CEQA. Under SB 50, the school fees levied against development projects by school districts to fund construction or reconstruction of school facilities are “the exclusive methods of considering and mitigating impacts on school facilities that occur or might occur” as a result of approval of development projects under CEQA. Because the proposed amendments would generate new and redeveloped commercial and residential uses, these developments would be required to pay the Statutory School Fee that would aid in offsetting any impacts associated with increased enrollment at the local schools. Construction of any new school facilities would be subject to CEQA documentation for future facilities. Project-specific environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures at the project level. For this reason, there would be a **less than significant** environmental impact due to provision of school service as a result of the proposed project.

Recreation

As described in the existing conditions section, multiple recreation opportunities exist throughout Imperial Beach, including natural recreation areas such as beaches, the Tijuana River Estuary, and City parks. The potential increase in residents in the project study areas would place an additional demand on existing recreation facilities within the City. Though additional residents would visit the parks and utilize the City’s recreation opportunities, the additional demand generated by the proposed amendments would not create such levels of use that it would create substantial deterioration of the facilities or become necessary to construct or expand recreational facilities that might result in an adverse physical effect on the environment. The impact to recreation facilities would be **less than significant**.

Libraries

The Imperial Beach Branch of the San Diego County Library is located at 810 Imperial Beach Boulevard. The potential increase in residents in the project study areas would create an additional demand for library services. Though additional residents would visit and utilize the local library, the additional demand generated by the proposed amendments would not create a level of use that would result in substantial deterioration of the library or create the need to expand the existing facility or construct a new library. Therefore, the project would not result in

a significant adverse physical effect on the environment and the impact to library facilities would be **less than significant**.

3.8.4 Mitigation Measures

The impact to public services would be **less than significant** and no mitigation is required.

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3.9 TRANSPORTATION AND TRAFFIC

A Traffic Impact Study has been prepared for the project by KOA Corporation and is attached as Appendix E. The study evaluates existing conditions and potential project impacts on roadways within Imperial Beach and also within the City of San Diego to the east. The following analysis is based on that report.

3.9.1 Existing Conditions

Existing Traffic Operations

The principal roadways that would be affected by the proposed General Plan/LCP and commercial zoning ordinance amendments would be SR-75; Palm Avenue; Seacoast Drive; Imperial Beach Boulevard/Coronado Avenue; and 7th, 9th, and 13th streets. The traffic study identified 26 roadway segments and 18 intersections along these routes within the cities of Imperial Beach and San Diego that would be affected by future traffic from the project study areas. The roadway segments and intersections evaluated for the traffic study are shown in Figure 3.9-1. The existing classifications, traffic volumes, and level of service (LOS) for the studied roadway segments are shown in Table 3.9-1.

LOS is used in the traffic analysis to describe the different operating conditions that occur on roadway segments and at intersections. It is a qualitative measure that takes into account factors such as roadway geometries, signal phasing, speed, travel delay, freedom to maneuver, and safety. This methodology follows the 2000 Highway Capacity Manual and assigns a corresponding letter grade that represents the overall condition of the road segment or intersection, ranging from LOS A (minimal delay) to LOS F (excessive congestion).

Figure 3.9-2 shows the roadway classifications for each of the road segments evaluated in the traffic study. In addition to showing existing LOS, Table 3.9-1 also shows the existing volume to capacity ratio (v/c ratio), which is based on the volume of traffic that is using a road in relation to the volume of traffic it could be expected to accommodate based on existing roadway improvements. A v/c ratio of 1.0 or greater represents a congested LOS F condition. In accordance with City standards, road segments operating at LOS E or F are considered to be significantly impacted traffic conditions (City of Imperial Beach 1994).

As shown in Table 3.9-1, Imperial Beach Boulevard between 13th Street and the Imperial Beach city limits currently operates at LOS F. In addition, the following road segments within the City

of San Diego to the east currently operate at LOS E or F: each of the segments of Coronado Avenue between the San Diego city limits and the Interstate 5 (I-5) southbound (SB) ramps; and SR-75 between Saturn Boulevard and the I-5 SB ramps.

Intersection turning movement counts were conducted during the weekday morning peak period (AM peak hours) from 7:00 a.m. to 9:00 a.m. and during the weekday evening peak period (PM peak hours) from 4:00 p.m. to 6:00 p.m., in December 2010. The resultant existing weekday morning and evening peak hour intersection conditions are shown in Table 3.9-2. All intersections within Imperial Beach currently operate at LOS D or better. Within the City of San Diego, the intersections of SR-75 at Saturn Boulevard and the I-5 SB ramps at Coronado Avenue currently operate at LOS E during the PM peak hours. All other intersections within San Diego currently operate at LOS D or better.

Existing Transit Facilities

San Diego Metropolitan Transit System routes 933/934 and 901 serve Imperial Beach. Route 933/934 circulates through the City along Palm Avenue, Seacoast Drive, Imperial Beach Boulevard, and 13th Street to connect with the Blue Line trolley at the Palm Avenue and Iris Avenue transit stations. The transit stations not only provide access to the trolley, but also to local bus routes serving the South Bay region. Route 901 begins at the Iris Avenue transit station and travels through the City on Imperial Beach Boulevard and 9th Street to SR-75 and continues through Coronado and across the San Diego Bay Bridge to connect to downtown San Diego.

Existing and Planned Bikeways

The City's bikeway system consists of the Class I Bayshore Bikeway that extends from Main Street in Chula Vista to Coronado. As shown in Figure 3.9-3 from the General Plan/LCP Circulation Element, additional Class I bike paths are planned on SR-75 north from Rainbow Drive, on the Naval Radio Receiving Facility, and within the Tijuana River National Wildlife Refuge. Class III signed bike routes are planned to connect the Bayshore Bikeway to a Class I bike path through the National Wildlife Refuge along an "ecocourse" via 6th Street and Connecticut Street and along Seacoast Drive and Palm Avenue. Class II bike lanes are also planned along portions of SR-75, Palm Avenue, Imperial Beach Boulevard, and 13th Street. In June 2011, the City Council approved a bike lane/traffic calming project along Palm Avenue between 3rd and 7th streets.

Palm Avenue Commercial Corridor Master Plan and Traffic Impact Study

This Master Plan (Moore Iacofano Goltsman, Inc. 2009) and Traffic Impact Study (KOA Corporation 2009) evaluated opportunities to provide traffic calming measures, aesthetic enhancement, and improved pedestrian connections along SR-75 between 13th Street and Rainbow Avenue. Four corridor subareas along SR-75 were identified, each with distinct road geometries, traffic demands, and street character. These corridor subareas are the East End Gateway from Florida Street to the eastern city limits; the Mid-Town Sector from Delaware Street to Florida Street; the Park Sector from 7th Street to Delaware Street and encompassing the triangular City park; and the West End Gateway from the western city limits to 7th Street.

The East End Gateway was proposed to retain the existing 6-lane configuration with improvements to consist of landscaped curb “pop-outs” at intersections to reduce pedestrian street-crossing times. The Mid-Town Sector proposes the addition of two auxiliary medians to separate through traffic on the four center lanes from local traffic and parking on the outer lanes; and bike traffic would have the option of using the striped bike lanes along the multi-way boulevard or along the local access lanes. The Park Sector is proposed to be reconfigured to improve pedestrian and bicycle connections across SR-75. The West End Gateway exists as a 4-lane road in which parking would be removed on the westbound side of the street to allow bike lanes to be installed on both sides of the street. The Traffic Impact Study concluded that all of the SR-75/Palm Avenue road segments and intersections would operate at LOS D or better with the Master Plan project through horizon year 2030.

Regulatory Setting

The Circulation Element of the City General Plan/LCP (City of Imperial Beach 1994) identifies the regional circulation system that serves the City, the major local streets and their classifications, and existing and planned bikeways. The Circulation Element also defines the acceptable operating conditions for City roadway segments and intersections. The Circulation Element Street System and Traffic Volumes map (see Figure 3.9-4) designates SR-75 east of 7th Street as a 6-lane prime arterial and as a 4-lane major street west of 7th Street to the city limits. Palm Avenue is designated as a 4-lane collector between 7th Street and 3rd Street; and as a 3-lane collector west of 3rd Street. Seacoast Drive is a 2-lane collector.

Relevant goals and policies of the Circulation Element are:

- **Service Levels for Streets and Signalized Intersections**

Arterials and local streets should be designed to operate at service level “C” or better during average daily traffic volume (ADT) conditions. Signalized intersections under peak hour conditions should operate at service level “D” or better. A lower standard is acceptable for special events and seasonal beach related traffic.

- **Street Classification Plan, Design Standards and Dedication Requirements**

Streets shall be classified as shown in [Circulation Element] Figure C-5. An acceptable LOS for Palm Avenue west of 7th Street to 3rd Street shall be LOS E and F with prescribed traffic calming measures implemented tied to alternative transportation system development, such as a bicycle transportation plan. Cross sections, the general right-of-way width and configuration for each street and highway shall be as specified by the City. All street and highway designs should further the goal of providing safe and efficient circulation, as well as an aesthetically pleasing urban form. Developers shall dedicate right-of-ways and street improvements in keeping with the street classification system, as may be required by the City.

The City of San Diego thresholds for a significant traffic impact are as follows:

Intersections: Change in LOS to E or F; increase the delay at an intersection operating at LOS E by more than 2 seconds; or increase the delay at an intersection operating at LOS F by more than 1 second.

Road Segments: Change in LOS to E or F; increase the v/c ratio on a segment operating at LOS E by more than 0.02; or increase the v/c ratio on a segment operating at LOS F by more than 0.01.

3.9.2 Significance Criteria

The impact of the proposed project related to transportation and traffic would be considered significant if it would exceed the following thresholds of significance, in accordance with Appendix G of the CEQA Guidelines:

- Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and nonmotorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;

- Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways; or
- Result in inadequate emergency access.

The IS (provided in Appendix A) also analyzed the following thresholds of significance, for which the project was determined to have no impact or a less than significant impact:

- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks;
- Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
- Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

The findings for these determinations of project significance are discussed in Section XVI of the IS, provided in Appendix A.

3.9.3 Determination of Significant Project Impacts

The project is expected to enable revitalization of underutilized properties within the project study areas, which would create an increase in commercial and residential traffic. This increase in traffic could result in operational conditions that exceed the applicable thresholds established in the Imperial Beach General Plan/LCP Circulation Element, which states: “Arterials and local streets should be designed to operate at service level ‘C’ or better during average daily traffic volume (ADT) conditions. Signalized intersections under peak hour conditions should operate at service level ‘D’ or better.”

Project Trip Generation

The volume of future traffic that would result from the proposed General Plan/LCP and commercial zoning amendments is estimated in the traffic impact study based on SANDAG trip generation rates (SANDAG 2002). The SANDAG trip generation rates are based upon local, regional, and nationwide studies of existing developments in comparable settings. Mixed-use development as proposed by the project is identified by SANDAG as generating five daily trips per dwelling unit and 110 daily trips per 1,000 square feet of commercial use. However, the

commercial rate assumes a grocery store and the traffic analysis assumes that only one additional grocery store would be developed within the project study area. Traffic generated by the remainder of the commercial areas would be most similar to the specialty retail trip generation rate of 40 daily trips per 1,000 square feet of commercial use.

Based on these trip generation rates, the traffic study estimates that the proposed General Plan/LCP and commercial zoning amendments would increase traffic generated from existing and future City land uses from the existing level of 36,366 ADT to 59,222 ADT by year 2030, which would be an increase of 22,856 ADT (see Table 3.9-3). Table 3.9-3 also compares the proposed project trip generation to the year 2030 volume from land uses allowed under the existing General Plan/LCP, which is estimated to be 55,267 ADT. The result of this comparison is that total ADT from the project study areas is estimated to increase by 3,955 ADT with the proposed mixed-use General Plan/LCP and commercial zoning amendments in comparison to the existing General Plan/LCP. Table 3.9-3 shows this comparison and the volume of trips that would occur during the AM and PM peak hours.

Future Traffic Volumes and Roadway Segment Operations

Projected future traffic volumes with implementation of the project are shown in Figure 3.9-5 and Table 3.9-4. Imperial Beach Boulevard between 11th Street and 12th Street would carry an additional 2,212 ADT and continue to operate at LOS F; and the segment between 13th Street and the city limits would carry an additional 6,785 ADT and degrade from LOS D to LOS E. The portion of SR-75 between 13th Street and the city limits would carry an additional 5,527 ADT and degrade from LOS D to LOS E. These LOS E and F conditions would not be consistent with the goals and policies of the Imperial Beach Circulation Element.

Within the City of San Diego, SR-75 between the city limits and 16th Street would carry an additional 5,527 ADT and degrade from LOS D to LOS E; and the segment between 16th Street and Saturn Boulevard would carry an additional 5,760 ADT and degrade from LOS D to LOS F. These changes to LOS E and F would exceed the City of San Diego's threshold for a significant traffic impact. The segment of SR-75 between Saturn Boulevard to the I-5 SB ramps would carry an additional 7,010 ADT at LOS F and the v/c ratio on this segment would increase by 0.117, which would exceed the City of San Diego's significance threshold of a 0.01 increase in the v/c ratio on a segment operating at LOS F. Traffic on Coronado Avenue would carry from 6,785 to 9,120 additional ADT east of the city limits to the I-5 SB ramps and would operate at LOS F with an increase in the v/c ratio of more than 0.01. The segment of Coronado Avenue between to I-5 SB and northbound (NB) ramps would carry an additional 8,634 ADT and degrade from LOS C to LOS E with an increase in the v/c ratio of more than 0.02.

Future Traffic Volumes and Intersection Operations

Existing and year 2030 intersection volumes are shown in Table 3.9-5 and in Figures 3.9-6 and 3.9-7, which identifies the increase in delay between years 2011 and 2030, measured in seconds, that would be encountered at intersections in the project area. Intersections significantly impacted by the project are all east of the Imperial Beach city limits. These intersections are SR-75 at Saturn Boulevard, which would change from LOS E to LOS F in the PM peak hour by year 2030 with an increase in delay of 23.8 seconds; and the I-5 SB and NB ramps at Coronado Avenue that currently operate at LOS D or E would operate at LOS F during both AM and PM peak hours by year 2030 with an increase in delay ranging from 40.8 seconds to 67.2 seconds.

Table 3.9-6 identifies intersections within the City of San Diego identified above that would operate at LOS E or F in 2030 and the improvements that would be needed to improve intersection operations. As shown in Table 3.9-6, only the Coronado Avenue intersection at the I-5 NB ramps would operate at an acceptable LOS D or better with the identified improvements. A traffic impact fee (TIF) program has been established by the City of San Diego for improvement of the SR-75 and Saturn Boulevard intersection; however, no fee or other source of funding has been identified to implement improvements at this intersection. These improvements would require acquisition of additional right-of-way and would only improve intersection operations to LOS E. For the other two intersections, no mechanism currently exists to collect TIF and no other source of funding has been identified by the City of San Diego to improve the intersections.

Summary of Significant Impacts

Significant impacts to roadway segments and intersections as summarized in Table 3.9-8 would occur as a result of an increase of 22,856 ADT by year 2030. It is important to note that these impacts are not only caused by the increase in vehicle traffic that would be allowed by the proposed project, but also by the cumulative increase in traffic associated with approximately 20 years of regional growth.

Of the significantly impacted roadway segments, only the segment of SR-75 between 13th Street and the Imperial Beach city limits and the two Imperial Beach Boulevard segments are within Imperial Beach. These segments would be subject to **significant impacts** resulting from future population growth, including additional population growth resulting from the proposed General Plan/LCP and commercial zoning amendments.

Emergency access to the project study areas would remain the same via the public streets passing through the study areas. While the increased congestion at area intersections would reduce

emergency response times, the impact of the project's contribution to delays in emergency response times would be **less than significant**.

Table 3.9-6 identifies improvements to road segments that would operate at LOS E or F in 2030 and the improvements that would be needed to improve most of the impacted facilities to an acceptable LOS D or better. Improvements identified for Coronado Avenue segments 19 and 20 would not result in an acceptable LOS D condition under the existing 4-lane classification per the City of San Diego Circulation Element. Other roadway improvements identified in Table 3.9-6 may also not be consistent with existing General Plan/LCP roadway designations and may not be acceptable to property owners and business operators due to the need to acquire additional right-of-way and/or to remove on-street parking. These improvements may also be infeasible due to lack of funding since there are no existing traffic mitigation programs to require fair-share funding from new development for these segments. In addition, even with establishment of a TIF program, the incremental increase in traffic from new development (see Table 3.9-4 for existing and projected future volumes) would not provide sufficient revenue to mitigate the impact of existing and future traffic volumes on these roadways.

Table 3.9-7 identifies improvements to road segments and intersections that would operate at LOS E or F in 2030 and the improvements that would be needed to improve most of the impacted facilities to an acceptable LOS D or better, though most would require removal of on-street parking in order to construct the improvements. However, as shown in Table 3.9-7, two segments of Coronado Avenue from Saturn Boulevard to the I-5 SB ramps would not improve to LOS D or better. Furthermore, no mechanism currently exists to collect TIF for any of the impacted segments and only two of the segments are within Imperial Beach.

For each of the impacted roadway segments, the improvements and resulting LOS detailed in Table 3.9-9 would improve operations from LOS E or F to LOS C or D. However, only two segments are within the jurisdiction of Imperial Beach; the others are within the responsibility and jurisdiction of the City of San Diego or Caltrans.

The project's contribution to delays at significantly impacted intersections are listed in Table 3.9-10, all of which are located within the City of San Diego. These intersections would be subject to **significant impacts** from future population growth, including additional population growth resulting from the proposed General Plan/LCP and commercial zoning amendments. Improvements to provide additional turn lanes are identified in Table 3.9-6 that would result in LOS D at Coronado Avenue and the I-5 NB ramps, though the other two intersections in the table above would only improve to LOS E.

Feasibility of Roadway Improvements

Many of the improvements required to achieve LOS D or better would necessitate acquisition of additional right-of-way and most would impact existing businesses that rely on on-street parking. In addition, they would be in conflict with the plans, policies, and goals of this project and several other documents including:

- The *Palm Avenue Commercial Corridor Master Plan Study* (Moore Iacofano Goltsman, Inc. 2009);
- The *Otay Mesa-Nestor Community Plan* (City of San Diego 2007); and
- SANDAG's Smart Growth Concept Map (which envisions a pedestrian-friendly Palm Avenue).

While the improvements identified in Table 3.9-6 could be made at the impacted segments and intersections, no mechanism currently exists to fund these improvements. Furthermore, the improvements identified for segments 19 and 20 and intersections 8 and 16 in Table 3.9-6 would not improve operation to LOS D or better.

Although the cities of Imperial Beach and San Diego may undertake or require individual development projects to make some of the partial improvements identified in Table 3.9-7 to ease traffic congestion, no current program or funding is in place to ensure these roadways would be improved to LOS D or better. Additionally, the implementation of potential improvements cannot be guaranteed to be in place prior to project impacts occurring. With the expected increase in traffic identified in Table 3.9-4, most of which will result from population growth in areas of Imperial Beach outside of the areas proposed by the Project for mixed-use development, and from growth within the South Bay region, transportation and traffic impacts would be **significant and unavoidable**.

3.9.4 Mitigation Measures

TR-1 The City shall require all future development projects proposed under the General Plan/LCP and commercial zoning amendments to consider and implement to the City's satisfaction, Transportation Demand Management (TDM) measures. This shall include TDM measures to be implemented during both construction activities and project operation. TDM measures shall be based on strategies recommended by SANDAG or other applicable documents and studies.

[TDM measures shall also be included as part of any project development agreements negotiated during the City's project permitting process.](#)

No [additional](#) feasible mitigation measures are currently available to enable the City to avoid the impacts to roadway segments and intersections identified in Tables 3.9-4 and 3.9-5 for year 2030 with the proposed project. While the capacity enhancements identified in Table 3.9-6 would improve traffic operations for impacted segments and intersections within Imperial Beach and San Diego, the capacity enhancements listed in Table 3.9-6 would require removing on-street parking and/or increasing the number of through travel lanes along Imperial Beach Boulevard, Coronado Avenue, and SR-75. Removing on-street parking would be in conflict with City goals to maintain on-street parking for the benefit of local businesses. Additional travel lanes would not allow for the pedestrian-oriented and bicycle-friendly street environment concepts of the *Palm Avenue Commercial Corridor Master Plan* (Moore Iacofano Goltsman, Inc. 2009).

Table 3.9-7 identifies a lesser level of road widening and intersection improvements that would improve operations to LOS D or better at four of the 11 significantly impacted segments and at one of the three impacted intersections. However, only one of these improvements would be within Imperial Beach, and improvement of the other facilities would require that San Diego construct the improvements or establish a TIF program for their impacted facilities. Similarly, Caltrans would need to participate in the improvement program within the I-5 right-of-way.

3.9.5 Significance of Impact after Mitigation

The 11 roadway segments and 3 intersections shown in Table 3.9-11 are anticipated to operate at LOS E or F in year 2030 as identified in Table 3.9-4 and Table 3.9-5. [Mitigation Measure TR-1 would not reduce this impact to less than significant.](#)

Therefore, the project's impact on transportation and traffic would remain **significant and unavoidable** as full mitigation is not feasible due to the impacts occurring outside of the City's jurisdiction. In addition, full mitigation would conflict with City goals to maintain on-street parking for the benefit of local businesses that contribute to the City's economy and would also conflict with the concepts of the *Palm Avenue Commercial Corridor Master Plan* (Moore Iacofano Goltsman, Inc. 2009), which are intended to provide a pedestrian-oriented and bicycle-friendly street environment.

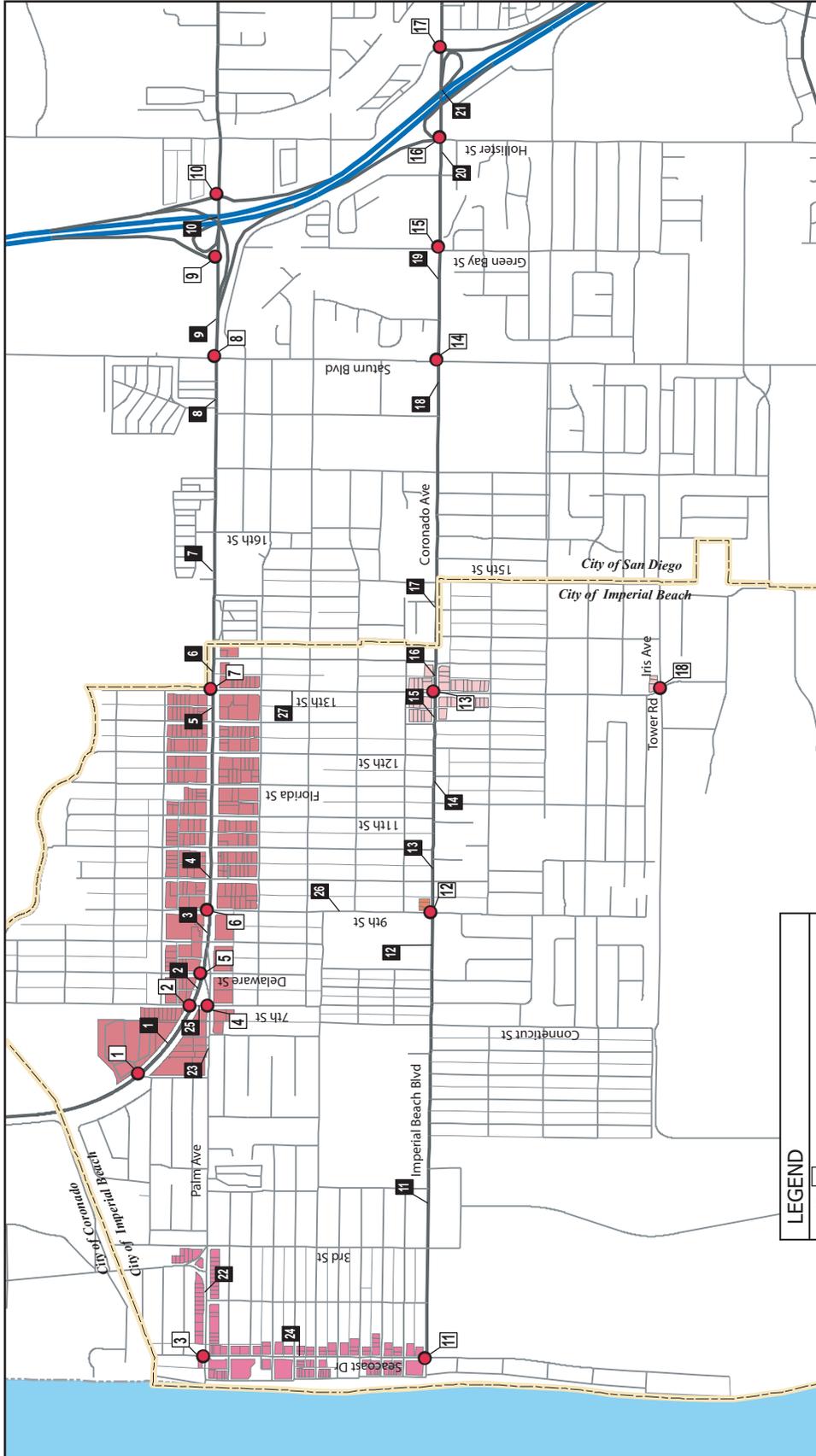
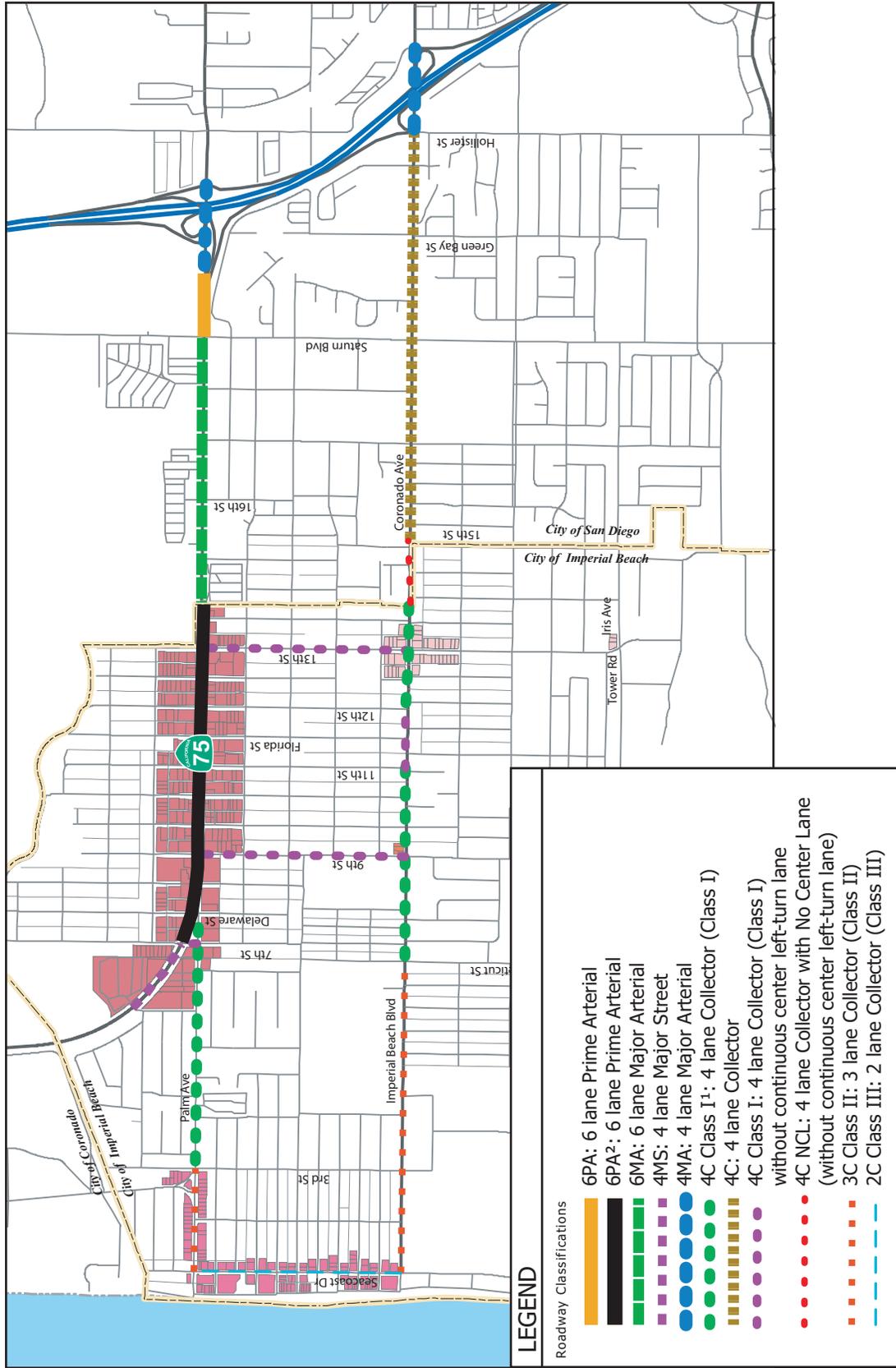


Figure 3.9-1
Project Study Area

Not to Scale





Note: 6PA² - classified as a Prime Arterial in the General Plan, but functions as a Major Arterial (Santec Guidelines).
 4C Class I¹ - classified as a Class I street in the General Plan, but functions as a Secondary Arterial/Collector (Santec Guidelines).

Figure 3.9-2
Existing Circulation Network

Not to Scale



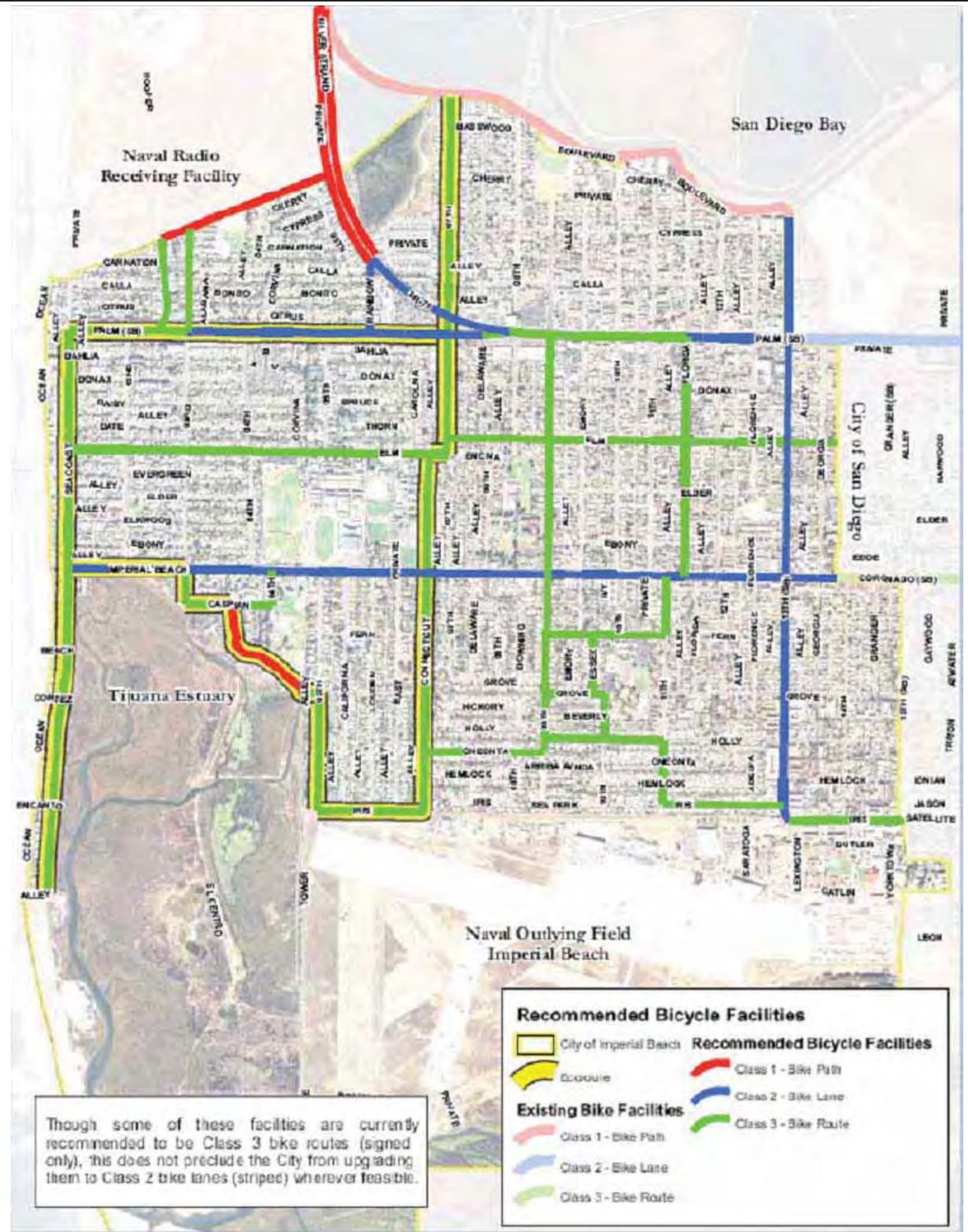


Figure 3.9-3
City Bikeways Plan



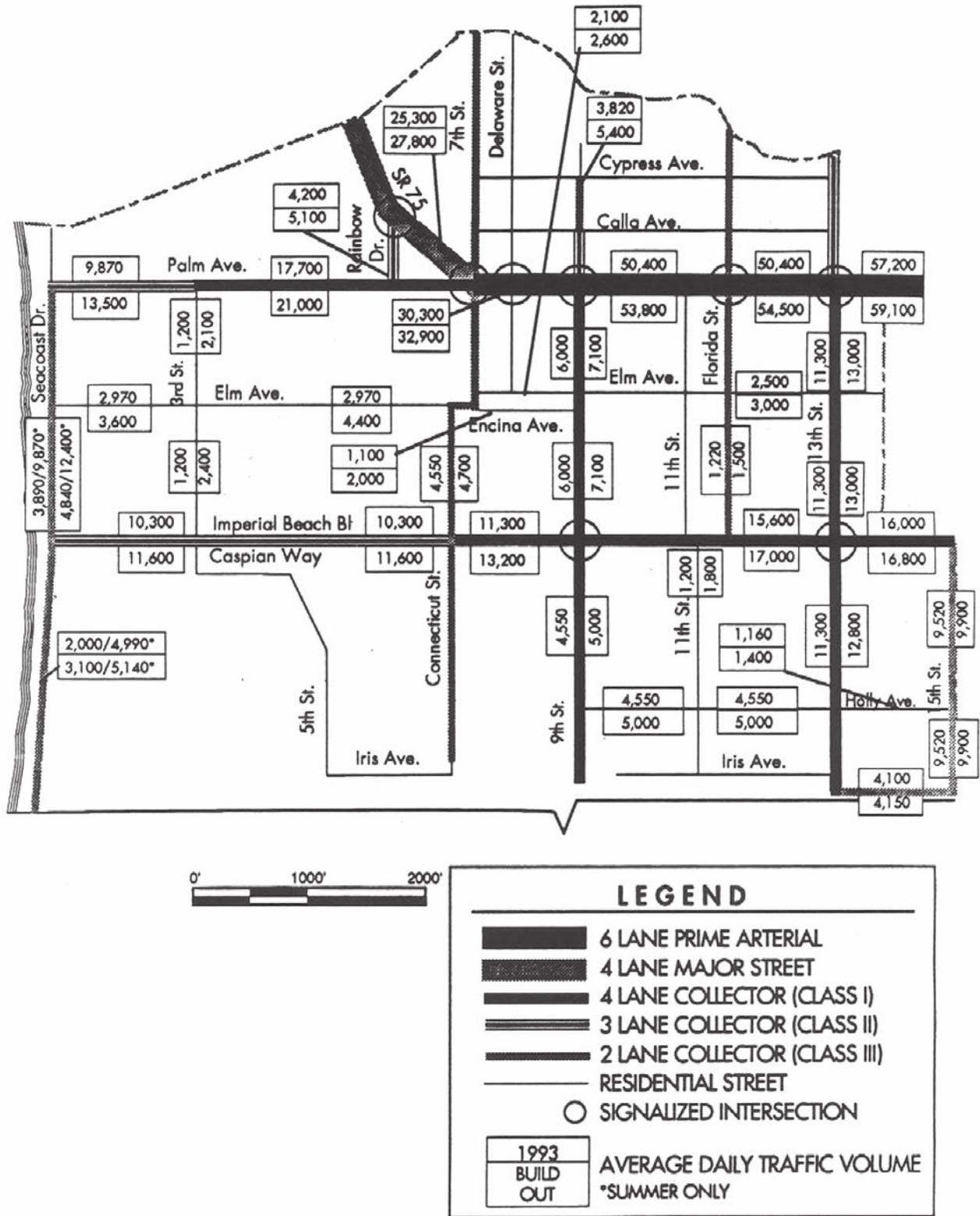


Figure 3.9-4
Street System and Traffic Volumes



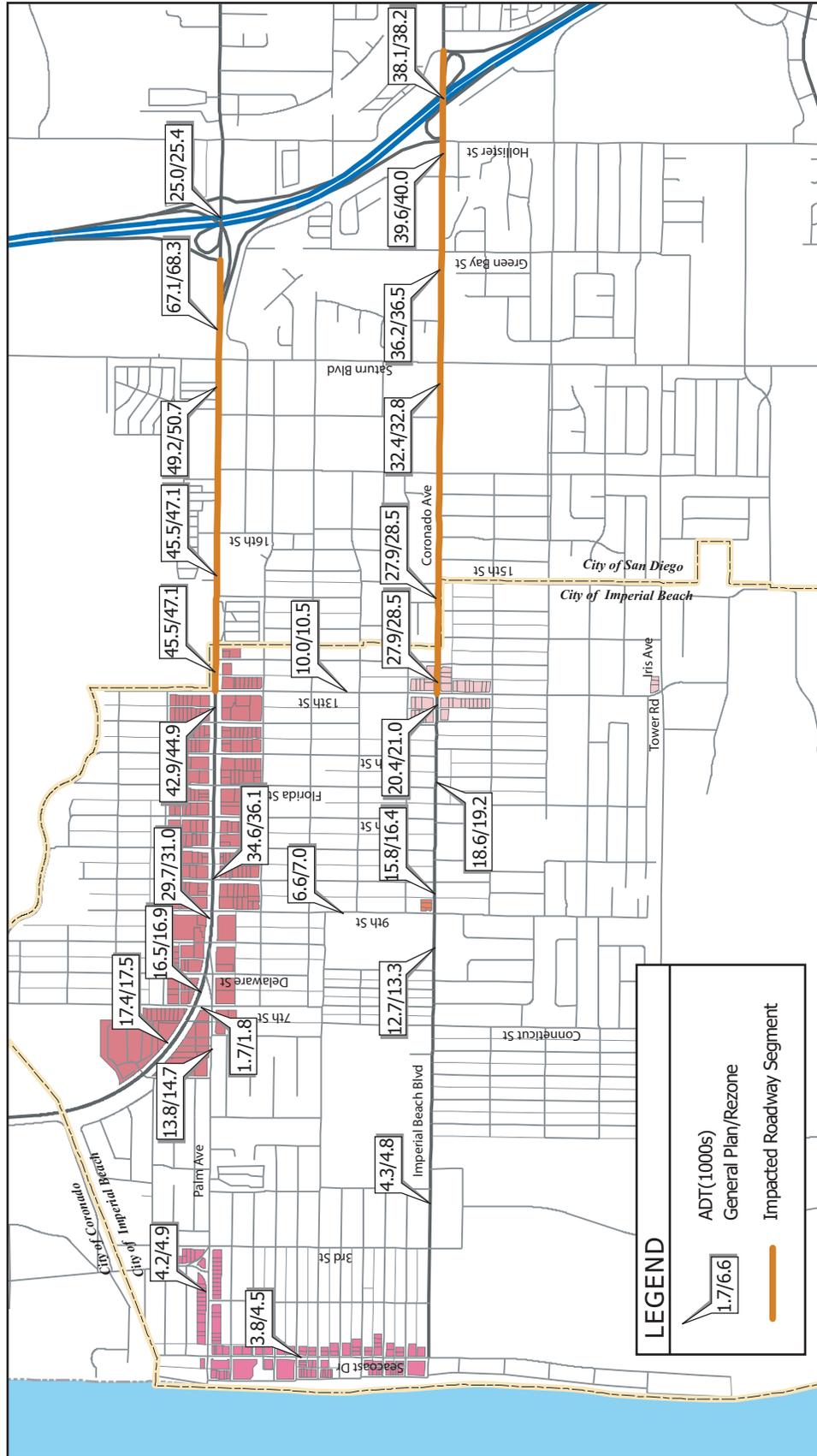


Figure 3.9-5
Year 2030 General Plan and Rezoning Roadway Segment Volumes



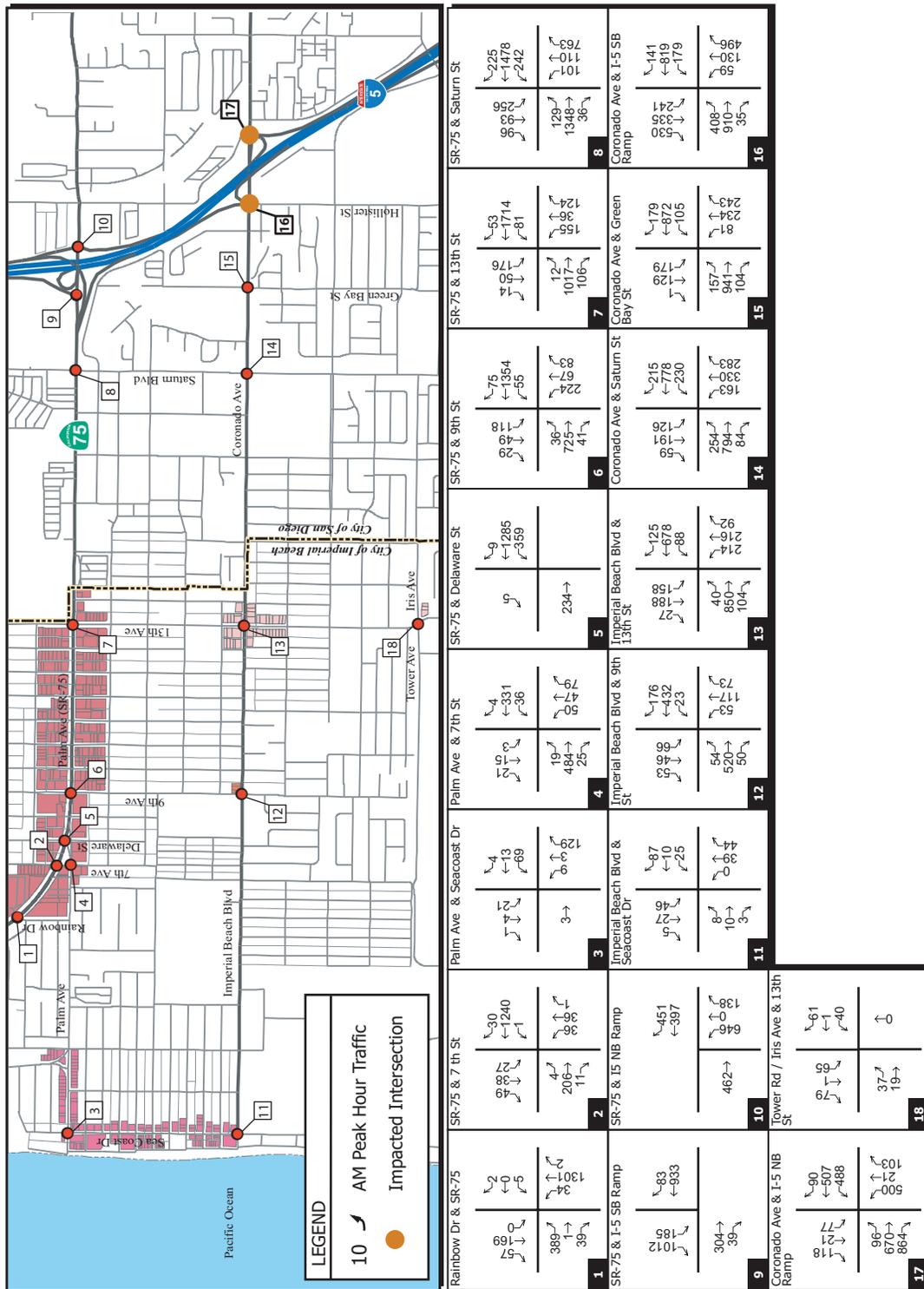


Figure 3.9-6
Year 2030 Rezone AM Peak Hour Intersection Volumes



No Scale

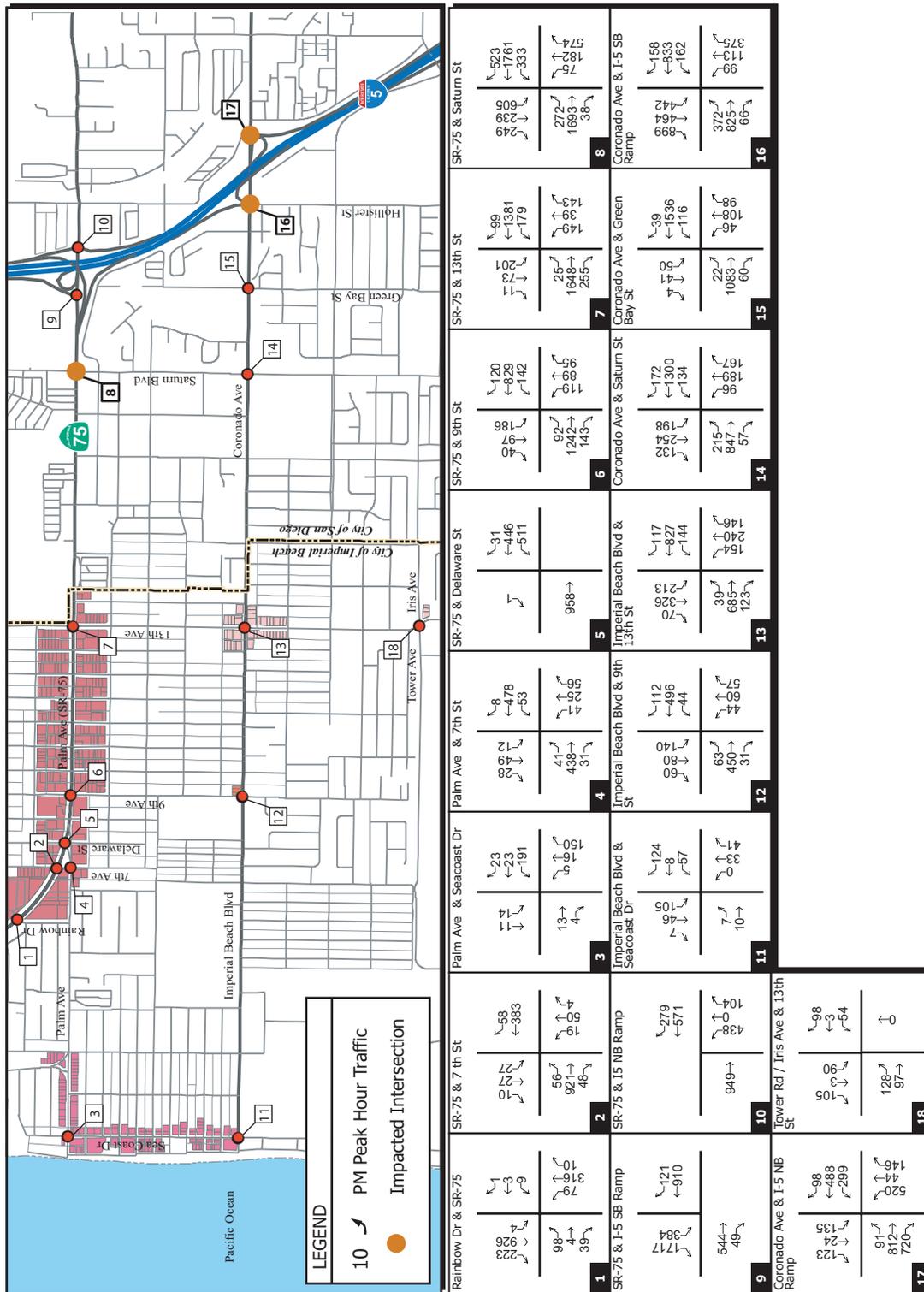


Figure 3.9-7
Year 2030 Rezone PM Peak Hour Intersection Volumes

No Scale

**Table 3.9-1
Existing Roadway Segment Conditions**

Roadway Segment	Lanes/ Class ¹	LOS E Capacity	ADT	V/C	LOS
State Route 75					
Rainbow Dr to 7th St	4MS ²	40,000	15,940	0.399	B
7th St to Delaware St	6PA ³	50,000	15,157	0.303	A
Delaware St to 9th St	6PA ³	50,000	27,173	0.543	B
9th St to Florida St	6PA ³	50,000	31,640	0.633	C
Florida St to 13th St	6PA ³	50,000	39,274	0.785	C
13th St to Imperial Beach city limits	6PA ³	50,000	41,607	0.832	D
San Diego city limits to 16th St	6MA	50,000	41,607	0.832	D
16th St to Saturn Blvd	6MA	50,000	44,981	0.900	D
Saturn Blvd to I-5 SB Ramps	6PA	60,000	61,376	1.023	F
I-5 SB Ramps to I-5 NB Ramps	4MA	40,000	22,866	0.572	C
Imperial Beach Boulevard					
Seacoast Dr to Connecticut St	3C Class II	15,000	3,985	0.266	A
Connecticut St to 9th St	4MS	30,000	11,646	0.388	B
9th St to Florida St	4MS	30,000	14,454	0.482	C
Florida St to 13th St	4MS	30,000	18,651	0.622	C
13th St to Imperial Beach city limits	4C Class I	15,000	21,731	1.449	F
Coronado Avenue					
San Diego city limits to 15th St	4C NCL	15,000	21,731	1.449	F
15th St to Saturn Blvd	4C	30,000	25,278	0.843	E
Saturn Blvd to Green Bay St	4C	30,000	28,191	0.940	E
Green Bay St to I-5 SB Ramps	4C	30,000	30,883	1.029	F
I-5 SB Ramps to I-5 NB Ramps	4MA	40,000	29,658	0.741	C
Palm Avenue					
Seacoast Dr to 3rd St	3C Class II	15,000	3,881	0.259	A
3rd St to SR-75	4MS	30,000	12,672	0.422	B
Seacoast Drive					
Palm Ave to Imperial Beach Blvd	2C Class III	8,000	3,534	0.442	C
7th Street					
Palm Ave to SR-75	4C Class I	15,000	1,641	0.109	A
9th Street					
SR-75 to Imperial Beach Blvd	4C Class I	15,000	6,065	0.404	B
13th Street					
SR-75 to Imperial Beach Blvd	4C Class I	15,000	9,171	0.611	C

¹ **Abbreviations:** 2C Class III: 2-lane Collector. 3C Class II: 3-lane Collector. 4C Class I: 4-lane Collector. 4MS: 4-lane Major Street. 4C NCL: 4-lane Collector with no center lane. 4C: 4-lane Collector. 4MA: 4-lane Major Arterial. 6PA: 6-lane Prime Arterial. 6MA: 6-lane Major Arterial. 6PA: 6-lane Prime Arterial.

² 4MS: 4-lane Major Street—classified as a Major Street in the General Plan, but functions as a Major Arterial.

³ 6PA: 6-lane Prime Arterial—classified as a Prime Arterial in the General Plan, but functions as a Major Arterial.

Bold: Currently unacceptable LOS

**Table 3.9-2
Existing Intersection Conditions**

	Intersection	Peak Hour	Delay	LOS
1	Rainbow Dr & SR-75	AM	16.2	B
		PM	6.5	A
2	SR-75 & 7th St	AM	10.8	B
		PM	6.1	A
3	Palm Ave & Seacoast Dr*	AM	7.5	A
		PM	8.4	A
4	Palm Ave & 7th St	AM	13.4	B
		PM	11.5	B
5	SR-75 & Delaware St	AM	2.8	A
		PM	5.6	A
6	SR-75 & 9th St	AM	16.5	B
		PM	18.7	B
7	SR-75 & 13th St	AM	22.9	C
		PM	26.6	C
8	SR-75 & Saturn Blvd	AM	35.9	D
		PM	62.1	E
9	SR-75 & I-5 SB Ramps	AM	19.4	B
		PM	26.1	C
10	SR-75 & I-5 NB Ramps	AM	17.0	B
		PM	14.6	B
11	Imperial Beach Blvd & Seacoast Dr*	AM	7.5	A
		PM	8.0	A
12	Imperial Beach Blvd & 9th St	AM	18.4	B
		PM	19.9	B
13	Imperial Beach Blvd & 13th St	AM	25.2	C
		PM	27.4	C
14	Coronado Ave & Saturn Blvd	AM	31.8	C
		PM	29.5	C
15	Coronado Ave & Green Bay St	AM	27.4	C
		PM	15.8	B
16	Coronado Ave & I-5 SB Ramps	AM	43.4	D
		PM	59.4	E
17	Coronado Ave & I-5 NB Ramps	AM	40.3	D
		PM	39.8	D
18	Tower Rd/Iris Ave & 13th St*	AM	7.7	A
		PM	8.7	A

* All-way stop controlled intersection

Bold: Currently unacceptable LOS

**Table 3.9-3
Project Trips**

Scenario	Daily	AM Peak Hours			PM Peak Hours		
		Total	In	Out	Total	In	Out
Existing	36,366	1,503	716	787	3,548	1,863	1,685
General Plan/LCP	55,267	2,478	1,093	1,385	5,630	3,028	2,602
Rezone	59,222	2,617	1,183	1,434	6,006	3,217	2,789
Rezone-Existing	22,856	1,114	466	647	2,458	1,353	1,105
Rezone-General Plan/LCP	3,955	139	89	50	376	189	187

Note: Volumes may not sum due to rounding.

**Table 3.9-4
Existing and Year 2030 with Project Roadway Segment Conditions**

Roadway Segment	Lanes/ Class	LOS E Capacity	Year 2011 Existing			Volume	Year 2030 With Project			Comparison		
			ADT	V/C	LOS		ADT	V/C	LOS	V/C	Significant?	
State Route 75												
1.	Rainbow Dr to 7th St	4MS	40,000	15,940	0.399	B	1,654	17,594	0.440	B	0.041	No
2.	7th St to Delaware St	6PA ²	50,000	15,157	0.303	A	1,803	16,960	0.339	A	0.036	No
3.	Delaware St to 9th St	6PA ²	50,000	27,173	0.543	B	3,913	31,086	0.622	C	0.078	No
4.	9th St to Florida St	6PA ²	50,000	31,640	0.633	C	4,531	36,171	0.723	C	0.091	No
5.	Florida St to 13th St	6PA ²	50,000	39,274	0.785	C	5,659	44,933	0.899	D	0.113	No
6.	13th St to Imperial Beach city limits	6PA ²	50,000	41,607	0.832	D	5,527	47,134	0.943	E	0.111	Yes
7.	San Diego city limits to 16th Street	6MA	50,000	41,607	0.832	D	5,527	47,134	0.943	E	0.111	Yes
8.	16th St to Saturn Blvd	6MA	50,000	44,981	0.900	D	5,760	50,741	1.015	F	0.115	Yes
9.	Saturn Blvd to I-5 SB Ramps	6PA	60,000	61,376	1.023	F	7,010	68,386	1.140	F	0.117	Yes
10.	I-5 SB Ramps to I-5 NB Ramps	4MA	40,000	22,866	0.572	C	2,552	25,418	0.635	C	0.064	No
Imperial Beach Boulevard												
11.	Seacoast Dr to Connecticut St	3C Class II	15,000	3,985	0.266	A	867	4,852	0.323	A	0.058	No
12.	Connecticut St to 9th St	4C Class I'	30,000	11,646	0.388	B	1,705	13,351	0.445	B	0.057	No
13.	9th St to 11th St	4C Class I'	30,000	14,454	0.482	C	1,976	16,430	0.548	C	0.066	No
14.	11th St to 12th St	4C Class I'	15,000	16,970	1.131	F	2,212	19,182	1.279	F	0.147	Yes
15.	12th St to 13th St	4C Class I'	30,000	18,651	0.622	C	2,361	21,012	0.700	D	0.079	No
16.	13th St to Imperial Beach city limits	4C Class I'	30,000	21,731	0.724	D	6,785	28,516	0.951	E	0.226	Yes
Coronado Avenue												
17.	San Diego city limits to 15th St	4C NCL	15,000	21,731	1.449	F	6,785	28,516	1.901	F	0.452	Yes
18.	15th St to Saturn Blvd	4C	30,000	25,278	0.843	E	7,600	32,878	1.096	F	0.253	Yes
19.	Saturn Blvd to Green Bay St	4C	30,000	28,191	0.940	E	8,352	36,543	1.218	F	0.278	Yes
20.	Green Bay St to I-5 SB Ramps	4C	30,000	30,883	1.029	F	9,120	40,003	1.333	F	0.304	Yes
21.	I-5 SB Ramps to I-5 NB Ramps	4MA	40,000	29,658	0.741	C	8,634	38,292	0.957	E	0.216	Yes
Palm Avenue												
22.	Seacoast Dr to 3rd St	3C Class II	15,000	3,881	0.259	A	1,041	4,922	0.328	A	0.069	No
23.	3rd St to SR-75	4C Class I'	30,000	12,672	0.422	B	2,057	14,729	0.491	C	0.069	No
Seacoast Drive												
24.	Palm Ave to Imperial Beach Blvd	2C Class III	8,000	3,534	0.442	C	1,008	4,542	0.568	C	0.126	No
7th Street												
25.	Palm Ave to SR-75	4C Class I	15,000	1,641	0.109	A	207	1,848	0.123	A	0.014	No
9th Street												
26.	SR-75 to Imperial Beach Blvd	4C Class I	15,000	6,065	0.404	B	945	7,010	0.467	C	0.063	No
13th Street												
27.	SR-75 to Imperial Beach Blvd	4C Class I	15,000	9,171	0.611	C	1,353	10,524	0.702	D	0.090	No

Abbreviations: 2C Class III: 2-lane Collector (Class III). 3C Class II: 3-lane Collector (Class II). 4C Class I: 4-lane Collector (Class I). 4C Class I': 4-lane Collector (Class I)—classified as a Class I street in the General Plan, but functions as a Secondary Arterial/Collector (Santec Guidelines). 4MS: 4-lane Major Street. 6PA²: 6 lane Prime Arterial—classified as a Prime Arterial in the General Plan, but functions as a Major Arterial (Santec Guidelines). 6PA: 6-lane Prime Arterial. 4C NCL: 4-lane Collector with no center lane. 4C: 4-lane Collector. 4MA: 4-lane Major Arterial. 6MA: 6-lane Major Arterial.

**Table 3.9-5
Existing and Year 2030 with Project Intersection Conditions**

Intersection	Peak Hour	Year 2011 Existing		Year 2030 Rezone		Comparison	
		Delay	LOS	Delay	LOS	Delay	Significant?
1. Rainbow Dr & SR-75	AM	16.2	B	18.6	B	2.4	No
	PM	6.5	A	6.7	A	0.2	No
2. SR-75 & 7th St	AM	10.8	B	11.1	B	0.3	No
	PM	6.1	A	6.5	A	0.4	No
3. Palm Ave & Seacoast Dr*	AM	7.5	A	7.7	A	0.2	No
	PM	8.4	A	9.1	A	0.7	No
4. Palm Ave & 7th St	AM	13.4	B	13.3	B	-0.1	No
	PM	11.5	B	11.3	B	-0.2	No
5. SR-75 & Delaware St	AM	2.8	A	3.0	A	0.2	No
	PM	5.6	A	7.6	A	2.0	No
6. SR-75 & 9th St	AM	16.5	B	16.9	B	0.4	No
	PM	18.7	B	20.0	B	1.3	No
7. SR-75 & 13th St	AM	22.9	C	24.7	C	1.8	No
	PM	26.6	C	32.2	C	5.6	No
8. SR-75 & Saturn Blvd	AM	35.9	D	44.1	D	8.2	No
	PM	62.1	E	85.9	F	23.8	Yes
9. SR-75 & I-5 SB Ramps	AM	19.4	B	20.8	C	1.4	No
	PM	26.1	C	42.2	D	16.1	No
10. SR-75 & I-5 NB Ramps	AM	17.0	B	17.7	B	0.7	No
	PM	14.6	B	15.3	B	0.7	No
11. Imperial Beach Blvd & Seacoast Dr*	AM	7.5	A	7.7	A	0.2	No
	PM	8.0	A	8.4	A	0.4	No
12. Imperial Beach Blvd & 9th St	AM	18.4	B	18.5	B	0.1	No
	PM	19.9	B	20.2	C	0.3	No
13. Imperial Beach Blvd & 13th St	AM	25.2	C	27.8	C	2.6	No
	PM	27.4	C	31.3	C	3.9	No
14. Coronado Ave & Saturn Blvd	AM	31.8	C	41.1	D	9.3	No
	PM	29.5	C	45.8	D	16.3	No
15. Coronado Ave & Green Bay St	AM	27.4	C	43.7	D	16.3	No
	PM	15.8	B	19.1	B	3.3	No
16. Coronado Ave & I-5 SB Ramps	AM	43.4	D	84.2	F	40.8	Yes
	PM	59.4	E	126.6	F	67.2	Yes
17. Coronado Ave & I-5 NB Ramps	AM	40.3	D	89.8	F	49.5	Yes
	PM	39.8	D	98.1	F	58.3	Yes
18. Tower Rd / Iris Ave & 13th St*	AM	7.7	A	7.9	A	0.2	No
	PM	8.7	A	9.0	A	0.3	No

* All-way stop controlled intersection

**Table 3.9-6
Vehicular Capacity Enhancements Needed to Achieve Acceptable Operating Conditions**

ID#	Location	Capacity Enhancements
Segment		
SR-75		
6	13th Street to Imperial Beach city limits*	Improve to a 6-lane Prime Arterial by removing on-street parking and implementing deceleration and acceleration lanes along property frontages. (Would improve from LOS E to LOS D.)
7	San Diego city limits to 16th Street**	Improve to a 6-lane Prime Arterial by removing on-street parking and implementing deceleration and acceleration lanes along property frontages. (Would improve from LOS E to LOS D.)
8	16th Street to Saturn Blvd.**	Improve to a 6-lane Prime Arterial by removing on-street parking and implementing deceleration and acceleration lanes along property frontages. (Would improve from LOS F to LOS D.)
9	Saturn Blvd. to I-5 SB ramps**	Improve to a 7-lane Prime Arterial by constructing one additional lane. (Would improve from LOS F to LOS D.)
Imperial Beach Boulevard		
14	11th Street to 12th Street*	Improve to a 4-lane Collector (Class I) with a continuous left-turn lane by removing on-street parking. (Would improve from LOS F to LOS C.)
16	13th Street to Imperial Beach city limits*	Improve to a 4-lane Major Street by extending the raised median to city limits. (Would improve from LOS E to LOS C.)
Coronado Avenue		
17	San Diego city limits to 15th Street**	Improve to a 4-lane Major Arterial by constructing a raised median. (Would improve from LOS F to LOS C.)
18	15th Street to Saturn Blvd.**	Improve to a 4-lane Major Arterial by constructing a raised median. (Would improve from LOS F to LOS D.)
19	Saturn Blvd. to Green Bay Street**	Improve to a 4-lane Major Arterial by constructing a raised median. (Would improve from LOS F to LOS E; would not achieve acceptable operating conditions.)
20	Green Bay Street to I-5 SB ramps**	Improve to a 4-lane Major Arterial by constructing a raised median. (Would remain LOS F; would not achieve acceptable operating conditions.)
21	I-5 SB ramps to I-5 NB ramps**	Improve to a 6-lane Major Arterial by widening the I-5 bridge. (Would improve from LOS E to LOS D or better.)
Intersection		
8	SR-75 & Saturn Blvd.**	Eastbound: Widen to include 2 left-turn lanes, 3 through lanes and 1 through/right-turn lane Westbound: Widen to include 2 left-turn lanes, 3 through lanes and 1 right-turn lane. (Would improve from LOS F to LOS E; would not achieve acceptable operating conditions.)
16	Coronado Ave & I-5 SB Ramps**	Southbound: Widen to include 1 left turn lane, 1 through lane and 1 right turn lane Eastbound: Widen to include 1 left-turn lane, 2 through lanes and 1 through/right-turn lane Westbound: Widen to include 1 left-turn lane, 2 through lanes and 1 through/right-turn lane. (Would improve from LOS F to LOS E; would not achieve acceptable operating conditions.)
17	Coronado Avenue and I-5 NB Ramps**	Northbound: Widen to include 1 left-turn lane and a through lane. Westbound: Widen to provide 2 left-turn lanes, 1 through lane, and 1 through/right-turn lane. (Would improve from LOS F to LOS D.)

* Located within the City of Imperial Beach; ** Located within the City of San Diego. See Appendix E for fair-share calculations.

**Table 3.9-7
Feasible Vehicular Capacity Enhancements and Mitigation**

ID#	Location	Capacity Enhancements	Responsibility	Findings
Segment				
Imperial Beach Boulevard				
14	11th St - 12th St*	Improve to a 4-lane Collector (Class I) with a continuous left-turn lane by removing on-street parking	The City shall determine the cost of the improvement and update the CIP to include the project. At the time of permit issuance each project applicant shall contribute a fairshare towards the cost of the improvement.	Improves from LOS F to LOS C. The CIP is not planned for update prior to implementation of this project; thus, the actual timing and adoption of this measure cannot be assumed. Additionally, removing on-street parking would be in conflict with City goals to maintain on-street parking for the benefit of local businesses. Impact would remain <i>significant and unavoidable</i> .
16	13th St - Imperial Beach City limits*	Improve to a 4-lane Major Street by extending the raised median to City limits		Improves from LOS E to LOS C. The CIP is not planned for update prior to implementation of this project; thus, the actual timing and adoption of this measure cannot be assumed. Also, additional travel lanes would not allow for the pedestrian-oriented and bicycle-friendly street environment concepts of the <i>Palm Avenue Commercial Corridor Master Plan</i> . Impact would remain <i>significant and unavoidable</i> .
Coronado Avenue				
17	San Diego city limits - 15th St**	Improve to a 4-lane Major Arterial by constructing a raised median	The City shall coordinate with the City of San Diego to initiate a project and establish a process to accept fairshare contributions from project applicants at the time of permit issuance. The fairshare contributions would be directed towards the improvement.	Improves from LOS F to LOS C. Required changes or alterations are within the responsibility and jurisdiction of the City of San Diego. Impact would remain <i>significant and unavoidable</i> .
18	15th St - Saturn Blvd**	Improve to a 4-lane Major Arterial by constructing a raised median		Improves from LOS F to LOS D. Required changes or alterations are within the responsibility and jurisdiction of the City of San Diego. Impact remains <i>significant and unavoidable</i> .
19	Saturn Blvd - Green Bay St**	Improve to a 4-lane Major Arterial by constructing a raised median		Improves from LOS F to LOS E. Required changes or alterations are within the responsibility and jurisdiction of the City of San Diego. Impact would remain <i>significant and unavoidable</i> .
20	Green Bay St - I-5 SB Ramps**	Improve to a 4-lane Major Arterial by constructing a raised median		Remains LOS F. Required changes or alterations are within the responsibility and jurisdiction of the City of San Diego. Impact would remain <i>significant and unavoidable</i> .

Intersection				
8	SR-75 and Saturn Blvd**	Southbound: Widen to include 2 left turn lanes, 1 through lane, and 2 right turn lanes	The City shall coordinate with the City of San Diego to initiate a project and establish a process to accept fairshare contributions from project applicants at the time of permit issuance. The fairshare contributions would be directed towards improvement T-8 in the City of San Diego PFFP for Otay Mesa-Nestor.	Improves from LOS F to LOS E. Required changes or alterations are within the responsibility and jurisdiction of the City of San Diego. Impact would remain <i>significant and unavoidable</i> .
		Eastbound: Widen to include 2 left turn lanes, 3 through lanes, and 1 right turn lane		
		Westbound: Widen to include 2 left turn lanes, 3 through lanes, and 1 right turn lane		
16	Coronado Ave and I-5 SB Ramps**	Southbound: Widen to include 1 left turn lane, 1 through lane and 1 right turn lane	The City shall coordinate with Caltrans to initiate a project and establish a process to accept fairshare contributions from project applicants at the time of permit issuance. The fairshare contributions would be directed towards the improvement.	Improves from LOS F to LOS E. Required changes or alterations are within the responsibility and jurisdiction of Caltrans. Impact would remain <i>significant and unavoidable</i> .
		<i>Note: Overlap NB and SB Right turn lanes</i>		
17	Coronado Ave and I-5 NB Ramps**	Northbound: Widen to include 1 left turn lane and a through lane		Improves from LOS F to LOS D. Required changes or alterations are within the responsibility and jurisdiction of Caltrans. Impact would remain <i>significant and unavoidable</i> .

* Located within the City of Imperial Beach; ** Located within the City of San Diego. See Appendix E for fair-share calculations.

**Table 3.9-8
Summary of Significant Impacts to Roadway Segments**

Segments	Existing			With Project		
	ADT	V/C	LOS	ADT	V/C	LOS
SR-75						
13th St. to Imperial Beach city limits*	41,607	0.832	D	47,134	0.943	E
San Diego city limits to 16th St.	41,607	0.832	D	47,134	0.943	E
16th St. to Saturn Blvd.	44,981	0.900	D	50,741	1.015	F
Saturn Blvd to I-5 SB Ramps	61,376	1.023	F	68,386	1.140	F
Imperial Beach Boulevard						
11th St. to 12th St.*	16,970	1.131	F	19,182	1.279	F
13th St. to Imperial Beach city limits*	21,731	1.449	F	28,516	1.901	F
Coronado Avenue						
San Diego city limits to 15th St.	21,731	1.449	F	28,516	1.901	F
15th St. to Saturn Blvd.	25,278	0.843	E	32,878	1.096	F
Saturn Blvd. to Green Bay St.	28,191	0.940	E	36,543	1.218	F
Green Bay St. to I-5 SB Ramps	30,883	1.029	F	40,003	1.333	F
I-5 SB Ramps to I-5 NB Ramps	29,658	0.741	C	38,292	0.957	E

*Segments within Imperial Beach

**Table 3.9-9
Roadway Improvements and Resulting LOS**

Segments		Improvement
SR-75		
6	13th St. to Imperial Beach city limits*	Improve to 6-lane prime arterial by removing on-street parking and implementing deceleration and acceleration lanes along property frontages (=LOS D)
7-8	Imperial Beach city limits to Saturn Blvd.	Improve to 6-lane prime arterial by removing on-street parking and implementing deceleration and acceleration lanes along property frontages (=LOS D)
9	Saturn Blvd to I-5 SB Ramps	Improve to 7-lane prime arterial (=LOS D)
Imperial Beach Boulevard/Coronado Avenue		
14	11th St. to 12th St.*	Improve to 4-lane collector with continuous left-turn lane and no on-street parking (=LOS C)
16	13th St. to Imperial Beach city limits*	Improve to 4-lane major street with raised median (=LOS C)
17-18	San Diego city limits to Saturn Blvd.	Improve to 6-lane prime arterial with no parking (=LOS D)
19-20	Saturn Blvd. to I-5 SB Ramps	Improve to 7-lane prime arterial with no parking (=LOS D)
21	I-5 SB Ramps to I-5 NB Ramps	Improve to a 6-lane major arterial by widening the I-5 bridge (=LOS D)

*Segments within Imperial Beach

**Table 3.9-10
Significant Impacts to Intersections Within City of San Diego**

Intersection	Existing			With Project	
	Peak Hour	Delay*	LOS	Delay	LOS
SR-75 & Saturn Blvd.	PM	62.1	E	85.9	F
Coronado Ave. & I-5 SB Ramps	AM	43.4	D	84.2	F
	PM	59.4	E	126.6	F
Coronado Ave. & I-5 NB Ramps	AM	40.3	D	89.8	F
	PM	39.8	D	98.1	F

*In seconds

**Table 3.9-11
Significant and Unmitigable Traffic Impacts**

Segment	Existing LOS	Year 2030 LOS
SR-75		
13th Street to Imperial Beach city limits*	D	E
San Diego city limits to 16th Street	D	E
16th Street to Saturn Blvd.	D	F
Saturn Blvd to I-5 SB Ramps	F	F
Imperial Beach Boulevard		
11th Street to 12th Street*	F	F
13th Street to Imperial Beach city limits*	D	E
Coronado Avenue		
San Diego city limits to 15th Street	F	F
15th Street to Saturn Blvd.	E	F
Saturn Blvd to Green Bay Street	E	F
Green Bay Street to I-5 SB Ramps	F	F
I-5 SB Ramps to I-5 NB Ramps	C	E
Intersection	Existing LOS	Year 2030 LOS
SR-75 & Saturn Blvd.	E (PM)	F (PM)
Coronado Ave & I-5 SB Ramps	D (AM) E (PM)	F (PM) F (PM)
Coronado Ave & I-5 NB Ramps	D (PM) D (PM)	F (PM) F (PM)

*Located within Imperial Beach

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CHAPTER 4.0

ANALYSIS OF CUMULATIVE IMPACTS

CEQA requires a discussion of a project’s potential cumulative impacts and long-term impacts. The following sections address these issues as they relate to implementation of the project.

The CEQA Guidelines define cumulative effects as “two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts.” The Guidelines further state that the individual effects can be the various changes related to a single project or the changes involved in a number of other closely related past, present, and reasonably foreseeable probable future projects (CEQA Guidelines Section 15355). CEQA Guidelines Section 16130(b)(1) allows for the use of two alternative methods to determine the scope of the projects for the cumulative impact analysis:

- List Method—A list of past, present, and reasonably anticipated future projects producing related or cumulative impacts, including those projects outside the control of the agency.
- Regional Growth Projections Method—A summary of projections contained in an adopted general plan or related planning document that is designed to evaluate regional or areawide conditions.

The City has identified 13 local projects and one U.S. Navy project that may contribute cumulative effects. In addition, projected growth within and outside the City may contribute to regional impacts. The cumulative impact analysis in Section 4.2 identifies the geographic scope for each environmental issue.

4.1 CUMULATIVE PROJECTS

A brief description of each of the projects identified by the City follows:

ID #	Project Name	Description	Status
1	Seacoast Inn MF 661	Project is located at the northwest corner of Seacoast Drive and Date Avenue and will construct a 78-unit hotel with a restaurant and conference rooms and include a seawall and Date Avenue street end improvements. Construction noise impacts were determined to be significant and unavoidable.	Approved by the City in November 2007 and project is under construction.

4.0 Analysis of Cumulative Impacts

ID #	Project Name	Description	Status
2	Naval Amphibious Base (NAB) and Naval Radio Receiver Facility (NRRF) renamed Silver Strand Training Complex (SSTC)	Navy project for evaluation of effects of current and future operations, training expansion, and maintenance at the beaches of the NAB Coronado and NRRF Imperial Beach.	FEIS released January 2011
3	ACOE National Economic Development Plan, Silver Strand Shoreline Imperial Beach (MF 498)	Army Corp of Engineers project for construction of a base beach fill consisting of 589,000 cubic yards of sand, plus 1,000,000 cubic yards of sacrificial beach sand.	unfunded
4	684-686 Ocean Lane (MF 701)	Private project for 2 attached dwelling units; vertical seawall.	Coastal permit was approved April 4, 2007. Project not yet under construction.
5	Imperial Beach Pier	Repair or replace structural components of the pier, as well as electrical, mechanical, water and sewer facilities. Feasibility study in process to increase the decking by 1,200 square feet, including structural enhancements to support the decking, handrail, and lighting. Expand pier deck area. Construct restaurant and ancillary commercial uses on expanded pier platform when market demands.	Repair under construction. Other elements are conceptual and unfunded.
6	San Diego Regional Beach Sand Project II (MF 498)	The Regional Beach Sand Project II (RBSP II) will widen beaches by adding millions of cubic yards of sand to eroded shorelines. It is the second major public works effort being coordinated by local government, working together through SANDAG. RBSP II will acquire sand from large deposits of sand located in 30 to 100 feet of water found within two miles of the shoreline. The RBSP II takes into consideration all of the unique features of the region's coastline and will avoid sensitive reef habitats in the nearshore and make every effort to minimize impacts to the coastal environment.	Draft EIR/Environmental Assessment released January 26, 2011. Imperial Beach public workshop February 3, 2011. Final EIR Approved by SANDAG May 27, 2011.
7	Armstrong Speare MF 779	Mixed use project consisting of 8 dwelling units and commercial located at 221-225 Palm Avenue.	In process since 2005. Not yet approved nor constructed.
8	Potter's House MF 999	Conversion of a mortuary to a church at 808 13th Street.	Approved June 15, 2011. Not yet constructed.
9	BTP/Eco-bike MF 934	Bicycle Transportation Plan/Palm Avenue bike lane from 3rd to 7th streets.	Council approved April 1, 2009. Not yet constructed.
10	Old Palm Revitalization MF 936	Streetscape improvements along Palm Avenue from Seacoast Drive to 3rd Avenue.	Project completed.

ID #	Project Name	Description	Status
11	Bikeway Village MF 1034	Rezone and Redevelopment of warehouse buildings to eco-tourism commercial use. Located at 536 13th Street and 535 Florence Street.	Application in process.
12	Breakwater MF 1062	46,200 square foot commercial redevelopment project at 9th Street and Palm Avenue.	Application approved December 14, 2011; not yet constructed.
13	Redevelopment Area Phase 3	Streetscape improvements along Seacoast Drive from Daisy Avenue to Imperial Beach Boulevard.	Engineering plans are being finalized.
14	Various Street End Projects	Consists of improvements to street ends in Imperial Beach and was issued a ND.	Project is ongoing as funding is provided.

4.2 CUMULATIVE IMPACT ANALYSIS

4.2.1 Aesthetics

The scope of the cumulative impact analysis for aesthetics would be limited to the specific projects identified in Section 4.1. As described in Section 3.1, the proposed amendments would likely result in the revitalization of underutilized or vacant areas and would include policies aimed at improving the aesthetic quality of the existing developed areas through visual consistency, architectural requirements, and other visual considerations. The proposed project could introduce commercial and other uses by right and by conditional use permit along the beachfront that would alter the existing aesthetic of the area. Other cumulative projects, such as the Seacoast Inn would also create aesthetic changes to the existing visual environment. However, development projects are subject to City evaluation of aesthetic character and would be required to comply with design standards in the revised Design Review Manual and Design Review Guidelines. The proposed General Plan/LCP and commercial zoning amendments would provide guidance and requirements aimed at improving aesthetic quality of the study areas. Therefore, the proposed project would not combine with other projects that may alter the visual environment to create a negative visual impact. **The cumulative impact would be less than significant.**

4.2.2 Air Quality

The cumulative air quality analysis considers the project's net increase in emissions for which the San Diego Air Basin is in nonattainment. That is to say, if a region is nonattainment for a specific pollutant, it is most important to consider the emissions of that pollutant from the project

and the extent to which it would contribute to the nonattainment of the air quality standard. As shown in Table 3.2-3, long-term operational emissions for each of the project study areas would not exceed the applicable thresholds of significance and Mitigation Measures AQ-1 and AQ-2, would reduce construction emissions to a less-than-significant level. Therefore, implementation of the proposed project would not emit cumulatively considerable criteria air pollutants or precursor emissions.

The proposed project would increase the intensity of land uses at the project study areas. The project traffic study states that the project would generate 1,842 additional dwelling units in comparison to the existing General Plan/LCP by allowing residential development within the City's commercial zones. While the proposed project would allow for increased density that would accommodate additional population and would contribute to transportation-generated air pollutants, this would generally be in response to population growth forecasts and the resulting housing demand. Preliminary growth forecasts by SANDAG are an increase to 30,574 residents by year 2030 and to 36,198 residents by year 2050. Housing growth is expected to increase by 650 new dwelling units by year 2030 and by 2,310 new dwelling units by year 2050 (SANDAG 2011c). Providing the opportunity for residential development within the City's commercial zones would divert a portion of the projected regional population growth to the project's C/MU zones from areas within the City and the region that are zoned for single-family and multiple-family development. However, it would not alter regional growth projections to the extent that it would cause a change in the operational emissions that were assumed in developing the Air Quality Planning and Transportation Conformity of the 2050 Regional Transportation Plan (SANDAG 2011a). Therefore, **the project's cumulative air quality impact would be less than significant.**

4.2.3 Cultural Resources

The scope of the cumulative impact analysis for cultural resources would be those locations in Southern California where prehistoric or historic-era cultural resources are known to exist. There is always a potential for unknown cultural resources to be located in areas of previously undisturbed ground. However, as noted in Section 3.3, Imperial Beach has not been a location that has produced a high volume or quality of cultural resources, with very few documented prehistoric or historic-era cultural resources. Additionally, the City of Imperial Beach is generally built out, with most areas already disturbed by existing or previous development. Specific development projects, such as the Seacoast Inn project, may disturb previously undisturbed areas. If necessary, these projects, as is the case with the Seacoast Inn, may require mitigation through their appropriate CEQA review to monitor those ground disturbing activities

to reduce the potential for impacts to unknown cultural resources. All development projects would also be required to adhere to applicable regulations, such as California Health and Safety Code Section 7050.5 regarding the discovery of human remains to further minimize any potential to impact cultural resources. For these reasons, implementation of the proposed project would not combine with other cumulative projects to create a considerable impact to cultural resources. **The cumulative impact would be less than significant.**

4.2.4 Greenhouse Gas Emissions

The scope of the cumulative impact analysis for greenhouse gas emissions would be the San Diego Air Basin. As concluded in Section 3.4, construction-generated GHG emissions resulting from the proposed zoning amendments would make an incremental contribution to GHGs that cause climate change. Although the construction activity would be temporary, GHG emissions as a result of those activities would persist in the atmosphere. Existing regulatory efforts and new regulations expected to be enacted under AB 32 will help reduce GHG emissions generated by construction activity. Mitigation measure GHG-1 would require improved fuel efficiency for construction equipment used within the City. However, given the information available today, the project's contribution to GHG emissions from construction projects located within the air basin would be **a significant cumulative construction GHG impact.**

Section 3.4 also concludes that the total operational CO₂e emissions would result in 5.6 metric tons per service population per year from the proposed project in 2020, which would not exceed the 6.6 metric tons threshold of significance. In 2030 the project would result in emissions of 6.4 metric tons of CO₂e per service population per year, which would exceed the estimated 4.9 metric ton threshold of significance for that year. Mitigation measure GHG-2 requires that project applicants shall consider and implement, as feasible measures identified by CAPCOA, the California Attorney General, and the BAAQMD's CEQA Guidelines. However, it cannot be ensured that these measures would reduce emissions to below the 4.9 MT threshold. Therefore, the proposed project would contribute to **a significant cumulative operational GHG impact.**

4.2.5 Hydrology and Water Quality

The scope of the cumulative impact analysis for hydrology and drainage would be limited to the specific projects identified in Section 4.1. The construction of new development, whether as a result of the propose amendments or other cumulative project would have the potential to create new sources of polluted runoff from construction and operation of new land uses. The potential for increased runoff or pollutant load is limited by the fact that the City of Imperial Beach is

already highly developed with urban uses and has large areas of impervious surfaces. Many projects in the area would constitute a redevelopment of a site already in urban use and generating runoff because there is a relatively small amount of vacant impervious surfaces available for development in the vicinity. Any development that would result from the proposed amendments as well as all other cumulative projects would be required to comply with state and federal water quality regulations, including compliance with NPDES permit requirements and implementation of an SUSMP that ensures that BMPs are incorporated into the development design and are implemented during construction and operation. Adherence to water quality regulations and requirements would further reduce the potential for water quality impacts from the proposed project to combine with other projects and be cumulatively considerable. **The cumulative impact would be less than significant.**

4.2.6 Noise

The scope of the cumulative impact analysis for noise would be limited to the specific projects identified in Section 4.1. As described in Section 3.6, the proposed project has the potential for construction noise to exceed City of Imperial Beach noise limits. Because of the urban nature and mixed land uses that occur within close proximity to each other, it is likely that other cumulative development projects would have a similar potential for noise impacts to nearby sensitive receptors. The potential for significant cumulative impacts to noise would be less than significant because the noise generating construction activities for each project are temporary, lasting only the duration of construction, and the construction schedules are generally varied. Construction and operation of each cumulative project would be required to comply with the applicable noise ordinance. The proposed project would implement the mitigation measures required in Section 3.6. Thus, the project would not combine with other projects to result in a cumulatively considerable noise impact. In addition, as shown in Table 3.6-5, the change in noise levels resulting from the increase in traffic generated from the project study areas would be not more than 1 dBA. Therefore, **the cumulative impact would be less than significant.**

4.2.7 Population and Housing

The scope of the cumulative impact analysis for population and housing would be limited to the specific projects identified in Section 4.1. Because Imperial Beach is generally built out with very little vacant space available, large new residential projects are generally not feasible in the area. As shown in the cumulative list, three projects (Armstrong Speare MF 779 includes 8 residential units, 684-686 Ocean Lane MF 701 includes two dwelling units, and the American Legion Affordable Housing Project which includes 30 dwelling units) would result in new

dwelling units in Imperial Beach. While the proposed project would allow for increased density that would accommodate additional population, this would generally be in response to population growth forecasts and the resulting housing demand. The combination of the cumulative projects along with increased allowable density in the proposed amendments would not result in the development of a substantial number of residential units that would induce significant growth in the area resulting in environmental impacts. Thus, **the cumulative impact would be less than significant.**

4.2.8 Public Services

The scope of the cumulative impact analysis for public services would be limited to the specific projects identified in Section 4.1. Many of the cumulative projects in the area are redevelopment projects that would continue to utilize the existing public services already provided and not generate substantial new demand or requirements on the services. This is similar to the public service needs that would be generated by development and redevelopment anticipated with the proposed amendments. The proposed project and cumulative projects are located in areas of existing development and would not expand new land uses to currently unserved areas or create substantial new population requiring public services. For these reasons, the proposed project and cumulative projects would not combine to create cumulatively considerable new demand on public services that could result in an adverse environmental effect. **The cumulative impact would be less than significant.**

4.2.9 Transportation and Traffic

The scope of the cumulative impact analysis for transportation and traffic would be based on the local roadway network that provides access to I-5. The proposed amendments would generate new and redevelopment that could create additional traffic utilizing local roadways, both within the City of Imperial Beach and beyond into the City of San Diego jurisdictional boundaries. As detailed in Section 3.9, the significant traffic impacts within the City of San Diego are not considered mitigated as the City of Imperial Beach does not have jurisdiction to implement mitigation at these locations. Cumulative projects, such as the Seacoast Inn and other commercial and retail projects would also generated new traffic that would utilize some of the same roads and which would be significantly impacted by the proposed project. For this reason, the project would contribute to a cumulatively considerable significant traffic impact. **The cumulative impact would be significant.**

4.3 SIGNIFICANT CUMULATIVE IMPACTS

As detailed in Section 4.2 above, significant cumulative impacts would result for greenhouse gas emissions and transportation and traffic.

4.4 MITIGATION MEASURES

Mitigation measures to reduce impacts to greenhouse gas emissions and traffic are provided in the analysis sections in Chapter 3.0 for these topics. It was found that even with implementation of the mitigation measures, the impacts would remain significant and unavoidable. There are no additional measures beyond those already presented in the analysis to further reduce the cumulative impacts for these issue areas. The cumulative impacts to greenhouse gas emissions and traffic would remain significant and unavoidable.

CHAPTER 5.0 OTHER CONSIDERATIONS REQUIRED BY CEQA

5.1 GROWTH-INDUCING IMPACT OF THE PROPOSED PROJECT

CEQA Guidelines Section 15126.2(d) requires that an EIR discuss the growth-inducing impact of the proposed project. Growth-inducement includes, "...ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas)."

The General Plan/LCP and Commercial Zoning Amendments Project is specifically intended to facilitate the orderly growth of Imperial Beach, define the types of allowable development, maximize retail potential for commercially zoned land, and implement realistic and feasible development standards. The project would promote infill development and revitalization that would encourage mixed-use activity in these commercial areas. In time, this would create areas of adjacent businesses and multiple-family residences. The project would foster economic development as well as additional residential development to accommodate anticipated population growth and to support the demand for additional commercial and retail development.

Implementation of mixed-use projects facilitated by the General Plan/LCP and commercial zoning amendments would result in more choice in housing type, bring new employment opportunities to Imperial Beach through commercial redevelopment, and foster a stable economic base. The General Plan/LCP and Commercial Zoning Amendments Project focuses on sustainable development approaches, such as infill development, and use of the current roadway system and infrastructure. The key growth opportunity would result from land use changes that allow higher densities/intensities within the project study areas.

For these reasons, the project would be considered growth-inducing, both directly and indirectly. However, the new growth generated by the project would be based on land use planning concepts that seek to promote sustainable infill development, reuse and revitalization of existing urbanized areas, and establishment of mixed-use districts that would provide alternative housing choices. The project would not remove an obstacle to growth or expand public services to accommodate additional economic or population growth. Therefore, growth inducement

resulting from the General Plan/LCP and Commercial Zoning Amendments Project would be less than significant.

5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Development pursuant to the General Plan/LCP and commercial zoning amendments would result in the consumption of nonrenewable resources and would have an irreversible effect on such resources. The irreversible commitment of limited resources is inherent in any development project, or in the case of the proposed zoning amendments, the resultant development projects. Resources anticipated to be irreversibly committed include, but are not limited to, lumber and other related forest products; sand, gravel, and concrete; petrochemicals; construction materials; steel, copper, lead, and other metals; and water. Buildout of the study areas represents a long term commitment to the consumption of fossil fuel oil and natural gas. These increased energy demands relate to construction, lighting, heating, and cooling of residences and buildings, and transportation to and from the study areas.

5.3 SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS

Implementation of the project would result in significant and unavoidable impacts to project-level and cumulative operational GHG emissions and cumulative construction GHG emissions as detailed in Sections 3.4 and 4.2.4 of the PEIR. Significant and unavoidable project impacts would also result to hydrology and water quality due to coastal flooding potential as detailed in Section 3.5. Significant and unavoidable project level and cumulative impacts to transportation and traffic would also result as described in Sections 3.9 and 4.2.9. Implementation of the mitigation measures identified in Section 3.4.4 for GHG, Section 3.5.4 for hydrology and water quality, and in Section 3.9.4 for transportation and traffic would reduce the impacts to an extent; however, the impacts from GHG emissions and transportation and traffic would remain significant and unavoidable.

5.4 EFFECTS NOT FOUND TO BE SIGNIFICANT

An Initial Study was prepared to focus the scope of the PEIR on those issues with the potential for significant impacts, which is included as Appendix A to this document. The following issues were found not to be significant in the Initial Study: Biological Resources, Land Use and Planning, Agriculture and Forestry Resources, Hazards and Hazardous Materials, Utility/Service Systems, and Geology and Soils. These topics are briefly addressed below.

5.4.1 Biological Resources

The proposed project study areas include various locations within Imperial Beach that are already developed with existing urban uses including buildings, paved roadways, parking lots, and sidewalks. There is no available habitat that supports sensitive species within the project study areas and they do not serve as wildlife corridors or facilitate the movement of species.

No riparian habitat, wetlands, or other sensitive natural community is located within the project study area. The Tijuana River Estuary is located to the south of the project site, at the southern end of the Seacoast Drive study area. However, the proposed amendments that would guide revitalization and redevelopment in the existing urban setting would not extend new development toward the estuary or change the existing development in a manner that would have a substantial adverse effect on the sensitive area. The City's Jurisdictional Urban Runoff Management Program (JURMP) and Municipal Code Chapter 8.30, Urban Runoff Management and Discharge Control, require best management practices to reduce the potential for polluted runoff during construction and operation of new development and would avoid any substantial adverse indirect effects on nearby habitat associated with the Tijuana River Estuary to the south, San Diego Bay to the north, or ocean shoreline to the west.

The project site is not located within a local, regional, or state habitat conservation plan area and the proposed amendments that would guide revitalization and redevelopment in the existing urban setting would not create conflicts with any such plans.

5.4.2 Land Use and Planning

The areas included in the project are located within existing developed and urbanized portions of Imperial Beach. The areas are currently used for residential, commercial, and mixed-use purposes. The proposed amendments would guide revitalization and redevelopment within the existing urban setting and would not extend development into new areas or allow for substantially different types of uses than currently exist. The proposed amendments would not result in any development or expanded infrastructure that would physically divide the established community, which is presently developed with similar types of land uses as proposed by the project. The proposed amendments would result in modifications to the City General Plan/LCP and Zoning Ordinance to improve development standards and implement more effective design review. The proposed modifications would not result in revisions to any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

5.4.3 Agriculture and Forestry Resources

The project is located within existing developed and urbanized portions of Imperial Beach used for commercial and residential purposes and there is no farmland in the immediate vicinity. Pursuant to the Farmland Mapping and Monitoring Program, the project site is designated as Urban and Built-up Land (California Department of Conservation 2010a). The project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. There are no existing agricultural zoning designations in the project sites and none of the land is under a Williamson Act contract.

There is no forest land, timberland, or land zoned as timberland in the immediate vicinity. Proposed amendments to the General Plan/LCP and Zoning Ordinance would guide development in the existing urban area and would not impact timberland or timber production. Because the area is already developed with urban uses and there is no forest land within or near the project site, the project would not result in the loss or conversion of forest land. The project study area is in an interior portion of Imperial Beach and would not result in fringe or edge effects that could impact distant agriculture or forest lands.

5.4.4 Hazards and Hazardous Materials

New development could include typical commercial facilities that routinely use or distribute hazardous materials, such as dry cleaners or gas stations. These general types of facilities already exist within the project study areas and the proposed amendments would not allow for heavy industrial uses or other types of facilities that would generate substantial hazardous material risks. All hazardous material handling, transport, use, or disposal is regulated through state and federal laws. Any facility in the project study areas that would use hazardous materials would be required to adhere to all regulations governing use and disposal of hazardous materials, which would minimize the potential for hazards to the public. Increased potential for significant public or environmental hazards due to release of hazardous materials would not result.

There are multiple schools located within 0.25 mile of the project study areas, such as Mar Vista Senior High, Imperial Beach Elementary, Central Elementary, Bayside Elementary, and West View Elementary. Some new development could include typical commercial facilities that routinely use or distribute hazardous materials, such as dry cleaners or gas stations; however, these types of facilities already exist within the project study areas and the proposed amendments would not allow for heavy industrial uses or other types of facilities that would generate

substantial hazardous material risks. The required adherence to state and federal laws regulating hazardous materials would limit any potential for hazardous material risk near a school.

There are many individual properties within the project study areas that may be proposed for new construction. It is possible that some of these properties may have been previously contaminated by past uses and may be listed as a hazardous material site. However, uniformly applied procedures established by the County Department of Environmental Health and other state and federal regulations related to the identification and remediation of soil contamination would avoid any public health impacts associated with potential soil contamination by previous activities in the project study areas.

The project study areas are within 2 miles of the Naval Outlying Landing Field and the southern portion of the 13th Street Corridor study area is located immediately adjacent to the north. The revitalization of the project study areas with similar uses to those that currently exist, and with a maximum permitted building height of 40 feet, would not create a new or additional safety hazard related to airfield operations. The building height increase included within the proposed amendments would allow development within typical residential and commercial structure heights and would not be of the magnitude to affect air operations at the Naval facility nor create a safety conflict.

5.4.5 Utility/Service Systems

Imperial Beach is supplied with potable water from the Otay Water Treatment Plant operated by the City of San Diego Public Utilities Department. In December 2010, the plant completed upgrades to meet upcoming more stringent water quality regulations and has a treatment capacity of 31 million gallons per day and meets new water quality regulations. The project is expected to enable revitalization of underutilized properties, which would likely cause an increase in commercial and residential development. Water is currently supplied to users in the project study areas and new uses would slightly increase the demand for water supply beyond that currently required by existing users. The infill type of development that would result from the project limits the amount of additional water supplies necessary to serve the project. Therefore, the proposed project would not cause the demand for water supply to exceed existing supplies and would not require new or expanded entitlements or exceed facility capacity.

The City's wastewater is conveyed to the City of San Diego Metropolitan Sewage System for treatment. The City Sewer Division is responsible for the operation, maintenance and rehabilitation of the City's 11 pump stations and 50 miles of the sewer collection system that

conveys the City's wastewater to the Metropolitan Sewage System for treatment. The project is expected to enable revitalization of underutilized properties, which would likely cause an increase in commercial and residential development. While the increase in commercial operations and residential units in the project study areas would increase demand for wastewater treatment services, it would not cause an exceedance of wastewater treatment requirements of the Regional Water Quality Control Board or require an expansion of the capacity of existing facilities.

Substantial amounts of additional stormwater would not result with new construction or redevelopment associated with the project because the project study areas are already developed with urban uses. Because of the existing developed condition of the project study areas, new uses or redevelopment would likely result in minimal new areas of impervious surfaces. Thus, the project would not necessitate new or expanded stormwater drainage facilities to handle increased volumes of runoff.

The new commercial and residential development likely to result from the project would generate additional volumes of solid waste relative to the waste currently generated. Solid waste disposal for Imperial Beach is currently provided at the Otay Landfill. The Otay Landfill Solid Waste Facility has an estimated remaining capacity of 33,070,879 cubic yards and an estimated closure date of April 2021 (CalRecycle 2011). Therefore, the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs and would not create a conflict with federal, state, or local statutes related to solid waste.

5.4.6 Geology and Soils

The entire Southern California region is subject to strong seismic ground shaking due to the numerous faults that traverse the area. The Safety Element of the Imperial Beach General Plan/LCP states that the La Nacion Fault is the closest fault to the City, located about 2 miles east. The project site is not located within an earthquake fault zone as delineated by the Alquist-Priolo Earthquake Fault Zoning Map (California Department of Conservation 2010b). Thus, substantial adverse effects to people or structures due to fault rupture are not anticipated.

The Safety Element of the Imperial Beach General Plan/LCP states that much of the City lies upon deposits that are poorly consolidated or unconsolidated aggregates of silt, sand, and gravel, resulting in a high potential of earthquake damage to structures located on this material. However, required adherence to regulatory codes, such as the Uniform Building Code (UBC) and California Building Code (CBC) would ensure that all new development would be built to

adequately withstand strong seismic ground shaking through proper engineering and design and would limit any potential adverse effects to people or property.

Unstable soil conditions may exist within the project site and could cause related damage through lateral spreading, subsidence, liquefaction or collapse. The Safety Element of the Imperial Beach General Plan/LCP states that due to the structure of the soils and the high water table within the City, liquefaction poses the biggest threat of serious damage in the event of moderate or major seismic activity. However, required adherence to regulatory codes, such as the UBC and CBC would ensure that all new development would be built to adequately avoid potential geologic hazards due to soil conditions, including liquefaction or ground failure, through proper engineering and design. This would limit any potential adverse effects to people or property.

The project is located in an area that is flat and developed with existing urban uses. The proposed amendments would result in potential new development within the project sites. Because the area is topographically flat with no steep slopes or hillsides, there is minimal potential for landslides to occur within the project site, regardless of any additional development or changes to the existing uses. This would limit any potential adverse landslide effects to people or property.

Soil erosion or loss of topsoil would generally not occur with the proposed amendments as the project site is currently developed with urban uses and generally covered with impervious surfaces. While soil erosion and loss of topsoil could occur during construction activities, standard measures such as an erosion control plan and other best management practices during construction would limit the potential for erosion

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CHAPTER 6.0

PROJECT ALTERNATIVES

6.1 RATIONALE FOR ALTERNATIVE SELECTION

In accordance with Section 15126.6(a) of the CEQA Guidelines, an EIR must contain “a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project,” as well as an evaluation of the “comparative merits of the alternatives.” In addition, Section 15126.6(b) of the CEQA Guidelines states that “the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.”

The PEIR concludes that the proposed Project would result in the following significant impacts:

- Air Quality. During construction, criteria air pollutant and precursor emissions would be temporarily and intermittently generated from a variety of sources. The timing and intensity of construction activities cannot, at this time, be accurately quantified nor compared with a significance threshold. However, it is anticipated that all construction projects would be required to implement BMPs identified as Project mitigation measures in order to avoid significant construction air emissions.
- Greenhouse Gas Emissions. Construction-related GHG exhaust emissions would be generated by sources such as heavy-duty off-road equipment, trucks hauling materials to the site, and worker commutes. Mitigation measures would be required to reduce construction GHG emissions to less than significant. However, over the long term, the increase in population and commercial activities would contribute to a significant cumulative GHG impact that cannot, at this time, be determined to be mitigated to less than significant.
- Hydrology and Water Quality. Water quality impacts in the City primarily result from water runoff from existing developed areas. Construction activities that expose graded areas and construction staging sites to runoff can also be a significant source of water quality impacts. Developed areas also contribute pesticides, organic material, and oxygen demanding substances that enter water bodies via storm drains. The City’s JURMP and IBMC Chapter 8.30, Urban Runoff Management and Discharge Control, require BMPs to

reduce the potential for polluted runoff during construction and operation of new development and would avoid any substantial adverse indirect effects on nearby habitat associated with the ocean shoreline, Tijuana River Estuary, or San Diego Bay. Compliance with these adopted City requirements are the basis for the mitigation measures identified in Chapter 3.5 to avoid significant hydrology and water quality impacts.

- Noise. Noise levels and vibrations at construction sites would cause temporary impacts. Additional traffic from new residential and commercial development would result in increased noise levels, most noticeably to properties near Palm Avenue/SR-75 and Seacoast Drive. Elevated traffic noise would be a permanent increase in the ambient noise levels in the project study areas. Mitigation measures have been identified that would reduce construction and operational noise and vibration impacts to less than significant.
- Transportation and Traffic. Significant impacts to roadway segments and intersections would occur as a result of an increase of 22,856 ADT by year 2030, which would include 3,955 additional ADT from residential and commercial development planned within the project's proposed C/MU zones. The project's impact on transportation and traffic would remain significant and unavoidable as full mitigation is not feasible due to physical constraints to widening road and impacts occurring outside of the City's jurisdiction.

6.1.1 Alternatives Selected for Analysis

The No Project and Vehicular Capacity Enhancement alternatives have been selected for impact analysis and comparison to the potentially significant impacts of the proposed project. Table 6-1 compares the impact of the alternatives to the proposed project.

No Project Alternative

The No Project Alternative would not adopt the proposed zoning amendments. Multiple-family residential development in the City's commercial zones would be limited to locations above the first floor. There would also be no increase in permitted density from 1 dwelling unit per 1,500 square feet to 1 dwelling unit per 1,200 square feet through compliance with development incentives that would be specified in the proposed C/MU-2 and C/MU-3 zones. The No Project Alternative would not result in the estimated 1,842 additional dwelling units, approximately 155,000 additional square feet of commercial uses, and one new grocery store, from planned residential and commercial development within the project's proposed C/MU zones.

From a traffic generation standpoint, the No Project Alternative would allow continued development in compliance with the adopted General Plan/LCP, which is estimated to increase ADT from the current volume of 36,366 ADT to 55,267 ADT, an increase of 18,901 ADT from the current volume. The proposed project is estimated to increase ADT from the current volume of 36,366 ADT to 59,222 ADT, an increase of 22,856 ADT from the current volume.

Vehicular Capacity Enhancement Alternative

The Vehicular Capacity Enhancement Alternative would install improvements on three roadway segments within the City to increase their traffic capacity. The segments are: Palm Avenue/SR-75 from 13th Street to the east city limits; Imperial Beach Boulevard from 11th Street to 12th Street; and Imperial Beach Boulevard from 13th Street to the east city limits. The following table shows the improvements that would be installed under this alternative and the resulting change to LOS in year 2030 in comparison to year 2030 conditions with the proposed project.

Vehicular Capacity Improvements							
Segments	Existing Conditions		Year 2030 Conditions With Project		Year 2030 Alternative		Capacity Enhancements
	ADT	LOS	ADT	LOS	ADT	LOS	
Palm Avenue/SR-75: 13th St. to city limits	41,607	D	45,518	E	45,518	C	Improve to a 6-lane Prime Arterial by removing on-street parking and implementing deceleration and acceleration lanes along property frontages.
Imperial Beach Blvd: 11th St. to 12th St.	16,970	F	18,565	F	18,565	C	Improve to a 4-lane Collector (Class I) with a continuous left-turn lane by removing on-street parking.
Imperial Beach Blvd: 13th St. to city limits	21,731	D	27,924	E	27,924	C	Improve to a 4-lane Major Street by extending the raised median to city limits.

6.1.2 Alternatives Rejected as Infeasible

Install Improvements to Operate at LOS D or Better

Rejected as infeasible were alternatives that would improve operations on all roadway segments and intersections to LOS D or better by installing improvements to these roadway segments and intersections. Additional traffic from housing/population growth projected by SANDAG (2011c)

would cause 11 roadway segments and five intersections to operate at LOS E or F by year 2030. Only three of the 11 impacted segments and none of the five impacted intersections are located within Imperial Beach. Improvement of the three impacted segments with the City is addressed in the Vehicular Capacity Enhancement Alternative in Section 6.2.2, below. While the population growth within Imperial Beach would contribute to traffic impacts east of the City limits, up to 21,600 future ADT would be contributed by land uses within San Diego. Improving operations on the eight roadway segments and five intersections east of the City to LOS D or better would require action by San Diego or Caltrans to install the improvements to these roadway segments and intersections. No funding to construct the improvements by the City of San Diego or Caltrans has been identified. In accordance with CEQA Guidelines Section 15091(a)(2) it is found that these improvements are “within the responsibility and jurisdiction of another public agency.”

Alternative Location

The project sites consist of the City’s entire commercially zoned areas and are almost all of the properties are developed with commercial uses. To adopt apply the proposed C/MU zones to any other areas of the City would be inconsistent with existing land uses and the City General Plan/LCP.

6.2 ANALYSIS OF THE ALTERNATIVES

6.2.1 No Project Alternative

Air Quality

The No Project Alternative would reduce future traffic by 3,955 ADT in comparison to the proposed project and would have a lesser air quality impact than the proposed project. The air quality analysis in Chapter 3.2 of the PEIR determined that operational emissions associated with the increase in project trips would not exceed the air quality thresholds for a significant project impact. However, as described in the Project Objectives in Section 2.1 of the PEIR, the mixed-use concept is intended to reduce vehicle trips by promoting more mixed-use commercial development with active, pedestrian-oriented commercial uses; and with reduced parking for vertical mixed-use projects, small commercial businesses, and through increased reliance on shared parking. By integrating future multiple-family residential development within the City’s commercial districts, vehicle trips for shopping, dining, and entertainment can be reduced.

Therefore, future growth under the No Project Alternative would not be expected to reduce vehicle trips in comparison to the proposed project.

With the No Project Alternative, the additional demand for housing units that could not be accommodated would likely be driven to the sprawl areas of the county, resulting in additional traffic, air quality, and infrastructure impacts elsewhere in the region. This is inconsistent with adopted Smart Growth policies, including AB 32.

The air quality analysis in Chapter 3.2 of the PEIR identified mitigation measures to reduce potentially significant air quality impacts during construction. Although the No Project Alternative would theoretically result in fewer construction projects for a smaller build-out population, the mitigation measures in Chapter 3.2 would be just as effective on a fewer number of projects and, therefore, the air quality impacts under the No Project Alternative would be similar to the proposed project.

Greenhouse Gas Emissions

The proposed project would not conflict with the AB 32 Scoping Plan, or any other plans, policies or regulations adopted for the purpose of reducing GHG emissions. It cannot be determined at this time how to most effectively implement all feasible future BMPs for construction-related and operational GHG emissions throughout the project site, with or without the proposed zoning changes. However, motor vehicle trips would be the largest source of greenhouse gas emissions and mixed-use development is the most efficient way of reducing GHG emissions other than through improving the technology of emissions reduction. Therefore, potential GHG impacts under the No Project Alternative would be greater than the proposed project.

Hydrology and Water Quality

The proposed project is expected to result in an additional 1,842 dwelling units, 155,000 square feet of retail commercial space, and one new grocery store. However, this development will occur almost entirely in areas that are currently developed with impervious surfaces that are current sources of runoff. Construction activities would be the primary source of potential new hydrology and water quality impacts. Compliance with the City's JURMP and IBMC requirements would reduce the potential for polluted runoff during construction and operation of new development. Conversion of older developed areas to new commercial and mixed-use development would result in the installation of improved stormwater management systems. The

No Project Alternative would have a similar hydrology and water quality impact as the proposed project.

Noise

The No Project Alternative is expected to result in the construction of 650 new dwelling units by year 2030 per the City's housing forecast by SANDAG. While new opportunities for mixed-use development would result from the project, as shown in Table 3.6-5 noise level increases on area roadways would only increase an estimated 1 dBA and, therefore, it would not substantially alter the City's noise environment. Mitigation measures have been identified that would reduce project construction and operational noise impacts to less than significant. Title 9 of the IBMC contains the City's construction noise control regulations that would be applicable to the No Project Alternative. Therefore, the No Project Alternative would have a similar noise impact as the proposed project.

Transportation and Traffic

The No Project Alternative would reduce future traffic by 3,955 ADT in comparison to the proposed project. However, the No Project Alternative would still be expected to result in an additional 18,901 ADT increase from the current traffic volume of 36,366 ADT. Three intersections would operate at LOS F in 2030 with or without the project; and 11 roadway segments would operate at LOS E or F with or without the project. The project's impact on transportation and traffic would remain significant and unavoidable as full mitigation is not feasible due to impacts occurring outside of the City's jurisdiction and existing development that would require property acquisitions to widen the right-of-way. Therefore, the No Project Alternative would have a similar impact on transportation and traffic as the proposed project.

6.2.2 Vehicular Capacity Enhancement Alternative

Air Quality

The Vehicular Capacity Enhancement Alternative would improve the flow of traffic, though it would not reduce ADT on the three enhanced roadway segments or at any other locations analyzed in Chapter 3.9 of the PEIR. However, it would reduce air emissions at the three congested intersection and, therefore, the air quality impacts under the Vehicular Capacity Enhancement Alternative would be less than the proposed project.

Greenhouse Gas Emissions

The Vehicular Capacity Enhancement Alternative would not reduce ADT or greenhouse gas emissions on the three enhanced roadway segments or at any other locations analyzed in the PEIR. Therefore, impacts from greenhouse gas emissions under the Vehicular Capacity Enhancement Alternative would be similar to the proposed project.

Hydrology and Water Quality

The Vehicular Capacity Enhancement Alternative could make a minor reduction in the paved area at the Imperial Beach Boulevard/13th Street to city limits segment if landscaping were to be installed in the extended raised median. However, this minor reduction in impervious surfaces would not reduce runoff to an extent that would improve water quality. Therefore, hydrology and water quality impacts under the Vehicular Capacity Enhancement Alternative would be similar to the proposed project.

Noise

The Vehicular Capacity Enhancement Alternative would not reduce ADT on the three enhanced roadway segments or at any other locations analyzed in the PEIR. Therefore, this alternative would not reduce air emissions and air quality impacts under the Vehicular Capacity Enhancement Alternative would be similar to the proposed project.

Transportation and Traffic

The Vehicular Capacity Enhancement Alternative would improve traffic operations from LOS E and F to LOS C on the three roadway segments. Therefore, transportation and traffic impacts under the Vehicular Capacity Enhancement Alternative would be reduced in comparison to the proposed project. However, as with the proposed project, the overall transportation and traffic impacts under the Vehicular Capacity Enhancement Alternative would be significant and unavoidable.

6.3 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The Vehicular Capacity Enhancement Alternative would have similar impacts as the proposed project to air quality, greenhouse gas emissions, hydrology and water quality, and noise. However, it would improve traffic operations from LOS E and F to LOS C on three roadway

segments. Although the overall transportation and traffic impacts would remain significant and unavoidable, the Vehicular Capacity Enhancement Alternative would be the environmentally superior alternative.

**Table 6-1
Comparison of Project Alternative Impacts to the Proposed Project Impacts**

Issue Area	Proposed Project	No Project Alternative	Vehicular Capacity Enhancement Alternative
Air Quality	Less than significant with mitigation	Similar	Less than proposed project
Greenhouse Gas Emissions	Significant and unavoidable	Greater	Similar
Hydrology and Water Quality	Significant and unavoidable	Similar	Similar
Noise	Less than significant with mitigation	Similar	Similar
Transportation and Traffic	Significant and unavoidable	Similar	Less than proposed project though impact would remain significant and unavoidable

CHAPTER 7.0

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7.2 PERSONS CONTRIBUTING TO PEIR PREPARATION

City of Imperial Beach

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Jim Nakagawa, AICP, City Planner
Tom Clark, Public Safety Director/Fire Chief
H.A. (Hank) Levien, Public Works Director

San Diego County Sheriff's Department

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Jerry McLees, AICP, Senior Project Manager
Kara Friedman, Senior Environmental Analyst
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Roger Pelayo, Assistant Transportation Planner
Keith Feura, Technical Engineer

APPENDIX A

NOTICE OF PREPARATION AND RESPONSES



City of Imperial Beach, California

COMMUNITY DEVELOPMENT DEPARTMENT

825 Imperial Beach Blvd., Imperial Beach, CA 91932 Tel: (619) 628-1356 Fax: (619) 424-4093

April 12, 2011

TO: Distribution List [by certified mail]

RE: **Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (DEIR) for the General Plan/LCP and Commercial Zoning Amendment Project**

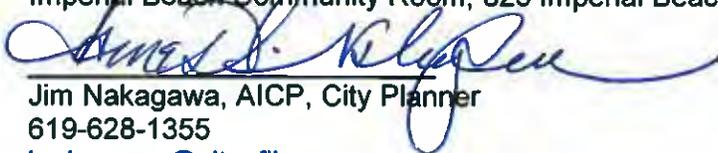
The City of Imperial Beach will be the Lead Agency and will prepare an environmental impact report for the project identified above. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and potential environmental effects are contained in the attached Environmental Initial Study.

Due to time limits mandated by State law, your response must be sent at the earliest possible date **but not later than 30 days** after receipt of this notice.

Please send your response to Jim Nakagawa, City Planner. Please provide the name for a contact person in your agency in your response.

Project Title: Imperial Beach General Plan/LCP and Commercial Zoning Amendment
Project Applicant: City of Imperial Beach
Environmental Scoping Meeting: Tuesday, April 26, 2011, from 6:00 pm to 7:30 pm at the Imperial Beach Community Room, 825 Imperial Beach Blvd, Imperial Beach, CA 91932



Jim Nakagawa, AICP, City Planner
619-628-1355
jnakagawa@cityofib.org

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, and 15375.

Attachments: Initial Study with Project Description (15 hard copies) and Notice of Completion

Distribution list:

State Clearinghouse, 1400 Tenth Street, P.O. Box 3044 Sacramento, CA 95812-3044
Diana Lilly, Coastal Planner, CA Coastal Commission - San Diego District, 7575 Metropolitan Drive, Suite 103, San Diego, CA 92108-4402
David Nagy, Environmental Planning, CalTrans District 11, MS 242, 4050 Taylor Street, San Diego, CA 92110
Patricia Hutchins, Imperial Beach Chamber of Commerce, 702 Seacoast Drive, Imperial Beach, CA 91932-1871
Michael H. Carey, 862 4th Street, Imperial Beach, CA 91932



Initial Study
for the
Imperial Beach General Plan/Local Coastal Plan and
Commercial Zoning Amendments Project (MF 935)

City of Imperial Beach
San Diego County, CA

Lead Agency:

City of Imperial Beach
Community Development Department
825 Imperial Beach Boulevard
Imperial Beach, CA 91932
Contact: Jim Nakagawa, AICP, City Planner
(619) 628-1355
jnakagawa@cityofib.org

April 12, 2011

SECTION 1

PROJECT OVERVIEW

1.1 Project Description

The City of Imperial Beach (City) proposes to amend the Imperial Beach General Plan and Local Coastal Plan (updated October 2010) and Zoning Ordinance (Title 19 of the Imperial Beach Municipal Code) to revise existing land use designations and zoning regulations for properties designated C-1 General Commercial in the Palm Avenue (State Route [SR]-75) Study Area, C-2 Seacoast Commercial in the Old Palm Avenue and Seacoast Drive Study Area, C-3 Neighborhood Commercial in the 13th Street Corridor Study Area; and for the MU-1 (Mixed Use-1) and MU-2 (Mixed Use-2) General Plan overlay designations. The project would also change the land use and zoning regulations affecting properties designated R-1500 (High Density Residential) that also have the MU-1 and MU-2 overlay designations and are located adjacent to commercial properties in the Palm Avenue and Seacoast Drive study areas. Properties designated C-3 along the 13th Street Corridor at Imperial Beach Boulevard and at Iris Avenue will also be considered for General Plan and zoning amendments. In addition, residentially developed parcels designated C-3 at the northeast corner of 9th Street and Imperial Beach Boulevard are proposed to be changed to R-3000 (Two Family Residential) per General Plan Land Use Policy L-4g. The effect of the proposed project may encourage additional mixed-use commercial and multi-family residential development within the project study areas. A regional location map is shown in Figure 1 and a map of the project study areas showing existing zoning and General Plan land use designations is provided as Figure 2.

1.2 Project Study Areas/Environmental Setting

The project site consists of existing developed properties in four study areas containing primarily commercial and residential land uses. Some vacant properties exist where previous improvements have been removed; however, no natural areas of native vegetation exist within the project site. More detailed descriptions of each of the project study areas are provided below.

Palm Avenue (SR-75) Study Area. This study area extends east-west along approximately 1 mile of Palm Avenue/SR-75 from the east City boundary to Rainbow Drive. The south study area boundary is Donax Avenue. Existing commercial properties along Palm Avenue east of 13th Street and west of 9th Street are also included. The north study area boundary is Calla Avenue, excepting Rose Temple Memorial Park, and continues west to include Bernardo Shores RV Park. This study area contains mostly community commercial services along both sides of Palm Avenue, such as automotive services, retail stores, personal services, restaurants, and fast food outlets. North and south of Palm Avenue along Calla and Donax avenues are mostly multi-family residences with some single-family interspersed within the study area. Existing zoning is C-1 along Palm Avenue/SR-75. Many of the properties located along Calla and Donax avenues and along the connecting streets north and south of Palm Avenue are zoned R-1500 with an MU-1 overlay designation. All of the Palm Avenue Study Area is within the Coastal Zone except at the south side of Palm Avenue east of 13th Street.

Old Palm Avenue Study Area. This east-west study area extends along approximately 0.25-mile of Palm Avenue from Third Street to Seacoast Drive and mainly consists of small independent neighborhood businesses, boutiques, restaurants, and multi-family residences. Existing zoning is C-2. All of the Old Palm Avenue Study Area is within the Coastal Zone.

Seacoast Drive Study Area. This north-south study area extends along approximately 0.5-mile of Seacoast Drive from Palm Avenue to Imperial Beach Boulevard. It provides the major access road for beachfront properties and visitor services. Accommodations are provided in apartments, time-shares, condominiums, hotels, motels, and residences. Commercial uses are primarily independent businesses serving visitors and local residents and include recreational rental facilities, as well as restaurants and taverns. Mixed-use residential over commercial buildings are found along this corridor, as well as both old and new apartment buildings, condominiums, oceanfront homes and duplexes, and a few beach cottages. The Imperial Beach Pier extends into the ocean from the end of Evergreen Avenue and provides shops and food service. Existing zoning along both sides of Seacoast Drive is C-2; most of the oceanfront properties are zoned R-1500 with an MU-2 overlay designation. All of the Seacoast Drive Study Area is within the Coastal Zone.

13th Street Corridor Study Area. This study area consists of two commercial intersections, at Imperial Beach Boulevard and at Iris Avenue. The larger commercial area at Imperial Beach Boulevard extends from Ebony Avenue on the north to Fern Avenue on the south. The west boundary is at Florence Street and the east boundary is at Georgia Street. The commercial district provides a wide variety of neighborhood commercial services in several multi-tenant centers, and also includes newer mixed-use buildings with residential over commercial, restaurants and taverns, gas stations and automotive services, and multi-family residences. Central Elementary School is adjacent to the northwest. The Iris Avenue commercial site consists of a small neighborhood market and two adjacent single-family residences. Existing zoning in both subareas of the 13th Street Corridor is C-3. The main entrance to the Naval Outlying Landing Field, Imperial Beach, historically referred to as Ream Field, is adjacent to the study area on the south side of Iris Avenue. Only the portion of the study area that is north of Imperial Beach Boulevard and west of 13th Street is within the Coastal Zone.

1.3 General Plan/Local Coastal Plan Amendments

The proposed project will consider amending the Land Use Element of the City General Plan and Local Coastal Plan (GP/LCP), which may include revisions to the land use map, land use categories, land use policies, and Table L-2, Land Use Designations and Specifications, for the following designations: R-1500 High Density Residential with the MU-1 and MU-2 overlays, C-1 General Commercial, C-2 Seacoast Commercial, and C-3 Neighborhood Commercial. In addition to amending the Land Use Element, all other General Plan Elements would be reviewed to identify amendments needed to maintain internal consistency within the General Plan.

1.4 Zoning Code Amendments

The proposed project will consider rezoning properties within the study areas and amending the City Zoning Code in Chapters 19.26 (C-1 General Commercial Zone including the MU-1 overlay), 19.27 (C-2 Seacoast Commercial Zone including the MU-2 overlay), and 19.28 (C-3 Neighborhood Commercial Zone). Other chapters of the City Zoning Code would also be amended to be consistent with the above-listed chapters of the Zoning Code or with amendments to the General Plan. Zoning Code amendments

to the zones listed above are anticipated to include revisions to the list of permitted land uses and those requiring a conditional use permit or site plan review.

The Zoning Code amendments will also consider adding requirements for active commercial uses on the ground floor in certain zoning districts; and development standards for density, building height, first floor height, building setbacks, and stepbacks for upper floors. These amendments are intended to enable development of more active mixed-use districts of commercial and residential uses that would have pedestrian-friendly streets, inviting commercial storefronts, streetscape design amenities, and outdoor dining and market spaces. Inclusion of these or other amenities, including “green building” design, may be used to grant development incentives such as residential density and height bonuses or reduced parking requirements in exchange for features that enhance the project or benefit the community.

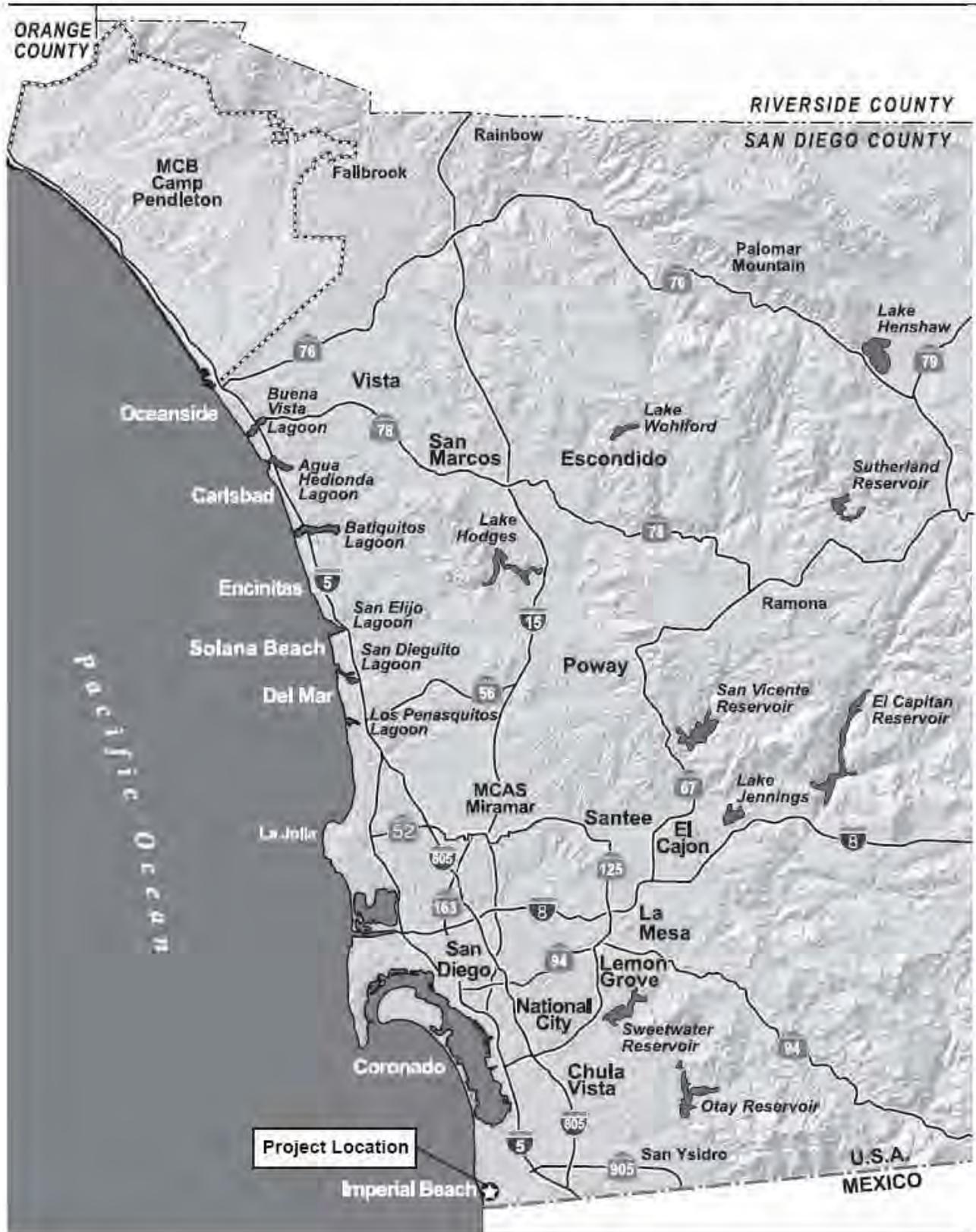
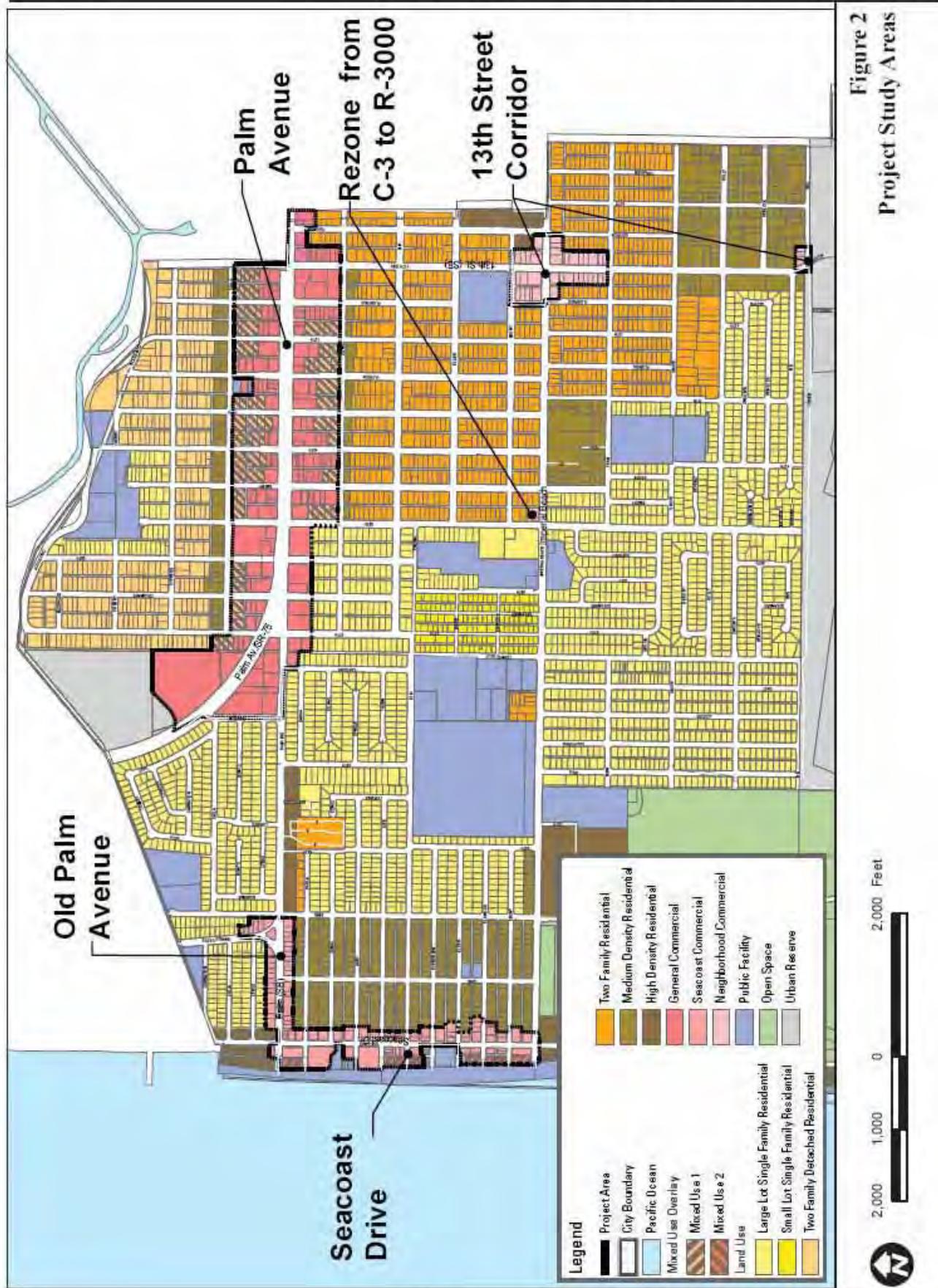


Figure 1
Regional Location Map



SECTION 2 ENVIRONMENTAL CHECKLIST

1. Project title:
Imperial Beach General Plan/Local Coastal Plan and Commercial Zoning Amendments

2. Lead agency name and address:
City of Imperial Beach, Community Development Department
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

3. Contact person and phone number:
Jim Nakagawa, City Planner
(619) 628-1355

4. Project location:
Within the City of Imperial Beach's commercial corridors of Palm Avenue/SR-75, Old Palm Avenue, and Seacoast Drive; and for the commercial nodes on 13th Street at Imperial Beach Boulevard and at Iris Avenue. In addition, residentially developed parcels designated C-3 at the northeast corner of 9th Street and Imperial Beach Boulevard are proposed to be changed to R-3000. Figure 1 is a regional location map and Figure 2 is the project study area map.

5. Project sponsor's name and address:
City of Imperial Beach, Community Development Department
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

6. General plan and zoning designation:
The existing Imperial Beach GP/LCP and zoning designations are C-1 General Commercial, C-2 Seacoast Commercial, C-3 Neighborhood Commercial. In addition, the City General Plan applies the MU-1 Mixed Use Overlay to allow certain R-1500-designated properties in the Palm Avenue (SR-75) Study Area to develop with uses allowed in the C-1 designation; and the MU-2 Mixed Use Overlay to allow certain R-1500-designated properties in the Seacoast Drive Study Area to develop with uses allowed in the C-2 designation.

7. Description of project:
The City proposes to amend the City's GP/LCP (updated October 2010) and Zoning Ordinance (Title 19 of the Imperial Beach Municipal Code) to revise existing land use designations and zoning regulations for properties designated C-1 (General Commercial), C-2 (Seacoast Commercial), C-3

(Neighborhood Commercial); and for the MU-1 (Mixed Use-1) and MU-2 (Mixed Use-2) General Plan overlay designations. The project would also change the zoning district regulations and development standards affecting properties designated R-1500 (High Density Residential) that have the MU-1 and MU-2 overlays that are located adjacent to commercial properties in the Palm Avenue and Seacoast Drive study areas. Properties designated C-3 along the 13th Street Corridor at Imperial Beach Boulevard and at Iris Avenue will also be considered for general plan and zoning amendments. The effect of the proposed project may encourage additional mixed-use commercial and multi-family residential development within the project study areas. A map of the project study areas is provided as Figure 2.

8. Surrounding land uses and setting:

The project area is located within the developed urban setting of Imperial Beach and consists mostly of single-family and multi-family residential development. Beyond the properties immediately adjacent to the study areas are land uses that help define the unique character of Imperial Beach. South of the Seacoast Drive Study Area is the Tijuana River Estuary and associated preserved open space. The Pacific Ocean and coastline are immediately west of the study area. North of the Palm Avenue (SR-75) Study Area are salt evaporation ponds and south San Diego Bay. The Naval Outlying Landing Field Imperial Beach is located immediately south of the southern portion of the 13th Street Corridor Study area.

9. Parcels designated C-3 at 9th Street and Imperial Beach Boulevard

In preparing this Initial Study it has been determined that amending the GP/LCP designation from C-3 to R-3000 for the residentially developed parcels at the northeast corner 9th Street and Imperial Beach Boulevard as required by General Plan Land Use Policy L-4g is consistent with the existing land use on the properties and the change from a commercial to a residential land use designation would have no potential environmental impact. Therefore, this redesignation for this property is not further addressed in this Initial Study.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).

California Coastal Commission

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



Jim Nakagawa, City Planner

April 12, 2011
Date

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><i>The City of Imperial Beach is located along the coast of the Pacific Ocean with scenic views of the ocean afforded from many areas of the City. The City's General Plan also specifies the Tijuana River Estuary, Naval Outlying Landing Field, and the Salt Evaporation Ponds/South San Diego Bay as scenic resources. Areas included in the project, specifically the Seacoast Drive Study Area and Old Palm Avenue Study Area are near the coastline and immediately north of the Tijuana River Estuary. The southern portion of the 13th Street Corridor is immediately adjacent to the north of the Naval Outlying Landing Field. Certain proposed amendments to the City GP/LCP and Zoning Ordinance, such as increased height of buildings could have an impact on coastal, open space, and other scenic views.</i></p>				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>The project site is currently urbanized and does not contain rock outcroppings, significant trees, or other scenic resources other than the beach as described under item 1a. Beginning at the northern boundary of Imperial Beach, SR-75 traveling north is an officially designated State Scenic Highway (Caltrans 2010). This designation begins immediately north of the Palm Avenue Study area. However, no designated historic buildings exist in this area. Therefore, the project impact would be less than significant.</i></p>				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><i>The amendments proposed as part of the project would include policies aimed at improving the aesthetic quality of the existing developed areas through visual consistency, architectural requirements, and other visual considerations. These requirements would</i></p>				

improve the visual character of the area. The proposed increase in permitted building height of up to 7 feet in some of the project study areas, would not substantially degrade the visual character or quality of the local area.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The project site is already developed with existing urban uses, including lighting. The City's lighting regulations are contained in Chapter 19.56 of the Municipal Code and include requirements for shielding of light sources. The project would not create a substantial new source of light or glare.

II. AGRICULTURE AND FOREST RESOURCES.

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The project is located within an existing developed and urbanized portion of Imperial Beach. The area is currently used for commercial and residential purposes and there is no farmland in the immediate vicinity. Pursuant to the Farmland Mapping and Monitoring Program, the project site is designated as Urban and Built Up Land (California Department of Conservation 2010a). The project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

There are no existing agricultural zoning designations in the project site. The project site currently includes zoning designations of C-1 General Commercial, C-2 Seacoast Commercial, C-3 Neighborhood Commercial, R-1500 High Density Residential, and PF Public Facility with overlays of MU-1 Mixed-Use 1 and MU-2 Mixed

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>Use 2. None of the land within the project site is under a Williamson Act contract.</i></p>				
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p> <p><i>The area included in the project is located within an existing developed and urbanized portion of Imperial Beach. The area is currently used for commercial and residential purposes and there is no forest land, timberland, or timberland zoned land in the immediate vicinity. Proposed amendments to the General Plan and Zoning Ordinance would guide development in the existing urban area and would not impact timberland or timber production.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p> <p><i>The area included in the project is located within an existing developed and urbanized portion of Imperial Beach. Because the area is already developed with urban uses and there is no forest land within or near the project site, the project would not result in the loss or conversion of forest land.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p> <p><i>The project is located in an area currently developed with urban commercial and other mixed uses. The area is in an interior portion of Imperial Beach and would not result in fringe or edge effects that could impact distant agriculture or forest lands.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>III. AIR QUALITY. Would the project:</p>				
<p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p> <p><i>The project is expected to enable revitalization of</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>underutilized properties and would likely cause an increase in commercial and residential traffic. This anticipated increase in traffic would result in an increase of air quality emissions that may conflict with or obstruct implementation of the air quality plan. A Traffic Impact Study will be prepared to determine the volume of traffic anticipated to result from the project.</i></p>				
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p> <p><i>As described above for item IIIa, increased traffic generation would result in increased air quality emissions from vehicles. In addition, resulting demolition and construction activities would also create air quality emissions that could lead to a violation of an air quality standard, most specifically for particulate matter (PM₁₀, or PM_{2.5}).</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p> <p><i>The San Diego Air Basin is a federal nonattainment area for the 8-hour ozone standard, and a state nonattainment area for ozone, PM₁₀, and PM_{2.5}. As described above, potential air quality impacts could result from the increased traffic generated by the project. In addition, air emissions would result from construction activities associated with any new construction or redevelopment. The increase in emissions, whether determined to be significant or not for the individual project, could add to a cumulatively considerable net increase of a criteria pollutant.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p> <p><i>As described above for item IIIa, additional traffic volumes due to the project could result in increased air quality emissions from vehicles. This increase in</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

vehicle emissions could result in pollutant concentrations, such as carbon monoxide hotspots if traffic conditions are poor and intersections do not operate at acceptable levels. This could result in the exposure of sensitive receptors, including area residents, to substantial pollutant concentrations.

e) Create objectionable odors affecting a substantial number of people?

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project would amend the General Plan and Zoning Ordinance regulating an existing urban area currently developed with commercial and residential uses. The project would not include the introduction of typical odor producing land uses, such as a sewer treatment plant or an industrial use involving noxious chemicals. Rather, the project would promote revitalization of the area with similar types of uses that already exist and would not expose people to a substantial objectionable odor source. Therefore, the project impact would be less than significant.

IV. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

The project site includes various locations within Imperial Beach that are already developed with existing urban uses including buildings, paved roadways, parking lots, and sidewalks. There is no available habitat that supports sensitive species within the project site. Proposed amendments would guide revitalization and redevelopment in the existing urban setting and would not extend development into undeveloped areas. Therefore, the project impact would be less than significant.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>California Department of Fish and Game or US Fish and Wildlife Service?</p> <p><i>No riparian habitat or other sensitive natural community is located within the project site. The Tijuana River Estuary is located to the south of the project site, specifically the southern end of the Seacoast Drive Study Area. However, the proposed amendments that would guide revitalization and redevelopment in the existing urban setting would not extend new development toward the estuary or change the existing development in a manner that would have a substantial adverse effect on the sensitive area. The City's Jurisdictional Urban Runoff Management Program (JURMP) and Municipal Code Chapter 8.30, Urban Runoff Management and Discharge Control, require best management practices to reduce the potential for polluted runoff during construction and operation of new development and would avoid any substantial adverse indirect effects on nearby habitat associated with the Tijuana River Estuary or ocean shoreline. Therefore, the project impact would be less than significant.</i></p>				
<p>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p> <p><i>No wetlands are located within the project site. As described above for item IVb, the Seacoast Drive Study Area is located immediately north of the Tijuana River Estuary. However, the proposed amendments that would guide revitalization and redevelopment in the existing urban setting would not extend new development toward wetland areas or change the existing development in a manner that would have a substantial adverse effect on wetlands. Therefore, the project impact would be less than significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>corridors, or impede the use of native wildlife nursery sites?</p> <p><i>The area included in the project is located within the existing developed and urbanized portion of Imperial Beach. The existing urban project site does not serve as a wildlife corridor or facilitate the movement of species.</i></p>				
<p>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p> <p><i>Biological resources within the project site would generally only include existing landscaping planted to visually enhance the area. Any proposed landscaping and/or design plan amendments would be consistent with local policies, such as tree preservation.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</p> <p><i>The project site is not located within a local, regional, or state habitat conservation plan area and the proposed amendments that would guide revitalization and redevelopment in the existing urban setting would not create conflicts with any such plans.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>V. CULTURAL RESOURCES. Would the project:</p>				
<p>a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</p> <p><i>The proposed amendments could result in the demolition or altering of structures and facilities located within the project site. It is possible that some structures in the project site could be historic resources and land use alterations or construction activities could cause an adverse effect on the historic resource.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>The project site is currently developed with existing urban uses that have previously altered and disturbed the land. It is likely that any existing archaeological resources would have been disrupted during development of the existing urban uses, such as ground disturbance for structural footings, utility trenching, roadbed grading, etc. Though archaeological resources are not expected to be found within the project site, new ground disturbance during construction resulting from the proposed amendments could potentially disturb unknown archaeological resources.</i></p>				
<p>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p> <p><i>The project site is currently developed with existing urban uses that have previously altered and disturbed the land. There are no remaining unique geological features within the project site. However, paleontological resources could be encountered if substantial excavation is proposed, such as for underground parking.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) Disturb any human remains, including those interred outside of formal cemeteries?</p> <p><i>The project site is currently developed with existing urban uses that have previously altered and disturbed the land. Though human remains are not expected to be found within the project site, new ground disturbance during construction resulting from the proposed amendments could potentially disturb unknown human remains.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>VI. GEOLOGY AND SOILS. Would the project:</p>				
<p>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving</p>				
<p>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>fault? Refer to Division of Mines and Geology Special Publication 42?</p> <p><i>The project site is not located within an earthquake fault zone as delineated by the Alquist-Priolo Earthquake Fault Zoning Map (California Department of Conservation 2010b). The Safety Element of the Imperial Beach General Plan states that the La Nacion Fault is the closest fault to the City, located about 2 miles east. Thus, substantial adverse effects to people or structures due to fault rupture are not anticipated and the potential impact would be less than significant.</i></p>				
<p>ii) Strong seismic ground shaking?</p> <p><i>The entire Southern California region is subject to strong seismic ground shaking due to the numerous faults that traverse the area. The Safety Element of the Imperial Beach General Plan states that much of the City lies upon deposits that are poorly consolidated or unconsolidated aggregates of silt, sand, and gravel, resulting in a high potential of earthquake damage to structures located on this material. However, required adherence to regulatory codes, such as the Uniform Building Code (UBC) and California Building Code (CBC) would ensure that all new development would be built to adequately withstand strong seismic ground shaking through proper engineering and design. This would limit any potential adverse effects to people or property to a less than significant impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>iii) Seismic-related ground failure, including liquefaction?</p> <p><i>Strong seismic ground shaking could result in liquefaction of poorly consolidated and saturated soils. The Safety Element of the Imperial Beach General Plan states that due to the structure of the soils and the high water table within the City, liquefaction poses the biggest threat of serious damage in the event of moderate or major seismic activity. However, required adherence to regulatory codes, such as the UBC and CBC would ensure that all new development would be built to adequately avoid potential liquefaction or</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>ground failure through proper engineering and design. This would limit any potential adverse effects to people or property to a less than significant impact.</i></p>				
<p>iv) Landslides?</p> <p><i>The project is located in an area that is flat and developed with existing urban uses. The proposed amendments would result in potential new development within the project site. Because the area is topographically flat with no steep slopes or hillsides, there is minimal potential for landslides to occur within the project site, regardless of any additional development or changes to the existing uses. This would limit any potential adverse landslide effects to people or property to a less than significant impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) Result in substantial soil erosion or the loss of topsoil?</p> <p><i>Soil erosion or loss of topsoil would generally not occur with the proposed amendments as the project site is currently developed with urban uses and generally covered with impervious surfaces. While soil erosion and loss of topsoil could occur during construction activities, standard measures such as an erosion control plan and other best management practices during construction would limit the potential for erosion to a less than significant impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p> <p><i>There are many individual properties within the project site that may be developed or redeveloped as a result of the proposed amendments. It is possible that unstable soil conditions may exist within the project site and could cause related damage through lateral spreading, subsidence, liquefaction or collapse. However, unstable soil conditions would be controlled through proper engineering and adherence to required building standards, such as the UBC and CBC. The required conformance with these standards would</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

minimize potential for geologic hazards resulting from unstable soil conditions and would be a less than significant project impact.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

There are many individual properties within the project site that may be developed or redeveloped as a result of the proposed amendments. It is possible that some of the properties within the project site may be located on expansive soils as defined in the UBC. However, expansive soil conditions would be controlled through proper engineering and adherence to required building guidelines, such as the UBC and CBC. The required conformance with these regulations would minimize potential for substantial risks to life or property resulting from expansive soil conditions and would be a less than significant project impact.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Sewer systems are currently used for the existing urban development located within the project site and any resulting new development would also be served by sewer. The urban nature of the project site is not appropriate for septic tanks or other waste water disposal systems. Thus, no impact on soils would result.

VII. GREENHOUSE GAS EMISSIONS. Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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As described for item IIIa, the project is expected to result in new construction that would likely cause an increase in commercial and residential traffic, as well as emissions during construction. This increase in

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>traffic and construction activities would result in an increase of air emissions from mobile sources. In addition, the revitalization of the project site would also increase the consumption of fossil fuels necessary to support operation of more commercial and residential developments than currently exist, such as additional electricity and water consumption.</i></p>				
<p>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p> <p><i>As described above for item VIIa, increased emission of air pollutants and use of fossil fuels may result from the project. It is possible that these increases would conflict with policies adopted for the purpose of reducing greenhouse gas emissions, such as Assembly Bill 32, Executive Order S-3-05, and Senate Bills 97 and 375.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>VIII. HAZARDS AND HAZARDOUS MATERIALS.</u> Would the project:</p>				
<p>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p> <p><i>New development could include typical commercial facilities that routinely use or distribute hazardous materials, such as dry cleaners or gas stations. All hazardous material handling, transport, use, or disposal is regulated through state and federal laws. Any facility in the project site that would use hazardous materials would be required to adhere to all regulations, which would minimize the potential for hazards to the public. The proposed amendments would not allow for heavy industrial uses or other types of facilities that would generate substantial hazardous material risks. Therefore, the project impact would be less than significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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materials into the environment?

As described above for item VIIIa, it is possible that some new development could include typical commercial facilities that routinely use or distribute hazardous materials, such as dry cleaners or gas stations. These general types of facilities already exist within the project site and the proposed amendments would not allow for heavy industrial uses or other types of facilities that would generate substantial hazardous material risks. All hazardous materials handling, transport, use, or disposal is regulated through state and federal laws. Increased potential for significant public or environmental hazards due to release of hazardous materials would not result. Therefore, the project impact would be less than significant.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

There are multiple schools located within 0.25 mile of the project site, such as Mar Vista Senior High, Imperial Beach Elementary, Central Elementary, Bayside Elementary, and West View Elementary. As described above for item VIIIa, it is possible that some new development could include typical commercial facilities that routinely use or distribute hazardous materials, such as dry cleaners or gas stations. These general types of facilities already exist within the project site and the proposed amendments would not allow for heavy industrial uses or other types of facilities that would generate substantial hazardous material risks. The required adherence to state and federal laws regulating hazardous materials would limit any potential for hazardous material risk near a school and the project impact would be less than significant.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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environment?

There are many individual properties within the project site that may be proposed for new construction. It is possible that some of these properties may have been previously contaminated by past uses and may be listed as a hazardous material site. However, uniformly applied procedures established by the County Department of Environmental Health related to the identification and remediation of soil contamination would avoid any public health impacts associated with potential soil contamination by previous activities on the project sites. Therefore, the project impact would be less than significant.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The entire project site is within 2 miles of the Naval Outlying Landing Field and the southern portion of the 13th Street Corridor Study Area is located immediately adjacent to the north. This facility is used primarily for helicopter operations and helicopter pilot training. No airport land use compatibility plan has been adopted for the facility (San Diego County Regional Airport Authority 2011). The revitalization of the project site with similar uses to those that currently exist, and with a maximum permitted building height of 40 feet, would not create a new or additional safety hazard for people working or residing within the project site. The building height increase included within the proposed amendments would allow development within typical residential and commercial structure heights and would not be of the magnitude to affect air operations at the Naval facility or create a safety conflict. Therefore, the project impact would be less than significant.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>The Naval Outlying Landing Field is a military facility and, as discussed under item VIII, is the only airstrip in the project vicinity. No private airstrips are located in the project area.</i></p>				
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><i>The City does not have an adopted emergency response plan or emergency evacuation plan. Therefore, the project would have no impact.</i></p>				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><i>The project is located within existing urban development. There is no interface with wildlands that would expose people or structures to wildland fires.</i></p>				
<p>IX. HYDROLOGY AND WATER QUALITY. Would the project:</p>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>The project would enable revitalization of the project site, potentially inducing additional commercial and residential development. Though this new development would likely not result in substantial new areas of impervious surfaces as the project site is already extensively built with urban uses, the increased traffic in the area would generate additional amounts of pollutants on the roadways and in paved parking areas. These auto-related pollutants, such as oil, gasoline, or other chemicals associated with vehicle operation could accumulate in surface water runoff. Additional sources of wastewater pollution could result from increased commercial development, such as gas stations or other facilities that could generate polluted non-point source runoff. Construction activities associated with new or redevelopment could also result in increased runoff. The City's JURMP and Municipal Code Chapter 8.30,</i></p>				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>Urban Runoff Management and Discharge Control, require best management practices to reduce the potential for polluted runoff during construction and operation of new development and would avoid any substantial adverse indirect effects on nearby habitat associated with the Tijuana River Estuary or ocean shoreline. Therefore, the project impact would be less than significant.</i></p>				
<p>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p> <p><i>The proposed amendments would not result in a land use modification that would increase demand on groundwater supplies. Revitalization of the area may result in increased development and additional demand on water supply, but water supply to the project site would continue to be supplied by the imported water system. The project site is currently developed with existing urban uses and the project would not result in substantial new areas of impervious surfaces that could interfere with groundwater recharge. Therefore, the project impact would be less than significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</p> <p><i>The urban area in which the project is located currently has an existing drainage system in place to control runoff. Redevelopment or new development would not substantially alter the existing drainage patterns of the developed area as most would occur within sites that have previously been developed with impervious surfaces. There are no streams or rivers within the project site that would be altered by the project. Therefore, the project impact would be less than</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>significant.</i>				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>The project site is almost entirely developed with very little impervious surface remaining in the urban setting. Most development would take place on sites that have been previously developed with impervious uses. For this reason, any development resulting from the proposed amendment would not substantially increase the volume or rate of runoff that would result in on-site or off-site flooding. There are no streams or rivers within the project site that would be altered by the project. Therefore, the project impact would be less than significant.</i>				
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>As discussed under item IXa, higher volumes of traffic traveling through and parking within the project site as a result of new development could generate additional polluted runoff. Construction activities necessary for new development would also have the potential to generate polluted runoff. However, compliance with the City's JURMP and Municipal Code Chapter 8.30, Urban Runoff Management and Discharge Control, would require the use of best management practices to reduce the potential for polluted runoff during construction and operation of new development. Therefore, the project impact would be less than significant.</i>				
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>As described under item IXa, the increased development that would likely result with from new development in the project site would have the potential to result in increased pollutants that could adversely</i>				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>impact runoff during both construction and operation of the project. Therefore, the project impact would be less than significant.</i>				
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>As shown in Figure S-1 of the Imperial Beach General Plan Safety Element, the project site is not located within a 100-year flood hazard area.</i>				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>As shown in Figure S-1 of the Imperial Beach General Plan Safety Element, the project site is not located within a 100-year flood hazard area.</i>				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>The project area is generally bounded by water bodies on three sides; the Pacific Ocean to the west, the San Diego Bay to the north, and the Tijuana River Estuary to the south. However, unless a substantial rise in sea level or a tsunami occurred (discussed in item IXj below), these water bodies do not typically produce flooding effects. The project site is not within the delineated 100-year floodplain. The project site is not located downstream of a levee or dam and flooding in the project area would not result because of the failure of these facilities. The addition of new commercial and residential development in the project site would not create a substantial risk to people or structures due to flooding hazards. Therefore, the project impact would be less than significant.</i>				
j) Inundation by seiche, tsunami, or mudflow?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Portions of the project site are located almost immediately adjacent to the Pacific Ocean coastline. The project would increase residential density and commercial activity, thus placing additional people</i>				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>within an area that could be subject to a tsunami.</i>				
X. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>The area included in the project is located within an existing developed and urbanized portion of Imperial Beach. The area is currently used for residential, commercial, and mixed use purposes. The proposed amendments would guide revitalization and redevelopment within the existing urban setting would not extend development into new areas or allow for substantially different types of uses than currently exist. The proposed amendments would not result in any development or expanded infrastructure that would physically divide the established community, which is presently developed with similar types of land uses as proposed by the project. Therefore, the project impact would be less than significant.</i>				
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>The proposed amendments would result in modifications to the City's GP/LCP and Zoning Ordinance to improve development standards and implement more effective design review. The proposed modifications would not result in revisions to any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.</i>				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>There are no applicable habitat conservation plans or natural community conservation plans within the project site.</i>				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XI. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is currently developed with urban uses and there are no mineral extraction operations in the area. No known mineral resources would be lost as the proposed amendments would only modify the existing urban land uses currently developed within the project site.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is not delineated as a mineral resource recovery site in the Imperial Beach General Plan or other applicable planning document or land use plan.

XII. NOISE. Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The project is expected to enable revitalization of underutilized properties, which would likely cause an increase in commercial and residential development. The new uses would be similar in nature to the existing urban uses and not expected to generate substantial new noise sources. However, the additional traffic associated with new and revitalized development could cause an increase in noise levels, potentially in excess of applicable noise standards as defined in the Imperial Beach General Plan Noise Element, Figure N-3. In addition, mixed residential and commercial land uses could result in noise impacts to residents.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The new development that may result from the project would require temporary construction activity. This

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>construction activity is assumed to be typical of urban development and would not create excessive groundborne vibration or groundborne noise levels. Modified land uses within the project site would continue to include commercial, residential, and mixed uses and would not provide for heavy industrial types of use that might generate excessive groundborne vibrations. Therefore, the project impact would be less than significant.</i></p>				
<p>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</p> <p><i>The project is expected to enable revitalization of underutilized properties which would likely cause an increase in commercial and residential traffic. This anticipated additional traffic would result in increased noise levels, most noticeable to properties near Palm Avenue/SR-75 and Seacoast Drive. Elevated traffic noise would be a permanent increase in the ambient noise levels in the project vicinity above those that currently exist. As identified in item X11a, mixed residential and commercial land uses could result in noise impacts to residents.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</p> <p><i>The project is expected to enable revitalization that would likely result in an increase in commercial and residential development. Construction activities associated with development activity would temporarily increase the noise levels over the existing ambient noise environment.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</p> <p><i>The Naval Outlying Landing Field is located immediately south of the southern portion of the 13th</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>Street Corridor Study Area and is a substantial source of noise due to helicopter activity. As indicated in Figure N-2 of the Imperial Beach General Plan Noise Element, all portions of the project site would be located outside of the 60 dBA CNEL contour lines of the airfield facility. Though the helicopter noise would be audible and considered a nuisance at times, the noise levels from the airfield would be within the compatible range for any new commercial and residential development resulting from the project, as defined by Figure N-3 of the Noise Element. Therefore, the project impact would be less than significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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There are no other airstrips in the project vicinity with the exception of the Naval facility, as described above for item XIIe.

XIII. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The proposed amendments would modify allowed residential land uses and regulations for the C-1, C-2, C-3, and R-1500 designations and the MU-1 and MU-2 overlay designations. The amendments would enable additional multi-family development within the project site, which would increase the population of Imperial Beach.

b) Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project is expected to enable revitalization of underutilized properties which would likely result in the demolition of existing buildings, including residential units. Therefore, the project has the potential to displace existing housing units. However, the proposed

amendments would allow for development of new and denser residential development; thus, it is likely that any displaced housing units would be replaced within the project site. Therefore, the project impact would be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

As described under item XIIIb, the proposed amendments have the potential to displace existing housing units and their residents. However, the proposed amendments would allow for development of new and denser residential development; thus, it is likely that any displaced housing units would be replaced within the project site. Therefore, the project impact would be less than significant.

XIV. PUBLIC SERVICES.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The project site is currently used for residential and commercial purposes, and the proposed amendments would guide revitalization and redevelopment within the existing urban setting. This revitalization would likely result in additional commercial use and more residential units and residents living in the project site. Fire protection in the project area is provided by the Imperial Beach Fire Department. However, the increase in commercial facilities and residential units would create additional demand for fire protection services, which may result in the need for new or expanded

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
services.				
Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>As described above for fire protection, the revitalization of the project site would create additional commercial use and more residential units and residents living in the project site. Police protection is provided in the project area by the San Diego County Sheriff's Department, Imperial Beach Division. However, the increase in commercial facilities and residential units would create additional demand for police services, which may result in the need for new or expanded services.</i>				
Schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>The revitalization of the project site would allow for more dense residential development, resulting in additional people and children living in the project site. The Facilities and Services Element of the Imperial Beach General Plan states that the South Bay Union School District is severely impacted with more students than the school's fixed facilities can accommodate. Children in the project area would attend local schools and the increase in enrollment could place additional demands on the already overcrowded school system and its facilities.</i>				
Parks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>The City owns and maintains approximately 14.74 acres of park land in four sites consisting of Sports Park, Ream Park, Triangle Park, and Marina Vista Park. Other recreational opportunities exist in the area such as the nearby beaches, trails, and the Tijuana River Estuary Visitors Center. The potential increase in residents in the project site would place an additional demand on existing parks within Imperial Beach.</i>				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Other public facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>The Imperial Beach Branch of the San Diego County Library is located at 810 Imperial Beach Boulevard. The potential increase in residents in the project site would create an additional demand for library services.</i>				

XV. RECREATION.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The project is expected to result in new residential development. The increase in residents in the project site would place an additional demand on existing neighborhood parks and other recreational facilities such that physical deterioration of the facilities could be accelerated.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The potential increase in residents within the project site may create a need for additional parks in Imperial Beach.

XVI. TRANSPORTATION/TRAFFIC. Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The project is expected to enable revitalization of underutilized properties which would create an increase in commercial and residential traffic. This increase in

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>traffic could result in operational conditions that exceed the applicable thresholds established in the Imperial Beach General Plan Circulation Element, which states: "Arterials and local streets should be designed to operate at service level 'C' or better during average daily traffic volume (ADT) conditions. Signalized intersections under peak hour conditions should operate at service level 'D' or better." A Traffic Impact Analysis will be prepared to determine the potential transportation impacts of the additional traffic volume added to local roadways as a result of the project.</i></p>				
<p>b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</p> <p><i>As described above for item XVIa, the project would generate additional traffic volumes in the project site. This additional daily traffic on local roads, such as Seacoast Drive, Palm Avenue, or 13th Street, could result in increased traffic congestion that would conflict with applicable level of service standards or other traffic operation standards. A Traffic Impact Analysis will be prepared to determine the potential transportation impacts of the additional traffic volumes added to local roadways.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</p> <p><i>The proposed amendments would modify the policies that regulate land uses within the project site and would allow for increased building height. The building height increase would be within typical residential and commercial structure height and would not be of the magnitude to affect air traffic patterns.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project does not include the redesign of any existing transportation facilities. The proposed amendments would modify policies regulating the existing urban land uses and allow for similar revitalized uses, but not in a manner that would create or substantially increase transportation hazards.

e) Result in inadequate emergency access?

As described above for item XVIa, it is estimated that the project would generate additional traffic. This additional daily traffic on local roads could result in increased traffic congestion that could impede emergency access and hinder the ability of emergency vehicles to reach an emergency within an acceptable response time.

f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The existing transit services in Imperial Beach would not be modified or altered by the project. Bikeways and pedestrian facilities would be improved concurrent with development as needed to complete or replace existing bikeways and sidewalks. The land use modifications resulting from the project would revitalize an existing commercial and residential area that would continue to be serviced by existing transit modes. An increase in commercial and residential activity in the project site may increase demand on the public transit system, but would not conflict with transit, bicycle, or pedestrian policies, such as those identified in the Imperial Beach General Plan Circulation Element. Therefore, the project impact would be less than significant.

XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

As described under item XVIIe, below, the City's wastewater is conveyed to the City of San Diego

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>Metropolitan Sewage System for treatment. The project is expected to enable revitalization of underutilized properties, which would likely cause an increase in commercial and residential development. While the increase in commercial operations and residential units in the project site would increase demand for wastewater treatment services, it would not cause an exceedance of wastewater treatment requirements of the Regional Water Quality Control Board. Therefore, the project impact would be less than significant.</i></p>				
<p>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</p> <p><i>As described under items XVIIId and e, below, the City's water supply is provided by the City of San Diego Public Utilities Department and wastewater is conveyed to the City of San Diego Metropolitan Sewage System for treatment. The project would likely result in an increase in commercial and residential use within the project site. However, these additional uses would not generate a substantial increased demand for water or wastewater treatment that would require an expansion of the capacity of existing facilities. Therefore, the project impact would be less than significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</p> <p><i>Substantial amounts of additional storm water would not result with new construction or redevelopment associated with the project because the project site is already developed with urban uses. New development within the project site would likely result in minimal new areas of impervious surfaces. Thus, the project would not necessitate new or expanded storm water drainage facilities to handle increased volumes of runoff. Therefore, the project impact would be less than significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Imperial Beach is supplied with potable water from the Otay Water Treatment Plant operated by the City of San Diego Public Utilities Department. In December 2010, the plant completed upgrades to meet upcoming more stringent water quality regulations and has a treatment capacity of 31 million gallons per day (MGD) and to meet new water quality regulations. The proposed project would not cause the demand for water supply to exceed existing supplies and therefore require new or expanded entitlements. Therefore, the project impact would be less than significant.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The City Sewer Division is responsible for the operation, maintenance and rehabilitation of the City's 11 pump stations and 50 miles of sewer collection system that conveys the City's wastewater to the City of San Diego Metropolitan Sewage System for treatment. The project would likely result in an increase in commercial and residential use within the project site. However, these additional uses would not generate increased demand for wastewater treatment that would exceed the treatment capacity of existing facilities. Therefore, the project impact would be less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The new commercial development and residential development likely to result from the project would generate additional volumes of solid waste relative to the water currently generated. Solid waste disposal for Imperial Beach is currently provided at the Otay

Landfill. The Otay Landfill Solid Waste Facility has an estimated remaining capacity of 33,070,879 cubic yards and an estimate closure date of April 2021 (CalRecycle 2011). Therefore, the project impact would be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The revitalization of existing commercial and residential land uses within the project site would result in the continued generation solid waste typical of these land uses. The project would not create a conflict with federal, state, or local statutes related to solid waste. Therefore, the project impact would be less than significant.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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As described in items IXa–f, the project would not have the potential to significantly impact biological resources due to the existing urban development encompassing the project site. However, there is a potential for new development to impact a historic or prehistoric resource as described in items Xa and b.

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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There is a possibility for the project to result in impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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that are individually limited, but have the potential to combine with other projects or conditions in the vicinity, which would result in a cumulative impact when considered together. Examples of potential cumulative impacts that may result from project implementation include traffic operations, public service availability, noise, air quality, greenhouse gas emissions, and others.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potential adverse effects to humans that could result from the project include increased air pollution, noise levels, and traffic congestion as identified throughout this Initial Study.

References

California Department of Conservation

2010a San Diego County Important Farmland Map 2008. Map published October 2010.

2010b Alquist-Priolo Earthquake Fault Zone Map. December 2010. Available at: http://www.quake.ca.gov/gmaps/ap/ap_maps.htm. Accessed March 2011.

CalRecycle

2011 Available at: <http://www.calrecycle.ca.gov/SWFacilities/Directory/SearchList/>. Accessed March 4.

California Department of Transportation (Caltrans)

2010 Officially Designated State Scenic Highways. Available at: <http://www.dot.ca.gov/hq/LandArch/scenic/schwyt.htm>. Updated May 10, 2010. Accessed March 2011.

KOA Corporation

2011 Imperial Beach Rezone, Trip Generation Development Process Memorandum. March 3.

San Diego County Regional Airport Authority

2011 At:http://www.san.org/sdcraa/airport_initiatives/land_use/adopted_docs.aspx. Accessed March 29

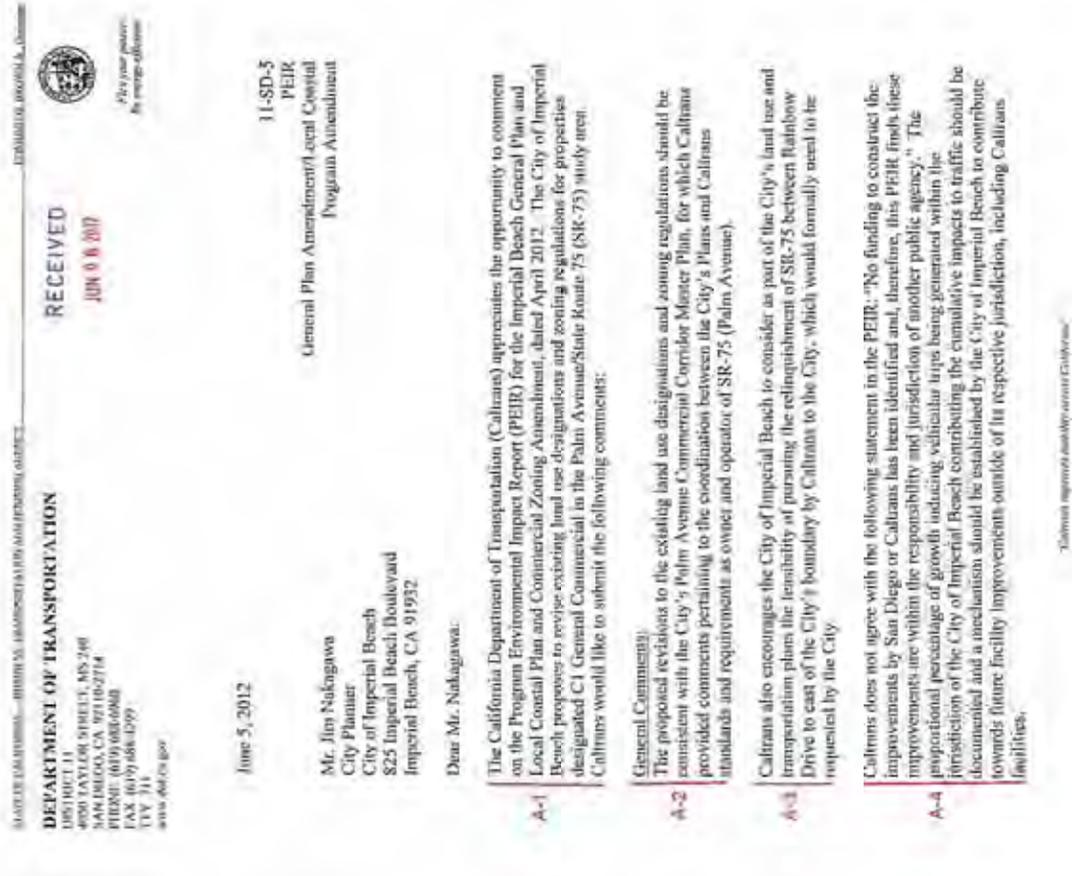
APPENDIX F

PUBLIC REVIEW COMMENT LETTERS AND RESPONSES

RESPONSE TO COMMENTS

List of Comment Letters Received

Letter ID	Commentor
Public Agencies	
A	California Department of Transportation
B	Department of Toxic Substances Control
C	International Boundary and Water Commission
D	Native American Heritage Commission
E	San Diego Association of Governments
F	Office of Planning and Research, State Clearinghouse
Organizations	
G	San Diego Archaeological Society
Individuals	
H	Hauschildt, Carmen
I	Jones, Douglas
J	Vasquez, Bob



Letter A
California Department of Transportation (Caltrans)

A-1: The comment states that Caltrans completed a review of the Draft PEIR for the project and has provided comments. No response is necessary.

A-2: The City agrees that it is important for this project to be consistent with the City's Palm Avenue Commercial Corridor Master Plan Study as noted in the comment. The proposed amendments not only support the Palm Avenue Commercial Corridor Master Plan Study, but also propose to codify land use and development regulations that will enhance, promote, and further the objectives outlined in the plan by creating and promoting safe, pedestrian-friendly and pedestrian-oriented development along what is contemplated to be a "main street" commercial corridor.

A-3: This comment discusses the potential of relinquishment of SR-75 between Rainbow Drive and the City's boundaries by Caltrans to the City. This action is not part of the proposed amendment project and the comment does not provide discussion on the environmental analysis included in the Draft PEIR. No response is necessary.

A-4: The City agrees that the statement quoted in the comment regarding funding and responsibility of other jurisdictions is not accurate and was an oversight. This statement has been removed from the Final PEIR. As suggested in the comment, the City does acknowledge their percentage of cumulative increase in future traffic volumes and does discuss the responsibility for fairshare contribution to roadway improvements in the PEIR, Table 3.9-7, Feasible Vehicular Capacity Enhancements and Mitigation states under the "Responsibility" column that the City shall coordinate with the appropriate agency with jurisdiction "to initiate a project and establish a process to accept fairshare contributions from project applicants at the time of permit issuance."

Mr. Jim Nakagawa
June 5, 2012
Page 2

Traffic Comments:

- A-5: Section 4.1 Cumulative Projects, the Sudberry Development Project should be included in this list, as this project proposes to reconfigure Delaware and SR-75 Intersection and other major improvements to adjacent intersections.
- A-6: The segment classification of Palm Avenue at Delaware (4 lane collector), does not adequately address the lane reduction on eastbound Palm Avenue west of Delaware. Therefore, the traffic analysis for Palm Avenue gives this segment a Level of Service (LOS) B on Table 3.9-1. Caltrans does not believe this is an appropriate LOS for this segment and the nearby intersection.
- A-7: Table 3.9-4, the existing ADT Volumes for the following locations are low, more than 20% below Caltrans latest volumes (2010). Please see the numbers provided below.

Location	Table Volume	Caltrans Volume
SR-75 7 th to Delaware	15,157	20,000
SR-75 1-5 SB to NB ramps	22,866	30,500
- A-8: For Traffic Impact Analysis, all state-owned signalized intersection affected by this project shall be analyzed using the I.V procedure per Highway Design Manual (HDM), Topic 406, Page 400-430. I.V sheets should include the date that the calculations were performed or reference the revision date of the specific plan. Please submit I.V calculations for the intersections with SR-75 (Rainbow Dr., Seventh St., Delaware St., Ninth St., and Thirteenth St.) and the intersections of Coronado Ave. and 1-5 SB and NB Ramps.

Caltrans appreciates the coordination with City staff on this plan. If you have any questions, please contact Anthony Aguirre, of the Development Review Branch, at (619) 686-3161.

Sincerely,



JACOB ARMSTRONG, Chief
Development Review Branch

"Caltrans improves mobility across California"

A-5: The Sudberry Development Project referred to in the comment was included as part of the cumulative project list and accounted for in the cumulative analysis. This project, now referred to with a different name, was included in the cumulative list as ID# 12, Breakwater MF 1062. The project proposes reconfiguration of Delaware and SR-75 and other improvements to adjacent intersections; however, these improvements are speculative and the project was not approved until after the date of the Notice of Preparation for this project. Therefore, the additional traffic from the project has been included in the Traffic Impact Study, while the improvements proposed by the project have not.

A-6: The Traffic Impact Study classified the segment of Palm Avenue from 7th to Delaware as a 4-lane collector. This should have been classified as a 3-lane collector. The table on next page shows the updated analysis and resulting levels of service (LOS). There is no substantial change in LOS (the segment operates at LOS C, which is a acceptable LOS) and this does not change the findings of the Traffic Impact Study.

A-7: The comment indicates that at two roadway segment locations the existing average daily traffic (ADT) reported in the Traffic Impact Study is more than 20% lower than the Caltrans 2010 volumes.

The first location commented on is SR-75 from 7th to Delaware. The Traffic Impact Study reports 15,157 ADT; Caltrans reports 20,000. The accuracy of the daily roadway tube count used in the Traffic Impact Study can be verified by comparing the count to the intersection count taken the two days apart. As shown on next page, in the westbound direction from 7:00 am to 8:00 am there were 1,072 vehicles counted by the tube and 1,158 vehicles counted by the intersection counter. This indicates that the daily roadway tube counts are very accurate at this location. Therefore, the Caltrans volume is likely incorrect or not representative of typical traffic conditions.

Roadway Segment	Lanes/ Class	LOS E Capacity	Year 2011 Existing			Volume Δ	Year 2030 Rezone			Comparison	
			ADT	V/C	LOS		ADT	V/C	LOS	Δ V/C	Sig?
Palm Avenue											
22. Seacoast Dr to 3rd St	3C Class II	15,000	3,881	0.259	A	1,041	4,922	0.328	A	0.069	No
23a 3rd St to 7th St	4C Class I ¹	30,000	12,672	0.422	B	2,057	14,729	0.491	C	0.069	No
23b 7th St to SR-75	3C Class I	22,500	12,672	0.563	C	2,050	14,722	0.654	C	0.091	No

Abbreviations: 2C Class III: 2 lane Collector (Class III). 3C Class II: 3 lane Collector (Class II). 4C Class I: 4 lane Collector (Class I). 4C Class I¹: 4 lane Collector (Class I)—classified as a Class I street in the General Plan, but functions as a Secondary Arterial/Collector (Santec Guidelines). 4MS: 4 lane Major Street. 6PA²: 6 lane Prime Arterial—classified as a Prime Arterial in the General Plan, but functions as a Major Arterial (Santec Guidelines). 3C Class I : 3 lane Collector (Class I). 4C NCL: 4 lane Collector with no center lane. 4C: 4 lane Collector. 4MA: 4 lane Major Arterial. 6MA: 6 lane Major Arterial. 6PA: 6 lane Prime Arterial.

MetroCount Traffic Executive Event Counts

366 -- English (ENU)

Datasets:

Site: [1102.02] SILVERSTRAND BLVD (7TH ST - PALM AVE) WESTBOUND
Input A: 4 - West bound. - Lane= 0, Added to totals. (/2.000)
Input B: 2 - East bound. - Lane= 0, Excluded from totals.
Survey Duration: 19:53 Monday, December 13, 2010 => 13:05 Wednesday, December 15, 2010
File: 1102.02.15Dec2010.EC0 (Regular)
Data type: Axle sensors - Separate (Count)

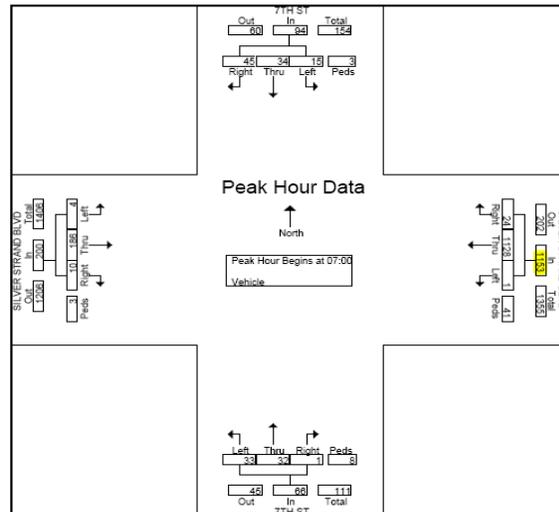
Profile:

Filter time: 0:00 Tuesday, December 14, 2010 :
In profile: Events = 15156 / 22179 (68.33%)

* Tuesday, December 14, 2010=8037, 15 minute drops

	0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	12
	27	16	31	56	142	617	1080	1072	590	395	337	427	4
6	7	9	13	21	77	230	267	178	105	73	89	1	
8	4	4	12	20	124	250	345	180	88	79	92	1	
7	1	8	16	43	222	318	273	127	104	81	121	1	
6	4	10	15	58	194	282	187	106	99	105	126	1	

AM Peak 0630 - 0730 (1212), AM PHF=0.88



A-7 (cont): The second location called out in the comment is SR-75 between the northbound and southbound I-5 ramps. The Traffic Impact Study reports 22,866 ADT; Caltrans reports 30,500. The accuracy of the daily roadway tube count used in the Traffic Impact Study can be verified by comparing the tube count to the intersection count taken the almost a month apart. As shown on next page, in the westbound direction from 7:00 am to 8:00 am there were 1,027 vehicles counted by the tube and 941 vehicles counted by the intersection counter. This indicates that the daily roadway tube counts are very accurate at this location. Therefore, the Caltrans volume is likely incorrect or not representative of typical traffic conditions.

A-8: In the Final EIR, the Traffic Impact Study will include ILV calculation sheets as requested by Caltrans. The ILV calculations do not result in a different conclusion to the traffic impact analysis.

MetroCount Traffic Executive Event Counts

662 -- English (ENU)

Datasets:

Site: [1102.08] PALM AVE (I-5 SB RAMPS-I-5 NB RAMPS) WESTBOUND
Input A: 4 - West bound. - Lane= 0, Added to totals. (/2.000)
Input B: 2 - East bound. - Lane= 0, Excluded from totals.
Survey Duration: 12:43 Monday, January 10, 2011 => 13:09 Wednesday, January 12, 2011
File: 1102.0812Jan2011.EC0 (Base)
Data type: Axle sensors - Separate (Count)

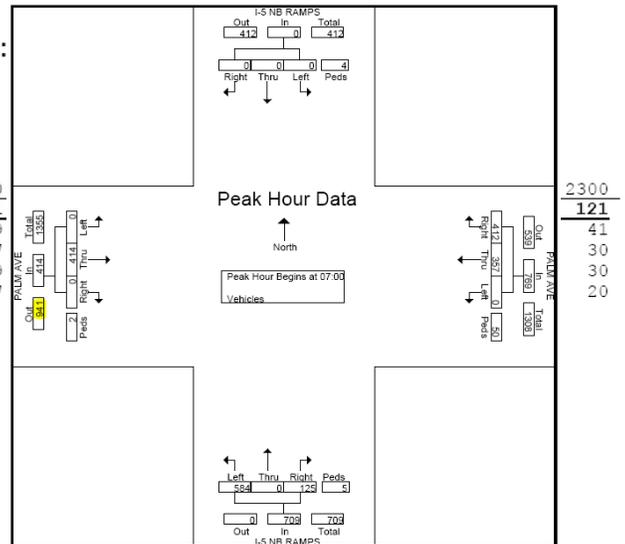
Profile:

Filter time: 0:00 Tuesday, January 11, 2011 => 0:
In profile: Events = 22866 / 44294 (51.62%)

*** Tuesday, January 11, 2011=12734, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200
82	52	41	49	141	403	724	1027	805	681	671	729	811
24	13	4	12	27	68	139	243	217	193	154	178	199
26	12	15	12	19	104	176	244	202	173	168	170	237
21	17	8	12	40	110	187	252	203	156	183	180	189
12	10	14	13	55	122	222	289	184	160	168	202	187

AM Peak 0700 - 0800 (1027), AM PHF=0.89





May 25, 2012

Mr. Jim Nakagawa
City of Imperial Beach
825 Imperial Beach Boulevard
Imperial Beach, California 91932

NOTICE OF AVAILABILITY OF A PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL PLAN/LOCAL COASTAL PLAN AND COMMERCIAL AMENDMENTS PROJECT, (SCH # 2011041048), SAN DIEGO COUNTY

Dear Mr. Nakagawa:

The Department of Toxic Substances Control (DTSC) has received your submitted Program Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "The City of Imperial Beach (City) proposes to amend the Imperial Beach General Plan/Local Commercial Plan (LCP) and Zoning Ordinance for properties currently designated C-1 (General Commercial) in the Palm Avenue study area, C-2 (Seacoast Commercial) in the Old Palm Avenue and Seacoast Drive study area, and C-3 (Neighborhood Commercial) in the 13th Street Corridor study area. Also included in the proposed project are areas currently zoned R-1500 (High Density Residential) and subject to the MU-1 (Mixed Use-1) overlay designation in the Palm Avenue study area and the MU-2 (Mixed Use-2) overlay designation in the Seacoast Drive study area. In addition, property at the northeast corner of 9th Street and Imperial Beach Boulevard has been included in the proposed project to change the existing C-3 General Plan/Zone designation to R-3000 (Medium Density or Two-family Residential). A proposed Residential Overlay Zone would replace the existing Seacoast Commercial MU-2 Overlay Zone for beachfront residential properties west of Ocean Lane."

Based on the review of the submitted document DTSC has the following comments:

- 1) According to DTSC EnviroStor database, presently four sites are located within the Sphere of Influence (SOI) of the City of Imperial Beach. The EIR should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

**Letter B
Department of Toxic Substances Control (DTSC)**

B-1: The comment states that DTSC completed a review of the Draft PEIR and correctly restates the basic project description. No response is necessary.

B-2: The comment states that four sites found in the DTSC EnviroStor database are within the sphere of influence of the City of Imperial Beach. While the City acknowledges potential hazardous sites throughout the local area, the project does not include specific development proposals that have an exact location; thus, it is not appropriate for the PEIR to attempt to determine or evaluate threats to human health or the environment from these four known sites at this programmatic level of analysis. If site specific development is proposed in the future, all appropriate environmental evaluations would be required as part of the City's permitting process and would include investigations into hazardous sites and potential threats to humans or the environment, including appropriate quarries of the databases listed in the comment.

Mr. Jim Nallagawa
May 25, 2012
Page 2

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA)
- Envirostar (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below)
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations
- GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS)

B-2
cont

2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site within the proposed Project area that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.

B-3

3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.

B-4

B-3: As detailed in Chapter 1 of the Draft PEIR, subsequent activities that rely on the actions of this project must be examined in light of the PEIR to determine whether additional environmental analysis is needed. If a subsequent project or later activity would have effects, such as proximity to a hazardous site, which were not examined in this PEIR or were not examined at an appropriate level of detail to be used for the later activity per CEQA requirements, an initial study would need to be prepared, leading to a negative declaration, addendum, or EIR. The City's project permitting process, including the initiation of any initial study or other CEQA document would serve as the review mechanism. The appropriate regulatory agency to provide oversight would be determined through the City's project permitting process, including CEQA review. All applicable regulations, procedures, and notification processes would be followed.

B-4: The City acknowledges all environmental investigation requirements and regulations as stated in the comment. All applicable regulatory requirements and procedures related to hazardous materials shall be adhered to in the processing of future of projects that may rely on this project and PEIR.

B-5: The comment provides information on procedures to be taken during construction activities. This project does not propose any specific development or construction activity. The City acknowledges all hazardous material-related requirements as stated in the comment and all applicable regulatory requirements and procedures shall be adhered to during future project development, including demolitions and paved surface removals.

B-6: As described in response to Comment B-2, the project does not include specific sites or development projects that can be analyzed within the PEIR for specific impacts, such as past agricultural use and such hazards shall be investigated at the time development projects are proposed. Agricultural uses are discussed within Section 5.4.3 of the Draft PEIR and are not common within the City of Imperial Beach due to the built out urban setting of the City and surrounding areas.

B-7: The City acknowledges the requirements listed in the comment. Any future projects are legally required to adhere to all regulations related to the generation, use, handling, transport, or disposal of hazardous materials.

B-8: The City shall contact DTSC if the need for cleanup oversight is required for future projects.

Mr. Jim Nakagawa
May 25, 2012
Page 3

4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACM)s. If other hazardous chemicals, lead-based paints (LBP) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.

5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment (overseen and approved by the appropriate government agency) should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

7) If the site was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.

8) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 678-6942. Certain hazardous waste treatment processes or hazardous materials handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

9) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see

B-9: The email contact for submittal of public comment was provided in multiple locations. The email address was provided on page 1-3 of the Draft PEIR, within the Notice of Availability letter, in the legal advertisement published in the local newspaper, and on the Notice of Completion submitted to the State Clearinghouse.

Mr. Jim Nakagawa
May 25, 2012
Page 4

B-9
cont

www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Mariyam Tasnim-Abbas, DTSC's Voluntary Cleanup Coordinator, at (714) 464-5489.

10) Also, in future CEQA document, please provide your e-mail address, so DTSC can send you the comments both electronically and by mail.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, at rahmed@dtsc.ca.gov, or by phone at (714) 464-5491.

Sincerely,



Manny Alonzo
Unit Chief
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
Attn: Nancy Ritter
nritter@dtsc.ca.gov

CEQA # 3528

**Letter C
International Boundary and Water Commission**

C-1: The comment states that the United States Section, International Boundary and Water Commission does not anticipate that the project would impact the environmental resources of the agency. No response is necessary.



STATE OF CALIFORNIA
 NATIVE AMERICAN HERITAGE COMMISSION
 400 CAPITOL Mall, ROOM 404
 SACRAMENTO, CA 95833
 (916) 634-2351
 FAX (916) 634-8300
 www.nahc.ca.gov

Letter D
Native American Heritage Commission (NAHC)

D-1: The comment notes that the letter provides information on the Federal and State statutes relating to Native American historic properties that may be applicable to the project. The City will comply with all applicable statutory requirements as outlined throughout the comment letter. No response is necessary.

D-2: This comment notes that the NAHC conducted a Sacred Lands File search within the project area and identified no Native American cultural resources.

D-3: This comment continues the listing and explanation of statutes relating to Native American historic properties that may be applicable to the project. The City acknowledges the importance of confidentiality and early tribal consultation. The City will comply with all applicable statutory requirements as outlined throughout the comment letter. No specific comment regarding the proposed project or PEIR is presented and no additional response is necessary.

RECEIVED
 MAY 9 2012

May 1, 2012

Mr. Jim Nakagawa
 City of Imperial Beach
 825 Imperial Beach Boulevard
 Imperial Beach, CA 91932

Fig: SCH#2011041048 CEQA Notice of Completion; draft Environmental Impact Report (EIR) for the "General Plan/Local Coastal Plan and Commercial Zoning Amendments Project", located in the City of Imperial Beach, San Diego County, California.

Dear Mr. Nakagawa:

The Native American Heritage Commission (NAHC), the State of California Trustlands Agency for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 804). This project is also subject to California Government Code Section 65352.3, et seq. (SB 18).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as "consulting parties" under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §50097.9.

The California Environmental Quality Act (CEQA - CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a "significant effort" requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the "area of potential effect (APE), and if so, to mitigate that effect. The NAHC did conduct a Sacred Lands File (SLF) search within the "area of potential effect (APE) with the following results: No Native American cultural resources were identified.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (f).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural

D-1

D-2

D-3

significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5087.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §855040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends avoidance as defined by CEQA Guidelines §15370(g) to pursuing a project that would damage or destroy Native American cultural resources and Section 2103.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA, 42 U.S.C. 4321-43351), Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 100 and 410 of federal NHPA (10 U.S.C. 470 *et seq.*, 36 CFR Part 800.3 (f) (2) & 5, the President's Council on Environmental Quality (CEQ, 42 U.S.C. 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3012) as appropriate. The 1992 *Secretary of the Interior Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11503 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 105 consultation. The aforementioned Secretary of the Interior's Standards include recommendations for all "lead agencies" to consider the historic context of proposed projects and to "research" the cultural landscape that might include the "area of potential effect."

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (of 42 U.S.C., 1986) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibly threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.96, California Government Code §27481 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a "dedicated cemetery."

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation/tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends "avoidance" of the site as referenced by CEQA Guidelines Section 15370(g).

D-3 (Cont)

Response to Comments

D-4: The attached list to the comment letter provides the appropriate Native American contacts to be used when contacting Tribal representatives. The City will reference this list when conducting Native American consultation. No response is necessary.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Simons
Program Analyst
Cc: State Clearinghouse

D-4 Attachment: Native American Contact List

Native American Contacts
San Diego County
May 1, 2012

Barona Group of the Captain Grande
Edwin Romero, Chairperson
1085 Barona Road
Lakeside, CA 92040
sue@barona-nsn.gov
(619) 443-6612
619-443-0681

Viejas Band of Kumeyaay Indians
Anthony R. Pico, Chairperson
PO Box 808
Alpine, CA 91903
jrothaufl@viejas-nsn.gov
(619) 445-3810
(619) 445-5337 Fax

La Posta Band of Mission Indians
Gwendolyn Parada, Chairperson
PO Box 1120
Boulevard, CA 91905
gparada@lapostaindians.com
(619) 478-2113
619-478-2125

Kumeyaay Cultural Historic Committee
Rita Christman
56 Viejas Grade Road
Alpine, CA 92001
(619) 445-0385

San Pasqual Band of Mission Indians
Allen E. Lawson, Chairperson
PO Box 365
Valley Center, CA 92082
allen@sanpasqualband.com
(760) 748-3200
(760) 748-3879 Fax

Campo Band of Mission Indians
Chairperson
35100 Church Road, Suite 1
Campo, CA 91906
chairgolf@aol.com
(619) 478-9046
(619) 478-5818 Fax

Sycuan Band of the Kumeyaay Nation
Danny Tucker, Chairperson
5459 Sycuan Road
El Cajon, CA 92011
ssilva@sycuan-nsn.gov
619-445-2613
619-445-1927 Fax

Jamul Indian Village
Chairperson
P.O. Box 612
Jamul, CA 91935
jamulrez@sicldv.net
(619) 689-4785
(619) 689-48178 - Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7004.5 of the Health and Safety Code, Section 5097.04 of the Public Resources Code and Section 6092.38 of the Public Accounts Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed RCHAZ1116160; CCA; Nation of Comptons; Draft Environmental Impact Report (DEIR) for the General, Local Coastal Plan and Zoning Amendment Project, located in the City of Imperial Beach, San Diego County, California.

Native American Contacts

San Diego County
May 1, 2012

Mesa Grande Band of Mission Indians
Mark Romero, Chairperson
P.O. Box 270 Diegueno
Santa Ysabel, CA 92070
messagrando@men.com
(760) 782-3918
(760) 782-9092 Fax

Kwaaymii Laguna Band of Mission Indians
Carmen Lucas
P.O. Box 775 Diegueno -
Pine Valley, CA 91962
(619) 709-4207

Inaja Band of Mission Indians
Rebecca Osuna, Spokesperson
2005 S. Escondido Blvd. Diegueno
Escondido, CA 92025
(760) 737-7628
(760) 747-9588 Fax

Kumeyaay Cultural Repatriation Committee
Steve Burigas, Spokesperson
1095 Barona Road Diegueno/Kumeyaay
Lakeside, CA 92040
sburigas50@gmail.com
(619) 742-5587
(619) 443-0881 FAX

Evilaaapaayp Tribal Office
Will Micklin, Executive Director
4054 Willows Road Diegueno/Kumeyaay
Alpine, CA 91601
wmicklin@leanningrock.net
(619) 445-6315 - voice
(619) 445-9128 - fax

Evilaaapaayp Tribal Office
Michael Garcia, Vice Chairperson
4054 Willows Road Diegueno/Kumeyaay
Alpine, CA 91601
michaelg@leanningrock.net
(619) 445-6315 - voice
(619) 445-9128 - fax

Ipeel Nation of Santa Ysabel
Clint Linton, Director of Cultural Resources
P.O. Box 507 Diegueno/Kumeyaay
Santa Ysabel, CA 92070
clinton73@aol.com
(760) 803-5694
clinton73@aol.com

Manzanita Band of the Kumeyaay Nation
Leroy J. Elliott, Chairperson
P.O. Box 1302 Diegueno/Kumeyaay
Boulevard, CA 91905
lberdsinger@aol.com
(619) 766-4930
(619) 766-4957 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7609.4 of the Health and Safety Code, Section 697.84 of the Public Resource Code and Section 697.78 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed BC-201101016; CEQA Notice of Completion, Draft Environmental Impact Report for the General, Local Coastal Plan and Zoning Amendments Project, located in the City of Imperial Beach, San Diego County, California.

Native American Contacts
San Diego County
May 1, 2012

Kumeyaay Diegueno Land Conservancy
M. Louis Guassac
P.O. Box 1092
Alpine, CA 91903
guassac@onebox.com
(619) 952-8430

Diegueno/Kumeyaay

Inter-Tribal Cultural Resources Protection Council
Frank Brown, Coordinator
240 Brown Road
Alpine, CA 91901
FIREFIGHTER68TFF@AOL
(619) 864-6437

Diegueno/Kumeyaay

Kumeyaay Cultural Repatriation Committee
Barbara Palpa, Vice Spokesperson
1095 Barona Road
Lakeside, CA 92040
(619) 478-2113

Diegueno/Kumeyaay

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7008.5 of the Health and Safety Code, Section 0097.04 of the Public Resources Code and Section 0097.06 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed 3CH201104040, CEQA Notice of Completion, Draft Environmental Impact Report (EIR) for the General, Local Coastal Plan and Zoning Amendments Project located in the City of Imperial Beach, San Diego County, California.

E-2: The comment notes that the proposed 1.5-2 spaces per residential dwelling is slightly high per SANDAG's recommended "Parking Strategies for Smart Growth" study. The comment also discusses SANDAG's recommended parking allowances and provides suggestions for comprehensive parking management and strategies. The comment does not include discussion specific to the environmental evaluation or analysis provided in the Draft PEIR and no response is necessary.

E-3: Based on KOA (traffic consultant) research and testing of the SANDAG mixed-use methodology for estimating trip generation (MXD model), the model would result in a similar trip generation to the trip generation used in the Traffic Impact Study, Appendix E of the PEIR.

E-4: The comment describes support for the bicycle facilities standards and includes additional suggestions for bicycle facilities. The comment does not include discussion specific to the environmental evaluation or analysis provided in the Draft PEIR and no response is necessary.

E-5: The City agrees that Transportation Demand Management (TDM) strategies as suggested in the comment could be beneficial in reducing traffic congestion. In response to this comment, a mitigation measure has been added to the Final PEIR to require the consideration and implementation of TDM measures for all future development proposals that rely on the actions of this project. This new measure has been added as Mitigation Measure TR-1 in Section 3.9.4 of the Final EIR. While this measure does not reduce the traffic impact to below a level of significance, it does provide a feasible mitigation measure to help reduce the impact.

Additionally, modifications have been made to the proposed General Plan/Local Coastal Plan and Commercial Zoning Amendments text. At a policy level, Policy C-22b Commercial/ Mixed-Use Areas has been expanded to include the use of TDM strategies. At the implementation level (zoning), Section 19.40.050.K has been revised to include language requiring that projects in the C/MU-1, C/MU-2, and C/MU-3

SANDAG recommends that the following comments be addressed and analyzed in the DEIR and GPALCPA.

Parking

1.5-2 spaces per residential dwelling unit is slightly high for a smart growth area - 1.25 spaces is recommended in the SANDAG study "Parking Strategies for Smart Growth."
We support the City's proposal for shared parking. To further decrease parking demand, the City may want to consider a comprehensive parking management plan that includes strategies such as unbundled parking and a demand-based approach to managing parking supply in areas with high retail and service activity. Pricing parking appropriately in these areas can improve access to businesses by discouraging long-term street parking and can help to eliminate the problem of cruising for parking spaces, which congests streets and pollutes the air.

E-2

Trip Generation

As a Smart Growth Opportunity Area, the SANDAG mixed-use methodology provided in "Trip Generation for Smart Growth" may be appropriate for estimating trip generation.

E-3

Bicycle Encouragement

We support the bicycle facilities (parking and storage) standards for new development, as described in Policy 1.1a. The City may also want to consider a public bike station and adequate public bike parking (racks or corrals) around commercial centers to support the City's investment in bicycle infrastructure and the proposed eco-bikeway project.

E-4

Transportation Demand Management

Consider developing a TDM plan that can support congestion mitigation and air quality objectives and increase mobility in and around these commercial/mixed-use corridors. TDM is a cost-effective way to build capacity in a community's transportation system by expanding participation in alternative modes (carpool, vanpools, transit), biking, walking, and teleworking) instead of widening or building new roads, which are costly to construct and maintain. Additionally, TDM programs can support the City's goal of creating a pedestrian-oriented and bicycle-friendly community. The City may want to consider a TDM program that includes:

E-5

- TDM requirements for new developments to provide amenities and/or incentives that encourage occupants to use alternative modes of transportation. This can be accomplished by requiring trip-reduction plans for new developments that identify non-SOV mode share targets and various strategies to help achieve those targets over a certain time frame;
- Provision of public TDM amenities such as bikeshare and carshare; and
- Marketing and promotion of TDM programs to employers and commuters.

A complete list of TDM strategies for the City's consideration is included in *Integrating Transportation Demand Management into the Planning and Development Process - A Reference for Cities* (referenced in this letter). We suggest that the City work with iCommute on TDM initiatives.

zones be reviewed to determine the suitability and feasibility of implementing one or more transportation demand management strategies that may be approved through a development agreement.

E-6: SANDAG advises the project applicant to consult with MTS, the transit service provider within the project area, and with Caltrans to coordinate planned transit and/or highway improvements.

Other Considerations

E-7: Please consider the following State of California laws and Executive Order when developing the DEIR: Assembly Bill 32 (Nunez, 2006), Senate Bill 375 (Steenberg, 2008) (SB 375), SB 375 (Button, 2007), and Executive Order 5-13-06, which call for analysis of greenhouse gas emissions. Additionally, it is suggested that consideration be given to the policies included in the SANDAG Regional Energy Strategy that promote the reduction of energy demand and water consumption.

We appreciate the opportunity to comment on the DEIR and GPALCEPA. SANDAG understands the challenges involved in infill development and the short- to mid-term impacts that it may cause. Therefore, we encourage the City of Imperial Beach, where appropriate, to consider the following tools in evaluating this update based on the following SANDAG publications, which can be found on our Web site at www.sandag.org.

- (1) *Designing for Smart Growth, Creating Great Places in the San Diego Region*
- (2) *Planning and Designing for Pedestrians, Model Guidelines for the San Diego Region*
- (3) *Trip Generation for Smart Growth*
- (4) *Parking Strategies for Smart Growth*
- (5) *Regional Multimodal Transportation Analysis: Alternative Approaches for Planning Multimodal Transportation Analysis in EIRs*
- (6) *Integrating Transportation Demand Management into the Planning and Development Process - A Reference for Cities*
- (7) *Riding to 2050, the San Diego Regional Bike Plan*

If you have any questions or concerns regarding this letter, please contact me at (619) 659-1943 or ibj@sandag.org

Sincerely,



SUSAN BALDWIN
Senior Regional Planner

MST5BAVRS-A/vgr

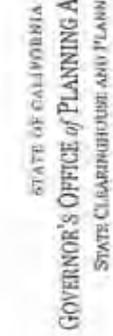
E-6: The City will consult and coordinate with all appropriate agencies as development projects are proposed. Caltrans has reviewed and commented on this Draft PEIR – see Letter A.

E-7: The PEIR includes a full analysis of greenhouse gas emissions as required in CEQA and in adherence with applicable laws and regulations, some of which are stated in the comment. The applicable laws specified in the comment are detailed in the PEIR in Section 3.4, Greenhouse Gas Emissions, under the heading Regulatory Setting. The City recognizes the importance of the goals set forth in the SANDAG Regional Energy Strategy even though it was not included in the CEQA document as an applicable law or regulation.

E-8: The comment provides a list of publications that SANDAG recommends for assistance in evaluating infill development. The comment does not include discussion specific to the environmental evaluation or analysis provided in the Draft PEIR and no additional response is necessary.

Letter F
Office of Planning and Research, State Clearinghouse

F-1: The comment states that the State Clearinghouse received and distributed the Draft PEIR to selected state agencies for their review. Attachments to the letter include two comment letters received by the State Clearinghouse in response. These letters were also received by the City and have been independently included and responded to as Letter B from DTSC and Letter D from NAHC.



EDMUND G. BRIDGE JR.
GOVERNOR

JUNE 5, 2012

Jim Nakagawa
City of Imperial Beach
625 Imperial Beach Boulevard
Imperial Beach, CA 91932

Subject: GP/LCP and Commercial Zoning Amendment
SCH# 2011041048

Dear Jim Nakagawa:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 1, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's Internal State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21194(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

F-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the consulting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-9613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resource Agency

(916) 445-9611 FAX (916) 325-5919 www.oppr.ca.gov
(916) 445-9613 FAX (916) 325-5919 www.oppr.ca.gov



May 25, 2012

Mr. Jim Nakagawa
 City of Imperial Beach
 825 Imperial Beach Boulevard
 Imperial Beach, California 91932

NOTICE OF AVAILABILITY OF A PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL PLAN/LOCAL COASTAL PLAN AND COMMERCIAL AMENDMENTS PROJECT, (SCH # 2011041046), SAN DIEGO COUNTY

Dear Mr. Nakagawa:

This Department of Toxic Substances Control (DTSC) has received your submitted Program Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "The City of Imperial Beach (City) proposes to amend the Imperial Beach General Plan/Local Commercial Plan (LCP) and Zoning Ordinance for properties currently designated C-1 (General Commercial) in the Palm Avenue study area, C-2 (Seaside Commercial) in the Old Palm Avenue and Seacrest Drive study area, and C-3 (Neighborhood Commercial) in the 13th Street Corridor study area. Also included in the proposed project are areas currently zoned R-1500 (High Density Residential) and subject to the M1-1 (Mixed Use-1) overlay designation in the Palm Avenue study area and the MU-2 (Mixed Use-2) overlay designation in the Seacrest Drive study area. In addition, property at the northeast corner of 9th Street and Imperial Beach Boulevard has been included in the proposed project to change the existing C-3 General Plan/Zone designation to R-3000 (Medium Density or Two-family Residential). A proposed Residential Overlay Zone would replace the existing Seacoast Commercial MU-2 Overlay Zone for beachfront residential properties west of Ocean Lane."

Based on the review of the submitted document DTSC has the following comment(s):

- 1) According to DTSC EnviroStar database, presently four sites are located within the Sphere of Influence (SOI) of the City of Imperial Beach. The EIR should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

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Mr. Jim Nakagawa
May 25, 2012
Page 2

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
- Envirostor (formerly CatStor): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, IN017, (213) 452-3808, maintains a list of Formerly Used Defense Sites (FUDS).

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cont

2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site within the proposed Project area that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.

3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. At closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.

Mr. Jim Nakagawa
May 25, 2012
Page 3

- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints, (Pb) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Regulations (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.
- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overview and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 7) If the site was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.
- 8) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 612-1942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 9) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see

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Mr. Jim Nakagawa
May 25, 2012
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www.dtscc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Aqeeb, DTSC's Voluntary Cleanup Coordinator, at (714) 404-5469.

10) Also, in future CEQA document, please provide your e-mail address, so DTSC can send you the comments both electronically and by mail.

If you have any questions regarding this letter, please contact Rofiq Ahmed, Project Manager, at [rahmed@dtscc.ca.gov](mailto:r Ahmed@dtscc.ca.gov), or by phone at (714) 464-5491.

Sincerely,



Manny Alarcon
Unit Chief
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
stateclearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
Attn: Nancy Ritter
nritter@dtscc.ca.gov

CEQA # 9528

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cont

STATE OF CALIFORNIA
 NATIVE AMERICAN HERITAGE COMMISSION
 415 CAPITOL MALL, ROOM 304
 SACRAMENTO, CA 95833
 (916) 833-6091
 Fax: (916) 833-6326
 Web: <http://www.nahc.ca.gov/>
 E-Mail: nahc@state.ca.us

James G. Brown, Jr., Governor

RECEIVED
 MAY -2 2012
 STATE CLEANING FUND

File
 May 1, 2012

Re: SCHW2011041048 CEQA Notice of Completion; draft Environmental Impact Report (EIR) for the "General Plan/Local Coastal Plan and Commercial Zoning Amendments Project," located in the City of Imperial Beach, San Diego County, California.

Dear Mr. Nakagawa:

The Native American Heritage Commission (NAHC), the State of California Trustee Agency for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). This project is also subject to California Government Code Section 65352.3, *in part*, (SB 18).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as "consulting parties" under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §6097.5.

The California Environmental Quality Act (CEQA - CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historic resource, that includes archaeological resources, is a "significant effect" requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the "area of potential effect (APE), and if so, to mitigate that effect. The NAHC did conduct a Sacred Lands File (SLF) search within the "area of potential effect (APE) with the following results: No Native American cultural resources were identified.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§6097.54(a) and 5097.96 items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (f).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural

significance of the historic properties in the project area (e.g., APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAIHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAIHC requests that pertinent project information be provided consulting tribal parties. The NAIHC recommends avoidance as defined by CEQA Guidelines §15370(e) to pursuing a project that would damage or destroy Native American cultural resources and Section 2163.2 that requires documentation, data recovery of cultural resources.

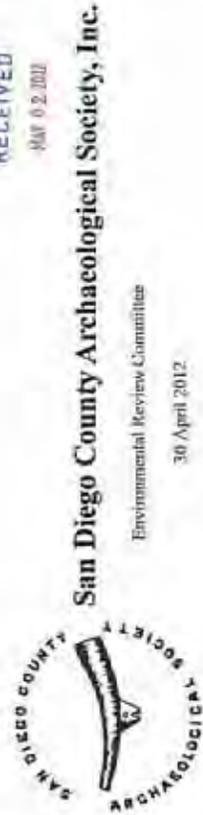
Furthermore, the NAIHC, if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g., NEPA, 42 U.S.C. 4321-4335). Consultation with tribes and interested Native American consulting parties, on the NAIHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470, et seq), 36 CFR Part 800.3 (f) (2), 8.5, the President's Council on Environmental Quality (CEQ), 42 U.S.C. 4371 et seq, and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interior's Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resources types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's Standards include recommendations for all "lead agencies" to consider the historic context of proposed projects and to "research" the cultural landscape that might include the "area of potential effect."

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §8254(f) and may also be protected under Section 204 of the NHPA or at the Secretary of the Interior's discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (42 U.S.C., 1986) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs, and possibly threatened by proposed project activity.

Furthermore, Public Resources Code Section 5007.98, California Government Code §27481 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a "dedicated cemetery".

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAIHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAIHC recommends "avoidance" of the site as referenced by CEQA Guidelines Section 15370(f).



Letter G
San Diego County Archaeological Society, Inc.

G-1: The comment states that the analysis and conclusions specific to historic structures is adequate. No response is necessary.

G-2: The commenter is correct that a potentially significant impact and mitigation was identified for paleontological resources; however, each resource type is evaluated on independent conditions and just because one resource is considered to have a potentially significant impact, it does not mean that other types of resources would have that same outcome.

It is correct that the Initial Study indicated a potential for impacts to archaeological resources. This triggered a full investigation of archaeological resources within the Draft PEIR. As detailed within Section 3.3.3 of the Draft PEIR, the analysis which included a records search and literature review found that the potential for impact to an archaeological resource was low and less than significant. This was due to the lack of known resources in the area and the fact that most development is anticipated to occur in previously disturbed locations. Archeological resources are commonly found near the ground surface and would have likely been previously disturbed by existing development. At this programmatic level of analysis, the City acknowledges that there is always a potential for a buried archaeological resource; thus, the finding of less than significant rather than no impact.

Section 3.3.3 also describes how future development projects that rely on the actions of this project would be subject to site-specific environmental review, including CEQA analysis. It is through this process that the potential for impact to archaeological resources would be analyzed and mitigation required if necessary. Section 3.3.3 of the Draft PEIR specifically states that if project-specific significant impacts are identified, applicable mitigation measures would be placed on the project as conditions of approval. If required, mitigation will be developed and worded appropriately per the anticipated impact.

To: Mr. Jim Nakagawa, AICP, City Planner
 Community Development Department
 City of Imperial Beach
 825 Imperial Beach Boulevard
 Imperial Beach, California 91932

Subject: Draft Program Environmental Impact Report
 Draft General Plan and Local Coastal Program Amendments

Dear Mr. Nakagawa:

I have reviewed the cultural resources aspects of the subject DPEIR on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the DPEIR and initial study posted on the City's website, we have the following comments:

1. The initial study and Section 3.3 of the DPEIR recognize the possibility that impacts to potentially historic structures may occur. The DPEIR cites project-level analyses to be completed for individual development projects. This is appropriate, particularly as it appears that no historic surveys or inventories have been accomplished to date.
2. Regarding archaeological resources, the initial study indicates a potentially significant impact, but the DPEIR defers any possible mitigation measure determination until project level analyses. This is in stark conflict with the somewhat detailed definition of mitigation for equally-unknown impacts to paleontological resources. The DPEIR needs to similarly specify archaeological monitoring mitigation measures that will be taken at the project level, as there is a possibility of encountering buried cultural deposits under existing buildings vacant lots and streets. We recommend adoption of mitigation wording similar to that utilized by the County's Department of Planning and Land Use (DPLU) and Department of Public Works, in their document *Report Form and Content Requirements, Cultural Resources, Archaeological and Historic Resources*. You may download a copy from the County Web site at http://www.sdcgov.org/dplu/docs/Cultural_Report_Format.pdf. Questions on it may be directed to Duane Bealder, of DPLU, at 858-694-3656 or at duane.bealder@sdcgov.org.

P.O. Box 61106 San Diego, CA 92138-1109 (619) 538-0355

Response to Comments

SDCAS appreciates the opportunity to participate in the City's environmental review process for this DPEIR.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: AECOM
SDCAS President
File

P.O. Box 81106 • San Diego, CA 92138-1106 • (659) 538-0935

**Letter H
Carmen Hauschildt**

Sent: Thursday, May 03, 2012 3:49 PM
To: Tina Barclay
Subject: Re: Commercial Zoning Review Notice of Availability

Dear Ms. Tina Barclay,

We live at the south end of Seacoast Dr,1640 "A" Seacoast Dr. at the Boca Rio Condos. Have lived here for over 30 years. Several years back there were some owners that use to have summer rentals all along south of I.B. Blvd. The renters caused all sorts of awful problems, such as drunken wild parties, security gates been jammed and broken, fights, drug parties, renting to 2 or 3 families in some units, these units are for the most part small. Renting way over the limit set by the city code. . . And of course everything that was broken or damage fall upon the Homeowners Assoc. to fix, while the real estate and owners got rich at our expense, it was awful. I'm sure you or the members of the City Council would not like to live in such a place. We worked out an agreement with the city that the rentals would be for only for 30 day or longer. . . That sure helped in keeping the low lifers out. It was a very big problem down here and our quality of live was very much affect by the short term summer rentals. What I want to know is, were does all of South Seacoast Dr. stand on this New Commercial Zoning Review that the city now studying? The map you show on the Notice does not show all of South Seacoast Dr. Is there a map at City Hall that shows all of South Seacoast Dr. Zoning? I know there are some real estate people and owners that are pushing this again. But it is really a BIG PROBLEM with short term rentals. They all want to come and rent cause problems and do "What the cant do at their homes" We are the ones that suffer for their behavior.

Respectfully,

Carmen U. Hauschildt

H-1

H-1: The following response was provided originally via email:

The Boca Rio condos site where you live on South Seacoast Drive is zoned R-1500 (High Density Residential). The proposed zoning changes that are described in the notice affects only commercially-zoned properties. Unfortunately, we imprinted the map's legend across the South Seacoast Drive area. This proposed zoning change was initiated by the City Council and not by realtors. Your residential zoning is not proposed to be changed.

While the above email response provided to the commenter is correct that the residential zoning of the subject project would not be changed, the City would like to note that the email response incorrectly stated that only commercially-zoned properties are affected by the proposed changes. There are some residential zones that would be affected by the proposed zoning changes.

The comment does not address the adequacy of the environmental evaluation in the Draft PEIR and no additional response is necessary.

Letter I
Douglas Jones

Sent: Thursday, May 03, 2012 4:31 PM
To: Tina Barclay
Subject: Re: Commercial Zoning Review Notice of Availability

Dear Tina Barclay,

I-1 Do any of the proposed changes directly affect St. James Lutheran Church and School property?

God bless,
Pastor Douglas Jones
St. James Lutheran Church and School
866 Imperial Beach Blvd
Imperial Beach, CA

I-1: The following response was provided originally via email:

The proposed zoning changes that are described in the notice affects only commercially-zoned properties. The Saint James Lutheran property is zoned R1-6000 (Single Family Residential). Your residential zoning is not proposed to be changed.

While the above email response provided to the commenter is correct that the residential zoning of the subject project would not be changed, the City would like to note that the email response incorrectly stated that only commercially-zoned properties are affected by the proposed changes. There are some residential zones that would be affected by the proposed zoning changes.

The comment does not address the adequacy of the environmental evaluation in the Draft PEIR and no additional response is necessary.

Letter J
Bob Vasquez

Sent: Friday, May 04, 2012 3:41 PM
To: Tina Barclay
Subject: Re: Commercial Zoning Review Notice of Availability

Tina, the Notice that was attached spoke primarily of what is proposed and not enough about why the amendments are being proposed, i.e., their purpose. Are the commercial amendments being proposed because we have an imbalance between residential and commercial uses? Are the residential amendments because we have too much high-density or not enough? Are the amendments being proposed to conform with previously adopted plans? (The word purpose was only used once.)

J-1

The proposed off-site parking standard of 1,000 lineal feet from multi-family residential and commercial uses seems a bit far. Is 1,000 lineal feet about 3 or 4 blocks? Who is going to walk that distance? Three or 4 blocks from any multi-family or commercial use within the City will probably place you in a residential zone; does the City want off-site parking facilities in residential zones?

J-2

Just a couple of thoughts which you may have already considered, Bob Vasquez

J-1: There was a strong demand for residential construction in the commercial zones during the heated market period several years ago but City zoning provisions did not specify a minimum amount of commercial area that needed to be developed for mixed-use projects. The City was apprehensive that there would no longer be any feasible areas on which to have commercial development and that revenue leakage would worsen.

This was the main issue that prompted the need for this Commercial Zoning Review. At the beginning of the zoning review, the rationale was provided in Working Paper #1 (Dec 2007):

Although amendments are proposed in the R-1500 and R-2000 zones that have mixed-use overlays, the amendments are aimed at commercial zones. These amendments are proposed to make our commercial areas more attractive for pedestrian-oriented commercial development and to develop standards that would conform not with previously adopted local plans but with state-mandated limits on greenhouse gas emissions and with SANDAG's Smart Growth policies.

The comment is specific to technical details of the zoning amendments and does not address the adequacy of the environmental evaluation in the Draft PEIR. No additional response is necessary.

J-2: The 1000 foot distance (about 3 blocks) standard for an off-site parking lot was taken from a Dec 2008 parking study by traffic consultants Fehr and Peers:

Parking Proximity

We would also recommend that the City reconsider the way in which it allows developers to provide parking for their facility. For example, the City Municipal Code already allows some parking

provided in a C-2 Zone to be at an off-site location within 500 feet. We would recommend that the City modify this policy to allow a larger distance such as 1,000 feet. This additional distance could be justified based on the following considerations:

- One use of this off-site parking would be for employee parking rather than visitor parking. It is common in various locations such as Downtowns and shopping centers to limit employee parking to more remote locations. By doing so, the City would ensure that the more proximate parking would be for guests and visitors
- The average person walks at a pace of 4-5 feet per second which means that it only requires 4-5 minutes at most for a person to walk 1,000 feet. We would note that there are few physical impediments to walking in Imperial Beach with generally pleasant weather and few topographical limitations, especially along Seacoast Drive. Therefore, we anticipate that would be limited resistance to this greater walking radius.

This off-site parking for practicable purposes would need to be located in the commercial zone (Seacoast Drive) to serve a commercial establishment. Additionally, SANDAG uses a quarter mile (1,320 feet) as a walking distance standard for transit system planning.

The comment is specific to technical details of the zoning amendments and does not address the adequacy of the environmental evaluation in the Draft PEIR. No additional response is necessary.

APPENDIX G

MITIGATION MONITORING AND REPORTING PLAN

IMPERIAL BEACH GENERAL PLAN/LOCAL COASTAL PLAN AND COMMERCIAL ZONING AMENDMENTS PROJECT

Mitigation Monitoring and Reporting Plan

The California Environmental Quality Act (CEQA) requires the adoption of feasible mitigation measures to reduce the severity and magnitude of potentially significant environmental impacts associated with project development. CEQA states, “In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” (CEQA Guidelines §15097(a))

This Mitigation, Monitoring, and Reporting Plan (MMRP) has been prepared pursuant to CEQA Guidelines, which state the following: “The public agency may choose whether its program will monitor mitigation, report on mitigation, or both. ‘Reporting’ generally consists of a written compliance review that is presented to the decision making body or authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. ‘Monitoring’ is generally an ongoing or periodic process of project oversight. There is often no clear distinction between monitoring and reporting and the program best suited to ensuring compliance in any given instance will usually involve elements of both.” (CEQA Guidelines §15097(c))

The State CEQA Guidelines require that a mitigation monitoring and reporting program be adopted upon certification of an EIR to ensure that mitigation measures identified in the EIR are implemented. According to CEQA Guidelines Section 15126.4 (a)(2), “Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments.” Therefore, the City of Imperial Beach will consider whether to adopt the mitigation measures when considering whether to approve the project.

The following table lists the potentially significant impacts and mitigation measures identified in the Program Environmental Impact Report (PEIR) for the Imperial Beach General Plan/Local Coastal Plan and Commercial Zoning Amendments Project. The table also describes the timing of implementation of the mitigation measures and the parties responsible for ensuring implementation of the measures and for monitoring the mitigation measures. The MMRP for the project assigns responsibility for monitoring mitigation measures incorporated into the project. Under this plan, the Project Manager in the Planning Department or the City Engineer is responsible for the implementation and monitoring of these measures during design and construction phases of the project, unless otherwise stated herein. The Planning Department is responsible for reporting on the implementation of the mitigation measures discussed in this MMRP, in accordance with Section 15097 of CEQA. Reporting consists of establishing and maintaining a record that a mitigation measure is being or has been implemented and requires:

1. Community Development Department distributes the MMRP forms to the appropriate department/person (as indicated in the attached documentation).
2. Responsible entities verify intent to comply by signing the MMRP form.
3. Responsible parties provide the Community Development Director with verification that monitoring has been conducted and ensure that mitigation has been implemented.

A record of this MMRP will be maintained at:

City of Imperial Beach, Community Development Department
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

Project Summary

The City of Imperial Beach (City) proposes to amend the Imperial Beach General Plan/LCP and Zoning Ordinance for properties designated C-1 (General Commercial) in the Palm Avenue study area, C-2 (Seacoast Commercial) in the Old Palm Avenue and Seacoast Drive study areas, and C-3 (Neighborhood Commercial) in the 13th Street Corridor study areas. See Figure 1 below for study areas boundaries. Also included in the proposed project are areas zoned R-1500 (High Density Residential) and subject to the MU-1 (Mixed Use-1) overlay designation in the Palm Avenue study area and the MU-2 (Mixed Use-2) overlay designation in the Seacoast Drive study area.

The General Plan/LCP and commercial zoning amendments would apply a C/MU-1 General Plan/Zone designation to the Palm Avenue study area, C/MU-2 General Plan/Zone designation to the Seacoast Drive study area, and C/MU-3 General Plan/Zone designation to the 13th Street Corridor study areas. In addition, property at the northeast corner of 9th Street and Imperial Beach Boulevard has been included in the proposed project to change the existing C-3 General Plan/Zone designation to R-3000.

The list of uses in C/MU-1, C/MU-2, and C/MU-3 zones would identify all potential uses as permitted by right, by conditional use permit or site plan, as well as uses not permitted in each zone. Attached multiple-family residences would be permitted uses in each of the C/MU zones at densities ranging from 1 dwelling unit per 1,000 square feet to 1 dwelling unit per 2,000 square feet. A proposed Residential Overlay Zone would replace the existing Seacoast Commercial MU-2 Overlay Zone for beachfront residential properties west of Ocean Lane. The purpose of the Residential Overlay Zone is to preserve opportunities for the continuation of single-family residential uses in the area. Residential units, including detached single-family units, would continue to be permitted by right. Additionally, all uses permitted within the C/MU-2 zone would also be permitted in the Residential Overlay Zone.

Commercial parking requirements would be changed from a standard that varies by type of commercial use to a standard of 1 space per 500 gross square feet of commercial use in the proposed C/MU-1 and C/MU-3 zones, and to 1 space per 1,000 gross square feet of commercial use in the proposed C/MU-2 zone. In addition, a reduction in required parking would be permitted for vertical mixed-use projects of commercial, multiple-family, or hotel uses; parking would be waived for commercial uses of less than 1,000 square feet; and opportunities to satisfy parking requirements by use of shared parking or off-site parking located within 1,000 feet (an increase from 500 feet) would be allowed for multiple-family residential and commercial uses (except hotels).

New or revised definitions would be added to the zoning ordinance for terms used in the proposed C/MU zones, such as for active commercial uses, incidental manufacturing, live/work units, mixed-use development, personal convenience services, and urban open space.

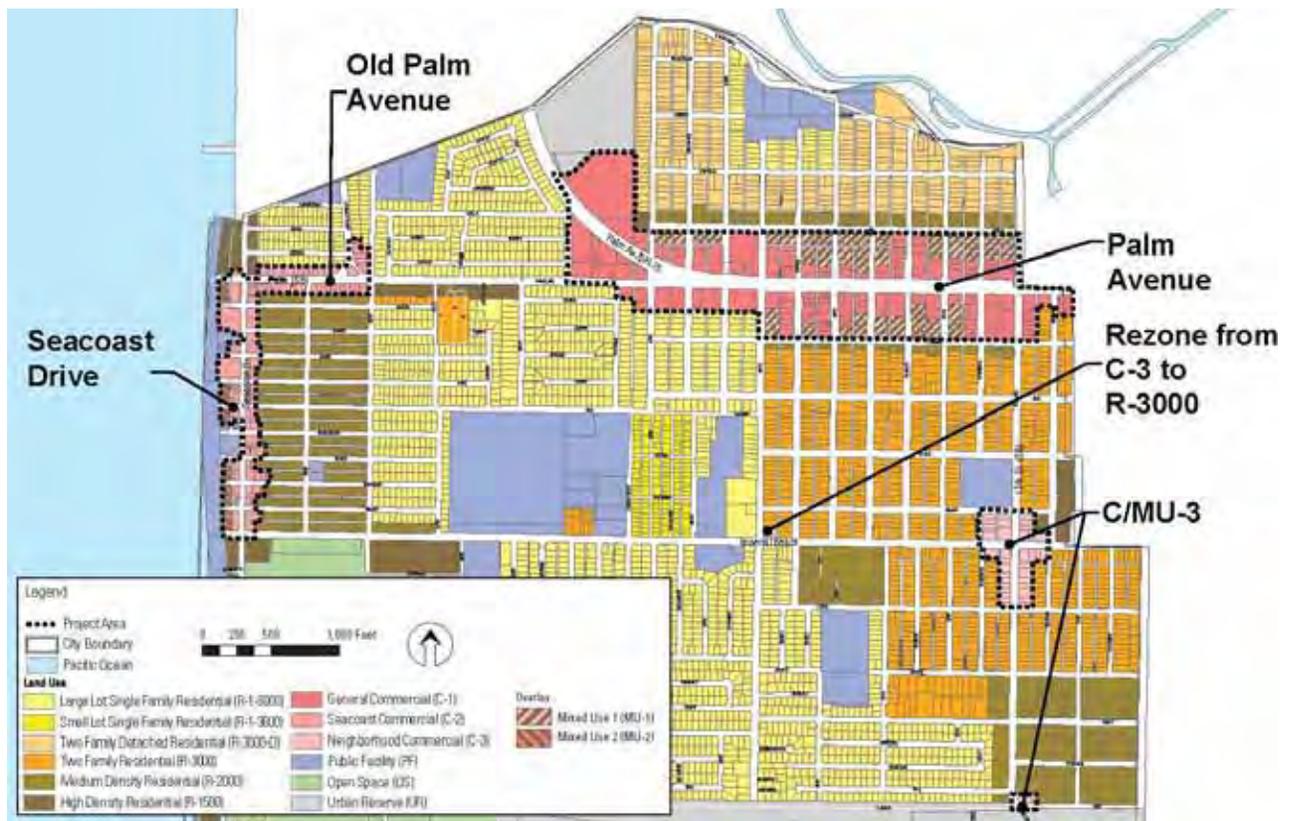


Figure 1. Project Study Areas

Environmental Review Summary

The City of Imperial Beach as the Lead Agency prepared a PEIR in accordance with CEQA for the General Plan/Local Coastal Plan and Commercial Zoning Amendments Project. The PEIR determined the proposed project could have potentially significant environmental effects in the following areas: Air Quality, Paleontological Resources, and Noise. Mitigation measures are identified in the PEIR that would reduce the potential environmental impacts to these resource areas to below a level of significance.

The PEIR found that Implementation of the proposed project would result in significant and unavoidable impacts to the following issue areas: Greenhouse Gas (GHG) Emissions; Hydrology and Water Quality; and Transportation and Traffic. Implementation of the mitigation measures identified in the PEIR would reduce impacts to an extent; however, even with the proposed mitigation the GHG emissions, hydrology and water quality, and transportation and traffic impacts would remain significant and unavoidable. This MMRP incorporates required mitigation measures as presented in the following tables.

ID Number	Mitigation Measure	Responsible Party	Mitigation Timing	Monitoring and Reporting Procedure
Air Quality				
AQ-1	<p>The City and project contractors shall implement the following measures during all construction activities involving demolition or exterior construction. Furthermore, a fugitive dust control plan shall be developed and approved by the SDAPCD for all projects prior to issuance of a grading permit and commencement of construction activities. The fugitive dust control plan shall specifically identify measures that would minimize generation of fugitive dust from all construction activities. In addition, the following standard measures shall be implemented:</p> <ul style="list-style-type: none"> • Comply with and implement all applicable SDAPCD rules and regulations that pertain to construction activities (e.g., asphalt paving ROG requirements, administrative requirements, fugitive dust management practices). Implement all construction-related requirements recommended by SDAPCD and the City of Imperial Beach. • Water all exposed surfaces three times a day or sufficiently to prevent visible dust emissions. • Apply water, nontoxic chemical stabilizers, or dust suppressants, or use tarps or other suitable material in all disturbed areas that will not be utilized for 10 days or more. • Prevent carryout and trackout of fugitive dust on construction vehicles. • Methods to limit carryout and trackout include, but are not limited to, using wheel washers, sweeping any trackout on adjacent public streets at the end of each workday, and lining access points with gravel, mulch, or wood chips. • Cover or wet the filled cargo compartment of all transport trucks to limit visible dust emissions during transport, and maintain at least 2 feet of freeboard space from the top of the cargo compartment. • Install sandbags or other erosion control measures on sites with a slope greater than 1% to prevent silt runoff to public roadways. 	<p>City of Imperial Beach Development Department</p> <p>Applicant/Construction contractor</p>	<p>Prior to and during construction</p>	<p>Community Development Department to submit dust control plan to SDAPCD.</p> <p>Construction-related requirements to be stated on construction documents.</p> <p>Applicant to provide documentation of implementation to the Community Development Department for verification.</p>
AQ-2	<p>In addition to mitigating fugitive PM dust emissions, construction activities would also generate exhaust ozone precursors (among other exhaust pollutants), for which the region is also nonattainment. The City and project contractors shall implement the following mitigation measures:</p> <ul style="list-style-type: none"> • Maintain all construction equipment according to the manufacturers' specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. 	<p>City of Imperial Beach Development Department</p> <p>Applicant/Construction</p>	<p>During construction</p>	<p>Construction-related requirements to be stated on construction documents.</p> <p>Applicant to provide documentation of</p>

ID Number	Mitigation Measure	Responsible Party	Mitigation Timing	Monitoring and Reporting Procedure
	<ul style="list-style-type: none"> Use diesel-powered construction equipment that meets ARB's 1996 or newer certification standard for off-road heavy-duty diesel engines. Minimize idling time either by shutting off equipment when it is not in use or reducing the time of idling to no more than 5 minutes. Provide clear signage regarding idling at site access points. Use alternative fueled (e.g., compressed natural gas, liquefied natural gas, propane), or electric-powered construction equipment where feasible. Use equipment with diesel oxidation catalysts, catalyzed diesel PM filters, or other applicable SDAPCD-approved emission reduction retrofit devices where feasible. 	contractor		implementation to the Community Development Department for verification.
Paleontological Resources				
PR-1	<p>For future projects within the study areas, a paleontological monitor (PM) determined by the City Community Development Director to be qualified, shall be present during grading/excavation/trenching activities to perform the following activities:</p> <ul style="list-style-type: none"> The PM shall document field activity and shall maintain a daily site visit until completion of grading/excavation/trenching activities and shall notify the Community Development Director of the start and completion of site grading/excavation/trenching activities and provide documentation of monitoring activities and results. In the event of a discovery, the PM shall direct the contractor to temporarily divert grading/excavation/trenching activities in the area of discovery and immediately notify the Community Development Director. The PM shall evaluate the significance of the resource. If the resource is significant, the PM shall submit a Paleontological Recovery Program and obtain written approval from the Community Development Director. Impacts to significant resources must be mitigated before ground-disturbing activities in the area of discovery would be allowed to resume. Upon completion of grading/excavation/trenching activities, the PM shall submit a letter to the Community Development Director of the results of the monitoring. The letter shall indicate that fossil resources will be collected, curated, and documented. If the resource discovered is not significant (e.g., small pieces of broken 	Applicant/ Qualified Paleontologist	During construction	Applicant to submit documentation of field monitoring activities and results to the Community Development Department.

ID Number	Mitigation Measure	Responsible Party	Mitigation Timing	Monitoring and Reporting Procedure
	<p>common shell fragments or other scattered common fossils) the PM shall notify the Community Development Director that a nonsignificant discovery has been made and shall continue to monitor the area until completion of grading/excavation/trenching activities.</p>			
Greenhouse Gas Emissions				
GHG-1	<p>To reduce construction-generated GHG emissions, projects seeking discretionary approval from the City shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by the City and/or SDAPCD at the time individual portions of the site undergo construction.</p> <p>The project applicant(s) for any particular discretionary project may submit to the City a report that substantiates why specific measures are considered infeasible for construction of that particular discretionary project and/or at that point in time. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.</p> <p>The recommended measures for reducing construction-related GHG emissions at the time of writing this PEIR are listed below. The list will be updated as new technologies or methods become available. The project applicant(s) shall, at a minimum, be required to implement the following:</p> <ul style="list-style-type: none"> • Improve fuel efficiency of construction equipment: <ul style="list-style-type: none"> ○ reduce unnecessary idling (modify work practices, install auxiliary power for driver comfort); ○ perform equipment maintenance (inspections, detect failures early, corrections); ○ train equipment operators in proper use of equipment; ○ use the proper size of equipment for the job; and ○ use equipment with new technologies (repowered engines, electric drive-trains). • Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power. • Use an ARB-approved low-carbon fuel, such as biodiesel or renewable diesel for construction equipment. Emissions of NO_x from the use of low carbon fuel 	Applicant/ Construction contractor	Prior to project approval	<p>Applicant/Construction contractor to submit documentation of GHG reducing measures to be implemented to the Community Development Department prior to project approval.</p> <p>Construction-related requirements to be stated on construction documents.</p>

ID Number	Mitigation Measure	Responsible Party	Mitigation Timing	Monitoring and Reporting Procedure
GHG-2	<p>must be reviewed and increases mitigated. Additional information about low-carbon fuels is available from ARB's Low Carbon Fuel Standard Program (ARB 2009).</p> <ul style="list-style-type: none"> • Reduce electricity use in the construction offices by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones. • Recycle or salvage nonhazardous construction and demolition debris. • Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials). • Develop a plan to efficiently use water for adequate dust control. This may consist of the use of nonpotable water from a local source. <p>GHG emission reduction strategies and their respective feasibility are likely to evolve over time. The applicants shall consider and implement, as feasible, the following nonexclusive and nonexhaustive list of measures. These measures are derived from multiple sources, including Appendix B of the CAPCOA white paper, <i>CEQA & Climate Change</i> (CAPCOA 2008); CAPCOA's <i>Quantifying Greenhouse Gas Mitigation Measures</i>. A <i>Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures</i> (CAPCOA 2010); the California Attorney General's Office publication entitled <i>The California Environmental Quality Act: Addressing Global Warming Impacts at the Local Agency Level</i> (California Attorney General's Office 2008); and the BAAQMD's CEQA Guidelines (BAAQMD 2010).</p> <p><u>Energy Efficiency</u></p> <ul style="list-style-type: none"> • Install clean alternative energy features to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines). • Install solar water heaters. • Buildings shall exceed by 20% the Title 24 Energy Efficiency Standards for Residential and Nonresidential Building of the California Code of Regulations. • Require smart meters and programmable thermostats. • Require heating, ventilation, and air conditioning (HVAC) duct sealing and periodic inspection. 	Applicant	Prior to project approval.	Applicant to provide City documentation of measures to be implemented to the Community Development Department for approval.

ID Number	Mitigation Measure	Responsible Party	Mitigation Timing	Monitoring and Reporting Procedure
	<ul style="list-style-type: none"> • Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use. Plant shade trees within 40 feet of the south sides or within 60 feet of the west sides of properties. • Install efficient lighting in all project buildings. Also install lighting control systems, where practical. Maximize daylight as an integral part of lighting systems in all buildings. • Install cool roof materials (albedo ≥ 30). • Install light-colored cool pavements, and strategically locate shade trees along all bicycle and pedestrian routes. <p><u>Water Conservation and Efficiency</u></p> <ul style="list-style-type: none"> • With the exception of ornamental shade trees, use water-efficient landscapes with native, drought-resistant species in all public areas and commercial residential landscaping. Use water-efficient turf in parks and other turf-dependent spaces. • Install the infrastructure and necessary treatment to use reclaimed water for landscape irrigation and/or washing cars, including installation of rainwater collection systems. • Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. • Design buildings and lots to be water-efficient. Install only water-efficient fixtures and appliances. • Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff. Prohibit businesses from using pressure washers for cleaning driveways, parking lots, sidewalks, and street surfaces. These restrictions should be included in the Covenants, Conditions, and Restrictions of property-owner associations. • Provide education about water conservation and available programs and incentives. • To reduce stormwater runoff into the City's wastewater treatment system, construct residential driveways and parking lots with pervious surfaces such as porous concrete turf blocks or pervious pavers. <p><u>Solid Waste Measures</u></p> <ul style="list-style-type: none"> • Provide interior and exterior storage areas for recyclables, food waste, and green waste at all buildings; and create food waste and greenwaste 			

ID Number	Mitigation Measure	Responsible Party	Mitigation Timing	Monitoring and Reporting Procedure
	<p>curbside pickup.</p> <ul style="list-style-type: none"> Provide adequate recycling containers in public areas, including parks, school grounds, and pedestrian zones in areas of commercial and mixed-use development. Provide education and publicity about reducing waste and available recycling services. 			
Hydrology and Water Quality				
HY-1	<p>Prior to City approval of construction permits, final grading and drainage plans shall be reviewed for compliance with the City SUSMP.</p>	City of Imperial Beach Community Development Department	Prior to construction permit approval	Community Development Department review and agreement documented prior to construction permit approval.
HY-2	<p>Design BMPs shall be incorporated into project plans for pollutant reduction to the satisfaction of the City Public Works Director. These BMPs may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> Wherever possible, runoff from parking areas and impervious surfaces shall be directed through landscaped areas before entering storm drains, so that vegetation would provide bio-filtration to remove pollutants and prevent motor vehicle-related pollutants such as grease and oil being washed into storm drains. Landscaping shall be installed as may be needed to prevent soil erosion and sediment generation. Trash storage areas and pick-up bins shall be located or designed to prevent runoff from contacting trash, debris, and other pollutants. If below-grade parking is proposed, channel drains shall be installed at the parking entrance and be equipped with fossil filters to prevent runoff-borne pollutants from reaching the storm drain system; and an oil and grease separator sump pump shall be installed so that any runoff draining into the garage or being carried by vehicles would be collected and directed to a fossil filter for pollutant removal. Impervious areas such as driveways, parking surfaces, and other common areas shall be kept free of trash, debris, oil, and other pollutants through regular and pre-storm cleanup programs. 	City Public Works Department	Prior to construction permit approval	City Public Works Department review and agreement documented prior to construction permit approval.

ID Number	Mitigation Measure	Responsible Party	Mitigation Timing	Monitoring and Reporting Procedure
	<ul style="list-style-type: none"> • Adjacent drain inlets shall be stenciled with a message such as “I live downstream” in Spanish and English. • An efficient irrigation system with a timer and rain shutoff valves shall be installed. • Pesticides shall be used only when other means of pest control have failed. • Pollutants from rooftop runoff shall be collected by downspouts and private storm drain systems that would allow treatment for pollutants in sediment runoff and for removal of trash and debris by downspout filters (FloGard® or similar) or flow-through planter boxes. • For projects with private storm drain systems that direct runoff to on-site catch basins, the basins shall use inlet inserts, such as ClearWater® inlet filters, prior to being discharged into the public storm drain system. • For projects with lawn areas, signs shall be posted to clean up pet waste; and plastic bag dispensers and waste containers shall be made available in each area. 			
HY-3	<p>Construction BMPs shall be incorporated into project plans for pollutant reduction to the satisfaction of the City Public Works Director. These BMPs may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Placement of gravel bags as needed to prevent pollutant-laden runoff from the project site to reach adjacent streets and downstream storm drain systems. • Grate inlet protection with fiber rolls or other suitable runoff containment devices are to be installed at storm drain inlets adjacent to project sites. • During demolition, grading, and construction, a stabilized construction entrance to reduce sedimentation caused by vehicle tracking is to be installed. All vehicles stored on-site are to use drip pans to minimize oil and grease pollution. • Material storage, solid waste management, hazardous material management, concrete waste management, and sanitary waste are to be placed at the easterly side of the construction sites located west of Seacoast Drive. 	City Public Works Department	Prior to construction permit approval	City Public Works Department review and agreement documented prior to construction permit approval.
HY-4	<p>Nonstructural post-construction operational BMPs shall be implemented for pollutant reduction and may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • A public/employee education program to raise the level of awareness of 	Environmental Manager of the Public Works Department	Prior to project approval	Environmental Manager of the Public Works Department review and agreement documented

ID Number	Mitigation Measure	Responsible Party	Mitigation Timing	Monitoring and Reporting Procedure
NOI-1	<p>shoreline/ocean water quality issues, including elements such as new employee indoctrination and annual employee formal training consistent with the City's JURMP commercial training plan, inlet and catch basin stenciling, and public awareness signs placed in or adjacent to grass-lined runoff infiltration swales as directed by the City.</p> <ul style="list-style-type: none"> • A material use control program for materials with a potential to contaminate stormwater including guidelines for proper storage and disposal practices for potential pollutants (e.g., motor oils, paints, pool chemicals, cleaning supplies), prohibiting the storage of uncovered hazardous substances in outdoor areas, prohibiting the use of pesticides and herbicides listed by the USEPA, and spill prevention/response procedures and shipping/receiving practices; • A hardscape sweeping and cleaning program for all pedestrian and vehicle use areas. • A landscape management plan designed by a horticulturalist that includes herbicide/pesticide management. 			prior to project approval.
	<p>The City shall require the following measures to be incorporated into contract specifications for all construction projects implemented under the proposed General Plan/LCP and commercial zoning amendments:</p> <ul style="list-style-type: none"> • All internal combustion-engine-driven equipment shall be equipped with mufflers that are in good operating condition and appropriate for the equipment. • "Quiet" models of air compressors and other stationary construction equipment shall be employed where such technology exists. • Stationary noise-generating equipment shall be located as far as reasonable from sensitive receptors when sensitive receptors adjoin or are within 150 feet of a construction site. • Unnecessary idling of internal combustion engines (i.e., in excess of 5 minutes) shall be prohibited. • Foundation pile holes shall be predrilled, as feasible based on geologic conditions, to minimize the number of impacts required to seat the pile. • Construction-related traffic shall be routed along major roadways and away from noise-sensitive receptors. • Construction activities, including truck movements and the loading and 	Applicant/ Construction contractor	Prior to issuance of building permits	Construction noise-related requirements to be stated on construction documents. Applicant to provide documentation to the Community Development Department for verification.

ID Number	Mitigation Measure	Responsible Party	Mitigation Timing	Monitoring and Reporting Procedure
NOI-2	<p>unloading of materials, shall be limited to the hours specified in the City Noise Ordinance (Section 9.32.020).</p> <ul style="list-style-type: none"> Residences and other noise-sensitive land uses within 150 feet of construction sites shall be notified of the construction in writing. The notification shall describe the activities anticipated, provide dates and hours, and provide contact information with a description of the complaint and response procedure. <p>Based on a project-specific noise study, the City shall determine the need to require the following measures to be incorporated into contract specifications for all construction projects within 150 feet of existing residential uses implemented under the proposed project:</p> <ul style="list-style-type: none"> Temporary noise barriers to be constructed around construction sites adjacent to, or within 150 feet of, residences or other noise-sensitive land uses. Temporary noise barriers shall be constructed of material with a minimum weight of 4 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. Erect a temporary sound control blanket barrier, if necessary, along building façades facing construction sites. This mitigation would only be necessary if conflicts occurred that were irresolvable by proper scheduling and other means of noise control were unavailable. The sound blankets are required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70. The sound blankets shall be of sufficient length to extend from the top of the building and drape on the ground or be sealed at the ground. The sound blankets shall have a minimum overlap of 2 inches. 	Applicant/ City of Imperial Beach Community Development Department	Prior to issuance of building permits	Community Development Department to review noise study and approve required measure to be implemented. Measures to be specified on all construction documents.
NOI-3	<p>In areas where new residential development would be exposed to CNEL of greater than 60 dBA, the City shall require site-specific noise studies prior to issuance of building permits to determine the area of impact and to present appropriate mitigation measures, which may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> Utilize site planning to minimize noise in shared residential outdoor activity areas by locating the areas behind the buildings or in courtyards, or orienting the terraces to alleyways rather than streets, whenever possible. 	Applicant/ City of Imperial Beach Community Development Department	Prior to issuance of building permits	Community Development Department to review noise study and approve required measure to be implemented. Measures to be specified

ID Number	Mitigation Measure	Responsible Party	Mitigation Timing	Monitoring and Reporting Procedure
TR-1	<ul style="list-style-type: none"> Provide mechanical ventilation in all residential units proposed along roadways or in areas where noise levels could exceed 60 dBA CNEL so that windows can remain closed at the choice of the occupants to maintain interior noise levels below 45 dBA CNEL. Install sound-rated windows and construction methods to provide the requisite noise control for residential units proposed along roadways or in areas where noise levels could exceed 60 dBA CNEL. <p>The City shall require all future development projects proposed under the General Plan/LCP and commercial zoning amendments to consider and implement to the City's satisfaction, Transportation Demand Management (TDM) measures. This shall include TDM measures to be implemented during both construction activities and project operation. TDM measures shall be based on strategies recommended by SANDAG or other applicable documents and studies.</p> <p>TDM measures shall also be included as part of any project development agreements negotiated during the City's project permitting process.</p>	City of Imperial Beach Community Development Department	Prior to project approval	Community Development Department to determine appropriate TDM measures to be required and included in project development agreements.

COMMITMENT STATEMENT:

I, the undersigned, commit that the mitigation measures described herein will be implemented.

Mitigation and Monitoring Responsibility: _____ Date: _____

Reporting Responsibility: _____ Date: _____



**STAFF REPORT
CITY OF IMPERIAL BEACH**

**TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER**

**MEETING DATE: AUGUST 1, 2012
ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, ASSISTANT CITY MANAGER/ COMMUNITY DEVELOPMENT DIRECTOR
JIM NAKAGAWA, AICP, CITY PLANNER**

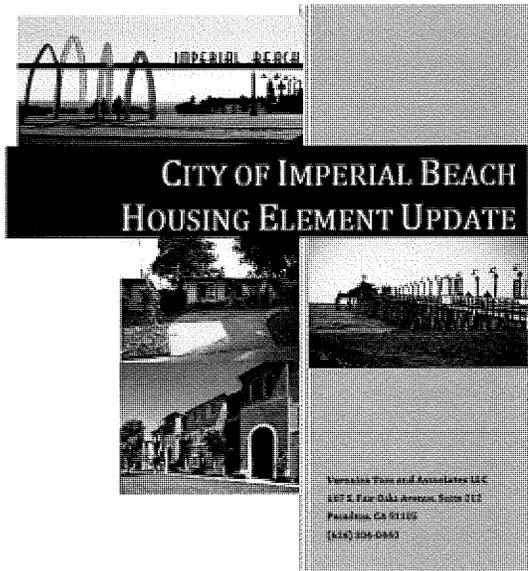
A handwritten signature in black ink, appearing to be "GB", is written over the text of the report.

**SUBJECT: PUBLIC HEARING: COUNCIL WORKSHOP FOR THE 5TH
CYCLE (2013-2020) IMPERIAL BEACH HOUSING ELEMENT.
MF 1060**

PROJECT DESCRIPTION/BACKGROUND:

The Housing Element is one of the seven mandated elements of the general plan (Government Code Section 65302) and it is to contain analyses, strategies, policies and programs to address the following goals: ensuring provision of sufficient housing for all income groups, preserving affordable housing stock, minimizing governmental constraints to providing housing, providing affordable housing opportunities for low- and moderate-income residents, and complying with all applicable laws and regulations relating to housing.

The 1999 – 2004 (3rd Cycle) Housing Element was adopted on May 2, 2001 (Resolution No. 2001-5417). The 2005-2010 (4th Cycle) Housing Element was adopted on September 2, 2009 (Resolution No. 2009-6799) and certified by the California Housing and Community Development Department (HCD) on December 3, 2009.



A number of events have taken place since the last housing element cycle that now bears on this cycle. The nation is still in the process of recovering from the housing/ financial crash/ recession of five years ago. With the tightening of credit, housing construction and lending is not as robust as it was during the boom period. To increase revenues to the state, AB 26 dissolved redevelopment agencies in California and appropriated redevelopment funds (including tax increments) to other taxing entities (except for projects that were considered recognized obligation payments). With the loss of the 20% housing set-aside of the

redevelopment funds, this hampers our ability to provide affordable housing for an increasing population and to meet our RHNA (Regional Housing Needs Assessment) targets.

Several state laws have been adopted over the past couple of years that address environmental issues such as global warming and housing element law including SB 375, SB 575 and AB 32. Specifically, Senate Bills 375 and 575 have tied the adoption of housing elements to the adoption of the Regional Transportation Plan (RTP). With adoption of SB 375, the housing element was changed from a five-year to an eight-year cycle (2013-2020) and SB 575 effectively extended the previous Housing Element cycle by two years (from 2010 to 2012) by allowing this Housing Element (fifth cycle) to be adopted no later than eighteen (18) months after adoption of the RTP. The RTP was adopted by SANDAG on October 28, 2011. Therefore, the housing elements in San Diego County are required to be adopted no later than April 28, 2013. Other provisions of SB 375 include the adoption of a Sustainable Communities Strategy (SCS) as a required component to the RTP that requires integrating the development of housing with transportation facilities to minimize the production of greenhouse gases (GHG). AB 32 requires the rollback of GHG to 1990 levels by the year 2020.

PROJECT EVALUATION/ DISCUSSION:

State Housing Element law (Government Code Section 65580 et seq) requires “An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs.” The law requires:

- An analysis of population and employment trends;
- An analysis of the City’s fair share of the regional housing needs;
- An analysis of household characteristics;
- An inventory of suitable land for residential development;
- An analysis of the governmental and non-governmental constraints on the improvement, maintenance and development of housing;
- An analysis of special housing needs;
- An analysis of opportunities for energy conservation; and
- An analysis of publicly-assisted housing developments that may convert to non-assisted housing developments.

The purpose of these requirements is to develop an understanding of the existing and projected housing needs within the community and to set forth policies, programs, and schedules that promote preservation, improvement and development of diverse types and costs of housing throughout Imperial Beach.

Some of the key elements incorporated in the fifth cycle of the Draft Housing Element (2013 – 2020) include the following:

1. Providing a comprehensive update to the Housing Element to reflect the 2010 Census and other updated housing market data.
2. Significant restructuring of the housing programs to reflect the now limited resources the City has, by:
 - a. Removing housing programs for which the City has limited use;

- b. Consolidating multiple programs that achieve similar objectives in order to identify fewer programs and to give the City more flexibility; and
 - c. Reducing the City's level of commitment and identifying more specific objectives.
 3. Providing additional discussion to reflect new state laws and HCD review standards including the following:
 - a. Housing for persons with developmental disability (SB 812); and
 - b. Emergency shelters – more detailed description of where, potentially, such use can be located (SB 2) and under established development standards.

HCD encourages public participation in the housing element development process before the draft document is transmitted to them for the initial 60-day review. The purpose of this workshop, therefore, is to seek public and community input into this cycle of the Draft Housing Element.

Under local regional planning policies, a certified housing element is required to be eligible to receive a number of transportation and smart growth projects. Without a certified housing element, therefore, a city would not be able to obtain funding such as Active Transportation Grant or Smart Growth Incentive Grant funds through SANDAG.

GENERAL PLAN AMENDMENT/PUBLIC AND HCD REVIEW:

This project constitutes an amendment to the City's General Plan; however, pursuant to Public Resources Code Section 30500.1 of the California Coastal Act, the Housing Element is not a component of the City's certified Local Coastal Program (LCP). Therefore, the Housing Element does not need to be certified by the California Coastal Commission. California Government Code §65352 requires a six-week/45-day public review of any amendment to the General Plan prior to its adoption. However, HCD requires the Housing Element to receive public input (which is the purpose of this workshop) prior to its circulation for the 45-day public review so that any substantive comments may be incorporated into the Housing Element. The Draft Housing Element has been posted on the City's website (www.cityofib.com) since July 19th for public review and comment. Following the public workshop, the City's consultant, Veronica Tam and Associates, will make any appropriate revisions to the document based on the public input obtained and transmit the Draft Housing Element to HCD where, pursuant to Government Code §65585, it will undergo an initial 60-day review. Staff would then initiate the six-week/45-day General Plan Amendment review period at this time.

The eventual adoption of the housing element will be some time in the future. As noted above, the City's consultant, Veronica Tam and Associates, will make any necessary revisions to the Housing Element based upon public and City Council input and then transmit the document to HCD for their 60-day review. After staff receives comments from HCD, any requested revisions will be incorporated into the Housing Element and it will be resubmitted to HCD for another 60-day review. Again, because it is also an amendment to the General Plan, the Housing Element will be routed to various agencies for a six-week/45-day public review. An environmental document must also be prepared pursuant to CEQA and routed through the State Clearinghouse for at least a 30-day review. After completion of their review, and assuming they are satisfied with any required revisions, HCD will send the City a Letter of Substantial Compliance and the Housing Element can then be scheduled for a City Council public hearing

for consideration and adoption. After adoption by the City Council, a Notice of Determination must then be filed with the San Diego County Clerk and the adopted Housing Element will be sent to HCD for a final 90-day review. Given these time-frames, it is hoped that the Housing Element for Years 2013-2020 will be adopted by the City Council in January or February 2013, ahead of the April 28, 2013, deadline.

ENVIRONMENTAL DETERMINATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The City of Imperial Beach (City) as the Lead Agency will prepare a Draft Negative Declaration (ND) in accordance with CEQA (California Environmental Quality Act) for the Fifth Cycle Housing Element. A subsequent notice and review of the ND will be provided on the City's website and posted with the City Clerk and the Imperial Beach Public Library for a 30-day public review of the environmental document.

FISCAL ANALYSIS:

The contract with Veronica Tam and Associates (authorized by the City Council on June 15, 2011; Resolution No. 2011-7053 and R-10-231) to produce the 2013-2020 Housing Element is in the amount of \$ 36,910. This will be paid from the Low and Moderate Income Housing Fund of the former Redevelopment Agency. This contract was included and approved as an enforceable obligation on the Imperial Beach Redevelopment Agency Successor Agency's approved Recognized Obligation Payment Schedule.

DEPARTMENT RECOMMENDATION:

1. Declare the public hearing open
2. Receive report and entertain testimony;
3. Close public hearing.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

Draft Housing Element

- C: file MF 1060 Housing Element
 Veronica Tam and Associates LLC, 107 S. Fair Oaks Avenue, Suite 212, Pasadena, CA 91105 Veronica.Tam@vtaplanning.com
 Susan Baldwin, Housing, SANDAG, 401 B Street, Ste. 800, San Diego, CA 92101 sba@sandag.org
 Patricia Hutchins, Imperial Beach Chamber of Commerce, 702 Seacoast Drive, Imperial Beach, CA 91932-1871 Pathut@aol.com
 Sean Wherley, Policy Director, San Diego Housing Federation, 110 West C Street, Suite 1811, San Diego, CA 92101 sean@housingsandiego.org

Hitzke Development Corporation, 251 Autumn Drive, Suite 100, San Marcos, CA 92069
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South Bay Community Services, 1124 Bay Blvd #D, Chula Vista, CA 91911
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Catherine A. Rodman, Director & Supervising Attorney, Affordable Housing Advocates, 4305 University Avenue, Suite 110, San Diego, CA 92105
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St James Lutheran Senior Housing, Falkenberg/Gilliam & Associates Managed Properties, 5343 Monroe Avenue, San Diego, CA 92115-3429
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Ellen Immergut, Manager of Development and Communications, San Diego Habitat for Humanity, 10222 San Diego Mission Road, San Diego, CA 92108
elleni@sdhfh.org

San Diego Community Land Trust, ATTN: Rev. Lee Van Ham & Anastasia Brewster, 3295 Meade Ave, San Diego, CA 92116
anastasia@sdclt.org

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jseeger@hcd.ca.gov

CITY OF IMPERIAL BEACH

HOUSING ELEMENT OF THE GENERAL PLAN --- YEAR 2013 – 2020



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Section 1: Introduction

1.1 Statutory Framework

The Housing Element is an integral component of the City's General Plan. It addresses existing and future housing needs of all types for persons of all economic groups in the City. The Housing Element is a tool for use by citizens and public officials in understanding and meeting the housing needs in Imperial Beach.

Recognizing the importance of providing adequate housing in all communities, the State has mandated a Housing Element within every General Plan since 1969. It is one of the seven elements required by the State. Article 10.6, Section 65580 – 65589.8, Chapter 3 of Division 1 of Title 7 of the Government Code sets forth the legal requirements of the Housing Element and encourages the provision of affordable and decent housing in all communities to meet statewide goals. Specifically, Section 65580 states the element shall consist of ". . . an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources and scheduled programs for the preservation, improvement, and development of housing." The contents of the element must be consistent with the other elements of the General Plan [Government Code § 65300.5].

Meeting the housing needs established by the State of California is an important goal for the City of Imperial Beach. As the population of the State continues to grow and scarce resources decline, it becomes more difficult for local agencies to create adequate housing opportunities while maintaining a high standard of living for all citizens in the community. State law recognizes that housing needs may exceed available resources and, therefore, does not require that the City's quantified objectives be identical to the identified housing needs. This recognition of limitations is critical, especially during this period of financial uncertainties in both the public and private sectors.

Section 65583(b)(2) states, "It is recognized that the total housing needs... may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements... Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period."

This Housing Element (2013-2020) was created in compliance with State General Plan law pertaining to Housing Elements.

1.2 Purpose

The State of California has declared that "the availability of housing is of vital statewide importance and the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order." In addition, government and the private sector should make an effort to provide a diversity of housing opportunities and accommodate regional housing needs through a cooperative effort, while maintaining a responsibility toward economic, environmental, fiscal factors and community goals within the General Plan. Further,

State Housing Element law requires “An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs.” The law requires:

- An analysis of population and employment trends;
- An analysis of the City’s fair share of the regional housing needs;
- An analysis of household characteristics;
- An inventory of suitable land for residential development;
- An analysis of the governmental and non-governmental constraints on the improvement, maintenance and development of housing;
- An analysis of special housing needs;
- An analysis of opportunities for energy conservation; and
- An analysis of publicly-assisted housing developments that may convert to non-assisted housing developments.

The purpose of these requirements is to develop an understanding of the existing and projected housing needs within the community and to set forth policies and schedules, which promote preservation, improvement and development of diverse types and costs of housing throughout Imperial Beach.

1.3 Organization

Imperial Beach’s Housing Element is organized into five primary sections:

- **Introduction:** Provides an overview of the purpose, scope, and organization of the Housing Element.
- **Community Profile:** Provides a summary of the City’s demographic and housing characteristics, and associated housing needs.
- **Housing Constraints:** Provides an assessment of the various constraints to housing development and preservation.
- **Housing Opportunities and Resources:** Provides an inventory of resources available for meeting the City’s existing and projected housing needs
- **Housing Plan:** Outlines the City’s commitments to providing and preserving housing opportunities in the community.

1.4 Relationship to Other Elements

State law [Government Code § 65300.5] requires that “...the General Plan and elements and parts thereof comprise an integrated, internally consistent, and compatible statement of policies...” The purpose of requiring internal consistency is to avoid policy conflict and provide a clear policy guide for the future maintenance, improvement and development of housing within the City. The Housing Element was prepared to assure compatibility with the General Plan.

1.5 Citizen Participation

Public participation for the 2013-2020 Housing Element included a Housing Element study session with the City Council held on August 1, 2012. Members of the community were invited to address concerns and give input on the contents of the Housing Element. Special invitations were sent to housing developers, housing professionals, and agencies and organizations that provide supportive housing services to lower and moderate income households and persons with special needs (see Appendix A for mailing list). Notices were posted in both English and

Spanish in the local newspaper, at the City Hall, the public library, and at affordable housing complexes in the City. In addition, a public review draft, dated August 1, 2012, was prepared and made available to the community for a 60-day review period from August 8, 2012 to October 6, 2012. Copies of the draft were made available at City Hall and the County public library at 810 Imperial Beach Blvd, and available on the City website (www.cityofib.com at the Public Notices tab under the Government pull-down menu).

Section 2: Community Profile

City of Imperial Beach

Imperial Beach, the "Most Southwesterly City in the Continental United States," is one of 18 incorporated cities located within San Diego County. It is bordered on the north by the Silver Strand Training Complex (SSTC), formerly known as the Naval Radio Receiving Facility (NRRF) within the City of Coronado's jurisdiction and the southern shore of San Diego Bay, on the east by the City of San Diego, on the south by the U.S./Mexican border, and on the west by the Pacific Ocean.

The first settlers came to the area known as Imperial Beach in the 1880s. The first subdivision was filed in 1887. Early subdivisions were intended to create a summer retreat beach resort for the residents of the warmer Imperial Valley, hence the name Imperial Beach. Imperial Beach was incorporated as a General Law City on July 18, 1956.

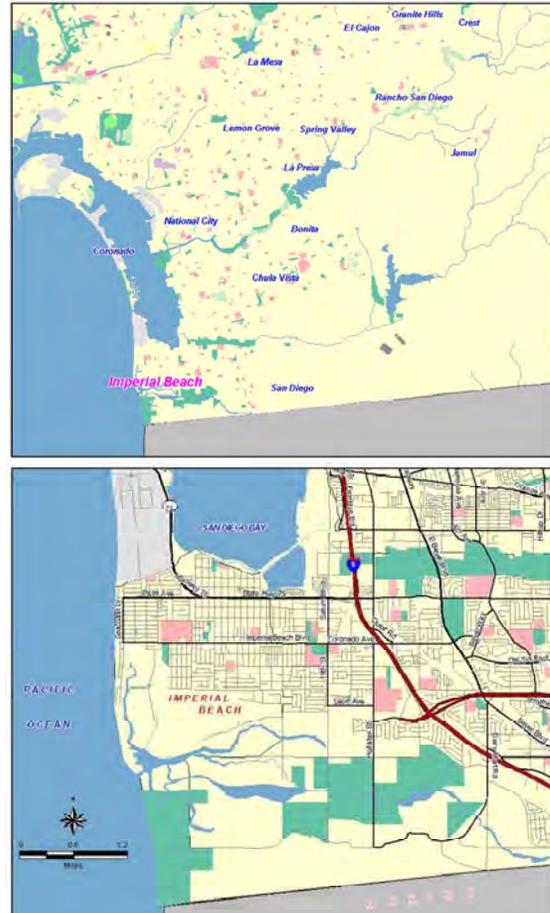
Imperial Beach contains an area of 4.5 square miles. Its coastal setting and Mediterranean climate provide a unique and attractive living environment. The City is almost entirely built out with a few vacant parcels. Future development will primarily take place through upgrading and reuse of existing parcels.

The City strives to achieve a balanced housing stock that meets the varied needs of all income segments of the community. To understand the City's housing needs, the nature of the existing housing stock and the housing market are comprehensively evaluated. This section of the Housing Element discusses the major components of housing needs in Imperial Beach, including population, household, economic and housing stock characteristics. Each of these components is presented in a regional context, and, where relevant, in the context of other nearby communities. This assessment serves as the basis for identifying the appropriate goals, policies, and programs for the City to implement during the 2013-2020 Housing Element cycle.

Data Sources

This section utilizes a variety of sources to compile the most updated data, to the extent feasible. Data sources include: Decennial Census; America Community Surveys; San Diego Association of Governments (SANDAG) projections and forecasts; State Employment Development Department employment and wage data; Home Mortgage Disclosure Act (HMDA) data on mortgage financing; and Dataquick home sales data; among others.

Figure H-1: Regional Location



The Census Bureau completely restructured its method of collecting and updating demographic and housing information by eliminating the “long form” in the 2010 Census and by introducing the American Community Survey (ACS). The ACS is an annual sample survey designed to provide more detailed information about a community. Depending on the size of the community, ACS may collect annual estimates, three-year estimates, or five-year estimates. Given Imperial Beach’s population of over 20,000, ACS covers the City at least once every three years. Different variables are measured by ACS at different times. Therefore, certain variable are obtained from the 2006-2010 five-year ACS while others are from the 2008-2010 three-year ACS.

2.1 Population Characteristics

Understanding the characteristics of a population is vital in the process of planning for the future needs of a community. Issues such as population growth, race/ethnicity, age, and employment trends are factors that combine to influence the type of housing needed and the ability to afford housing. The following section describes and analyzes the various population characteristics and trends that affect housing need.

2.1.1 Population Growth

The Census reported that Imperial Beach’s population declined from 26,992 in 2000 to 26,324 in 2010 (Table H-1). The SANDAG 2050 Regional Growth Forecast estimates that the Imperial Beach population will reach 28,230 in 2020. Although population growth in the City has been significantly slower than in the County, population trends for the City are in line with those of other south and east County jurisdictions such as Lemon Grove, La Mesa, Santee, and National City.

Jurisdictions	Population				Percent Change	
	1990	2000	2010	2020*	1990-2000	2000-2010
Chula Vista	135,163	173,860	243,916	267,427	28.6%	40.3%
Coronado	26,540	24,100	18,912	18,579	-9.2%	-21.5%
El Cajon	88,693	94,819	99,478	109,623	6.9%	4.9%
Imperial Beach	26,512	26,992	26,324	28,230	1.8%	-2.5%
La Mesa	52,931	54,751	57,065	62,100	3.4%	4.2%
Lemon Grove	23,984	24,954	25,320	26,688	4.0%	1.5%
National City	54,249	54,405	58,582	62,300	0.3%	7.7%
San Diego	1,110,549	1,223,341	1,307,402	1,542,528	10.2%	6.9%
Santee	52,902	53,090	53,413	64,517	0.4%	0.6%
San Diego County	2,498,016	2,813,833	3,095,313	3,535,000	12.6%	10.0%

* Represents an estimate from the SANDAG 2050 Regional Growth Forecast.
Sources: Bureau of the Census (1990-2010) and SANDAG Regional Growth Forecast Update (2010).

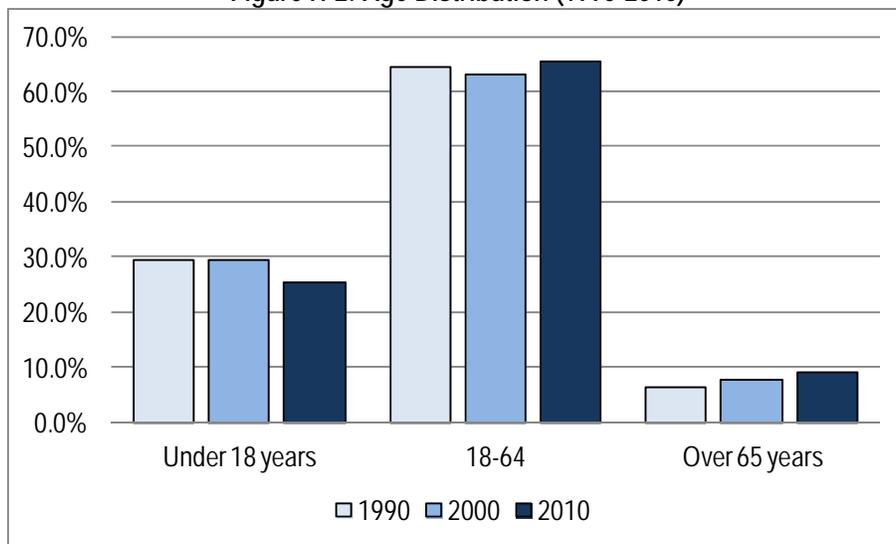
2.1.2 Age Characteristics

A community’s current and future housing needs are influenced in part by the age characteristics of residents. Typically, each age group has distinct lifestyles, family structures and sizes, ability to earn incomes, and therefore, housing preferences. As people move through

each stage of life, housing needs and preferences change. Traditional assumptions are that the young adult population (20 to 34 years old) tends to favor apartments, low to moderate cost townhomes/condominiums, and smaller single-family units. The adult population (35 to 64 years old) represents the major market for moderate to relatively high cost condominiums and single-family homes. The senior population (65 years and older) tends to generate demand for low to moderate cost apartments and condominiums, group quarters, and mobile homes. In order to create a balanced and sustainable community, it is important to provide housing options that suit the needs of various age groups.

The population of Imperial Beach is, as measured by the median age of its residents, significantly younger than in neighboring communities or the County as a whole. In 2010, Imperial Beach’s median age was 31 years; nearly four years younger than the County’s median age. The lower median age is due to the larger percentage of school age children under 18 (25 percent of the population in 2010) and the smaller percentage of seniors over 65 years of age (nine percent in 2010) in the City than in other San Diego County communities. Specifically, the proportion of senior residents in neighboring cities in 2010 was noticeably higher than in Imperial Beach. Figure H-2 compares changes in the age composition of Imperial Beach’s population from 1990 to 2010, while Table H-2 compares the percentage of individuals under 18, over 65, and the median age of Imperial Beach with nearby communities.

Figure H-2: Age Distribution (1990-2010)



Sources: Bureau of the Census, 1990-2010.

Jurisdiction	Under 18 years			Over 65 years			Median Age
	1990	2000	2010	1990	2000	2010	
Chula Vista	26.2%	28.8%	27.9%	11.4%	11.2%	10.0%	33.7
Coronado	15.9%	16.0%	20.4%	14.6%	15.8%	18.4%	40.7
El Cajon	26.3%	27.8%	25.7%	11.1%	11.3%	11.0%	33.7
Imperial Beach	29.3%	29.4%	25.4%	6.2%	7.5%	9.0%	31.0
La Mesa	17.2%	19.8%	19.6%	18.2%	17.1%	14.2%	37.1
Lemon Grove	26.5%	27.6%	25.5%	14.1%	12.0%	11.2%	35.0
National City	27.8%	30.1%	25.5%	9.3%	11.2%	10.6%	30.2
San Diego	23.1%	23.9%	21.4%	10.2%	10.4%	10.7%	33.6
Santee	29.0%	28.3%	23.8%	8.4%	8.9%	10.7%	37.2
San Diego County	24.5%	25.6%	23.4%	10.9%	11.1%	11.4%	34.6
<i>Source: Bureau of the Census (1990-2010).</i>							

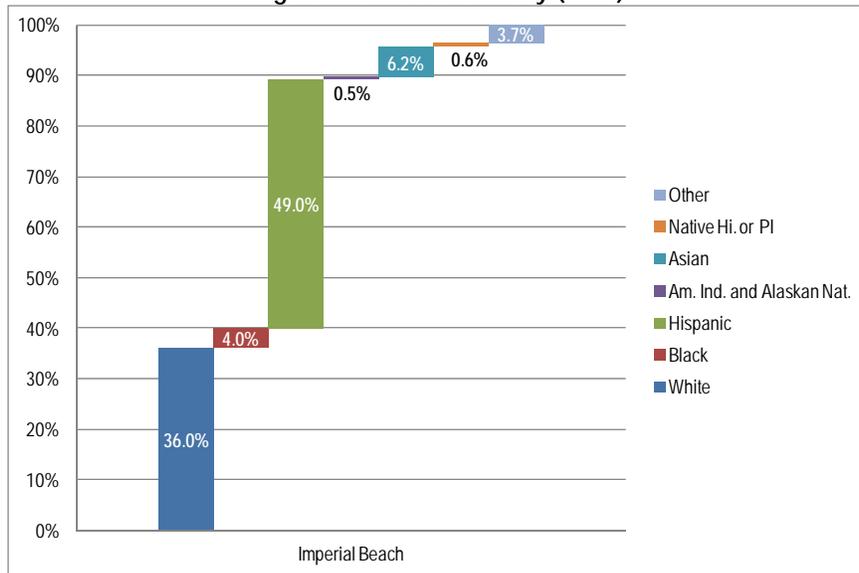
2.1.3 Racial/Ethnic Composition

Race/ethnicity of the population is important to an analysis of housing needs and conditions for several reasons. A community's racial and ethnic composition may have implications for housing needs to the extent that different groups have different household characteristics, income levels, and cultural backgrounds that may affect their housing needs and preferences. Recent studies have also suggested that different racial and ethnic groups differ in their attitudes toward and/or tolerance for "housing problems" as defined by the federal Department of Housing and Urban Development (HUD), including overcrowding and housing cost burden.¹ According to these studies, perceptions regarding housing density and overcrowding, as well as the cultural practices of living with extended families tend to vary among racial and ethnic groups.

In 2010, Imperial Beach was 49 percent Hispanic, 36 percent White, six percent Asian, four percent Black, less than one percent Pacific Islander and American Indian, and four percent Other races (Figure H-3). Imperial Beach had a noticeably smaller proportion of White residents and larger proportion of Hispanic residents compared to the County (Table H-3). The City's proportion of Black residents and those of "Other" racial and ethnic backgrounds was roughly similar to that of neighboring jurisdictions and within the County. Asian/Pacific Islander's comprised a smaller proportion of Imperial Beach residents compared to Chula Vista, National City and the City of San Diego, but the proportion in this group was similar in La Mesa and Lemon Grove. In general, Hispanic and Asian/Pacific Islander households exhibit a greater propensity for living in extended families or other household arrangements than the White population. Communities with larger proportions of Hispanic and Asian households tend to have larger average household sizes.

¹ Studies include the following: "The Determinants of Household Overcrowding and the Role of Immigration in Southern California" by S.Y. Choi (1993); "The Changing Problem of Overcrowding" by D. Myers, William Baer, and S.Y. Choi (1996); and "Immigration Cohorts and Residential Overcrowding in Southern California" by D. Myers and S.W. Lee (1996).

Figure H-3: Race/Ethnicity (2010)



Source: Bureau of the Census (2010).

Table H-3: Racial Composition (2010)

Jurisdiction	White	Black	Hispanic	American Indian and Alaska Native	Asian	Native Hawaiian or Pacific Islander	Other
Chula Vista	20.4%	4.1%	58.2%	0.2%	13.8%	0.5%	2.8%
Coronado	79.4%	2.0%	12.2%	0.4%	2.9%	0.3%	2.9%
El Cajon	56.8%	6.0%	28.2%	0.5%	3.4%	0.4%	4.8%
Imperial Beach	36.0%	4.0%	49.0%	0.5%	6.2%	0.6%	3.7%
La Mesa	61.9%	7.2%	20.5%	0.4%	5.5%	0.5%	3.9%
Lemon Grove	34.7%	12.9%	41.2%	0.4%	6.1%	1.0%	3.6%
National City	11.7%	4.5%	63.0%	0.3%	17.8%	0.7%	2.0%
San Diego	45.1%	6.3%	28.8%	0.3%	15.6%	0.4%	3.5%
Santee	73.6%	1.8%	16.3%	0.5%	3.7%	0.4%	3.6%
San Diego County	48.5%	4.7%	32.0%	0.5%	10.6%	0.4%	3.3%

Source: Bureau of the Census (2010).

2.1.4 Economic Characteristics

Employment has an important impact on housing needs. Incomes associated with different jobs and the number of workers in a household determines the type and size of housing a household can afford. In some cases, the types of jobs themselves can affect housing needs and demand (such as in communities with military installations, college campuses, and large amounts of seasonal agriculture). Employment growth typically leads to strong housing demand, while the reverse is true when employment contracts.

In 2000, the three largest occupational categories for City residents were Education/Health/Social Services, Arts/Entertainment/Recreation Services and Retail Trade occupations (Table H-4). These categories accounted for a large proportion (42 percent) of the jobs held by Imperial Beach residents. By comparison, these occupations accounted for 40 percent of the jobs held by County residents. The proportion of City residents holding all other occupations was roughly comparable to residents of the County.

Table H-5 displays mean annual wage data for occupations compiled by the California Employment Development Department (EDD) for the San Diego Metropolitan Statistical Area in 2011. Table H-5 shows that the food preparation and serving, personal care and service, building and maintenance, and farming, fishing and forestry occupations offer the lowest wages.

According to the ACS, between 2006 and 2010, approximately 35 percent of Imperial Beach residents worked in Education/Health/Social Services and Arts/Entertainment/Recreation Services. These fields usually generate employment at the moderate income levels. Other major employment sectors for Imperial Beach include Retail Trade, which generally provides jobs at lower income scales, as shown in Table H-5.

Industry	2000 Census		2006-2010 ACS	
	% of City Employment	% of Region Employment	% of City Employment	% of Region Employment
Agriculture, Mining	0.5%	0.7%	1.5%	0.7%
Construction	8.6%	6.6%	7.0%	7.2%
Manufacturing	9.1%	11.0%	6.3%	9.2%
Transportation, Communication, Utilities	4.1%	3.5%	4.8%	3.8%
Wholesale Trade	2.8%	3.3%	3.2%	2.9%
Retail Trade	13.2%	11.3%	12.6%	10.8%
Finance, Insurance and Real Estate	5.6%	7.1%	7.2%	7.4%
Professional Services	9.9%	13.3%	10.9%	14.2%
Education, health, and social services	15.3%	19.3%	20.5%	19.9%
Arts, entertainment, and recreation	13.8%	9.6%	14.1%	10.6%
Other Services	7.7%	5.2%	4.5%	7.9%
Public Administration	9.4%	5.4%	7.4%	5.4%
Total	100.0%	100.0%	100.0%	100.0%

Sources: Bureau of the Census (2000) and American Community Survey (ACS) (2006-2010).

Occupations	Average Salary
Management	\$117,046
Legal	\$105,882
Healthcare Practitioners and Technical	\$89,872
Architecture and Engineering	\$83,115
Computer and Mathematical	\$82,631
Business and Financial Operations	\$71,815
Education, Training and Library	\$60,992
Construction and Extraction	\$51,871
Protective Service	\$50,581
Community and Social Service	\$49,734
Installation, Maintenance and Repair	\$45,202
Sales	\$38,263
Office and Administrative Support	\$37,260
Production	\$34,324
Transportation and Material Moving	\$32,255
Healthcare Support	\$30,880
Building, Grounds Cleaning, and Maintenance	\$26,928
Farming, Fishing and Forestry	\$26,009
Food Preparation and Serving Related	\$22,133
All Occupations	\$50,800
<i>Source: California Employment Development Division, Occupational Wage data (2011).</i>	

2.2 Household Characteristics

The Census defines a household as all persons who occupy a housing unit, which may include single persons living alone, families related through marriage or blood and unrelated individuals living together. Persons living in retirement or convalescent homes, dormitories or other group living situations are not considered households. Household type and size, income levels, the presence of special needs populations, and other household characteristics determine the type of housing needed by residents, their preferences, and their ability to obtain housing that meets their needs. This section details the various household characteristics affecting housing needs.

2.2.1 Household Type and Size

According to the 2010 Census, 1,086,865 households occupied housing units in San Diego County. Of these households, 9,112 households (less than one percent) were located in Imperial Beach. Of the 9,112 households in Imperial Beach, 23 percent were single-persons and 16 percent were headed by seniors (65+). Single person households made up a higher proportion of total households in Imperial Beach than nearby Chula Vista and National City, while senior-headed households represented a noticeably smaller proportion of Imperial Beach's total households than nearly all jurisdictions and countywide. Conversely, 34 percent of Imperial Beach's households consisted of families with children; a larger proportion than that found most cities and the County, with the exception of nearby Chula Vista and National City. The proportion of single-parent households is second largest among jurisdictions compared in

Table H-6. Furthermore, the proportion of large renter-households is significantly greater than the proportion of these households in other jurisdictions and throughout the County.

Jurisdiction	Single Person Households	Senior Headed Households	Families with Children	Single-Parent Households	Large Households	
					Owner-Occupied	Renter-Occupied
Chula Vista	16.7%	17.8%	42.0%	11.7%	59.2%	40.8%
Coronado	30.8%	31.4%	28.5%	6.8%	42.3%	57.7%
El Cajon	23.1%	18.7%	35.2%	12.1%	31.6%	68.4%
Imperial Beach	22.5%	15.9%	34.1%	14.6%	25.9%	74.1%
La Mesa	32.7%	22.2%	24.8%	8.8%	46.8%	53.2%
Lemon Grove	22.9%	20.4%	32.8%	11.5%	56.2%	43.8%
National City	17.4%	21.9%	39.2%	15.2%	39.0%	61.0%
San Diego	28.0%	17.8%	27.5%	7.8%	48.9%	51.1%
Santee	20.6%	19.1%	33.4%	9.9%	63.5%	36.5%
San Diego County	24.0%	19.8%	31.3%	8.7%	51.8%	48.2%

Source: Bureau of the Census (2010).

Table H-7 shows that, in 2010, Imperial Beach households consisted mostly of families (68 percent). Slightly more of these families were married couples without children, 1,955 families (22 percent), compared to 1,780 married couple families (20 percent) with children. However, the largest group of family-households was other families such as single-parent households. The greatest change from 2000 to 2010 was the 20-percent decrease in married couple families with children, followed by the ten-percent increase in other non-family households. Other non-family households are defined as households which do not have any members related to the householder.

Household Types	1990		2000		2010		Percent Change			
							1990-2000		2000-2010	
	#	%	#	%	#	%	#	%	#	%
Families	6,617	73.1%	6,449	69.6%	6,213	68.2%	-168	-2.5%	-236	-3.7%
Married w/ Children	2,895	32.0%	2,226	24.0%	1,780	19.5%	-669	-23.1%	-446	-20.0%
Married w/o Children	2,153	23.8%	1,961	21.1%	1,955	21.5%	-192	-8.9%	-6	-0.3%
Other Families	1,659	18.3%	2,262	24.5%	2,478	27.2%	603	36.3%	216	9.5%
Non-Families	2,438	26.9%	2,823	30.4%	2,899	31.8%	385	15.8%	76	2.7%
Single	1,611	17.8%	1,983	21.3%	2,046	22.4%	372	23.1%	63	3.2%
Other Non-Families	827	9.1%	840	9.1%	853	9.4%	13	1.6%	13	1.5%
Total Households	9,055	100.0%	9,272	100.0%	9,112	100.0%	217	2.4%	-160	-1.7%

Sources: Bureau of the Census (1990-2010).

Household size is a significant factor in housing demand. Often, household size can be used to predict the unit size that a household will select. In 2010, the average number of persons per household in the San Diego region ranged from 2.1 to 3.5, with a countywide average of 2.75 persons per household. Imperial Beach had an average of 2.82 persons per household,

representing a small decrease from 2000, when the Census reported 2.84 persons per household. Table H-8 compares household size in Imperial Beach to household size in surrounding cities and the County. The average household size in Imperial Beach was substantially lower than neighboring Chula Vista and National City, but higher than many other jurisdictions compared in the table. SANDAG estimates that average household size in the region will increase slightly over the next 20 years.

Jurisdiction	Average Household Size (2010)	Projected Average Household Size (2030)
Chula Vista	3.21	3.13
Coronado	2.31	2.37
El Cajon	2.84	2.86
Imperial Beach	2.82	3.00
La Mesa	2.30	2.35
Lemon Grove	2.96	3.02
National City	3.41	3.57
San Diego	2.60	2.70
Santee	2.72	2.93
San Diego Region	2.75	2.87
<i>Sources: Bureau of the Census (2010) and SANDAG Regional Forecast Update (2030).</i>		

2.2.2 Household Income

Household income is an indication of wealth in a community and therefore is directly connected to the ability to afford housing. As household income increases, the more likely that household is a homeowner. As household income decreases, households tend to pay a disproportionate amount of their income for housing and the number of households occupying unsound and overcrowded housing increases.

For planning and funding purposes, the California State Department of Housing and Community Development (HCD) has developed the following income categories based on the Area Median Income (AMI) of a metropolitan area (such as San Diego County):

- Extremely Low Income: households earning up to 30 percent of the AMI
- Very Low Income: households earning between 31 and 50 percent of the AMI
- Low Income: households earning between 51 percent and 80 percent of the AMI
- Moderate Income: households earning between 81 percent and 120 percent of the AMI
- Above Moderate Income: households earning over 120 percent of the AMI

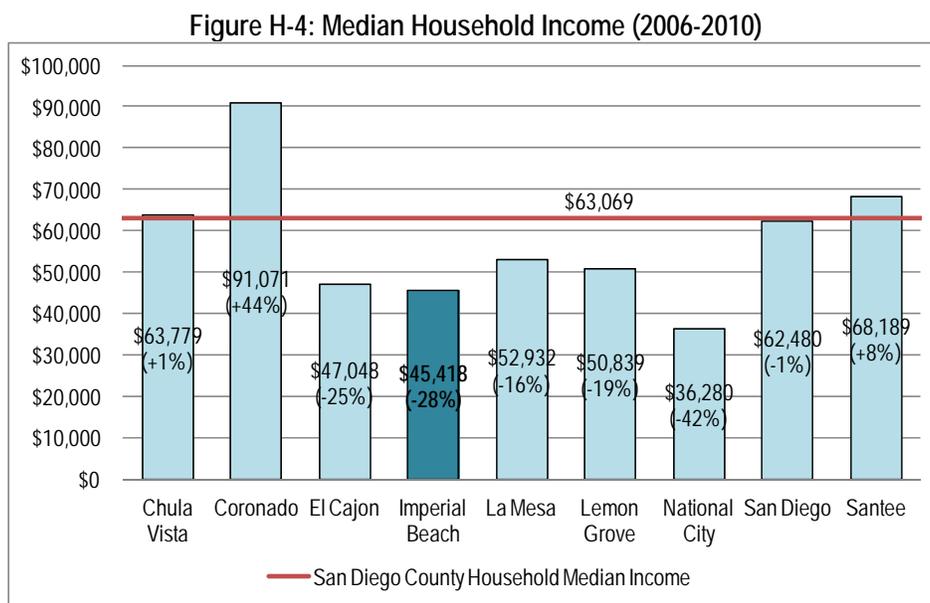
Combined, the extremely low, very low, and low income groups are referred to as lower income. Between 2006 and 2008, approximately 41 percent of Imperial Beach households earned

moderate or above moderate incomes (Table H-9), while 59 percent of households had incomes in the extremely low, very low, and low income levels.²

Income Category (% of County AMI)	Households	Percent
Extremely Low (30% AMI or less)	1,380	15.8%
Very Low (31 to 50% AMI)	1,560	17.9%
Low (51 to 80% AMI)	2,190	25.1%
Moderate or Above (over 80% AMI)	3,595	41.2%
Total	8,725	100.0%

Sources: Department of Housing and Urban Development (HUD) and Comprehensive Housing Affordability Strategy (CHAS) (2008).

Household incomes in Imperial Beach tend to be lower than those in the region as a whole. Median household income in the City was \$35,882 in 2000, compared to the San Diego County median household income of \$47,067. The ACS estimates that the median household income in Imperial Beach between 2006 and 2010 was \$45,418, compared to \$63,069 in the County. Figure H-4 compares household income in Imperial Beach with the household income of neighboring jurisdictions and the San Diego region as a whole between 2006 and 2010. As shown, median household income Imperial Beach was 28 percent below the County median. National City had the lowest median income, recorded at 42 percent below the County median.

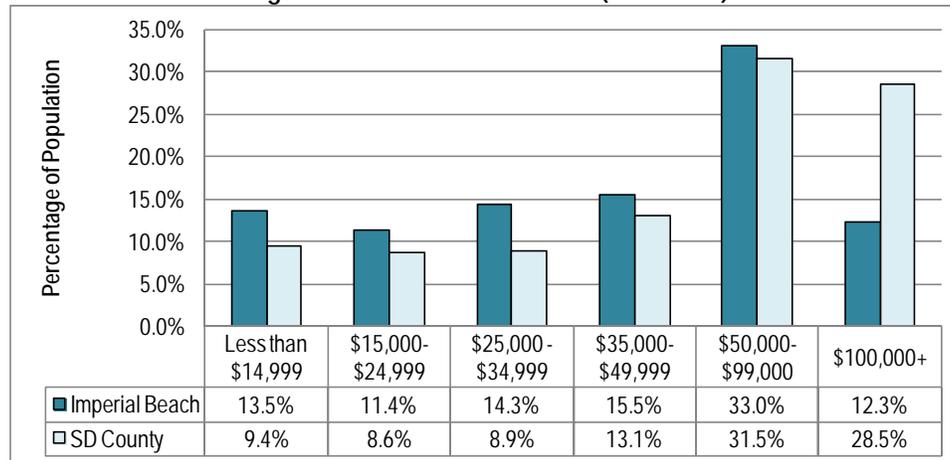


According to the 2006-2010 ACS, close to 40 percent of Imperial Beach households had incomes lower than \$25,000 (Figure H-5). Approximately 30 percent of the City's households earned incomes between \$25,000 and \$49,999, while 33 percent had incomes between

² Data was obtained from the Comprehensive Housing Affordability Strategy (CHAS) prepared for HUD by the Census Bureau using 2000 Census data. CHAS data does not provide a breakdown of household income for those with more than 80 percent AMI as those households are not qualified for federal housing programs.

\$50,000 and \$99,999. Only 12 percent of Imperial Beach households earned \$100,000 or more between 2006 and 2010. By comparison, the County's income distribution during this time period was skewed toward the higher income categories, explaining the SANDAG estimates of higher median household income in the County than in Imperial Beach.

Figure H-5: Household Income (2006-2010)



Source: ACS (2006-2010).

2.3 Housing Problems

2.3.1 Overall Housing Problems

The Comprehensive Housing Affordability Strategy (CHAS) developed by the Census for HUD provides detailed information on housing needs by income level for different types of households in Imperial Beach. Detailed CHAS data is displayed in Table H-10. Housing problems considered by CHAS include:

- Units with physical defects (lacking complete kitchen or bathroom);
- Overcrowded conditions (housing units with more than one person per room);
- Housing cost burden, including utilities, exceeding 30 percent of gross income; or
- Severe housing cost burden, including utilities, exceeding 50 percent of gross income.

The types of problems vary according to household income, type, and tenure. Some highlights include:

- In general, renter-households had a higher level of housing problems (64 percent) compared to owner-households (42 percent).
- Large renter-families had the highest level of housing problems regardless of income level (84 percent).
- Extremely low income (78 percent) and very low income households (87 percent) had the highest incidence of housing problems.
- Housing problems disproportionately affected elderly renters (66 percent) compared to elderly owners (18 percent).

Household by Type, Income, and Housing Problem	Renters				Owners			Total Households
	Elderly	Small Families	Large Families	Total Renters	Elderly	Large Families	Total Owners	
Extremely Low Income (0-30% AMI)	235	525	125	1,130	110	20	250	1,380
With any housing problem	205	445	125	975	50	0	95	1,070
With cost burden >30%	70	15	0	85	20	0	20	105
With cost burden > 50%	135	430	110	875	30	20	75	950
Very Low Income (31-50% AMI)	30	610	220	1,255	160	10	305	1,560
With any housing problem	15	610	220	1,240	40	10	120	1,360
With cost burden >30%	15	370	90	640	10	0	10	650
With cost burden > 50%	0	215	125	570	30	10	110	680
Low Income (51-80% AMI)	95	845	160	1,675	195	40	515	2,190
With any housing problem	75	575	130	1,170	15	20	230	1,400
With cost burden >30%	65	450	25	895	0	0	65	960
With cost burden > 50%	10	85	0	130	15	20	165	295
Total Households	450	2,910	710	6,005	785	195	2,720	8,725
With any housing problem	295	1,825	595	3,815	140	110	1,130	4,945

Note: Data presented in this table are based on special tabulations from sample Census data. The number of households in each category usually deviates slightly from the 100% total due to the need to extrapolate sample data out to total households. Interpretations of these data should focus on the proportion of households in need of assistance rather than on precise numbers.

Source: HUD CHAS, (2006-2008).

2.3.2 Overcrowding

The combination of low incomes and high housing costs has forced many households to live in overcrowded housing conditions. “Overcrowding” is generally defined as a housing unit occupied by more than one person per room in house (including living room and dining rooms, but excluding hallways, kitchen, and bathrooms). Overcrowding can indicate that a community does not have an adequate supply of affordable housing, especially for large families. Overcrowding tends to accelerate the deterioration of housing. Therefore, maintaining a reasonable level of occupancy and alleviating overcrowding are critical to enhancing quality of life.

In 2000, 19 percent of Imperial Beach households lived in overcrowded conditions (Table H-11). Overcrowding disproportionately affected renters (24 percent of renters versus just eight percent of owners), indicating overcrowding may be the result of an inadequate supply of larger sized rental units. While 31 percent of occupied housing units in the City had more than three bedrooms (the minimum size considered large enough to avoid most overcrowding issues for large households), only a small portion of these units (11 percent) were occupied by renters.

Between 2006 and 2010, overcrowding in the City declined dramatically, according to the ACS. Only seven percent of Imperial Beach households lived in overcrowded conditions during this time period. Overcrowding did still appear to disproportionately affect renters, however. Approximately nine percent of renter households were overcrowded compared to just five percent of owner households. This decrease may be attributable to the significant decrease in families with children between 2000 and 2010 as reported by the Census.

Table H-11: Overcrowded Housing Units (1990-2010)						
Overcrowding	Owner Households		Renter Households		Total Households	
	Number	% of Owners	Number	% of Renters	Number	% of Total
1990						
Total Overcrowded (>1.0 persons/room)	138	5.2%	1,292	20.1%	1,430	15.7%
Severely Overcrowded (>1.5 persons/room)	64	2.4%	494	7.7%	558	6.1%
2000						
Total Overcrowded (>1.0 persons/room)	213	7.7%	1,567	24.1%	1,780	19.2%
Severely Overcrowded (>1.5 persons/room)	93	3.3%	898	13.8%	991	10.7%
2006-2010						
Total Overcrowded (>1.0 persons/room)	71	2.5%	875	13.9%	946	10.3%
Severely Overcrowded (>1.5 persons/room)	33	1.2%	619	9.8%	652	7.1%
<i>Sources: Bureau of the Census (1990-2000) and ACS (2006-2010).</i>						

2.3.3 Cost Burden (Overpayment)

Measuring the portion of a household's gross income that is spent for housing is an indicator of the dynamics of demand and supply. This measurement is often expressed in terms of "over payers": households paying an excessive amount of their income for housing, therefore decreasing the amount of disposable income available for other needs. This indicator is an important measurement of local housing market conditions as it reflects the affordability of housing in the community. Federal and state agencies use cost burden/overpayment indicators to determine the extent and level of funding and support that should be allocated to a community. State and federal programs typically define over-payers as those paying over 30 percent of household income for housing costs. A household is considered experiencing a *severe* cost burden if it spends more than 50 percent of its gross income on housing.

Table H-12 provides overpayment detail by income group for Imperial Beach. Approximately 71 percent of lower income households overpaid for housing between 2006 and 2008 versus 20 percent of moderate and above moderate income households. The CHAS data indicate cost burden impacted renter-households more as a group than owner-households. Approximately 56 percent of renter-households paid more than 30 percent of their income on housing compared to 37 percent of owner-households. Extremely low and very low income renter-households experienced the highest incidence of cost burden (85 percent and 96 percent, respectively).

ACS data echo the finding that renters were more impacted by cost burden than owners. Between 2005 and 2009, ACS reported that 40 percent of owner-occupied households in Imperial Beach spent more than 30 percent of their household income on housing. By contrast, a higher percentage of renter-households (55 percent) overpaid for housing.

Household Income Group	Total Renters	Total Owners	Total
Extremely Low (<=30% AMI)	1,130	250	1,380
Cost Burden >30%	960	95	1,055
%Cost Burden >30%	85.0%	38.0%	76.4%
Very Low (>30% to <=50% AMI)	1,255	305	1,560
Cost Burden >30%	1,210	120	1,330
%Cost Burden >30%	96.4%	39.3%	85.3%
Low (>50% to <=80% AMI)	1,675	515	2,190
Cost Burden >30%	1,025	230	1,255
%Cost Burden >30%	61.2%	44.7%	57.3%
Moderate & Above Moderate (>80% AMI)	1,945	1,650	3,595
Cost Burden >30%	170	550	720
%Cost Burden >30%	8.7%	33.3%	20.0%
Total	6,005	2,720	8,725
Cost Burden >30%	3,365	995	4,360
%Cost Burden >30%	56.0%	36.6%	50.0%
<i>Note: Totals may not be exact due to rounding. Please note the Census Bureau uses a special rounding scheme for special tabulations such as these. Therefore, totals may not match other census datasets.</i>			
<i>Source: CHAS (2006-2008).</i>			

2.4 Special Needs Groups

Certain segments of the population may have more difficulty in finding decent, affordable housing due to their special needs. Special circumstances may be related to one's employment and income, family characteristics, disability and household characteristics, among other factors. Pursuant to State law, the Housing Element must address the following special needs groups: elderly, persons with disabilities (including those with developmental disabilities), large households, single-parent households (particularly female-headed households), persons living in poverty, farmworkers, and the homeless (Table H-13). Many of these groups overlap, for example some farmworkers are homeless, and many elderly people have a disability of some type.

Special Needs Group	# of People or Households	Number of Owners	% Owner	Number of Renters	% Renter	% of Total Households or Population
Households with Seniors	1,803	--	--	--	--	19.8%
Senior Headed Households	1,451	856	59.0%	595	41.0%	15.9%
Seniors Living Alone	550	268	48.7%	282	51.3%	6.0%
Persons with Disabilities*	2,701	--	--	--	--	10.7%
Large Households	1,311	339	25.9%	972	74.1%	14.4%
Single-Parent Households	1,329	--	--	--	--	14.6%
Female Headed Households with children	946	--	--	--	--	10.4%
Farmworkers*	165	--	--	--	--	1.5%
Homeless	28	--	--	--	--	0.1%

* = 2010 Census data not available. Estimate is from 2008-2010 ACS.
Sources: Bureau of the Census (2000-2010) and Regional Housing Task Force on the Homeless (2011).

The following sections provide a detailed discussion of the housing needs facing each particular group as well as programs and services available to address their housing needs.

2.4.1 Seniors

Many senior-headed households have special needs due to relatively low or fixed incomes, disabilities or limitations, and health care or dependency needs. Limited discretionary income and impaired physical mobility can make it difficult for seniors to maintain their homes. Many elderly also rely on public transportation, especially those with disabilities.

Table H-14 shows that 2,373 persons were age 65 and over in Imperial Beach in 2010. This accounted for about nine percent of residents, noticeably lower than the percentage found in the region as a whole. Furthermore, 16 percent of City households were headed by someone 65 years old or older. Of these senior-headed households, the majority (59 percent) owned their homes, while the remainder (41 percent) rented their homes. Housing cost burden has a greater impact on lower income elderly renters. According to CHAS data, 66 percent of these households overpaid for housing between 2006 and 2008.

Aside from overpayment problems faced by seniors due to their relatively fixed incomes, many seniors also live with various disabilities. Roughly 48 percent of Imperial Beach's senior population was listed as having one or more disabilities in 2000 by the Census. Among these disabilities, the most common were physical disabilities (33 percent) and disabilities that limited/prevented seniors from going outside the home (25 percent). No updated data on disability is available from the Census.

Jurisdiction	Total	Age 65+	Percent Age 65+
Chula Vista	243,916	24,439	10.0%
Coronado	18,912	3,479	18.4%
El Cajon	99,478	10,930	11.0%
Imperial Beach	26,324	2,373	9.0%
La Mesa	57,065	8,088	14.2%
Lemon Grove	25,320	2,829	11.2%
National City	58,582	6,203	10.6%
San Diego	1,307,402	139,637	10.7%
Santee	53,413	5,740	10.7%
San Diego Region	3,095,313	351,425	11.4%

Source: Bureau of the Census (2010).

Resources

The City of Imperial Beach has a Senior Center that is open to residents age 50 and over, as well as individuals with disabilities. The Center offers a variety of life-enriching classes, activities, hobbies, and a fun social environment. The Center also serves as a great resource center for seniors that offers free legal service, free tax assistance during tax time, and a blood pressure clinic once a month.

Four residential care facilities for the elderly are located in Imperial Beach. Combined, these facilities provide a total of 56 beds.

2.4.2 Persons with Disabilities

Physical, mental, and/or developmental disabilities may prevent a person from working, restrict one's mobility, or make it difficult to care for oneself. Thus, disabled persons often have special housing needs related to limited earning capacity, a lack of accessible and affordable housing, and higher health costs associated with a disability. Some residents suffer from disabilities that require living in a supportive or institutional setting.

Disability Status

The 2010 Census did not collect information on disability. According to 2008-2010 ACS data, approximately 11 percent of Imperial Beach residents had a disability. The ACS also tallied the number of disabilities by type for residents with one or more disabilities. Among the disabilities tallied, cognitive, ambulatory, and independent living difficulties were almost equally prevalent. However, among the elderly population, ambulatory and independent living difficulties were most prevalent (Table H-15).

Disability Type	% of Disabilities Tallied			
	Age 5 to 17	Age 18 to 64	Age 65+	Total
With a hearing difficulty	18.1%	11.1%	20.7%	16.3%
With a vision difficulty	5.3%	6.6%	3.5%	5.0%
With a cognitive difficulty	54.7%	29.3%	12.4%	23.3%
With an ambulatory difficulty	13.6%	22.3%	28.6%	24.6%
With a self-care difficulty	8.3%	4.6%	12.8%	8.8%
With an independent living difficulty	--	26.1%	22.0%	22.0%
Total Disabled Persons	375	1,991	2,182	4,548
<i>Note: A person can have multiple disabilities. Source: Bureau of the Census, ACS (2008-2010).</i>				

Developmental Disabilities

A recent change in State law requires that the Housing Element discuss the housing needs of persons with developmental disabilities. As defined by federal law, “developmental disability” means a severe, chronic disability of an individual that:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- Is manifested before the individual attains age 22;
- Is likely to continue indefinitely;
- Results in substantial functional limitations in three or more of the following areas of major life activity: a) self-care; b) receptive and expressive language; c) learning; d) mobility; e) self-direction; f) capacity for independent living; or g) economic self-sufficiency; and
- Reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

The Census does not record developmental disabilities. According to the U.S. Administration on Developmental Disabilities, an accepted estimate of the percentage of the population that can be defined as developmentally disabled is 1.5 percent. This equates to 394 persons in the City of Imperial Beach with developmental disabilities, based on the 2010 Census population.

According to the State’s Department of Developmental Services, approximately 294 persons with developmental disabilities have sought out services in the City of Imperial Beach in 2011. Most of these individuals reside in a private home with their parent or guardian and 96 of these persons with developmental disabilities were under the age of 18.

Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person’s living situation as a child to an appropriate level of independence as an adult.

Resources

Four factors – affordability, design, location, and discrimination – significantly limit the supply of housing available to households of persons with disabilities. The most obvious housing need for persons with disabilities is housing that is adapted to their needs. Most single-family homes are inaccessible to people with mobility and sensory limitations. Housing may not be adaptable to widened doorways and hallways, access ramps, larger bathrooms, lowered countertops, and other features necessary for accessibility. Location of housing is also an important factor for many persons with disabilities, as they often rely upon public transportation to travel to necessary services and shops. “Barrier free” housing, accessibility modifications, proximity to services and transit, and group living opportunities are important in serving this group. Incorporating barrier-free design in all new multi-family housing is especially important to provide the widest range of choices for the disabled.

State and federal legislation mandate that a specified portion of units in new or rehabilitated multi-family apartment complexes be accessible to individuals with limited physical mobility. The City also allows residential retrofitting to increase the suitability of homes for persons with disabilities in compliance with accessibility requirements. Although the City works with applicants who need special accommodations in their homes to ensure that application of building code requirements does not create a constraint, the City does not have a formal procedure for processing accommodation requests. The City will adopt a formal procedure for review and approval of reasonable accommodation requests.

2.4.3 Large Households

Large households are defined as those consisting of five or more members. These households comprise a special need group because of the often limited supply of adequately sized and affordable housing units in a community. To save for other basic necessities such as food, clothing and medical care, it is common for lower income large households to reside in smaller units, which frequently results in overcrowding and can result in accelerated unit deterioration.

According to the 2000 Census, 14 percent or 1,292 of Imperial Beach City households were large households. Table H-16 compares the number of large households in Imperial Beach to that of the San Diego region. In 2010, about 15 percent of households in Imperial Beach consisted of five or more persons, similar to region wide proportion of 14 percent.

Jurisdiction	Persons in Household			Total Households
	5	6	7+	
Imperial Beach	727	315	269	9,112
Percent of Total	8.0%	3.5%	3.0%	100.0%
San Diego Region	80,185	36,149	32,447	1,086,865
Percent of Total	7.4%	3.3%	3.0%	100.0%

Source: Bureau of the Census (2010).

Generally, two-bedroom units are considered to be the most common bedroom type in the housing market. However, the 2000 Census reported 2,864 units (30 percent) of the City’s housing stock had three or more bedrooms. The predominant rental unit type was two-bedroom units, representing 40 percent of the rental housing. The majority of owner-households consisted of three-bedrooms, representing 54 percent of owner-occupied housing units. Four or

more bedroom units represented only five percent of all occupied housing (one percent of all rental units and 14 percent of all owner-occupied units) in the City of Imperial Beach.

According to the 2010 Census, there were 1,311 large households in the City. The 2006-2010 ACS estimated that 3,271 housing units in Imperial Beach had three or more bedrooms. No updated Census or ACS data is available to describe the unit size by tenure. However, given housing market trends in the region, one can extrapolate that the majority of the large units in the City are still owner-occupied units, and a mismatch continues to exist between the number large renter-households and the supply of large rental units.

Table H-17 provides a breakdown of the incidence of housing problems among larger households by income and tenure between 2006 and 2008. Housing problems can be defined as cost burden (overpayment) greater than 30 percent of income, and/or overcrowding, and/or without complete kitchen or plumbing facilities. A greater percentage of large households (78 percent) had housing problems than all households (57 percent). Renter-occupied large households (as a group) tend to have more housing problems than owner-occupied large households. The vast majority of renter-occupied large households (84 percent) had one or more housing problems, while just over one-half of owner-occupied households (56 percent) had one or more housing problems.

Household by Type, Income, & Housing Problem	Renters		Owners		Total Households
	Large Related (5 or more members)	Total Renters	Large Related (5 or more members)	Total Owners	
Household Income <=30% AMI	125	1,130	20	250	1,380
With any housing problems	125	975	20	95	1,070
Household Income >30 to <=50% AMI	220	1,255	10	305	1,560
With any housing problems	220	1,240	10	120	1,360
Household Income >50 to <=80% AMI	160	1,675	40	515	2,190
With any housing problems	130	1,170	20	230	1,400
Household Income >80% AMI	205	1,945	125	1,650	3,595
With any housing problems	120	430	60	685	1,115
Total Households	710	6,005	195	2,720	8,725
With any housing problems	595	3,815	110	1,130	4,945

*Note: Totals may not match other Census 2000 products due to rounding.
Any housing problems: cost burden greater than 30% of income and/or overcrowding and/or without complete kitchen or plumbing facilities.
Source: CHAS (2006-2008).*

Resources

Lower and moderate income large households can benefit from many of the same programs that benefit other special needs households. Housing Choice Vouchers and affordable housing in the community can assist this group to attain decent and adequate housing.

In addition, the City retained the services of a consultant to review its development standards along the City's commercial corridors. To promote redevelopment, the study recommends providing density and height incentives to mixed use projects that include large units (with three or more bedrooms). The City intends to adopt the recommendations of the study.

2.4.4 Single-Parent Households

Single-parent households, particularly female-headed families with children, often require special consideration and assistance because of their greater need for affordable housing and accessible day care, health care, and other supportive services. Female-headed families with children are a particularly vulnerable group because they must balance the needs of their children with work responsibilities, often while earning limited incomes.

The 2000 Census documented 2,254 family households with children under 18 years of age in the City of Imperial Beach. Of these households, 1,518 households (67 percent) were headed by a single parent. In 2000, 931 family households (14 percent) in Imperial Beach were below the poverty level. Approximately, 51 percent (477 households) of the family households below poverty level were headed by a female. Of the female-headed households below poverty level, 93 percent (444 households) had children under 18 years of age.

As of 2010, an estimated 15 percent of Imperial Beach households were headed by single parents (Table H-18); the large majority of which were headed by females (71 percent). The 2006-2010 ACS reports that 35 percent of female-headed families with children had incomes below the poverty level.

	Total HHs	Single-Parent HHs	Percent Total HHs	Female-Headed HHs with Children	Percent Single-Parent HHs
Imperial Beach	9,112	1,329	14.6%	946	71.2%
San Diego Region	1,086,865	94,380	8.7%	68,123	72.2%
<i>HHs = Households</i>					
<i>Source: Bureau of the Census (2010).</i>					

Resources

Lower-income single-parent households can benefit from City programs that provide direct rental assistance or that will facilitate the development of affordable housing.

2.4.5 Farmworkers

Farmworkers are traditionally defined as persons whose primary incomes are earned through permanent or seasonal (migrant) agricultural labor. Due to the high cost of housing and low wages, a significant number of migrant farm workers have difficulty finding affordable, safe and sanitary housing. According to the State Employment Development Department, the average farm worker earned between \$19,000 and \$30,000 annually.³ This limited income is exacerbated by their tenuous and/or seasonal employment status. It is estimated that there are between 100 and 150 farm worker camps located throughout the San Diego region, primarily in rural areas. These encampments range in size from a few people to a few hundred and are frequently found in fields, hillsides, canyons, ravines, and riverbeds, often on the edge of their employer's property. Some workers reside in severely overcrowded dwellings, in packing buildings, or in storage sheds.

³ State Employment Development Department, *Occupational Employment (May 2009) and Wage Data (1st Quarter, 2010)*.

According to the 2006-2010 ACS, 165 persons in the City of Imperial Beach were employed in the agriculture, forestry, fishing, hunting, and mining industry. It is assumed that the majority of these persons are employed in the fishing industry.

Resources

Because no land within Imperial Beach is designated for agricultural use and the City's farmworker population is small, the housing needs of this group are addressed through its standard affordable housing strategies.

2.4.6 Homeless

Factors contributing to the rise in homelessness include high rates of unemployment and underemployment, a lack of housing affordable to low and moderate income persons, increases in the number of persons whose incomes fall below the poverty level, reductions in public subsidies to the poor, and the de-institutionalization of the mentally ill. Homelessness has long been an issue in San Diego County, reflecting high costs of housing in the region. Along with cuts in public funding and the long-lasting economic recessions, local communities are increasingly strained in their limited resources to provide assistance to the homeless.

Section 65583(a)(7) mandates that municipalities address the special needs of homeless persons within their jurisdictional boundaries. "Homelessness" as defined by the U.S. Department of Housing and Urban Development (HUD), describes an individual (not imprisoned or otherwise detained) who:

- Lacks a fixed, regular, and adequate nighttime residence; and
- Has a primary nighttime residence that is:
 - A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

This definition does not include persons living in substandard housing (unless it has been officially condemned); persons living in overcrowded housing (for example, doubled up with others), persons being discharged from mental health facilities (unless the person was homeless when entering and is considered to be homeless at discharge), or persons who may be at risk of homelessness (for example, living temporarily with family or friends).

The Regional Task Force on the Homeless (RTFH) is San Diego County's leading resource for information on issues of homelessness. RTFH promotes a regional approach as the best solution to ending homelessness in San Diego County. According to RTFH, the San Diego region's homeless population can be divided into two general groups: (1) urban homeless, and (2) rural homeless, including farm workers and day laborers who primarily occupy the hillsides, canyons and fields of the northern regions of the county. It is important to recognize that homeless individuals may fall into more than one category (for example, a homeless individual may be a veteran and a substance abuser), making it difficult to accurately quantify and categorize the homeless.

RTFH compiles data from a physical Point-In-Time (PIT) count of sheltered (emergency and transitional) and street homeless persons. At the writing of this Housing Element, the most recent count took place on January 28, 2011 and the results are shown in Table H-19. Chula Vista and El Cajon had the largest homeless populations of the Southern and Eastern County cities, while the City of Imperial Beach is estimated to have 28 homeless persons.

Jurisdiction	Total
Chula Vista	441
Coronado	31
El Cajon	342
Imperial Beach	28
La Mesa	55
Lemon Grove	94
National City	140
Santee	58
San Diego Region	9,020
<i>Source: Regional Housing Task Force on the Homeless (2011).</i>	

Resources

While there are no homeless shelters in Imperial Beach, South Bay Community Services operates four facilities for the general homeless and victims of domestic violence (total 139 beds) in Chula Vista, accessible to Imperial Beach residents. Pursuant to State law, the City will be amending the Zoning Ordinance to address the provision of emergency shelters in the City (see Housing Plan section of this Housing Element).

2.5 Housing Stock Characteristics

The characteristics of the housing stock, including growth, type, age and condition, tenure, vacancy rates, housing costs, and affordability are important in determining the housing needs for the community. This section details the housing stock characteristics of Imperial Beach to identify how well the current housing stock meets the needs of current and future residents of the City.

2.5.1 Housing Growth

Consistent with an urbanized, largely built-out community, Imperial Beach has experienced relatively little housing growth since 1990. The housing stock in the City grew from 9,525 units in 1990 to 9,882 units in 2010, or a four-percent increase over 20 years (Table H-20). Similarly limited housing growth occurred in El Cajon and Lemon Grove during this period with modest growth in La Mesa, National City, San Diego (City), and Santee. Housing growth in neighboring Chula Vista significantly outpaced regional growth over the past 20 years (59 percent vs. 23 percent). Chula Vista’s explosive housing growth can be explained by the completion of several large master planned communities. Imperial Beach, like other cities with limited or modest housing growth since 1990, has little remaining vacant land for large-scale development.

Jurisdiction	1990	2000	2010	Percent Change	
				1990-2000	2000-2010
Chula Vista	49,849	59,495	79,416	19.4%	33.5%
Coronado	9,145	9,522	9,634	4.1%	1.2%
El Cajon	34,453	35,190	35,850	2.1%	1.9%
Imperial Beach	9,525	9,739	9,882	2.2%	1.5%
La Mesa	24,154	24,943	26,167	3.3%	4.9%
Lemon Grove	8,638	8,722	8,868	1.0%	1.7%
National City	15,243	15,422	16,762	1.2%	8.7%
San Diego City	431,722	469,689	516,033	8.8%	9.9%
Santee	18,275	18,833	20,048	3.1%	6.5%
San Diego Region	946,240	1,040,149	1,164,786	9.9%	12.0%

Source: Bureau of the Census (1990-2010).

2.5.2 Projected Housing Units

Table H-21 shows that SANDAG expects the housing stock in Imperial Beach to remain largely unchanged between 2010 and 2020. Region-wide, however, the housing stock is expected to increase by approximately eight percent. Between 2010 and 2030, the Imperial Beach housing stock is forecast to experience an increase of six percent and approximately 22 percent more units could be added in the region. South County cities are expected to have slower rates of housing growth compared to the region between 2010 and 2030.

Jurisdiction	2010	2020	2030	Percent Change	
				2010-2020	2010-2030
Chula Vista	79,416	88,185	94,858	11.0%	19.4%
El Cajon	35,850	39,186	45,123	9.3%	25.9%
Imperial Beach	9,882	9,866	10,510	-0.2%	6.4%
La Mesa	26,167	26,785	28,104	2.4%	7.4%
Lemon Grove	8,868	9,075	9,381	2.3%	5.8%
National City	16,762	17,117	18,804	2.1%	12.2%
San Diego City	516,033	577,557	629,475	11.9%	22.0%
Santee	20,048	22,306	23,798	11.3%	18.7%
San Diego Region	1,164,786	1,262,488	1,417,520	8.4%	21.7%

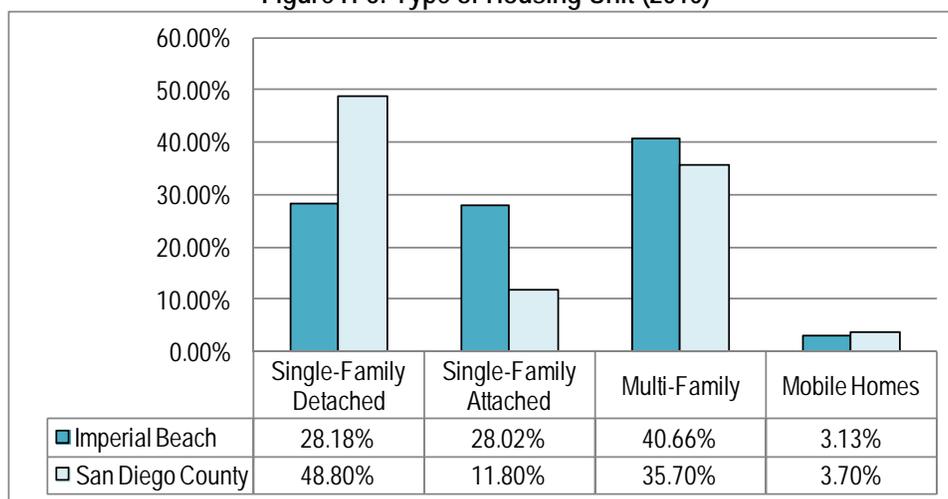
Sources: Bureau of the Census (2010) and SANDAG Regionwide Forecast (2050).

2.5.3 Housing Type

Imperial Beach maintains a diverse housing stock. Figure H-6 shows that in 2010, nearly 69 percent of units in the City were attached units (such as duplexes, triplexes, apartments, and townhomes). Detached single-family homes accounted for only 28 percent of housing units. By comparison, nearly half (49 percent) of the region's housing stock consisted of detached single-family dwellings. Attached housing products are generally cheaper per unit to construct and often represent more affordable housing options when compared to detached single-family

dwellings. Table H-22 shows that SANDAG estimates the composition of Imperial Beach’s housing stock will remain largely unchanged through 2030.

Figure H-6: Type of Housing Unit (2010)



Source: SANDAG Regionwide Forecast (2030).

Housing Type	2010 (Estimates)	% of Total	2020 (Projected)	% of Total	2030 (Projected)	% of Total
Single-Family	5,542	56.2%	5,606	56.8%	6,030	57.4%
Multi-Family	4,009	40.7%	3,951	40.0%	4,184	39.8%
Mobile Homes	309	3.1%	309	3.1%	290	2.8%
Total Housing	9,860	100.0%	9,866	100.0%	10,504	100.0%

Source: SANDAG Regionwide Forecast (2050).

2.5.4 Housing Availability and Tenure

Tenure Distribution

Housing tenure and vacancy rates are important indicators of the supply and cost of housing. Housing tenure refers to whether a unit is owned or rented. Tenure is an important market characteristic because it is directly related to housing types and turnover rates. In most communities, tenure distribution generally correlates with household income, composition and age of the householder.

In 2000, among the City’s occupied housing units, approximately 30 percent were owner-occupied, while 70 percent were renter-occupied (Table H-23). The homeownership rate for the City has remained relatively steady over the past decade as little new construction had occurred. According to the 2010 Census, the tenure distribution in the City remained essentially the same.

Tenure	2000		2010	
	Number	Percent	Number	Percent
Owner Occupied	2,782	30.0%	2,756	30.2%
Renter Occupied	6,490	70.0%	6,356	69.8%
Total	9,272	100.0%	9,112	100.0%

Sources: Bureau of the Census (2000-2010).

Table H-24 shows the average household size by tenure. In both 2000 and 2010, the average household size for renter-occupied households was slightly higher than that for owner-occupied households, with the average household size for owner-occupied households actually trending downward.

Tenure	Average Household Size	
	2000	2010
Owner	2.79	2.71
Renter	2.86	2.87
Total	2.84	2.82

Sources: Bureau of the Census (2000-2010).

Vacancy Rate by Tenure

Vacancy rates are an important housing indicator because they indicate the degree of choice available. High vacancy rates usually indicate low demand and/or high supply conditions in the housing market. Too high of a vacancy rate can be difficult for owners trying to sell or rent. Low vacancy rates usually indicate high demand and/or low supply conditions in the housing market. Too low of a vacancy rate can force prices up, making it more difficult for low and moderate income households to find housing. Vacancy rates between two to three percent are usually considered healthy for single-family housing; and five to six percent for multi-family housing.

According to the 2010 Census, the overall vacancy rate in Imperial Beach was 7.8 percent, including units vacant for seasonal or occasional use, rented and sold units that were vacant at the time of the Census, and other unclassified vacant units. The vacancy rate for units available for sale or rent was 2.3 percent and 5.4 percent, respectively.

Additional vacancy information was obtained for fall 2011 from the San Diego County Apartment Association (SDCAA) and is shown in Table H-25. Vacancy rates in Imperial Beach were similar to those in neighboring communities and the County of San Diego.

Jurisdiction	All Properties			Over 25 Years		
	% Vacant	Total Units	# Vacant	% Vacant	Total Units	# Vacant
Chula Vista	5.2%	1,767	91	5.1%	1,462	75
Coronado	0.0%	29	0	0.0%	17	0
El Cajon	4.8%	1,890	90	4.2%	1,181	49
Imperial Beach	5.7%	174	10	5.8%	172	10
La Mesa	4.9%	975	48	5.7%	725	41
Lemon Grove	6.9%	173	12	7.6%	158	12
National City	1.8%	55	1	1.8%	55	1
Santee	4.3%	443	19	5.2%	115	6
East County San Diego	4.8%	3,904	188	4.6%	2,413	110
San Diego County	4.3%	19,915	860	--	--	--

Source: San Diego County Apartment Association Survey (Fall 2011).

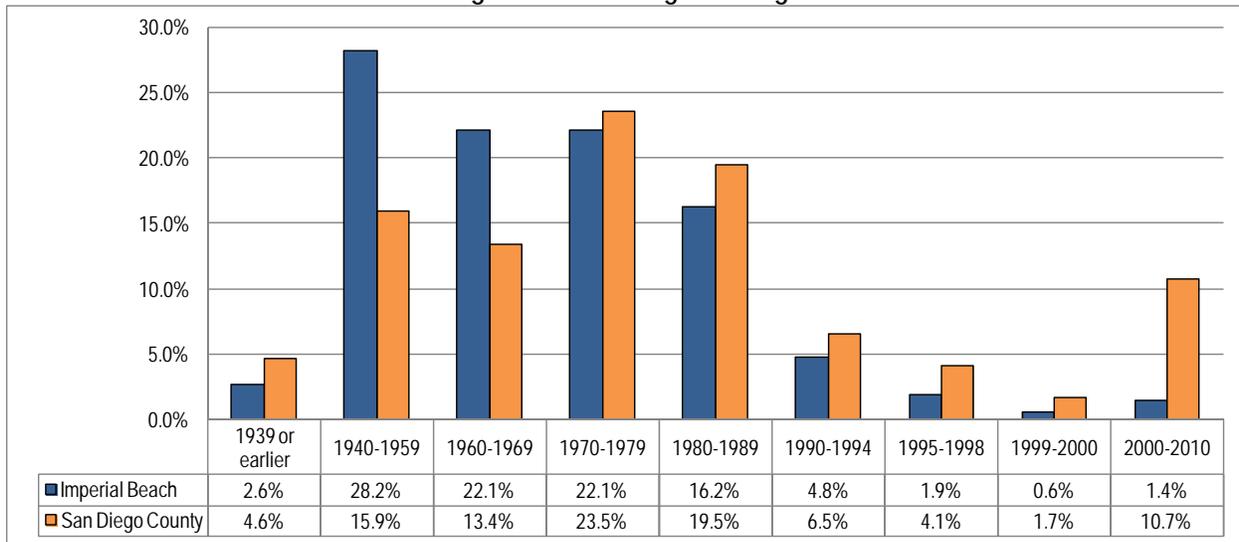
2.5.5 Housing Age and Condition

Housing age can be an important indicator of housing condition within a community. If not properly and regularly maintained, housing can deteriorate and discourage reinvestment, depress neighboring property values, and eventually impact the quality of life in a neighborhood. Many federal and state programs also use the age of housing as one factor in determining housing rehabilitation needs. Typically, housing over 30 years of age is more likely to have rehabilitation needs that may include new plumbing, roof repairs, foundation work and other repairs.

Imperial Beach's housing stock is significantly older than the County's housing stock (Figure H-7); about 75 percent of the City's housing stock was constructed over 30 years ago, while only 57 percent of the County's housing stock is of this age.

In June 2005, a windshield survey of Imperial Beach was conducted to identify the general housing conditions. The condition of housing was assessed by an exterior survey of quality, condition and improvement needed. Each residential structure was scored according to structural criteria established by the State Department of Housing and Community Development (HCD). There are five structural categories: foundation; roofing; siding; windows; and electrical. Based on scores assigned to the five categories, each housing structure was rated as being in sound or dilapidated condition, or in need of minor, moderate, or substantial repairs. The condition of each housing unit type is summarized in Table H-26. The majority of housing units (67 percent) were found to be in sound condition, though 33 percent are considered to need some form of rehabilitation.

Figure H-7: Housing Stock Age



Sources: Bureau of the Census (2000-2010).

Condition	Single Family	Multi Family	Total
Sound	63.7%	72.0%	66.7%
Minor	24.9%	20.0%	23.1%
Moderate	10.9%	7.7%	9.8%
Substantial	0.5%	0.3%	0.4%
Dilapidated	0.0%	0.0%	0.0%

Source: City of Imperial Beach (June 2005).

2.5.6 Housing Cost and Affordability

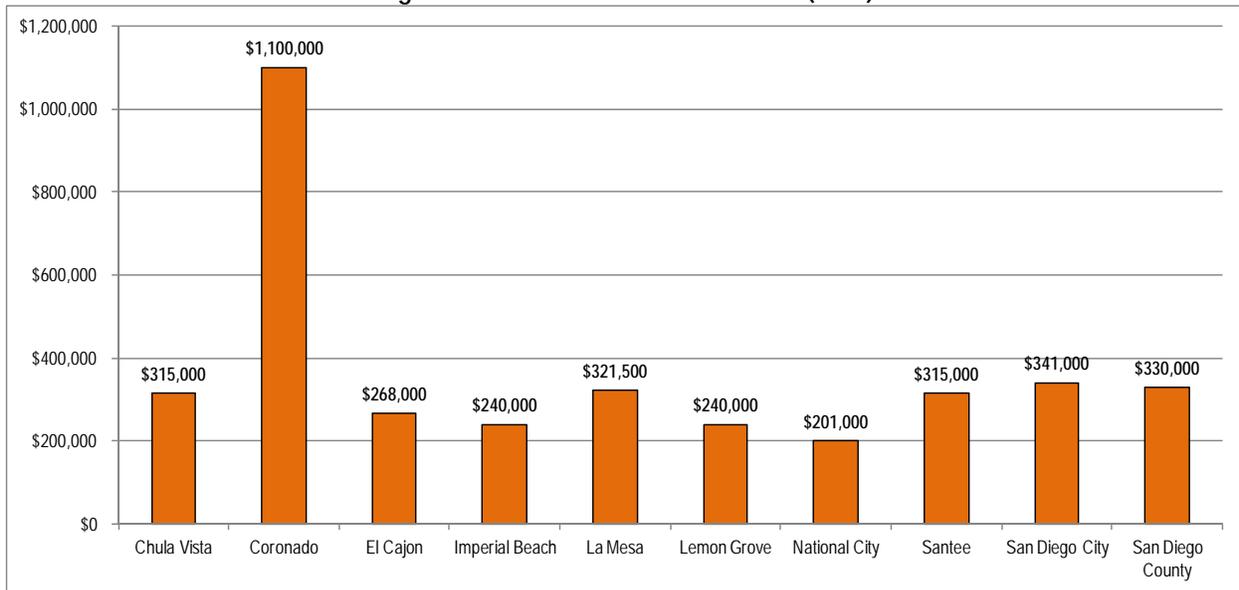
Housing costs can indicate whether housing is accessible to all economic segments of the community. This section summarizes the cost and affordability of the housing stock to Imperial Beach residents.

Home Ownership Market

Median home prices in the South and East County areas of San Diego ranged from \$201,000 in National City to \$341,000 in the City of San Diego (Figure H-8). Imperial Beach’s median home price fell on the lower end of the spectrum at \$240,000, substantially lower than the San Diego County median price of \$330,000.

Median home sale prices in Imperial Beach fell slightly by 0.6 percent between 2009 and 2010 (Table 29). Other southern and eastern San Diego cities, however, saw increases in their median home prices during this time period.

Figure H-8: Median Home Sales Price (2010)



Source: DQNews (2011).

Table H-27: Changes in Median Home Sale Prices

Jurisdiction	2009	2010		Percent Change in Median Sale Price
	Price	Number Sold	Price	
Chula Vista	\$302,000	3,461	\$315,000	+4.3%
Coronado	\$1,090,000	248	\$1,100,000	+0.9%
El Cajon	\$245,000	1,575	\$268,000	+9.4%
Imperial Beach	\$241,500	202	\$240,000	-0.6%
La Mesa	\$322,000	725	\$321,500	-0.2%
Lemon Grove	\$220,000	277	\$240,000	+9.1%
National City	\$180,000	391	\$201,000	+11.7%
Santee	\$297,950	752	\$315,000	+6.0%
San Diego City	\$320,000	14,497	\$341,000	+6.6%
San Diego County	\$310,000	36,414	\$330,000	+6.5%

Source: DQNews (2011).

Rental Market

The primary source of information on rental costs in the San Diego region is the San Diego County Apartment Association (SDCAA). SDCAA conducts survey of rental properties periodically. Table H-28 shows that in the fall of 2011, average monthly rents in Imperial Beach ranged from \$613 for a studio apartment to \$1,230 for a three-bedroom apartment. Apartment rents in Imperial Beach tended to be slightly lower than rents in other South and East County cities as well as the City and County of San Diego.

Table H-28: Average Monthly Rent (2011)						
Zip Code	Unit Type	Fall 2011 Units/Properties Surveyed	Fall 2011 Monthly Rent	Fall 2011 Rent/Sq. Foot	Spring 2011 Monthly Rent	Fall 2010 Monthly Rent
Chula Vista	Studio	6/4	\$661	\$1.28	\$710	\$671
	1 BR	604/24	\$892	\$1.37	\$950	\$1,023
	2 BR	1052/31	\$1,222	\$1.38	\$1,251	\$1,355
	3+ BR	105/12	\$1,563	\$1.17	\$1,543	\$1,815
Coronado	Studio	0/0	--	--	\$769	\$988
	1 BR	8/4	\$1,288	\$1.79	\$991	\$1,071
	2 BR	19/3	\$1,647	\$1.68	\$1,378	\$1,358
	3+ BR	0/0	--	--	\$2,300	\$2,250
El Cajon	Studio	40/4	\$729	\$1.68	\$665	\$719
	1 BR	871/20	\$857	\$1.31	\$877	\$1,215
	2 BR	879/36	\$1,095	\$1.48	\$1,010	\$1,522
	3+ BR	100/20	\$1,394	\$1.28	\$1,403	\$1,890
Imperial Beach	Studio	3/2	\$613	\$1.97	\$695	\$567
	1 BR	43/7	\$820	\$1.53	\$814	\$794
	2 BR	122/11	\$1,088	\$1.33	\$1,043	\$1,043
	3+ BR	6/2	\$1,230	\$1.22	\$1,345	\$1,297
La Mesa	Studio	5/4	\$872	\$1.49	\$796	\$791
	1 BR	487/14	\$1,097	\$1.56	\$974	\$1,000
	2 BR	459/19	\$1,437	\$1.50	\$1,229	\$1,249
	3+ BR	24/9	\$1,739	\$1.49	\$1,307	\$1,502
Lemon Grove	Studio	5/2	\$731	\$1.70	\$850	--
	1 BR	114/6	\$770	\$1.51	\$794	\$889
	2 BR	52/9	\$1,045	\$1.26	\$975	\$1,149
	3+ BR	2/1	\$1,500	\$1.30	\$1,362	\$1,500
National City	Studio	0/0	--	--	\$650	\$510
	1 BR	39/1	\$790	\$1.22	\$813	\$760
	2 BR	13/2	\$921	\$1.23	\$988	\$949
	3+ BR	2/2	\$1,375	\$0.98	\$1,375	\$1,260
Santee	Studio	0/0	--	--	--	--
	1 BR	164/3	\$988	\$1.46	\$975	\$994
	2 BR	263/9	\$1,205	\$1.37	\$1,287	\$1,275
	3+ BR	16/16	\$1,153	\$0.94	\$1,634	\$1,413
City of San Diego	Studio	489/50	\$923	\$2.11	--	--
	1 BR	3,170/190	\$1,211	\$1.85	--	--
	2 BR	4,317/283	\$1,575	\$1.66	--	--
	3+ BR	569/146	\$1,877	\$1.50	--	--
County of San Diego (including City of San Diego)	Studio	747/86	\$899	\$2.02	--	--
	1 BR	7,247/342	\$1,090	\$1.66	--	--
	2 BR	10,654/533	\$1,418	\$1.54	--	--
	3+ BR	1,267/268	\$1,730	\$1.40	--	--

Source: San Diego County Apartment Association Survey (Fall 2011).

Housing Affordability by Income Level

Housing affordability can be inferred by comparing the cost of renting or owning a home in the City with the maximum affordable housing costs for households at different income levels. Taken together, this information can generally show who can afford what size and type of housing and indicate the type of households most likely to experience overcrowding and overpayment.

The federal Department of Housing and Urban Development (HUD) conducts annual household income surveys nationwide to determine a household's eligibility for federal housing assistance. Based on this survey, the California Department of Housing and Community Development (HCD) developed income limits that can be used to determine the maximum price that could be affordable to households in the upper range of their respective income category. Households in the lower end of each category can afford less by comparison than those at the upper end.

The maximum affordable home and rental prices for residents in San Diego County are shown in Table H-29. This amount can be compared to current housing asking prices (Table H-27) and market rental rates (Table H-28) to determine what types of housing opportunities a household can afford.

Extremely Low Income Households

Extremely low income households earn 30 percent or less of the County AMI – up to \$16,900 for a one-person household and up to \$26,050 for a five-person household in 2012. Extremely low income households cannot afford market-rate rental or ownership housing in Imperial Beach without assuming a cost burden.

Very Low Income Households

Very low income households earn between 31 percent and 50 percent of the County AMI – up to \$28,150 for a one-person household and up to \$43,400 for a five-person household in 2012. A very low income household can generally afford homes offered at prices between \$86,500 and \$116,000, adjusting for household size. Given the costs of ownership housing in Imperial Beach, very low income households would not be able to afford a home in the City. Very low income renters will also find it difficult to find affordable appropriately-sized market-rate rental units in Imperial Beach.

Low Income Households

Low income households earn between 51 percent and 80 percent of the County AMI - up to \$45,000 for a one-person household and up to \$69,400 for a five-person household in 2012. The affordable home price for a low income household at the maximum income limit ranges from \$152,500 to \$217,000. Based on the sale prices in 2011 (Table H-27), ownership housing would not be affordable to low income households. After deductions for utilities, a one-person low income household could afford to pay up to \$1,085 in rent per month and a five-person low income household could afford to pay as much as \$1,641. Most low income households in Imperial Beach would be able to find adequately sized affordable apartment units (Table H-28), although the availability of such units may be limited.

Moderate Income Households

Moderate income households earn between 81 percent and 120 percent of the County AMI – up to \$98,400 depending on household size in 2012. The maximum affordable home price for a moderate income household is \$267,500 for a one-person household and \$395,000 for a five-person family. Moderate income households in Imperial Beach should be able to afford adequately-sized homes. The maximum affordable rent payment for moderate income

households is between \$1,554 and \$2,366 per month. Appropriately-sized market-rate rental housing is generally affordable to households in this income group.

Table H-29: Affordable Housing Costs (2012)								
Annual Income		Affordable Housing Cost		Utilities, Taxes and Insurance			Affordable Price	
		Rent	Purchase	Rent	Own	Taxes/ Insurance	Sale	Rent
<i>Extremely Low Income (30% of AMI)</i>								
1-Person	\$16,900	\$423	\$423	\$40	\$121	\$85	\$42,465	\$383
2-Person	\$19,300	\$483	\$483	\$52	\$155	\$97	\$45,205	\$431
3-Person	\$21,700	\$543	\$543	\$64	\$190	\$109	\$47,749	\$479
4-Person	\$24,100	\$603	\$603	\$76	\$225	\$121	\$50,293	\$527
5-Person	\$26,050	\$651	\$651	\$94	\$277	\$130	\$47,749	\$557
<i>Very Low Income (50% of AMI)</i>								
1-Person	\$28,150	\$704	\$704	\$40	\$121	\$141	\$86,495	\$664
2-Person	\$32,150	\$804	\$804	\$52	\$155	\$161	\$95,497	\$752
3-Person	\$36,150	\$904	\$904	\$64	\$190	\$181	\$104,303	\$840
4-Person	\$40,150	\$1,004	\$1,004	\$76	\$225	\$201	\$113,109	\$928
5-Person	\$43,400	\$1,085	\$1,085	\$94	\$277	\$217	\$115,653	\$991
<i>Low Income (80% of AMI)</i>								
1-Person	\$45,000	\$1,125	\$1,125	\$40	\$121	\$225	\$152,443	\$1,085
2-Person	\$51,400	\$1,285	\$1,285	\$52	\$155	\$257	\$170,838	\$1,233
3-Person	\$57,850	\$1,446	\$1,446	\$64	\$190	\$289	\$189,233	\$1,382
4-Person	\$64,250	\$1,606	\$1,606	\$76	\$225	\$321	\$207,432	\$1,530
5-Person	\$69,400	\$1,735	\$1,735	\$94	\$277	\$347	\$217,413	\$1,641
<i>Moderate Income (120% of AMI)</i>								
1-Person	\$63,750	\$1,594	\$1,859	\$40	\$121	\$372	\$267,412	\$1,554
2-Person	\$72,900	\$1,823	\$2,126	\$52	\$155	\$425	\$302,538	\$1,771
3-Person	\$82,000	\$2,050	\$2,392	\$64	\$190	\$478	\$337,241	\$1,986
4-Person	\$91,100	\$2,278	\$2,657	\$76	\$225	\$531	\$371,943	\$2,202
5-Person	\$98,400	\$2,460	\$2,870	\$94	\$277	\$574	\$395,100	\$2,366
<i>Source: California Department of Housing and Community Development, 2012 Income limits; and Veronica Tam and Associates Assumptions: 2012 HCD income limits; 30% gross household income as affordable housing cost; 20% of monthly affordable cost for taxes and insurance; 10% downpayment; and 5.5% interest rate for a 30-year fixed-rate mortgage loan. Utilities based on San Diego County Utility Allowance (2011).</i>								

2.6 Affordable Housing

State law requires that the City address the preservation of multi-family rental units that are eligible to convert to market-rate housing due to termination of subsidy contract, mortgage prepayment, or expiring use restrictions during the next ten years. Thus, this at-risk housing analysis covers the period from January 1, 2013 through December 31, 2022.

2.6.1 Publicly Assisted Housing

The City of Imperial Beach has a number of publicly assisted rental housing affordable to lower and moderate income households. Table H-30 provides a summary listing of affordable

projects in the City. Overall, five projects (totaling 159 rental housing units) in the City include 157 affordable units. Specifically, 128 units are set aside as housing for lower and moderate income households.

Project Name	Total Units	Assisted Units	Funding Source	Earliest Date of Conversion	# of Units at Risk
Casa Estable I (1360 Hemlock Ave.)	7	7	County and City funds	Perpetuity	7
Casa Estable II (1260 Calla Ave.)	8	8	County and City funds	2051	8
Beachwind Apartments (624 12th Street)	15	14	Redevelopment Set-Aside funds	2063	14
St. James Plaza	99	99	HUD Section 202/Section 8	2014	99
American Legion Post	30	29	Density Bonus	2040	29
Total	159	157			157

Source: City of Imperial Beach (2011).

2.6.2 Preservation of At-Risk Housing

Within the 2013-2022 “at-risk” housing analysis period, one project (St. James Plaza) is considered at risk of converting to market-rate housing. This project offers 99 affordable housing units to lower income senior households. The California Housing Partnership Corporation lists the St. James Plaza Apartments as a complex in Imperial Beach that “may” be at risk for conversion to market-rate housing due to expiration of its project-based Section 8 assistance. This project is considered at low risk of conversion because the owners have opted to renew their HUD contract annually. While the HUD renewal process is annual, the approval is fairly automatic. If the property owner were to decide to allow the HUD program to lapse, the tenants would be notified and would have one year to relocate. While it is not likely, it is possible that St. James Plaza could convert to market rate at some point in the planning period.

Preservation and Replacement Options

To maintain the existing affordable housing stock, the City works to preserve the existing assisted units or facilitate the development of new units. Depending on the circumstances of the at-risk projects, different options may be used to preserve or replace the units. Preservation options typically include: 1) transfer of units to non-profit ownership; 2) provision of rental assistance to tenants using other funding sources; and 3) purchase of affordability covenants. In terms of replacement, the most direct option is the development of new assisted multi-family housing units. The following discussion highlights ways that the City’s at-risk project could be preserved as affordable housing. All of the presented alternatives are costly, probably beyond the ability of the City of Imperial Beach to manage without large amounts of subsidy from federal, State and other local resources. These options are described below.

Transfer of Ownership

St. James Plaza is a Section 202 senior housing project that also maintains a project-based Section 8 contract for rental subsidies. Section 202 projects are nonprofit-owned projects and therefore, transferring ownership of this project to another nonprofit organization is not an effective strategy for preserving the project.

Rental Assistance

Tenant-based rent subsidies could be used to preserve the affordability of housing. If funding permits, similar to Section 8 assistance, the City could provide rent subsidies to tenants of at-risk units. The level of the subsidy required to preserve the at-risk units is estimated to equal the Fair Market Rent (FMR) for a unit minus the housing cost affordable by a very low income household. Table H-31 estimates the rent subsidies required to preserve the affordability of the 99 at-risk units. Based on the estimates and assumptions shown in this table, approximately \$444,312 in rent subsidies would be required annually.

Table H-31: Rental Subsidies Required							
Unit Size	Total Units	Fair Market Rent	Household Size	Household Annual Income	Affordable Cost (Minus Utilities)	Monthly per Unit Subsidy	Total Monthly Subsidy
<i>Very Low Income (50% AMI)</i>							
1-BR	99	\$1,126	2	\$32,150	\$752	\$374	\$37,025
<i>Notes:</i> 1. Fair Market Rents (FMR) FY 2012 are determined by HUD. 2. San Diego County 2012 Area Median Household Income (AMI) limits set by the California Department of Housing and Community Development (HCD). 3. Affordable cost = 30% of household income minus utility allowance.							

Purchase of Affordability Covenants:

Another option to preserve the affordability of the at-risk project is to provide an incentive package to the owner to maintain the project as affordable housing. Incentives could include writing down the interest rate on the remaining loan balance, providing a lump-sum payment, and/or supplementing the rents to market levels. The feasibility and cost of this option depends on whether the complex is too highly leveraged and interest on the owner's part to utilize the incentives found in this option. By providing lump sum financial incentives or ongoing subsidies in rents or reduced mortgage interest rates to the owner, the City could ensure that some or all of the units remain affordable.

Construction of Replacement Units

The construction of new low income housing units is a means of replacing the at-risk units should they be converted to market-rate units. The cost of developing housing depends upon a variety of factors, including density, size of the units (i.e. square footage and number of bedrooms), location, land costs, and type of construction.

The American Legion project, which consists of 29 affordable units, was recently approved in the City in 2011. Development costs for this project totaled approximately \$324,523 per unit. This cost estimate includes land, construction, permits, on- and off-site improvements, and other costs. Assuming an average development cost of \$325,000 per unit for multi-family rental housing, replacement of the 99 at-risk units would require approximately \$32,175,000.

Cost Comparisons

The above analysis attempts to compare the magnitude of costs associated with various preservation and replacement options. Over the short term, providing rent subsidies would be least costly but this option does not guarantee the long-term affordability of the units. The cost to build new housing to replace the 99 at-risk units is high, with an estimated total cost of nearly \$32,175,000, but this option can expand the City's permanent affordable housing stock.

2.6.3 Resources for Preservation

Preservation of at-risk housing requires not only financial resources but also administrative capacity of nonprofit organizations. These resources are discussed in detail later in this Housing Element in the “Housing Resources” section.

2.7 Coastal Zone Requirements

2.7.1 Requirements and Exemptions

California Government Code Section 65588(c) requires each periodic revision of the Housing Element to include the following information relating to housing in the Coastal Zone:

- The number of new housing units approved for construction within the coastal zone since January 1, 1982;
- The number of housing units for persons and families of low or moderate income required to be provided in new housing developments either within the coastal zone or within three miles of the coastal zone as a replacement for the conversion or demolition of existing coastal units occupied by low or moderate income persons;
- The number of existing residential units occupied by persons and families of low or moderate income that have been authorized to be demolished or converted since January 1, 1982 in the coastal zone; and
- The number of residential units for persons and families of low or moderate income that have been required for replacement units.

The coastal replacement housing requirements do not apply to the following:

- The conversion or demolition of a residential structure which contains less than three dwelling units, or, in the event that a proposed conversion or demolition involves more than one residential structure, the conversion or demolition of 10 or fewer dwelling units.
- The conversion or demolition of a residential structure for purposes of a nonresidential use which is either "coastal dependent" or "coastal related", such as visitor-serving commercial or recreational facilities, coastal-dependent industry, or boating or harbor facilities.
- The conversion or demolition of a residential structure located within the jurisdiction of a local government which has within the area encompassing the coastal zone, and three miles inland therefrom, less than 50 acres, in aggregate, of land which is vacant, privately owned and available for residential use.
- The conversion or demolition of a residential structure located within the jurisdiction of a local government which has established a procedure under which an applicant for conversion or demolition will pay an in-lieu fee into a program, the various provisions of which, in aggregate, will result in the replacement of the number of dwelling units which would otherwise have been required.

2.7.2 Housing in Imperial Beach Coastal Zone

The City does not keep specific construction and demolition records for the Coastal Zone. However, approximately two-third of the City of Imperial Beach is in the Coastal Zone. Therefore, Coastal Zone activity is determined by calculating two-third of all activity in the City.

New Construction

Since 1982, 1,687 housing units have been added to the City's housing stock. Of these, an estimated 1,125 units were in the Coastal Zone.

Affordable Housing

Government Code Section 65590 (d) (also known as the Mello Act) states that "new housing developments constructed within the coastal zone shall, where feasible, provide housing units for persons and families of low and moderate income, as defined in Section 50093 of the Health and Safety Code. Where it is not feasible to provide these housing units in a proposed new housing development, the local government shall require the developer to provide such housing, if feasible to do so, at another location within the same city or county, either within the coastal zone or within three miles of."

Due to limited finances and the small scale of residential development in Imperial Beach, the City has not found that it is feasible to require the provision of housing units for low and moderate income households as part of new housing developments in the Coastal Zone. However, market rate prices in Imperial Beach have historically been affordable to many low and moderate income families. Furthermore, the 30-unit American Legion Post was approved by the City in 2011. The project includes 29 affordable units to very low income households.

Demolished/Converted Low and Moderate Income Housing

Between 1982 and 2011, 243 housing units were demolished in the City. Using the two-third ratio, the City estimated that 131 housing units were demolished in the Coastal Zone. However, the City did not track the affordability of these units as none of the demolitions consisted of three or more dwelling units, thereby excluded from the requirement for replacement units.

Replacement Housing

Construction in the City occurs primarily as recycling of older single-family units into new single-family homes or smaller multi-family complexes. Furthermore, the City is primarily built out and has less than 50 acres of land within the Coastal Zone that is vacant and designated for residential uses. Therefore, the City is not subject to the replacement requirement.

Section 3: Housing Constraints

Although the City of Imperial Beach strives to ensure the provision of adequate and affordable housing to meet the needs of the community, many factors can constrain the development, maintenance, and improvement of housing. These include market mechanisms, government regulations and policies, and infrastructure and environmental constraints. This section addresses these potential constraints that may affect the supply and cost of housing in Imperial Beach.

3.1 Market Constraints

Locally and regionally there are several constraints that hinder the City's ability to accommodate the community's affordable housing demand. The high cost of land, rising development costs, and neighborhood opposition make it expensive for developers to build affordable housing.

3.1.1 Development Costs

High development costs in the region stifle potential affordable housing developments. Construction costs for residential units have increased rapidly over the last two decades, particularly the cost of materials and land. The difficulty of developing small, infill sites can also constrain housing development in built out communities such as Imperial Beach.

Labor and Materials Cost

The costs of labor and materials have a direct impact on the price of housing and are the main components of housing cost. Residential construction costs vary greatly depending upon the quality, size, and the materials being used. A major component of the cost of housing is the cost of building materials, such as wood and wood-based products, cement, asphalt, roofing materials, and plastic pipe. Prices for these goods are affected primarily by the availability and demand for such materials. The costs of building materials in San Diego County in general and in Imperial Beach in particular are moderate and, therefore do not constitute a constraint to the development of affordable housing.

A major cost component of new housing is labor. The cost of labor in Imperial Beach is relatively low for a number of reasons. Overall, the San Diego region cost of living is relatively high; wage scales in the area, therefore, tend to be somewhat higher than in markets with lower living costs. Also labor is generally less costly because the area is predominantly non-union. Labor in highly unionized markets is typically more expensive.

Product design and consumer expectations also influence the types and styles of units being constructed in this area. Today's new homes are quite different than those produced during the 1960s. Numerous interior and exterior design features (larger master bedroom suites, microwave ovens, trash compactors, dishwashers, wet bars, decorative roofing materials, exterior trim, and architectural style) make it difficult to make direct comparisons in costs over the years. In a highly competitive market, many consumers consider these amenities as necessities when buying a new home. While the basic shelter house has met with varying degrees of consumer acceptance, the high costs of homeownership may lead to a return to less complicated designs. A significant constraint for many families is the specific design features (lack of recreational facilities or unit size and design) in individual projects that are not suited for

children. In addition, design features such as stairs, hallways, doorways, counters, and plumbing facilities may restrict access to disabled persons.

Reduction in amenities and the quality of building materials (above a minimum acceptability for health, safety, and adequate performance) could lower costs and associated sales prices or rents. In addition, prefabricated factory-built housing may provide for lower priced housing by reducing construction and labor costs. Another factor related to construction costs is the number of units built at one time. As the number of dwelling units in a project increases, overall cost per unit can decrease due to economies of scale.

Land Cost

The price of raw land and any necessary improvements is another key component of the total cost of housing. A diminishing supply of land available for residential construction boosts the cost of land. High land costs tend to incentivize home builders to develop higher-end homes and apartments in an effort to attract the greatest possible sale prices and lease rates. Developers also sometimes seek to maximize the largest number of units allowable on a given parcel. This allows the developer to distribute the costs for new infrastructure improvements (e.g. streets, sewer lines, water lines, etc.) over the maximum number of lots.

Few residential lots were listed for sale in Imperial Beach in 2011. The average cost for single-family lots was \$33 per square foot. The MLS listed only one small commercial lot that could accommodate mixed use or multi-family residential. The asking price for this small beach front lot exceeded \$300 per square foot.

A density bonus is available to developers who provide affordable housing as part of their projects. Developers of affordable housing may also be granted regulatory concessions or development incentives. Density bonuses, together with the incentives and/or concessions, result in a lower average cost of land per dwelling unit thereby making the provision of affordable housing more feasible.

3.1.2 Availability of Mortgage Financing

Under the Home Mortgage Disclosure Act (HMDA), lending institutions are required to disclose information on the disposition of loan applications and the income, gender, and race of loan applicants. The data for Imperial Beach were compiled by aggregating census tracts to approximate the City boundaries.

Mortgage and Home Improvement Lending

Conventional financing involves market-rate loans provided by private lending institutions such as banks, mortgage companies, savings and loans, and thrift institutions. Overall, 648 households applied for mortgage loans for homes in Imperial Beach in 2010 (Table H-32). Of the applications for conventional purchase loans, 59 percent were approved and 22 percent were denied, and 19 percent were withdrawn or closed for incompleteness. The approval rate for government-backed home purchase loans was higher at 73 percent. More than half (55 percent) of refinance applications were approved. The denial rate was greatest for home improvement loans (47 percent). To supplement the market-rate lending, Imperial Beach households have access to homeownership and rehabilitation assistance offered by the County Housing and Community Development Department.

Loan Type	Total Applicants	Approved	Denied	Other
Government-Backed Purchase	89	73%	16%	11%
Conventional Purchase	117	59%	22%	19%
Refinance	425	54%	27%	19%
Home Improvement	17	53%	47%	0%
Total	648	58%	25%	17%

Notes:

1. "Appr. Not Accepted" are those applications approved by the lenders but not accepted by the applicants.
2. "Other" includes files closed for incompleteness, and applications withdrawn.

Source: www.lendinpatterns.com, Home Mortgage Disclosure Act (HMDA), 2010.

Foreclosures

Foreclosure occurs when households fall behind on one or more scheduled mortgage payments. The foreclosure process can be halted if the homeowner is able to bring their mortgage payments current. If payments cannot be resumed or the debt cannot be resolved, the lender can legally use the foreclosure process to repossess (take over) the home. When this happens, the homeowners must move out of the property. If the home is worth less than the total amount owed on the mortgage loan, a deficiency judgment could be pursued. If that happens, the homeowner would lose their home and also would owe the home lender an additional amount.

Between 2000 and 2005, with low interest rates, "creative" financing (e.g., zero down, interest only, adjustable loans), and predatory lending practices (e.g., aggressive marketing, hidden fees, negative amortization), many households purchased homes that were beyond their financial means. Under the false assumptions that refinancing to lower interest rates would always be an option and home prices would continue to rise at double-digit rates, many households were unprepared for the hikes in interest rates, expiration of short-term fixed rates, and decline in sales prices that set off in 2006. Suddenly faced with significantly inflated mortgage payments, and "upside-down" mortgage loans (that are larger than the worth of the homes), many had to resort to foreclosing their homes.

During the second quarter of 2011, a total of 4,504 Notices of Default (NODs) were recorded in San Diego County, a modest (3.5 percent) increase from the second quarter of 2010.⁴ However, according to Foreclosure-Response.org, which offers resources for preventing foreclosures and stabilizing communities, California is still impacted by serious mortgage delinquencies and unemployment. In March 2011, the San Diego metropolitan area was ranked 211th among 366 metropolitan areas in terms of overall foreclosure rates at 4.0 percent. Specifically, the prime foreclosure rate was 3.2 percent and subprime foreclosure rate was 15.5 percent. Furthermore, the San Diego metropolitan area was ranked 127th in serious mortgage delinquency rate at 8.6 percent (down from 10.2 percent in March 2010). Serious delinquency is defined as more than 90 days behind on mortgage payments.

In September 2011, 84 homes in Imperial Beach were listed as foreclosures for sale.⁵ These homes are listed at various stages of foreclosure (from pre-foreclosures to auctions) and range in price from \$79,000 for a small one bedroom to \$1,360,000 for a large beach front four

⁴ <http://www.foreclosureradar.com/california/san-diego-county-foreclosures>, accessed September 24, 2011.

⁵ http://realestate.yahoo.com/search/California/Imperial_Beach/foreclosures, accessed September 24, 2011.

bedroom. Approximately 25 percent of the homes in foreclosure were smaller units listed at \$200,000. Less than 10 percent of units in foreclosure were listed at prices exceeding \$400,000. The relative smaller sizes and lower prices of listed homes indicates that lower and moderate income households in Imperial Beach may be disproportionately impacted by the recent lending and foreclosure crisis.

3.2 Governmental Constraints

Actions or policies of governmental agencies, whether involved directly or indirectly in the housing market, can impact the ability of the development community to provide adequate housing to meet consumer demands. For example, the impact of federal monetary policies and the budgeting and funding policies of a variety of departments can either stimulate or depress various aspects of the housing industry. Local or State government compliance or the enactment of sanctions for noncompliance with the federal Clean Air and Water Pollution Control Acts can impact all types of development.

State agencies and local government compliance with State statutes can complicate the development of housing. Statutes such as the California Environmental Quality Act (CEQA) and rezoning and General Plan amendment procedures required by the California Government Code can also act to prolong the review and approval of development proposals by local governments. In many instances, compliance with these mandates establishes time constraints that cannot be altered by local governments.

City policies can also impact the price and availability of housing in Imperial Beach. Land use controls, site improvement requirements, building codes, fees, and other local programs to improve the overall quality of housing may serve constraints to housing development. The following public policies can affect overall housing availability, adequacy, and affordability.

3.2.1 Land Use Controls

General Plan and Zoning

The Imperial Beach General Plan and Zoning Ordinance provide for a range of land use designations/zones in the City that can accommodate residential units. The City's distribution of land use by zoning is presented in Figure H-9. The following discussions describe the various zones that allow residential or mixed use development.

- **R-1-6000 Single Family Residential:** Provides for the development of low density detached single family dwelling units, including mobile homes. The 6,000 sq. ft. minimum lot size will allow a maximum density of seven units per net acre. Uses such as parks, libraries, churches, schools, and family day-care homes, which are determined to be compatible with and oriented toward serving the needs of low-density detached single-family dwellings, are also allowed.
- **R-1-3800 Single Family Residential:** Provides for the development of low density detached single family dwelling units, including mobile homes. The 3,800 sq. ft. minimum lot size will allow a maximum density of 11 units per net acre. Uses such as parks, libraries, churches, schools, and family day-care homes, which are determined to be compatible with and oriented toward serving the needs of low density detached single-family dwellings, are also allowed.

- **R-3000 Residential:** Provides for the development of detached and attached single-family dwellings, including mobile homes and duplexes. The minimum lot size is 6,000 sq. ft. with a maximum density of one unit per every 3,000 sq. ft. of land (or 14 units per net acre). Uses such as parks, libraries, churches, schools, family day-care homes, and other uses, which are determined to be compatible with and oriented toward serving the needs of the zone are also allowed. The intent of this designation is to provide for a moderately intense residential living environment in typically one and two-story units.
- **R-3000-D Residential:** The same as R-3000, except attached single-family units are not allowed.
- **R-2000 Residential:** Provides for the development of detached or attached single family and multi-family dwellings, including duplexes, apartments, condominiums, and townhomes. The minimum lot size is 6,000 sq. ft. with a maximum density of one unit per every 2,000 sq. ft. of land (or 21 units per net acre). Uses such as parks, libraries, churches, schools, family day-care homes, and other uses, which are determined to be compatible with and oriented toward serving the needs of the zone are also allowed by a conditional use permit (CUP). Within the R-2000 area between Seacoast Drive and 4th Street, an additional dwelling unit per lot may be authorized by a conditional use permit. The intent of this designation is to provide for a moderately intense residential living environment in typically one and two-story units.
- **R-1500 Residential:** Provides for the development of detached and attached single family and multi-family dwellings, including duplexes, apartments, condominiums, and townhomes. The minimum lot size is 3,000 sq. ft. with a maximum density of one unit per every 1,500 sq. ft. of land (or 29 units per net acre). Uses such as parks, libraries, churches, schools, family day-care homes, and other uses, which are determined to be compatible with and oriented toward serving the needs of the zone are also allowed. The intent of this designation is to provide for an intense residential living environment in typically two and three-story units.
- **C-1 General Commercial:** Provides for land to meet the local demand for commercial goods and services, as opposed to the goods and services required primarily by the tourist population. It is intended that the dominant type of commercial activity in this designation will be community and neighborhood serving retail and office uses such as markets, specialty stores, professional offices, personal service department stores, restaurants, liquor stores, hardware stores, etc. Mixed use development with residential uses above first commercial uses is also allowed with approval of a conditional use permit (CUP). The minimum lot size is 3,000 sq. ft. with a maximum residential density of one unit per every 1,000 sq. ft. of land (up to 43 units per net acre).
- **C-2 Seacoast Commercial:** Provides for land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in this designation will be visitor-serving retail such as specialty stores, surf shops, restaurants, hotels and motels, etc. In order to promote a more pedestrian-oriented community character, as well as to reduce the high volume of vehicle trips attracted by drive-thru establishments, drive-thru services for restaurants, banks, dry cleaners, and other similar auto related business establishments are prohibited in this designation. Mixed

use development with residential uses above first commercial uses is also allowed with approval of a CUP. The minimum lot size is 3,000 sq. ft. with a maximum residential density of one unit per every 1,500 sq. ft. of land (up to 29 units per net acre).

- **C-3 Neighborhood Commercial:** Provides for land to meet the local neighborhood demand for commercial goods and services, as opposed to the goods and services required primarily by the tourist population or city-wide. It is intended that the dominant type of commercial activity in this designation will be neighborhood serving retail and office uses such as markets, professional offices, personal services, restaurants, hardware stores, etc. In order to maintain and promote a more pedestrian-oriented community character, as well as to reduce the high volume of vehicle trips attracted by drive-thru establishments, drive-thru services for restaurants, banks, dry cleaners and other similar auto related business establishments are prohibited in this designation. Mixed use development with residential uses above first commercial uses is also allowed with approval of a CUP. The minimum lot size is 3,000 sq. ft. with a maximum residential density of one unit per every 2,000 sq. ft. of land (up to 21 units per net acre).
- **MU-1 Mixed Use Overlay:** The area generally located between Calla Avenue on the north, Donax Avenue on the south, Seventh Street on the east, and the eastern City boundary, is designated as a commercial-residential overlay area. In this overlay designation, general commercial activities are encouraged to expand into areas otherwise designated as R-1500 (plus a small area zoned R-2000), only if the lot proposed for commercial development is immediately adjacent to an existing commercial building used for commercial purposes, and only if the commercial use will occupy a newly constructed building designed solely for commercial or mixed use purposes. Approval of a CUP for commercial-only or mixed-use is required within this overlay.
- **MU-2 Mixed Use Overlay:** The area located between Ocean Boulevard on the west, Ocean Lane on the east and between Imperial Beach Boulevard on the south and Palm Avenue on the north is designated as a commercial-residential overlay zone. The purpose of this transition zone designation is to allow for the gradual commercial expansion in an area which is currently zoned R-1500 and used for residential purposes.
- **UR Urban Reserve:** Applies to land that is currently vacant or may be recycled to another use in the future (including residential use). An Urban Reserve area will develop pursuant to a Specific Plan which treats the property as an integrated whole for development planning purposes. The maximum density or intensity of development for this designation will be determined as part of the future Specific Plan. This is intended to prevent isolated or premature land uses from occurring on lands for which adequate public services and facilities are unavailable or for which the determination of the appropriate zoning regulations is precluded by contemplated or adopted planning proposals or by a lack of economic, demographic, geographic or other data.

Figure H-9: Imperial Beach Zoning Map



Actions to Mitigate Constraints

The City closely monitors the implementation of its General Plan and Zoning Ordinance. When constraints are identified, staff works to address those constraints. For example, in 2007 the City engaged the services of AECOM to review and recommend changes to the City's commercial development regulations to facilitate redevelopment along commercial corridors. The City intends to implement the consultant's recommendations. Specifically, the City will make the following Zoning District changes:

- The areas currently zoned C-1 or R-1500/MU-1 within the Palm Avenue study area will be rezoned as "C/MU-1: General Commercial and Mixed-Use."
- The areas currently zoned C-2 or R-1500/MU-2 within the Seacoast Drive and Old Palm Avenue study areas will be rezoned as "C/MU-2: Seacoast Commercial and Mixed-Use."
- The areas currently zoned C-3 within the 13th Street Corridor study area will be rezoned as "C/MU-3: Neighborhood Commercial and Mixed-Use."

Reclassifying these areas will accomplish the following:

- Bringing "Mixed-Use" into the base zone name will emphasize the City's desire for the area to redevelop with mixed-use character while not disallowing purely commercial development.
- Consolidating the commercial base zones with the mixed use overlay districts will simplify the Zoning Ordinance and encourages consistent development within the study areas.
- Consolidation will also allow for parcel assembly that may otherwise span both zones and result in ambiguity in permitted development character.

3.2.2 Residential Development Standards

The City's Zoning Ordinance contains development standards for each zoning district consistent with the land use designations of the General Plan. The Imperial Beach Zoning Ordinance establishes development standards for each zone to ensure quality development in the community. Development criteria, as specified in the Zoning Ordinance, are presented in Table H-33. These development standards are typical and consistent with standards established in surrounding communities.

Development Standard	Zoning Designation							
	R-1-6000	R-1-3800	R-3000	R-2000	R-1500	C-1	C-2	C-3
Minimum Net Lot Area (sq. ft.)	6,000	3,800	6,000	6,000	3,000	3,000	3,000	3,000
Density Maximum (du/acre)	7	11	14	21	29	43	29	21
Minimum Lot Width (feet)	60	50	50	50	50	30	30	30
Maximum Lot Coverage (% of lot area)	--	--	--	50%	50%	--	--	--
Maximum Floor Area Ratio (FAR)	--	--	--	75%	100%	--	--	--
Minimum Setbacks (feet)								
Front	20	15	15	15	15	--	0-10*	--
Side	5	5	5	5	5	--	--	--
Rear	10 (5 w/ alley)	--	--	--				
Maximum Height (feet)	26	26	26	26	30	40	30	28
Open Space (sq. ft. per unit)	300	300	300	300	300	300	300	300

Source: City of Imperial Beach, 2011.
**Front yard setback on Seacoast Dr. within the C-2 as follows: Zero feet first floor; five feet second floor; ten feet third floor.*

Conclusions

The cumulative effect of the City's residential development standards does not constrain the expansion of housing opportunities. Density standards of the Zoning Ordinance are consistent with the densities established for General Plan land use categories. Single-family detached housing is allowed at densities up to 14 units per net acre. Multi-family densities, including, but not limited to attached, zero lot line, and apartments, range from 14 to 29 dwelling units per acre. Residential uses located above first floor commercial uses may be approved at densities ranging between 21 and 43 units per net acre. The setback requirements are typical in the region that provide minimal light and air for development and do not unreasonably constrain housing opportunities. Minimum lot size requirements are reasonably small and reduce the number of potentially non-conforming lots that could occur with larger minimum lot size requirements.

Within Commercial zones, where a significant portion of residential growth is expected to occur during the current Housing Element planning period, the City has established increased height limits, reduced parking standards, and eliminated setback, lot coverage, and FAR standards to facilitate mixed use development.

The City monitors closely its development standards and their impact on development. Periodically, the City made amendments to its Zoning Ordinance to ensure development standards respond to market trends. For example, in 2007, the City reduced its parking requirements for additions to housing units. Also in 2007, the City engaged the services of AECOM to review and recommend changes to the City's commercial development regulations to facilitate redevelopment along commercial corridors. Smart growth-based economic development models indicate that a critical mass of residential units is required near commercial activities to make the commercial units viable. The City has found this to be case in practice as development of the commercial component of recent mixed use projects were driven and supported by the residential market demand. The City intends to implement the consultant's

recommendations. Specifically, the City will make the following Zoning Ordinance changes to incentivize mixed use development:

- **Building Height:** As part of the C/MU-3 zone change, the City will increase maximum height from two-stories or 28 feet to three stories and 30 feet or 35 feet for projects that qualify for performance-based bonus.
- **Density Bonus:** The City will update the Zoning Ordinance density bonus provisions to reflect current State Law. Developers of qualifying projects may receive various incentives, concessions, and potential waivers of development standards, including parking standards as necessary to ensure that the City’s development standards do not constrain the development of affordable housing.

In addition, projects that qualify for performance-based bonuses will be able to achieve 36 units per acre in the new C/MU-3 zone (currently 22 units per acre) and the new C/MU-2 zone (currently 22 units per acre). To qualify for height or density bonus incentives over-and-above those mandated by State law, a project must satisfy two or more of the performance-based standards summarized in Table H-34.

Lot Consolidation	Project sites that are consolidated to a final size greater than 20,000 square feet.
Green Building	Entire project achieves LEED certification, a comparable green building certification, or can demonstrate ability to achieve certification.
Active Commercial Use	Entire project must provide a minimum of 75 percent active commercial uses on the ground floor.
Three-Bedroom Units	25 percent of proposed residential units must be three-bedroom units.
Public Open Space, Plaza Space, or Public Community Amenities	Provide an additional 100 square feet of open space or plaza space with minimum dimensions of six feet by 10 feet.
Public Right-of-Way Dedication	Dedicate a minimum of one foot of private property frontage to public use (creates a one-foot front setback dedicated to public use).
Floor Stepback from Residential Property	Floors above first floor provide additional setback five feet beyond required stepback.
<i>Source: Commercial Zoning Review, City of Imperial Beach, 2010.</i>	

Small Lots

The City also recognizes that a prevalence of smaller sized lots in the residential base zone may impede mixed use and high density residential development. Section 19.42.070 of the Municipal Code discourages lot consolidation in residential base zones by limiting potential density to the maximum yield that would have occurred had the lots not been consolidated. This Housing Element includes a program to eliminate this lot combining restriction within residential base zones and establishes incentives to consolidate lots in commercial and mixed use zones. In addition, the City recognizes that many existing lots are smaller than the minimum lot size for many zoning districts. These lots are subject to small lot provisions of the Zoning Ordinance. Small lots that were legally established and recorded before 1945 are considered meeting the lot size requirement for the applicable zoning district.

3.2.3 Parking Requirements

All residential uses are currently required to provide the number of parking spaces as specified in Table H-35. Developers of affordable and senior housing who are eligible for a density bonus pursuant to Government Code Section 65919-65918 are eligible to use parking standards established by State law. For example, in October 2011, the City Council approved an affordable housing mixed-use project that provided parking in accordance with standards set forth in State law.

Use	Parking Requirement
Dwelling units in the R-1-6000, R-1-3800, and R-3000 zones	2 enclosed spaces per unit
Dwelling units in the R-2000 or R-1500 zones	2 spaces per unit, 50 percent enclosed
Dwelling units in the C-1, C-2, or C-3 zones	1.5 spaces per unit
Mobile home parks	1.5 spaces per space
Boarding houses and retirement homes	2 spaces plus one space for each three beds

Source: City of Imperial Beach Zoning Ordinance, 2011.

The 2010 Commercial Zoning Review yielded recommendations to facilitate mixed use development and pedestrian-oriented activity within the City's commercial corridors. The City intends to implement the study recommendations. Specifically, the City will modify the Zoning Ordinance to allow shared parking within 1,000 feet instead of the current 500 feet. The City will also simplify its parking ratios for commercial uses. Instead of varying standards, the City will require one space per 500 square feet of commercial use proposed within the C/MU-1 and C/MU-3 zones and only one space per 1,000 square feet of commercial use proposed within the C/MU-2 zone. Furthermore, within the C/MU zones, vertical mixed-use projects will be eligible for a 25 percent reduction in overall parking requirement; parking requirements will be waived for commercial uses less than 1,000 square feet; and an additional reduction may be granted with approval of a shared parking plan. Existing reductions for affordable and senior housing provided by State law and the City's proposed modifications for mixed use development will facilitate the provision of a variety of housing types in Imperial Beach.

3.2.4 Provision for a Variety of Housing

State housing element law specifies that jurisdictions must identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of various types of housing for all segments of the population, including multi-family residential housing, factory built housing, emergency shelters, transitional housing, and supportive housing. Table H-36 summarizes the housing types permitted and conditionally permitted under the Zoning Ordinance.

Uses	R-1-6000	R-1-3800	R-3000	R-2000	R-1500	C-1	C-2	C-3
Single-Family	P	P	P/SPR	P/SPR	P/SPR	--	--	--
Multi-Family	--	--	--	SPR	SPR	--	--	--
Manufactured Housing	P	P	--	--	--	--	--	--
Mobile Home Park	CUP	CUP	CUP	CUP	CUP	--	--	--
Boarding House	--	--	--	--	--	CUP	CUP	CUP
Residential Care Facility - 6 or fewer persons	P	P	P	P	P	CUP	CUP	CUP
Mixed Use	--	--	--	--	--	CUP	CUP	CUP
Senior Housing	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Second Dwelling Units	--	--	P	P	P	--	--	--

P – Permitted by right; SPR - Site Plan Review; CUP – Conditional Use Permit required; -- Not permitted
Source: City of Imperial Beach Zoning Ordinance, 2012.

Single Family Housing

A “single-family dwelling” is defined in the Imperial Beach Zoning Ordinance as a lot containing one dwelling unit, not attached in any manner to another dwelling unit. All single-family projects proposed in the R-3000, R-2000, and R-1500 zones that contain two to four units require Site Plan Review approval by the Community Development Department and five or more units require Site Plan Approval by the Planning Commission.

Multifamily Housing

The Zoning Ordinance provides for multi-family developments in the R-2000 and R-1500 zones with allowable density ranging from 21 to 29 units per acre. Multi-family projects containing two to four units require Site Plan Review approval by the Community Development Department and five or more units require Site Plan Review approval by the Planning Commission.

Since 2000, approximately 150 multi-family rental units have converted to ownership condominiums. As the availability of land decreased and the cost of land increased in the last decade, many developers actively pursued the conversion of multi-family rental stock into condominium units. Condominium conversions had been one of the few ways within the City of Imperial Beach that had the potential of meeting the demand for first-time homebuyer housing. However, while it does address the demand for ownership homes, the conversion removed necessary rental housing targeting those households in the moderate incomes who may not have been able to afford the asking price for the converted units.

To address the issues surrounding the conversion of rental housing to condominiums, the City adopted a Condominium Conversion Ordinance in 2005. The ordinance identifies development standards for conversions and established relocation procedures and compensation for existing tenants who cannot afford to purchase the unit they are currently occupying.

Manufactured Housing/Mobile Homes

Manufactured housing and mobile homes offer an affordable housing option to many low and moderate income households. The California Department of Finance estimated that there were 340 mobile homes in the City as of January 2010. According to the National Manufactured Home Construction and Safety Act of 1974, a manufactured home built and certified after June 15, 1976, and constructed on a permanent foundation may be located in any residential zone

where a conventional single family detached dwelling is permitted subject to the same restrictions on density and to the same property development regulations. Manufactured homes are currently allowed in single-family residential zoning districts and mobile home parks are allowed with a CUP and subject to foundational regulations found in Government Code Section 65852.3. However, manufactured housing is not permitted in all zones that allow single-family dwelling units. Manufactured homes cannot accommodate for the density allowed in the multiple-unit zones so that the City can meet its RHNA goals.

Boarding Houses

Boarding houses are facilities in which food and/or shelter is provided to unrelated persons. Examples listed in the Zoning Ordinance include rest homes, sanitariums, convalescent homes, fraternity houses, sorority houses, group homes and other similar operations. Boarding houses are allowed with approval of a CUP in the C-1 zones. However, group homes meeting the definitions and requirements in the Lanterman Developmental Disabilities Services Act are permitted as regular residential uses (see Residential Care Facilities below).

Residential Care Facilities

Residential care facilities can be described as any family home, group care facility or similar facility, including transitional housing, for 24-hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living. In accordance with State law, Imperial Beach treats residential care facilities serving six or fewer persons as a normal residential use and these facilities are permitted by-right within all residential zones. Larger Residential Care Facilities (those that serve seven or more persons) are considered Boarding Houses and are allowed in the C-1 zones with approval of a CUP.

Mixed Use

Mixed use projects combine both non-residential and residential uses on the same site. Mixed use development can help reduce the effects of housing cost burden by increasing density and offering opportunities for reduced vehicular trips by walking, bicycling or taking public transportation. Mixed use development is allowed with approval of a CUP in commercial districts. Mixed use development is also allowed within the MU-1 and MU-2 Mixed Use Overlay districts. The City will revise the Zoning Ordinance to remove the CUP requirement for mixed use projects within the new C/MU zones.

Senior Housing

The Zoning Ordinance currently defines “senior housing development” as a residential project that may exceed the maximum density permitted for families in the zone in which it is located and which is established and maintained for the exclusive use of low-income or moderate-income senior residents. The City will revise its definition to be consistent with California Civil Code Section 51.3.

Senior housing developments may be approved in residential, commercial, and mixed use overlay districts. Because the residents of such developments have dwelling characteristics which often differ from those of families and younger persons, it may not appropriate to apply all of the normal zoning standards thereto. Accordingly, pursuant to a CUP, the Planning Commission and the City Council may make exceptions to the density, off-street parking, minimum unit size, open space and such other requirements as may be appropriate. The Planning Commission may also adjust required setbacks, building height and yard areas as appropriate to provide an adequate living environment, both within the development and on nearby properties.

Second Dwelling Units

Second dwelling units are attached or detached dwelling units that provide complete independent living facilities for one or more persons including permanent provisions for living, sleeping, cooking and sanitation. Second units may be an alternative source of affordable housing for lower-income households and seniors.

California law requires local jurisdictions to adopt ordinances that establish the conditions under which second dwelling units are permitted (Government Code Section 65852.2). A jurisdiction cannot adopt an ordinance that precludes the development of second units unless findings are made acknowledging that allowing second units may limit housing opportunities of the region and result in adverse impacts on public health, safety, and welfare.

In 1994, the City of Imperial Beach precluded second dwelling units from the R-1-6000 and R-1-3800 residential zones. Second units are allowed by right in the R-3000, R-2000, and R-1500 zones. In accordance with Government Code Section 65852.2, the City acknowledged that precluding second units in single-family residential zones may limit some housing opportunities; however, the City Council determined that allowing second units is not in the best interest of the public health, safety, and welfare, based upon the following adverse impacts:

1. Existing neighborhood patterns will be disrupted;
2. Excessive density will adversely affect police and fire protection services;
3. Health and psychological problems will be created due to overcrowding;
4. In light of decreasing State subventions, an added fiscal drain would be placed on the City to enforce a permissive second-unit ordinance;
5. Further strain will be placed on the existing sewer system;
6. Additional traffic congestion would be caused on major streets;
7. Aesthetic impacts on neighborhoods will result from unplanned residential construction;
8. An increase in neighborhood noise levels and demands for noise ordinance enforcement would occur; and
9. New construction would deprive existing residences of adequate natural light and air circulation.

The City's preclusion of second dwelling units from single-family zones has not constrained development of this important housing type in Imperial Beach. Between 2005 and 2011, 79 second dwelling units were constructed in the R-3000, R-2000, and R-1500 residential zones, where second dwelling units are allowed by right.

Transitional and Supportive Housing

California Health and Safety Code (Section 50675.2) defines "transitional housing" and "transitional housing development" as buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Residents of transitional housing are usually connected to supportive services designed to assist the homeless in achieving greater economic independence and a permanent, stable living situation. Transitional housing can take several forms, including group quarters with beds, single-family homes, and multi-family apartments and typically offers case management and support services to help return people to independent living (often six months to two years).

Supportive housing links the provision of housing and social services for the homeless, people with disabilities, and a variety of other special needs populations. California Health and Safety Code (Section 50675.2) defines “supportive housing” as housing with no limit on length of stay, that is occupied by the low income adults with disabilities, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Currently, the Imperial Beach Zoning Ordinance does not explicitly address transitional or supportive housing facilities. The Zoning Ordinance will be amended to differentiate transitional/supportive housing that is operated as group quarters versus that is operated a regular housing development. For transitional/supportive housing facilities that operate as group quarters, such facilities will be permitted as boarding houses. For transitional/supportive housing facilities that operate as regular housing developments, such uses will be permitted where housing is otherwise permitted (regardless of size or presence on-site services).

Emergency Shelters

An emergency shelter is a facility that provides shelter to homeless families and/or homeless individuals on a limited short-term basis. Currently, the Zoning Ordinance does not address emergency shelters. Consistent with State law, the Zoning Ordinance will be revised to permit emergency shelters with a ministerial permit in the areas currently zoned C-1 and R-1500/MU-1 within the Palm Avenue study corridor. The Palm Avenue corridor study area covers 123 net acres on 321 parcels, and as part of the City’s effort to revitalize the area, will be rezoned C/MU-1. Many of these parcels are developed with older, low intensity, and outdated uses. Therefore, adequate capacity exists to accommodate an emergency shelter for at least 28 homeless individuals (identified unsheltered homeless population in Imperial Beach) and at least one year-round emergency shelter. These properties can either be redeveloped or adapted to accommodate emergency shelters. Specifically, the Palm Avenue corridor traverses the heart of the City and potential emergency shelter sites would be near services and along major transportation corridors. Such locations are ideal for housing persons who would require access to social and supportive services.

Single-Room Occupancy

SRO units are one-room units intended for occupancy by a single individual. They are distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or the other. The City will amend the Zoning Ordinance to facilitate the provision of SROs consistent with State law. SROs will be conditionally permitted in the C-1 zone as a use in conjunction with other multi-family housing or mixed use developments. SROs will be encouraged and facilitated through identification of potential locations and through city assistance with grant writing.

Live/Work Units

A “live/work unit” is a structure or portion of a structure combining a residential living space for a group of persons including not more than four adults in the same unit with an integrated work space principally used by one or more of the residents of that unit. The City does not currently allow Live/Work units; however, to facilitate pedestrian activity and mixed-use development within commercial corridors, the City will amend the Zoning Ordinance to allow these units by right within the C/MU and Commercial/Recreation-Ecotourism (C/R-ET) zone districts.

Farmworker Housing

As an urbanized community, there is no land within Imperial Beach designated for agricultural use. The Census identified only 165 persons employed with farming, forestry, and fishery occupations in 2000. This represents less than one percent of the City's population. Therefore, the City has no specific need for farmworker housing.

3.2.5 Housing for Persons with Disabilities

Both the federal Fair Housing Amendment Act (FHAA) and the California Fair Employment and Housing Act direct local governments to make reasonable accommodations (i.e. modifications or exceptions) in their zoning laws and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling.

As part of this Housing Element update, the City conducted an analysis of the Zoning Ordinance, permitting procedures, development standards, and building codes to identify potential constraints for housing for persons with disabilities. The City's policies and regulations regarding housing for persons with disabilities are described below.

Zoning and Land Use

Restrictive land use policies and zoning provisions can constrain the development of housing for persons with disabilities.

Definition of Family

Local governments may restrict access to housing for households failing to qualify as a "family" by the definition specified in the Zoning Ordinance. Specifically, a restrictive definition of "family" that limits the number of and differentiates between related and unrelated individuals living together may illegally limit the development and siting of group homes for persons with disabilities but not for housing families that are similarly sized or situated.⁶

The City of Imperial Beach Zoning Ordinance defines "family" as means an individual, or two or more persons related by blood or marriage, or a group of unrelated individuals living together and bearing the generic character of a relatively permanent bona fide housekeeping unit sharing such needs as cooking facilities. The Zoning Ordinance also defines "family" to include persons living together in a licensed "residential facility" servicing six or fewer persons as that term is defined in California Health and Safety Code Section 1502(a)(1). The City's definition is not a constraint because it does not limit the number of or differentiate between related and unrelated individuals occupying a dwelling unit.

Residential Care Facilities

Under State Lanterman Developmental Disabilities Services Act (aka Lanterman Act), small licensed residential care facilities for six or fewer persons must be treated as regular residential uses and permitted by right in all residential districts; Imperial Beach is compliant with the Lanterman Act.

⁶ *California court cases (City of Santa Barbara v. Adamson, 1980 and City of Chula Vista v. Pagard, 1981, etc.) have ruled an ordinance as invalid if it defines a "family" as: (a) an individual; (b) two or more persons related by blood, marriage, or adoption; or (c) a group of not more than a specific number of unrelated persons as a single housekeeping unit. These cases have explained that defining a family in a manner that distinguishes between blood-related and non-blood related individuals does not serve any legitimate or useful objective or purpose recognized under the zoning and land use planning powers of a municipality, and therefore violates rights of privacy under the California Constitution.*

Parking Standards

All multi-family complexes are required to provide handicapped parking spaces, depending on the size of the development. The City is flexible and works with the developers of special needs housing and will reduce parking requirements if the applicant can demonstrate a reduced need for parking. For example, the Zoning Ordinance authorizes the Planning Commission/City Council to make exceptions to development standards, including off-street parking requirements, for senior housing developments.

Reasonable Accommodation

Otherwise regular development standards under unique circumstances may be found constraining to the development or improvement of housing for persons with disabilities. Therefore, it may be reasonable to accommodate requests from persons with disabilities to waive a specific requirement or standard of the Zoning Ordinance to ensure that homes are accessible for the mobility impaired. For example, a setback and encroachment standard may need to be relaxed in order to accommodate the construction of a ramp. Whether a particular modification is reasonable depends on the circumstances, and must be decided on a case-by-case basis.

The City will amend its Zoning Ordinance to establish the process for requesting and grant reasonable accommodations in the application of the Zoning regulations for persons with disabilities. Requests for reasonable accommodation will be reviewed and decided by the Community Development Director. The decision will be based on the following criteria:

- The accommodation is reasonable considering the nature of the applicant's disability, the surrounding land uses, and the rule, standard, policy, or practice from which relief is sought.
- The accommodation is necessary to afford the applicant equal opportunity to enjoy and use a dwelling.
- The accommodation will have only incidental economic or monetary benefits to the applicant, and the primary purpose of the accommodation is not to assist with real estate speculation or excess profit taking.
- The accommodation does not create a substantial adverse impact on surrounding land uses, or a public nuisance, that cannot be reasonably mitigated.
- The accommodation is reasonably feasible considering the physical attributes of the property and structures.
- There are no alternative accommodations which may provide an equivalent level of benefit to the applicant, while minimizing adverse impacts on surrounding land uses and lessening the financial and/or administrative burden on the City.
- In the case of a determination involving a one-family dwelling, whether the household would be considered a single housekeeping unit if it were not using special services that are required because of the disabilities of the residents.
- The requested accommodation does not impose an undue financial or administrative burden on the City.
- The requested accommodation does not require a fundamental alteration in the nature of a program.

Building Codes

The City enforces the California Building Code (CBC), which regulates the access and adaptability of buildings to accommodate persons with disabilities. Furthermore, Government

Code Section 12955.1 requires that 10 percent of the total dwelling units in multi-family buildings without elevators consisting of three or more rental units or four or more condominium units are subject to the following building standards for persons with disabilities:

- The primary entry to the dwelling unit shall be on an accessible route unless exempted by site impracticality test.
- At least one powder room or bathroom shall be located on the primary entry level served by an accessible route.
- All rooms or spaces located on the primary entry level shall be served by an accessible route. Rooms and spaces located on the primary entry level and subject to this chapter may include but are not limited to kitchens, powder rooms, bathrooms, living rooms, bedrooms, or hallways.
- Common use areas shall be accessible.
- If common tenant parking is provided, accessible parking is required.

Compliance with provisions of the Code of Regulations, CBC, and federal Americans with Disabilities Act (ADA) is assessed and enforced by the Building and Safety Division of the Community Development Department as a part of the building permit submittal.

The City has not adopted any amendments to the CBC that might diminish the ability to accommodate persons with disabilities. In fact the City of Imperial Beach rigorously enforces the disabled access provisions found in Chapters 11A (Housing Accessibility) and 11B (Accessibility to Public Buildings, Public Accommodations, Commercial Buildings and Publically Funded Housing) of the CBC.

Conclusion

The City has not adopted unique restrictions that would constrain the development of housing for persons with disabilities. The State has removed any City discretion for review of small group homes for persons with disabilities (six or fewer residents). The City does not impose additional zoning, building code, or permitting procedures other than those allowed by State law. There are no City initiated constraints on housing for persons with disabilities caused or controlled by the City. The City also allows residential retrofitting to increase the suitability of homes for persons with disabilities in compliance with accessibility requirements. Such retrofitting is permitted under State law. Although the City works with applicants who need special accommodations in their homes to ensure that application of building code requirements does not create a constraint, the City does not have a formal procedure for processing accommodation requests. The City will adopt a ministerial procedure for review and approval of reasonable accommodation requests to mitigate this constraint.

3.2.6 Planning and Development Fees

Developers are subject to a variety of fees and exactions to cover the cost of processing permits and providing necessary services and facilities. In general, these fees can be a constraint on housing development and compromise affordability because the additional cost borne by developers contributes to overall increased housing unit cost. However, the fees are necessary to maintain adequate planning services and other public services and facilities in the City. Planning fees for a typical residential project is displayed in Table H-37. The City's planning fees are deposit-based. If the actual cost of providing a service under this title is less than the amount deposited, the City returns the balance to the applicant. If the actual cost of providing a service is more than the amount deposited, the City collects the balance from the applicant. Surrounding jurisdictions also

implement a full cost recovery policy for planning and development fees. Imperial Beach's initial deposits are moderate when compared to these neighboring jurisdictions (see Table H-38).

Review/Permit	Deposit
CEQA	\$1000
Initial Assessment	\$2000
Negative Declaration	\$7000
Environmental Impact Report	
Coastal Permit	
Administrative	\$1,500
Regular	\$2,000
Conditional Use Permit	\$2,000
Design Review	\$1,500
General Plan Amendment	\$5,000
Rezone	\$3,000
Site Plan Review	\$3,000
Subdivisions	
Boundary Adjustment	\$500
Tentative Parcel Map	\$2,500
Parcel Map	\$2,000
Tentative Map	\$3,000
Final Map	\$2,500
Variance	\$1,800

Source: City of Imperial Beach, 2011.

Fee Type	Imperial Beach	National City	Chula Vista	San Diego
Coastal Development Permit				
--Administrative	\$1,500	\$2,183	\$5,000	\$8,000
--Regular	\$2,000	\$2,485	\$11,000	
Conditional Use Permit	\$2,000	\$1,973	\$11,000	\$8,000
Variance	\$1,800	\$2,005	\$9,000	\$8,000
Rezone	\$3,000	\$2,485	\$10,000	\$12,000
General Plan Amendment	\$5,000	\$2,485	\$20,000	\$12,000
Tentative Parcel Map	\$2,500	\$1,625	\$10,000	\$2,500
Tentative Tract Map	\$3,000	\$2,485	\$10,000 - \$20,000	\$10,000

Sources: City of Imperial Beach, 2011; City of National City, 2011; Chula Vista, 2011; and City of San Diego, CA.

Development impact fees are established for mitigating various development impacts based on the specific existing conditions of and projected needs for infrastructure and public facilities, usually due to rapid growth. Therefore, comparing the levels of impact fees across communities does not recognize the unique circumstances for establishing these fees. Furthermore, impact fees are subject to the requirements of State law for ensuring reasonableness and proportionate share of responsibility. The key development impact fees charged by the City include: water, sewer, public facilities, and school fees. Overall fees charged by the City are limited and do not constrain housing development. The City does not distinguish between single-family or multi-family when calculating impact fees. Impact fees for new construction are summarized below:

- Residential: \$800 per unit plus \$100 per bedroom.
- Sewer Capacity: \$1,230 per equivalent dwelling unit.
- SANDAG Transnet: \$2,123 per unit.

The South Bay Unified and Sweetwater Union High School Districts also charge development impact fees. These fees are set by the school districts and updated periodically to offset school facilities impacts pursuant to SB 50.

Overall, planning and development impact fees in the City represent only a minute percentage of the overall development costs and do not constrain housing development in the City. The Community Development Director may waive portions of any deposit if certain aspects of a permit may be inapplicable or if multiple permits are processed concurrently. The City has waived impact fees for affordable housing projects and will review the appropriateness of reducing, waiving, and/or deferring impact and/or processing fees for units affordable to very low and low income households, including senior housing, and apartment units, and housing for special needs groups, including agricultural employees, emergency /transitional housing, and housing for persons with disabilities, to make the development of such units more financially feasible.

3.2.7 On- and Off-Site Improvements

Requirements for on- and off-site improvements vary depending on the presence of existing improvements, as well as the size and nature of the proposed development. Given the built out character of Imperial Beach, most residential areas are already served with infrastructure. The City has established specific standards for improvements and facilities to serve new development, including: curb/gutter and drainage facilities, sidewalks, paved streets, landscaping and water and sewer service. Such improvements are required as a condition of the subdivision map, or if there is no required map, improvements are required as part of the building permit. These on- and off-site improvements promote the health, safety and general welfare of the public.

Curbs/gutters and drainage facilities direct storm and runoff water out of residential developments. City roadways are required to be paved. Pavement creates an all-weather roadway, facilitates roadway drainage, and reduces dust. It also produces a high-speed circulation system and facilitates relatively safe traffic movement. Roadways are classified by the City according to traffic needs and are defined as follows:

- Arterial: six lanes with 80 feet right-of-way
- Major Street: four lanes, 80 feet right-of-way
- Collector: two to four lanes, with a 60 to 80 foot right-of-way
- Residential: two lanes, 50 foot right-of-way

Arterials, major streets, and collectors are designated on the General Plan according to existing and projected needs. Developers are responsible for the provision of roadways that are necessary to serve the project site. Sidewalks are also required for new residential development. Where sidewalks are available, safety of pedestrian traffic is enhanced, particularly for school-age children, the elderly and the physically impaired.

Landscaping is required for all zoning districts. Such required landscaping includes, but may not be limited to, shrubbery, trees, grass and decorative masonry walls. Landscaping

contributes to a cooler and more aesthetic environment in the City by providing relief from developed and paved areas. All landscaping is installed by the developer.

Development of, and connection to, municipal water and sewer services are required as a condition of approving tract maps. Water service is necessary for a constant supply of potable water. Sewer services are necessary for the sanitary disposal of wastewater. These off-site requirements allow for the development of much higher residential densities.

3.2.8 Development Permit Procedures

Development review and permit processing procedures are necessary steps to ensure that residential construction proceeds in an orderly manner. The following discussion outlines the level of review required for various permits and timelines associated with those reviews. The timelines provided are estimates; actual processing time may vary due to the volume of applications and the size and complexity of the projects.

Imperial Beach encourages the joint processing of related applications for a single project. As an example, a rezone petition may be reviewed in conjunction with the required site plan, coastal development permit, a tentative tract map, and any necessary variances. The vast majority of projects in Imperial Beach are governed by discretionary processes because the City is within a Coastal Zone. Therefore, most projects (with the exception of single-family homes outside the Coastal Zone) require discretionary permitting.

The City Council of Imperial Beach also acts as the Planning Commission, allowing more efficient processing of development reviews. Table H-39 below outlines the development review and approval procedures for residential developments. There are no differences in the review and approval processes between single-family and multi-family developments. For ministerial building permits, the issuance time is approximately two months. For discretionary permits that require a coastal permit, site plan and design review, and a tentative map, the time would be from 2.5 months to five months. Several more months of review is required for projects that require an Environmental Impact Report (EIR). On average, total processing time for an application can take two to six months depending on the complexity of the project.

Action/Request	Processing Time	Comments
Environmental Impact Report	6-12 months	Processing and review time limits controlled through CEQA. Accepted by decision making body
Negative Declaration	4-6 months	Processing time can be extended if the project has a longer review and approval period. Adopted by decision-making body.
General Plan Amendment	1 year	Gov. Code Section 65358 limits the number of times any element of the General Plan can be amended each calendar year. Requires a public hearing for the City Council.
Zone Change	9-12 months	Certain procedures and time limits established by Gov. Code Sections 65854-65857. Approved by the City Council.
Tentative Parcel Map	3-5 months	Approved by the City Council.
Site Plan Review	90 days	Approved by the Community Development Department and the City Council depending on the nature of the project
Design Review	90 days	Approved by the Community Development Department and the Design Review Board depending on the nature of the project.
Coastal Permit	2-6 months	Approved by staff or the City Council and then reported to the Coastal Commission.

Table H-39: Typical Permit Processing Timelines		
Action/Request	Processing Time	Comments
Tentative Map	120 days	Approved by the Planning Commission/City Council.
Variance	60 days	Approved by the Planning Commission/City Council.
Conditional Use Permits	90 days	Approved by the Planning Commission/City Council.
<i>Source: City of Imperial Beach, 2011.</i>		

Design Review

All development projects proposed adjacent to the Imperial Beach’s major corridors are subject to review by the City’s Design Review Board. Residential projects of four or fewer units located outside of major corridors are subject to design review by the Community Development Department. The Design Review Board and Community Development Department review projects in accordance with the City’s “Design Manual and Design Review Guidelines,” with the exception of areas within the City for which specific unique design criteria have been established. Design Review for typical projects takes 90 days. Design review can occur concurrently with other reviews.

Site Plan Review

Site Plan Review is required to promote the best and most appropriate site development of property to ensure that proposed development is not detrimental to the neighborhood or city in general. All single family projects proposed in the R-3000, R-2000, and R-1500 zones that contain two to four units require Site Plan Review approval by the Community Development Department and five or more units require Site Plan Approval by the Planning Commission. Similarly, multifamily projects containing two to four units require Site Plan Review approval by the Community Development Department and five or more units require Site Plan Review approval by the Planning Commission (City Council). A public hearing is required for all residential projects that require Site Plan Review.

The Planning Commission (City Council) and/or Community Development Department must consider the following factors when considering a Site Plan Review application:

- That the proposed use does not have any detrimental effect upon the general health, welfare, safety and convenience of persons residing or working in the neighborhood, or is not detrimental or injurious to the value of the property and improvements in the neighborhood;
- That the proposed use does not adversely affect the general plan or local coastal program;
- That the proposed use is compatible with other existing and proposed uses in the neighborhood;
- That the location, site layout and design of the proposed use properly orients the proposed structures to streets, driveways, sunlight, wind and other adjacent structures and uses in a harmonious manner;
- That the combination and relationship of one proposed use to another on the site is properly integrated;
- That access to and parking for the proposed use does not create any undue traffic problem;
- That all other applicable provisions of this title are complied with; and

- Any other considerations, as the planning commission and/or community development department deem necessary, to preserve the health, welfare, safety and convenience of the city in general.

Coastal Development Permit

Most of the City is located within the Coastal Zone and almost all residential development applications require Coastal Development Permit approval.⁷ Residential applications for more than four units that require Site Plan Review are set for at least one public hearing before the Planning Commission (City Council) unless the project is determined to qualify for administrative approval, in which case it is processed by the Community Development Department. A Coastal Development Permit is approved for all projects that conform to the California Coastal Act, the Local Coastal Plan, and all other applicable planning and zoning regulations of the City. Review and approval can take approximately two to six months depending on project complexity.

Conditional Use Permit

The City requires a CUP for various types of residential development applications, including Mobile Home Parks, Boarding Houses, Residential Care Facilities (in commercial districts), Mixed Use projects, and Senior Housing Developments. A CUP is required because of the unusual or unique characteristics of proposed land uses, the need to give special consideration to the proper location of such uses in relation to adjacent uses, and the lack of criteria for the inclusion of or exclusion of such uses in the zone. Planning Commission (City Council) review and approval of CUP applications takes approximately 90 days, depending on project complexity.

The Zoning Ordinance establishes the same criteria for review and approval of all CUP applications, regardless of proposed use. To approve a CUP, the Planning Commission (City Council) must make the following findings:

- That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community;
- That such use will not, under the circumstances of the particular use, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
- That the proposed use will comply with the regulations and conditions specified in this title for such use and for other permitted uses in the same zone; and
- That the granting of such conditional use will be in harmony with the purpose and intent of this code, the adopted general plan and the adopted local coastal program.

Conclusion

The City works closely with developers to approve single-family projects and multifamily projects in order to expedite approval procedures so as not to put any timing constraints on development. For a typical project, an initial meeting with the Community Development Department can be arranged to discuss the development proposal. Then a discretionary permit application must be filed, which is first reviewed by the Planning Department and other agencies such as Public Works for consistency with City ordinances and General Plan guidelines. Depending upon the nature of the project, the Community Development Department approves

⁷ Building permits for improvements to most single family residences are exempt.

the project or the Department makes recommendations to the Planning Commission (City Council) on a discretionary approval. After the project is approved, the Building Department performs plan checks and issues building permits. Throughout construction, the Building Department will perform building inspections to monitor the progress of the project. This process does not put an undue time constraint on the development of projects because of the close working relationship between City staff, developers, and the decision-making body.

3.2.9 Building Codes and Enforcement

The City of Imperial Beach enforces and administers the 2010 California Building Code (CBC) as mandated by the State of California. Newly constructed and renovated buildings must conform to the standards of the CBC. The City has not adopted any amendments to the CBC. The Code Compliance Division which is a section of the Community Development Department enforces applicable building codes.

Compliance with the CBC should not significantly add to the cost of construction since the Code is mandated to be enforced statewide and costs should be relatively uniform across the State of California. Any costs associated with Building Code standards are necessary to protect the health safety and welfare of the citizens. Compliance ensures that all new or renovated buildings are structurally sound, have proper exiting and are equipped with necessary fire protection features. In addition the CBC mandates energy efficiency as well as provisions for access for persons with disabilities.

3.3 State and Federal Regulations

State and federal requirements may act as a barrier to the development or rehabilitation of housing, and affordable housing in particular. These include State prevailing wage requirements and environmental review requirements.

3.3.1 State Prevailing Wage Requirements

Labor Code Section 1720, which applies prevailing wage rates to public works of over \$1,000, defines public works to mean construction, alteration, installation, demolition, or repair work done under contract and paid for in whole or in part out of public funds. For example, public transfer of an asset for less than fair market value, such as a land write-down, would be construed to be paid for in part out of public funds and trigger prevailing wage requirements.

While the cost differential in prevailing and standard wages varies based on the skill level of the occupation, prevailing wages tend to add to the overall cost of development. In the case of affordable housing projects, prevailing wage requirements could effectively reduce the number of affordable units that can be achieved with public subsidies. The following types of projects are not however required to pay prevailing wages:

- Residential projects financed through issuance of bonds that receive an allocation through the State; or
- Single-family projects financed through issuance of qualified mortgage revenue bonds or mortgage credit certificates.

3.3.2 Environmental Protection

State and federal regulations require environmental review of proposed discretionary projects (e.g., subdivision maps, development review permits, etc.). Costs resulting from the environmental review process are also added to the cost of housing and are passed on to the consumer. These costs include the preparation of environmental analyses, and from delays caused by the mandated public review periods. However, the presence of these regulations helps preserve the environment and ensure environmental safety to Imperial Beach residents. Furthermore, recent State laws have established exemptions from CEQA for infill and affordable housing projects.

3.4 Infrastructure Constraints

The provision of infrastructure such as water and sewer to serve residential development is costly to local governments and special districts providing municipal services. This section provides an overview of potential utility service constraints in Imperial Beach.

3.4.1 Water

The City of Imperial Beach is served by the California American Water Company, a private water service that provides water to services to an area it refers to as the San Diego County District (formerly the Coronado District). California American Water Company purchases treated potable water from the City of San Diego. The City of San Diego obtains raw water from local reservoirs, the San Diego County Water Authority, and the Metropolitan Water District. The San Diego County District also has three emergency interconnections, one with each of the following: Otay Water District, Sweetwater Authority and North Island Naval Air Station. The Metropolitan Water District supplies the majority of raw water to the City of San Diego. The Metropolitan Water District obtains raw water from the Colorado River, via aqueduct, and the Sacramento Delta. The City of San Diego then treats the raw water at its three water treatment plants.

According to California American Water Company's 2010 Urban Water Management Plan (UWMP), in 2005 the company delivered 12,471 acre feet of water to the service area (which includes Imperial Beach). The projected service demand is expected to decline slightly to 12,344 acre feet by 2020 and increase only modestly to 13,008 acre feet by 2030. The California American Water Company entered a 25-year water purchase contract with the City of San Diego in 2004, which entitles the service area to at least 60 percent of the average system delivery per customer per day. However, according to the UWMP, the City of San Diego expects to be able to deliver 100 percent of the District's demand through 2010. The UWMP also anticipates adequate water supply to meet projected future demand through 2030 under single and multiple dry year scenarios. Therefore, adequate water supply is available to accommodate the RHNA during the Housing Element planning period.

Senate Bill 1087 (enacted 2006) requires that water providers develop written policies that grant priority to proposed development that includes housing affordable to lower-income households. The legislation also prohibits water providers from denying or conditioning the approval of development that includes housing affordable to lower income households, unless specific written findings are made. The City will provide a copy of the adopted Housing Element to the California American Water Company within 30 days of adoption. The City will continue to

coordinate with the California American Water Company to ensure priority service provision to affordable housing developments.

3.4.2 Wastewater

The City of Imperial Beach is a member of the San Diego Metropolitan Sewerage System (Metro). The City operates its own waste water collection system and transports the sanitary waste to Metro's South Bay Interceptor which conveys it to the regional water treatment plant on Point Loma. The present collection system consists of 11 pump stations and approximately 50 miles of sewer lines. Based on the 2000 Amendment to the Regional Wastewater Disposal Agreement between the Cities of San Diego, Chula Vista, Coronado, Del Mar, El Cajon, Imperial Beach, La Mesa, National City, Poway, and various wastewater producing special districts, the City of Imperial Beach purchased a quantity of wastewater treatment capacity based on then current and existing needs. At that time, Imperial Beach purchased 3.59 Million Gallons of treatment per day (MGD). According to recent billing statements from the City of San Diego, Imperial Beach averages approximately 2.25 MGD, leaving approximately 1.34 MGD of capacity available for future growth. This represents usage of approximately 37 percent of the total available under the existing contract. Assuming a new dwelling unit generates approximately 250 gallons of wastewater per day, 254 new units through the planning period would produce approximately 0.06 MGD, or 4.5 percent of the City's remaining contract capacity. With substantial capacity available, there would be no constraints on the availability of wastewater disposal or treatment.

Senate Bill 1087 also mandates priority sewage collection and treatment service to housing developments providing units affordable to lower-income households. The City will provide a copy of the adopted Housing Element to Metro within 30 days of adoption. The City will continue to coordinate with Metro to ensure priority service provision to affordable housing developments.

3.5 Environmental Constraints

A community's environmental setting affects the feasibility and cost of developing housing. Environmental issues range from the availability of water to the suitability of land for development due to potential exposure to seismic, flooding, and other hazards. If not properly recognized and accommodated in residential design, these environmental features could potentially endanger lives and property. This section summarizes these potential constraints on residential development in Imperial Beach.

3.5.1 Habitat and Hazardous Materials

None of the parcels identified in the residential sites inventory are constrained by sensitive habitat (including wetlands) or contamination that would prohibit developers from building. The vacant sites identified in the land survey are infill sites and are flat and generally rectangular in shape. As a result no major grading would be required on these parcels. The underutilized sites are infill commercial sites with potential to redevelop with residential uses on all floors above ground level.

3.5.2 Flooding

The Tijuana River Valley is subject to floods of great magnitude since it is the drainage way for the largest of the watershed basins in San Diego County. This drainage basin covers 1,700 square miles, only 27 percent of which lies within the United States. The River crosses the border at a point five miles inland from the Pacific Ocean and flows through the fertile Tijuana River Valley. This valley area is predominantly agricultural and open space. At the point where the river approaches the Imperial Beach City limits, it turns into an estuary. Most of the identified 100-year floodplain encompasses the estuary. This area has been designated as open space, due in part to its location in a flood plain, and in part to the natural habitat of the area. None of the parcels identified in the residential sites inventory are located within a floodplain.

3.5.3 Earthquakes

Available data indicates there are three major regional zones of faulting within the San Diego Region: (1) The San Jacinto Fault Zone, located in the eastern part of the County, is considered to be a major active branch of the San Andreas fault system; (2) The Elsinore fault zone paralleling the San Jacinto fault zone is the largest known active fault in the County of San Diego. (3) The Rose Canyon fault zone, paralleling the Pacific coastline, is considered to be the possible southeasterly extension of the Newport-Inglewood fault zone. None of the parcels identified in the residential sites inventory are located on known fault lines. The City requires engineering reports to establish appropriate design standards and mitigation measures taken to alleviate these hazards. However, the necessity of these reports is offset by the need for public safety and welfare, and thus the City does not consider the reports a constraint to housing development.

3.5.4 Farmland

None of the parcels identified in the residential sites inventory are covered by a Williamson Act contract.

Section 4: Housing Opportunities and Resources

Resources that are available for the development, rehabilitation, and preservation of housing in the City of Imperial Beach are discussed in this section. The analysis demonstrates the City’s ability to satisfy its share of the region’s future housing need, identifies financial and administrative resources available to support housing activities and facilitate implementation of City housing policies and programs. Opportunities for energy conservation are also explored.

4.1 Future Housing Needs

State law requires each community to play a role in meeting the region’s housing needs. As such, the San Diego Association of Governments (SANDAG) has allocated the City of Imperial Beach housing production goals through year 2020. This section discusses how Imperial Beach has adequate existing residential site capacity to accommodate its share of regional housing needs during the planning period.

4.1.1 RHNA Requirement

The Regional Housing Needs Allocation (RHNA) developed and adopted by SANDAG covers an eleven-year growth projection and planning period (January 1, 2010 through December 31, 2020). The RHNA assigns a housing production to each jurisdiction in the region. Imperial Beach must identify adequate land with appropriate zoning and development standards to accommodate its allocation of the regional housing need.

According to the RHNA, Imperial Beach’s share of regional future housing needs is a total of 254 new units between January 1, 2010 and December 31, 2020. This allocation is distributed into four income categories, as shown below in Table H-40. The RHNA includes a fair share adjustment which allocates future (construction) need by each income category in a way that meets the State mandate to reduce over-concentration of lower income households in historically lower income communities or areas within the region.

Income Category (% of County AMI)	Number of Units	Percent
Extremely Low (30% or less)*	30	11.8%
Very Low (31 to 50%)	33	13.0%
Low (51 to 80%)	48	18.9%
Moderate (81% to 120%)	45	17.7%
Above Moderate (Over 120%)	98	38.6%
Total	254	100.0%

Source: Final Regional Housing Needs Allocation, SANDAG, 2011.

AMI = Area Median Income

Note: * The City has a RHNA allocation of 63 very low income units (inclusive of extremely low income units). Pursuant to State law (AB 2634), the City must project the number of extremely low income housing needs based on Census income distribution or assume 50 percent of the very low income units as extremely low. According to the CHAS data developed by HUD, 29.5% of City households earned less than 50 percent of the AMI. Among these households, 46.9 percent earned incomes below 30% (extremely low). Therefore the City’s RHNA allocation of 63 very low income units may be split into 30 extremely low and 33 very low income units. However, for purposes of identifying adequate sites for the RHNA allocation, State law does not mandate the separate accounting for the extremely low income category.

4.1.2 Credits toward the RHNA

The RHNA is an 11-year planning goal. Housing units built, under construction, or approved from January 1, 2010 onward can be credited towards meeting the City's RHNA. These units can be subtracted from the City's share of regional housing needs. The City must demonstrate in this Housing Element its ability to meet the remaining housing needs, through the provision of sites, after subtracting units under construction or anticipated (Table H-41).

Income/ Affordability Category	RHNA	Units Built	Units Under Construction	Units Approved	Units Pending Approval	Remaining Units Deficit
Very Low	63	0	0	3	0	60
Low	48	0	0	26	6	16
Moderate	45	0	4	1	0	40
Above Moderate	98	6	0	0	0	92
Total	254	6	4	30	6	208

Units Constructed

Since January 1, 2010, six single-family units have been constructed. These include: one single-family unit at 604 7th Street was constructed on March 1, 2010; one single-family unit at 1194 Connecticut Street was constructed on November 3, 2011; three single-family units at 1022, 1024, and 1026 Elm Avenue were constructed on December 1, 2011, and one single-family unit at 1221 East Lane was constructed on March 22, 2012.

Units under Construction

A total of four dwelling units within mixed use developments were under construction as of April 2012 (Figure H-10). The narrow 5,800 square-foot lots located in the C-3 (Neighborhood Commercial) zone will include ground floor commercial uses and achieve more than 80 percent of the allowable maximum density and meet all applicable development standards, including setbacks, building height, and parking. As demonstrated in the Community Profile of this Housing Element, moderate income households can afford to purchase a median priced home in Imperial Beach and the market provides a wide range of affordable rental options. Therefore, it is reasonable to assume that these units will be offered at rents affordable to moderate income households.

Figure H-10: Units under Construction

Before



1120 13th St (633-022-20-00) on 5,800 SF lot

Under Construction



Before



1150 13th St (633-022-16-00) on 5,800 SF lot

Under Construction



Units Approved

On October 5, 2011, the City Council approved a 30-unit mixed use development located on the northeast corner of Palm Ave. and Florence St. The project received a density bonus, modifications of development standards, and other incentives to achieve 53 units per acre. Of the 30 units, three will be deed-restricted affordable for very low income households, 26 for low income households, and there will be one manager unit. Because all multi-family rental housing in Imperial Beach is affordable to moderate income households, it is reasonable to assume that the manager unit will also be affordable to a moderate income household.

Units Pending Approval

On February 14, 2012, Habitat for Humanity applied to construct six low income townhomes on a vacant 10,500 square foot lot acquired by the City's former redevelopment agency. The property is located at 776 10th Street, in the C-1 zone (APN# 626-282-12-00).

Remaining Housing Need to be Accommodated

After accounting for units under construction and approved since January 1, 2010, a remaining need of 208 units exists, including 60 very low income, 16 low income, 40 moderate income units, and 92 above moderate income units. The City must demonstrate the availability of sites with appropriate zoning and development standards that can facilitate and encourage the development of such units by December 31, 2020.

4.1.3 Anticipated Second Dwelling Units

Second dwelling units are allowed by-right on over 2,900 parcels covering nearly 400 acres zoned R-3000, R-3000-D, R-2000, and R-1500. In the five-year period between January 1, 2005, and December 31, 2009, property owners constructed 79 second dwelling units. Based

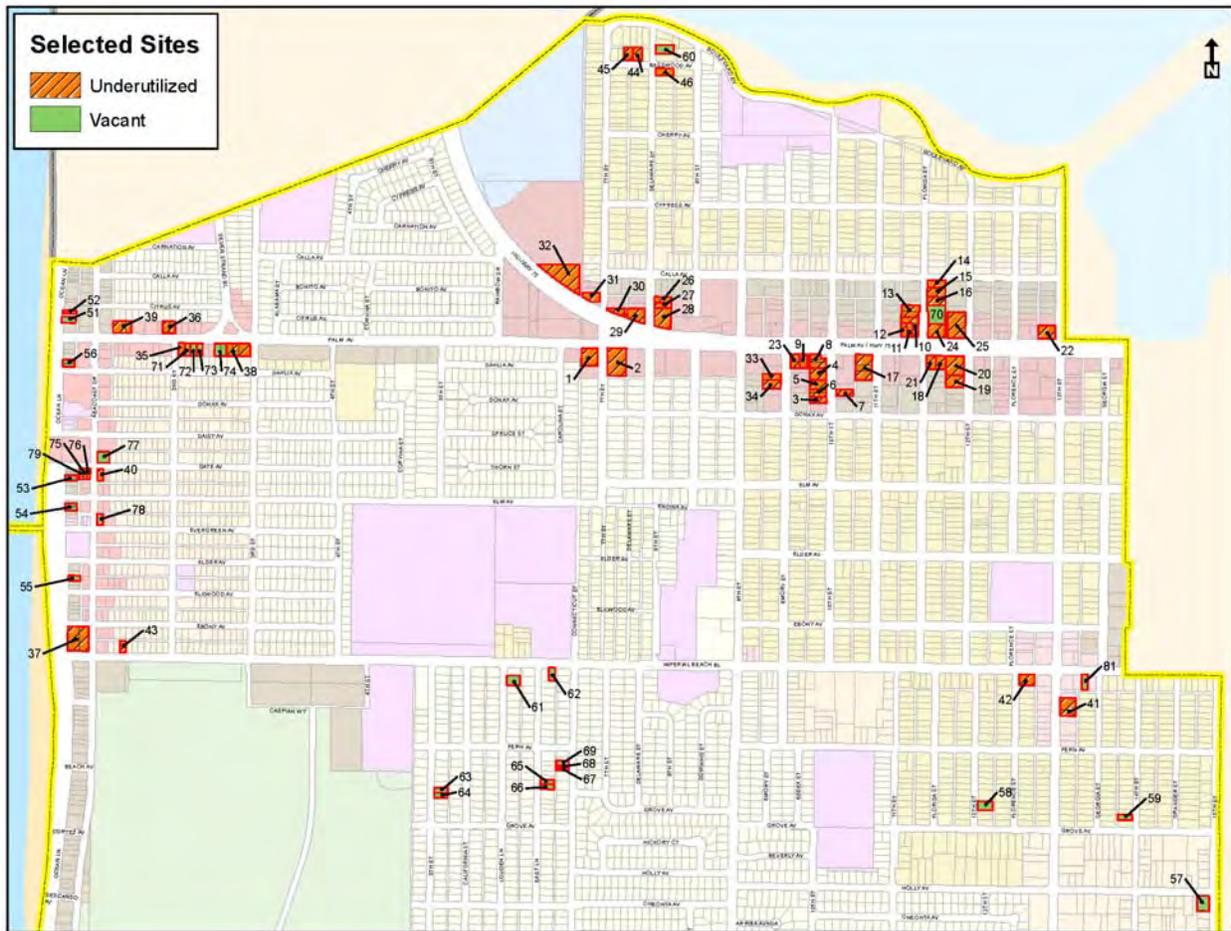
on historical level of production, the City anticipates at least 56 new second dwelling units through the end of the planning period. This represents an average of seven second dwelling units per year from 2012 through 2020, which is less than half the average number of units constructed annually during the last Housing Element planning period. Given the housing affordability analysis contained in the Community Profile, the City expects that all new second dwelling units constructed in Imperial Beach will be affordable to lower income households. However, because the City does not require that these units be deed restricted as affordable to lower income households, moderate income affordability is assumed for the purposes of the RHNA.

4.1.4 Residential Sites Inventory

As part of this Housing Element update, City staff identified residential sites that could accommodate Imperial Beach’s future housing needs. Table H-42 includes a summary of the detailed inventory of vacant and underutilized sites contained in Appendix C. As shown in Figure H-11, each identified site is adjacent to developed land and can be readily served with existing infrastructure.

Table H-42: Vacant and Underutilized Sites Summary							
Zoning	Parcel Count	Total Acres	Max Density	Max Capacity	Realistic Capacity		Affordability
					80% Max Density*	50% Mixed Use**	
<i>Vacant</i>							
R-1-6000	9	0.9	7 du/a	9 units	9 units	N/A	Moderate
R-3000 & R-3000-D	3	0.6	14 du/a	8 units	8 units	N/A	Moderate
R-2000	1	0.3	21 du/a	6 units	5 units	N/A	Moderate
R-1500	8	0.7	29 du/a	17 units	13 units	N/A	Moderate
C-3	1	0.1	21 du/a	3 units	2 units	1 unit	Moderate
C-2	10	1.6	29 du/a	42 units	35 units	18 units	Above
C-1	1	0.5	43 du/a	21 units	17 units	8 units	Lower
<i>Underutilized</i>							
R-3000-D	3	0.6	14 du/a	8 units	6 units	N/A	Moderate
R-2000	1	0.1	21 du/a	2 units	2 units	N/A	Moderate
C-3	3	0.7	21 du/a	14 units	11 units	5 units	Moderate
C-2	11	2.4	29 du/a	68 units	55 units	27 units	Above
C-1	43	10.9	43 du/a	463 units	364 units	172 units	Lower
<i>Notes:</i> *Assumes that the sites will develop with at least one unit per lot or at an average of 80 percent maximum allowable density. Summary data rounded down by parcel. **Assumes that only 50 percent of the commercial sites will develop as mixed use with a residential component. Summary data rounded down by parcel.							

Figure H-11: Vacant and Underutilized Sites



Realistic Capacity Assumptions

In order to assess the potential for housing development in the City of Imperial Beach, it is important to understand the actual or realistic housing capacity of identified sites, whether they are vacant sites or sites that have a reasonable potential for redevelopment. For the purposes of identifying realistic capacity, it is assumed that development will achieve at least 80 percent of the maximum allowable residential density. For the smaller lots in the inventory, a minimum of one dwelling unit is assumed for each legal lot. It is also assumed that 50 percent of the commercial sites will be developed with mixed-use and include multi-family units above ground-floor commercial uses.

These assumptions are based on historical development patterns and are necessary to accommodate for a variety of site specific factors that cannot be evaluated until a development proposal is brought to the City for review. Site shape, size, access, location, developer preferences and cumulative application of development standards will result in some parcels achieving maximum allowable residential density while others will achieve less than 80 percent of maximum allowable density. A CUP is required for mixed use; however, this is not a constraint on development. The City has approved five mixed use projects since 2001, including two redevelopment projects that are currently under construction. These privately-

funded market rate mixed use projects achieved an average of 82 percent maximum allowable density.⁸ No mixed use projects were denied during this period.

As part of the City's efforts to promote mixed use development along its commercial corridors, the City commissioned a land use study to review its development standards. The study recommends providing density and height incentives to mixed use projects that include large units (with three or more bedrooms). The City intends to adopt the recommendations of the study.

Vacant Sites

As an older urban community, the City's inventory of vacant residential and commercial land is limited. Only 33 parcels (4.8 acres) zoned for residential or commercial/mixed use are undeveloped and available for future housing development. The lots are small (average <5,250 square feet) and scattered with a maximum capacity of 108 units; however, the City estimates that the realistic capacity of these sites is 62 units.

Underutilized Sites

Although the recent economic downturn has slowed all development in the City (residential and commercial), redevelopment of underutilized sites continues to be a viable option in Imperial Beach. In addition to the two mixed-use projects currently under construction, eight single-family homes have been demolished and redeveloped with 15 new single-family and duplex units since 2008. Given a limited supply of vacant land in Imperial Beach and urbanized South San Diego County, the City anticipates that increased redevelopment activities within the planning period will occur as the economy continues to recover.

The City has identified 61 parcels (14.7 acres) zoned for residential and commercial/mixed use that are underutilized and ripe for redevelopment. The underutilized properties are larger on average than the vacant sites (average >10,000 square feet); however, the largest site is approximately one acre. Although some portions of each of these sites are developed with existing commercial, manufacturing, and/or residential uses, the existing uses are of marginal economic viability, the structures are at or near the end of their useful life, and/or the existing intensity of development is substantially lower than allowed by existing zoning. Most sites are adjacent or in close proximity to each other and are appropriate for assemblage for redevelopment projects. Given these existing conditions and the zoning capacity for higher density residential, the City feels these sites are the most viable redevelopment opportunities to accommodate the housing need within the planning period. These underutilized sites have the capacity to yield up to 554 new dwelling units; however, the City estimates that the realistic capacity of these sites is 212 new units.

Affordability Assumptions

The realistic capacity of the City's vacant and underutilized sites plus anticipated second dwelling units could result in 330 new dwelling units by the end of year 2020. This exceeds the City's remaining RHNA of 208 units for the 2010-2020 planning period, and the following discussion demonstrates that the City has adequate capacity to accommodate the RHNA by income category:

⁸ Specifically, redevelopment of properties located at 1120, 1126, 1146, 1150, and 1189 13th Street in the C-3 zone.

- **Lower Income Sites:** Government Code Section 65583.2(c)(3)(B) allows local governments to utilize a “default” numerical density standard for establishing adequate zoning to accommodate lower income housing. With a maximum allowable density of 43 units per acre, the C-1 (General Commercial) zone, meets the statute’s “default” density standard. Therefore, the vacant and underutilized C-1 parcels identified in Appendix C have adequate zoning to accommodate at least 180 lower income units.
- **Moderate Income Sites:** The housing market analysis in the Community Profile of this Housing Element demonstrates that moderate income households can afford to a wide range of rental options and purchase a median priced home in Imperial Beach. As such, the City assumes that sites in Appendix C zoned R-1-6000, R-3000, R-3000-D, R-2000, R-1500, C-3, and C-2 zones could accommodate at least 49 units affordable to moderate income households. Another 56 moderate income second dwelling units can be accommodated on at least 2,900 parcels zoned R-3000, R-3000-D, R-2000, and R-1500.
- **Above Moderate Income Sites:** Vacant and underutilized sites zoned C-2 (Seacoast Commercial) are located within two blocks of the beach and provide convenient access to shopping, dining, and entertainment. The proximity to such amenities increases the likelihood that these units will be offered at higher prices than most other homes in Imperial Beach. Therefore, for the purposes of this analysis, the City assumes that the C-2 sites in Appendix C could be developed with at least 45 above moderate income units.

4.1.5 Suitability of Underutilized Sites

Imperial Beach is an older urbanized community with limited development opportunities on vacant land. As such, vacant sites cannot accommodate Imperial Beach’s entire share of the regional housing need and the City relies on underutilized properties to demonstrate sufficient capacity during the planning period. This section demonstrates that the underutilized sites are suitable for redevelopment within the planning period.

All the sites identified include marginal uses such as independent auto repair shops or used car sales, small homes on large lots, small commercial offices or retail businesses that have outdated configurations and marginal operations. Nearly all of the existing structures are in either dilapidated or poor condition. The structures that are in fair condition are on lots that are highly underutilized based on the allowable zoning. Figure H-12 and Figure H-13 depict typical existing conditions on underutilized sites in the commercial and residential zones.

Figure H-12: Example Commercial Sites



Abandoned motel on a 45,300-square-foot lot in the C-1 zone (Site# 32).



Vacant commercial building on a 5,250-square-foot lot in the C-2 zone (Site# 35).



Marginal coin operated car wash on an 11,620-square-foot lot in the C-3 zone (Site# 42).



Small dwelling on an 11,400-square-foot lot in the C-1 Zone (Site# 34)

Figure H-13: Example Residential Sites



Small single family dwelling on a 4,780-square-foot lot in the R-2000 zone (Site# 43).



Marginal operating industrial use on an 8,250-square-foot lot in the R-3000-D zone (Site# 44).

Recent construction and development applications demonstrate active demand for the redevelopment in Imperial Beach. The City recently received an application to convert an existing industrial building located within the R-3000-D zone and located at 730 Basswood Ave (Site #44 depicted above) into an attached duplex. At only 8,250 square feet, this site is similar in size and shape and has similar improvements to the two commercial sites on 13th Street that are currently being redeveloped with mixed use (see Figure H-10). All three of these sites are similar to the majority of sites in Appendix C. Therefore, the City concludes that its inventory of underutilized sites is suitable for redevelopment within the planning period.

Public Services and Infrastructure Availability

As discussed in details in the Constraints section of the Housing Element, no significant public service or infrastructure constraints have been identified. Existing water delivery and

wastewater collection infrastructure is available to all properties located in the residential sites inventory and the City has adequate water and wastewater capacity to accommodate the RHNA of 254 units. All sites are adjacent to existing public roadways and are serviceable by the City's police and fire departments, as well as private companies that provide phone, cable, gas, and electric service.

4.1.6 Summary

Table H-43 summarizes the City's accommodation of the RHNA for all income groups during the 2010-2020 planning period. After accounting for development credits, anticipated second dwelling units, and realistic capacity of vacant and underutilized sites, the City has identified surplus capacity of 122 total units, including a surplus of 104 lower income and 65 moderate income units.

Income	RHNA	Credits	Remaining RHNA	Anticipated SDUs	Sites Capacity	Surplus/ Shortage
Very Low (<50% AMI)	63	3	60	0	180	+104
Low (51-80% AMI)	48	32	16			
Moderate (81%-120% AMI)	45	5	40	56	49	+65
Above Moderate (>120% AMI)	98	6	92	0	45	-47
Total	254	46	208	56	274	+122

4.2 Financial Resources for Housing

As a small city, Imperial Beach has limited access to funding sources for affordable housing activities. The following section describes the three largest housing funding sources the City of Imperial Beach can use for housing production, rehabilitation, or preservation: Balance of redevelopment set-aside funds; the Housing Choice Voucher Program; and CDBG funds.

4.2.1 Redevelopment Housing Set-Aside

Prior to dissolution in February 2012, State law required the City's redevelopment agency to set aside a minimum of 20 percent of all tax increment revenue generated from redevelopment projects for affordable housing. The "set-aside" or Lower and Moderate Income Housing Fund (LMIHF) must be used for activities that increase, improve, or preserve the supply of affordable housing. Redevelopment law required that all new or substantially rehabilitated housing units developed or otherwise assisted with the Agency's set aside funds must remain affordable to the targeted income group for at least 55 years for rentals and 45 years for ownership housing.

In February 2012, the City formed a Housing Authority to oversee the remaining balance of LMIHF. Members of the City Council comprise the Authority's decision-making body. As of March 2012, the Imperial Beach Housing Authority has a balance of \$5,674,640 in the LMIHF. The majority of the LMIHF has been committed to American Legion, the 30-unit project under construction. Other uses of the funds include monitoring of various affordable housing projects (Hemlock and Calla; Beachwind), Housing Element update, Clean and Green, the Habitat for Humanity project. No new LMIHF will be generated with the dissolution of the redevelopment agency.

4.2.2 Housing Choice Voucher Program

The Housing Choice Voucher Program is a federal program that provides rental assistance to very low income persons in need of affordable housing. The program offers a voucher to income-qualified tenants that pays the difference between the payment standard (an exception to fair market rent) and what a tenant can afford to pay (e.g. 30 percent of their income). A voucher allows a tenant to choose housing that may cost above the payment standard, with the tenant paying the extra cost. The San Diego County Department of Housing and Community Development (County HCD) administers the Housing Choice Voucher Program in Imperial Beach. Approximately 400 households in Imperial Beach receive assistance through the Housing Choice Voucher Program.

4.2.3 Community Development Block Grant (CDBG) Funds

The CDBG program provides funds for a range of community development activities. The program is flexible in that the funds can be used for a range of activities. The eligible activities include, but are not limited to: acquisition and/or disposition of real estate or property, public facilities and improvements, relocation, rehabilitation and construction (under certain limitations) of housing, homeownership assistance, and also clearance activities. CDBG funds can be used for a wide array of activities, including:

- Housing rehabilitation;
- Downpayment and other homeownership assistance;
- Lead-based paint screening and abatement;
- Acquisition of buildings and land;
- Construction or rehabilitation of public facilities and infrastructure;
- Removal or architectural barriers;
- Public services for low-income persons and persons with special needs;
- Rehabilitation of commercial or industrial buildings; and
- Loans and grants for businesses that provide employment for low-income persons.

The City of Imperial Beach does not qualify as an entitlement jurisdiction to receive annual CDBG allocations directly from HUD.⁹ The County provides community development improvement CDBG dollars to the unincorporated areas within the County and the cities of Coronado, Del Mar, Imperial Beach, Lemon Grove, Poway and Solana Beach for a wide variety of housing and community development activities. The dollars are allocated to the cities based on a formula that accounts for population levels, overcrowding and poverty. Annually, the City receives approximately \$125,000 in CDBG funds through the County. Given the small total allocation, the City has historically allocated CDBG funding to support capital improvements in low and moderate income neighborhoods.

⁹ A jurisdiction must have a population of 50,000 or over to qualify as an entitlement jurisdiction to receive annual funding from HUD directly.

4.3 Administrative Resources

Described below are public agencies and non-profit organizations that have been involved or are interested in housing activities in Imperial Beach. These agencies play important roles in meeting the housing needs of the community. In particular, these agencies and organizations have been or are currently involved in the improvement of the housing stock, expansion of affordable housing opportunities, preservation of existing affordable housing, and/or provision of housing assistance to households in need in Imperial Beach.

4.3.1 San Diego County HCD

San Diego County HCD is a public agency that provides subsidized housing and other housing-related services to lower and moderate income individuals and families. In addition to conventional public housing within San Diego County, the Department administers several rental assistance programs such as the Housing Choice Voucher Program, Family Self-Sufficiency, Shelter + Care, and Housing Opportunities for Persons with AIDS.

County HCD also operates a range of housing programs using HUD and State funds. As participating jurisdiction, Imperial Beach residents are eligible to receive assistance through the following programs:

- Home Repair Loan/Grant Program
- Downpayment and Closing Cost Program
- Mortgage Credit Certificate Program

4.3.2 Private Developers and Service Providers

Private developers and service providers are available to assist with the provision of housing and housing-related services within Imperial Beach. These private entities can be for-profit and non-profit ventures. The following affordable housing developers have expressed interest in developing and/or preserving affordable housing in San Diego County:

- Affordable Housing Applications (AHA Housing)
- Affordable Housing People
- Alpha Project
- American Legion
- Bridge Housing Corporation
- Casa Familiar
- Catholic Charities
- Chicano Federation of San Diego County
- City of San Diego Housing Commission
- Community Housing Group
- Community Housing Works
- County of San Diego Housing and Community Development Department
- Episcopal Community Services
- Habitat for Humanity
- Housing Development Partners of San Diego
- Imperial Beach Gardens
- Jamboree Housing

- Lutheran Social Services
- MAAC Project
- San Diego Community Land Trust
- San Diego County Housing and Community Development Department
- San Diego Interfaith Housing Federation
- South Bay Community Services
- St. James Lutheran Senior Housing
- Vietnam Veterans of San Diego

The City will continue to work with these and other qualified housing developers and service providers to create affordable housing through new construction, acquisition/rehabilitation, and preservation.

4.4 Opportunities for Energy Conservation

Construction of energy efficient buildings can add to the production costs of ownership and rental housing. Over time, however, housing with energy conservation features should reduce occupancy costs as the consumption of fuel and electricity is decreased. This can result in monthly housing costs that are equal to or less than what they otherwise would have been had no energy conservation devices been incorporated in the new residential buildings. This section provides an overview of opportunities for energy conservation during the 2013 to 2020 housing planning period.

4.4.1 State Regulations

Title 24 of the California Administrative Code establishes energy conservation standards that must be applied to all new residential buildings. The regulations specify energy saving design for walls, ceilings and floor installations, as well as heating and cooling equipment and systems, gas cooling devices, conservation standards and the use of non-depleting energy sources, such as solar energy or wind power. Compliance with the energy standards is achieved by satisfying certain conservation requirements and an energy budget. Among the alternative ways to meeting the energy standards are the following:

- **Alternative 1:** The passive solar approach which requires proper solar orientation, appropriate levels of thermal mass, south facing windows, and moderate insulation levels.
- **Alternative 2:** Generally requires higher levels of insulation than Alternative 1, but has no thermal mass or window orientation requirements.
- **Alternative 3:** Also is without passive solar design but requires active solar water heating in exchange for less stringent insulation and/or glazing requirements.

Residential developers must comply with these standards while localities are responsible for enforcing the energy conservation regulations.

4.4.2 State and Federal Programs

The California Department of Community Services and Development in partnership with the network of local community services agencies that assist lower-income households, administers the Low Income Home Energy Assistance Program (LIHEAP) and Energy Low Income Weatherization Assistance Program (DOE-LIWAP). LIHEAP provides financial assistance to lower income households to offset the costs of heating and/or cooling their residences. DOE-LIWAP provides installation and weatherization measures that increase energy efficiency of existing residential and multi-family dwellings occupied by lower-income persons. Eligible weatherization services include a wide variety of energy efficiency measures that encompass the building envelope, its heating and cooling systems, its electrical system, and electricity consuming appliances.

4.4.3 Local Measures

The City recently adopted a Green Building Code, which introduces sustainable construction practices in planning, design, energy, resource and water efficiency, material conservation and environmental quality. Furthermore, the City allows mixed-use development in commercial zones and within residential zones with the Mixed Use Overlay districts. Policies and programs of this Housing Element will encourage and facilitate the redevelopment of underutilized commercial sites within the City's primary transit corridors. Mixed-use residential development that is both pedestrian- and transit-oriented conserves energy by reducing the number of vehicular trips and efficient use of land and construction materials.

The City's Clean and Green Program provides qualified very low, low and moderate income single-family homeowners with grants for energy efficient and water conservation improvements. Also, an eligible expense in the program is the installation of accessibility improvements.

4.4.4 Private Sector Programs

The following private sector energy conservation programs are available to housing developers and Imperial Beach residents:

- **California Alternative Rates for Energy (CARE):** Lower-income customers enrolled in the CARE program receive a 20 percent discount on their electric and natural gas bills and are not billed in higher rate tiers that were created for San Diego Gas & Electric (SDG&E). CARE is funded through a rate surcharge paid by all other utility customers.
- **Energy Assistance Program Rate (EAPR):** Includes a one-year electric rate reduction home energy audit, free compact fluorescent lights, and replacement of inefficient refrigerators. Income qualification and enrollment by Red Cross.
- **Family Electric Rate Assistance Program (FERA):** This program was developed for families whose household income slightly exceeds the threshold for assistance in other energy program allowances. Qualifying households have some of their electricity usage billed at a lower rate.
- **Low Income Energy Efficiency Program (LIEE):** The LIEE program provides no-cost weatherization services to lower-income households who meet the CARE guidelines. Services provided include attic insulation, energy efficient refrigerators, energy efficient

furnaces, weather stripping, caulking, low-flow showerheads, water heater blankets, and door and building envelop repairs that reduce air infiltration.

- **Salvation Family Emergency Services:** Utility assistance and energy conservation counseling is available from the Salvation Army.
- **Residential Energy Standards Training:** SDG&E offers seminars on energy efficiency compliance best practices. Architects, designers, builders, engineers, energy consultants, HVAC contractors, building department inspectors, and plan checkers are encouraged to learn about new technologies that improve energy efficiency and reduce the cost of complying with evolving State energy standards.
- **Lighting Turn-In Program:** Through this program, SDG&E replaces resident's incandescent bulbs with more energy-efficient compact fluorescent bulbs (CFLs) free of charge. Residents can access the program via community events that are held throughout SDG&E's service area and coordinated through an extensive network of community organizations and government agencies.
- **Rebate Program:** SDG&E offers rebates for single-family and multifamily dwelling units for certain improvements in their units that lead to greater energy efficiency. These improvements include purchase and installation of insulation, energy efficient appliances, and the replacement of old light bulbs with Energy Star light bulbs.

Section 5: Housing Plan

Previous sections of the Housing Element established the housing needs, constraints, opportunities and resources in the City of Imperial Beach. The Housing Plan presented in this section sets forth the City's goals, policies and programs to address Imperial Beach's identified housing needs:

- **Goals** are the results that the City desires to achieve over the housing planning period. They are general expressions of values or preferred outcomes, and therefore, are abstract in nature and may not be fully attained. The goals are the basis for City policies and actions during this period.
- **Policies** are specific statements that will guide decision-making. Policies serve as the directives to developers, builders, service providers, decision makers and others who will initiate or review new development projects or seek to provide housing-related services in Imperial Beach. Some policies stand alone as directives, but others require that additional actions be taken. These additional actions are listed under "programs" below.
- **Programs** are the core of the City's housing strategy. Programs translate goals and policies into actions. These include on-going programs, procedural changes, zoning ordinance changes, and other actions that implement the housing policies and help achieve housing goals. Each program identifies the responsible agency, funding source, timeframe for implementation, and specific objectives.

5.1 Review of Past Accomplishments

Government Code Section 65588(a) requires each jurisdiction to review its housing element as frequently as appropriate to evaluate:

- The appropriateness of the housing goals, objectives, and policies in contributing to the attainment of the state housing goal;
- The effectiveness of the housing element in attainment of the community's housing goals and objectives; and
- The progress of the city, county or city and county in implementation of the housing element.

This section documents the City's achievements under the 2005-2010 Housing Element with respect to the actions and objectives contained therein. The City's efforts and accomplishments under the 2005-2010 (extended by SB 375 through April 2013) Housing Element are summarized in Appendix B. The Appendix also contains recommendations for program retention, revision, deletion or addition to address current and projected needs and State requirements between 2013 and 2020.

5.2 Goals and Policies

This section of the Housing Element contains the goals and policies the City of Imperial Beach intends to implement to address a number of important housing-related issues. The following major issue areas are addressed by the goals and policies of this Element:

- Provide a broad range of housing types to meet the needs of existing and future residents;
- Identify and promote adequate sites for future residential development;
- Increase opportunities for homeownership;
- Ensure that existing housing is maintained and preserved; and
- Promote equal housing opportunity for all.

Each issue area and the supporting goals and policies are identified and discussed in the following section.

5.2.1 Range of Housing Types

Continuing to provide a balanced inventory of housing in terms of types (e.g., single-family, duplexes, apartments, and condominiums), cost and style will allow the City to fulfill a variety of housing needs. In addition, providing regulatory and available financial assistance will be essential to support the production of affordable housing. Maintaining diversity in housing choice and cost will allow Imperial Beach residents an opportunity to find housing meeting their individual and household needs, regardless of age, disability, family type, or income.

Goa 1: Meet the housing needs of existing and future needs of the community.

Policy 1.1: Accommodate a variety of housing types to meet the needs of all residents.

Policy 1.2: Facilitate development of affordable housing through use of financial and/or regulatory incentives when feasible.

Policy 1.3: Encourage the development of residential units and the provision of related services for special needs groups, including the elderly, large families, single parents, persons with disabilities, and the homeless.

Policy 1.4: Maintain streamlined procedures for processing new residential development applications.

Policy 1.5: Advocate for increased funding to expand federal and state housing assistance programs for lower and moderate income households, including extremely low income households.

Policy 1.6: Encourage the inclusion of housing affordable to extremely low income households when reviewing proposals for new affordable housing developments.

Policy 1.7: Periodically review City regulations, ordinances, procedures, and fees to ensure they do not unduly constrain the production of housing.

Policy 1.8: Eliminate zoning and other regulatory barriers to the placement and operation of housing facilities for the homeless and special needs populations in appropriate locations throughout the City.

5.2.2 Adequate Residential Sites

Imperial Beach is a built-out community with a limited amount of remaining vacant residential land. To facilitate new residential development, the City plays an important role in both assisting in the identification and promotion of potential sites for future development.

Goal 2: Provide adequate housing sites through appropriate land use designations, zoning districts, and residential development standards to accommodate the City's share of the regional housing need.

Policy 2.1: Maintain an up-to-date residential sites inventory and provide to interested developers in conjunction with information on available development incentives.

Policy 2.2: Promote mixed-use development and second dwelling units in appropriate districts to facilitate smart growth and reduction in automobile trips, vehicle miles traveled, and associated energy consumption.

Policy 2.3: Ensure that residential development sites have appropriate and adequate services and facilities, including water, wastewater, and neighborhood infrastructure.

Policy 2.4: Support the assembly of small vacant or underutilized parcels as a means to increase the feasibility of infill development.

5.2.3 Promote Homeownership

Increasing homeownership in Imperial Beach can contribute to improved property maintenance and stabilization of neighborhoods. In addition, by assisting renters to move into adequately sized ownership units, the City can address overcrowding in its rental housing stock.

Goal 3: Expand homeownership opportunities to increase the proportion of owner-occupied housing units.

Policy 3.1: Encourage the development of affordable homeownership housing for first-time homebuyers.

Policy 3.2: Continue to promote countywide programs that assist qualified buyers with the purchase of a home.

Policy 3.3: Promote home ownership opportunities and support current homeowners in retaining their homeownership status.

Policy 3.4: Advocate for the expansion of existing and creation of new programs to support a variety of owner-occupied housing.

5.2.4 Maintain and Preserve Existing Housing

Housing and neighborhood conservation is an important component of maintaining and improving the quality of life for residents. In general, housing over 30 years old usually is in need of some major rehabilitation, such as a new roof, repair of termite damage, foundation work, plumbing, etc. With approximately 75 percent of Imperial Beach's housing stock built prior to 1980, preventive maintenance is essential to ward off widespread housing deterioration. Imperial Beach must continually assess potential neighborhood and community impacts associated with aging housing, infrastructure and community facilities. Maintenance and rehabilitation efforts contribute to the preservation and enhancement of neighborhoods and the individual housing units within these neighborhoods.

Goal 4: Maintain, preserve, and enhance existing housing to build stronger and more vibrant residential neighborhoods.

Policy 4.1: Encourage the preservation, rehabilitation or, if necessary, replacement of single-family and multi-family dwelling units, in order to improve and enhance existing neighborhoods.

Policy 4.2: Facilitate preservation of housing affordable to lower and moderate income households.

Policy 4.3: Alleviate unit overcrowding by maintaining development standards and building codes that permit owners to remodel homes and add living area, bedrooms, and bathrooms.

Policy 4.4: Monitor housing and neighborhood conditions and trends for early signs of deterioration.

Policy 4.5: Encourage resident involvement in identifying and addressing the maintenance of housing in their neighborhood.

Policy 4.6: Enforce building codes and property maintenance standards.

Policy 4.7: Monitor, protect, and preserve affordable housing within the coastal zone.

Policy 4.8: Invest in street, curb, gutter, drainage, and utility improvements in declining or deteriorating neighborhoods to encourage increased private market investment and redevelopment.

5.2.5 Promote Equal Housing Opportunities

The City seeks to expand the range of housing opportunities provided in Imperial Beach, including housing for seniors on fixed incomes, lower and moderate income residents (including extremely low income households), the disabled, large families, female-headed households with children, and the homeless. In order to make adequate provision for the housing needs of all segments of the community, the City must ensure equal and fair housing opportunities are available to all residents.

GOAL 5: Ensure that all residents have equal housing opportunities, regardless of race, color, ancestry, national origin, religion, age, gender/gender identity, marital status, familial status, disability/medical conditions, source of income, sexual orientation, or any other arbitrary factor.

Policy 5.1: Affirmatively further fair housing and promote equal housing opportunities for persons of all economic segments of the community.

Policy 5.2: Promote housing along with supportive services to meet the special housing needs of seniors, homeless individuals and families, and the disabled.

Policy 5.3: Encourage the provision of housing to meet the needs of families of all sizes.

Policy 5.4: Facilitate increased participation among traditionally underrepresented groups in the public decision making process.

Policy 5.5: Provide outreach and education for the broader community of residents, residential property owners and operators regarding fair housing practices and requirements.

5.3 Housing Programs

The goals and policies outlined in the prior section address Imperial Beach's identified housing needs, and are implemented through a series of housing programs offered primarily through the City's Community Development Department. Housing programs define the specific actions the City will undertake to achieve the stated goals and policies with the eight-year (2013-2020) planning period. The City's housing programs for addressing community housing needs is described according to the following five issue areas.

- Housing Conservation and Improvement
- Housing Assistance
- Provision of Adequate Housing Sites
- Removal of Governmental Constraints
- Promotion of Equal Housing Opportunity

The housing programs presented on the following pages eliminate, revise, or consolidate many of the programs identified in the 2005-2010 Housing Element. New programs have been added to address the City's unmet housing needs or to respond to changes in State laws. The responsible agency, funding source(s), and eight-year objectives is also identified for each program.

5.3.1 Housing Conservation and Improvement

Conserving and improving the housing stock is an important goal for the City of Imperial Beach. Approximately 75 percent of housing units in Imperial Beach were constructed prior to 1980 and are therefore more likely to have rehabilitation needs than newer housing units. Due to the advanced age of the City's housing stock, programs to address building conditions will facilitate

the upkeep of housing for the benefit of resident health. Programs to monitor, preserve, and improve the existing supply of affordable housing can also help accomplish the City's goal to build stronger and more vibrant residential neighborhoods.

Program 1: Home Repair Program for Owner-Occupied Property

Lower income residents of Imperial Beach are eligible to receive loans and grants provided by the County of San Diego, Department of Housing and Community Development, for the repair of owner-occupied single-family homes and mobilehomes. Deferred loans of up to \$25,000 for single-family homes and up to \$8,000 for mobilehomes are available to eligible homeowners. Monthly payments are not required on these loans; however, three percent interest is calculated annually on the unpaid principal. The total amount borrowed plus interest must be repaid when the property is sold, the recipient moves, or within 30 years, whichever occurs first. Grants of up to \$12,000 are also available to qualifying mobilehome owners.

- Responsible Agencies:** • County of San Diego, Department of Housing and Community Development
- Financing:** CDBG and HOME
- 2013-2020 Objectives and Timeframe:**
 - Continue to promote the County's Home Repair Program for Owner-Occupied Property to residents and property owners through dissemination of brochures at public counters, providing information on City website, and referring residents and property owners to the County of San Diego, Department of Community Development.
 - Ongoing implementation and annual monitoring and reporting throughout the planning period.

Program 2: Neighborhood Improvements

The City applies for and receives an annual allocation of CDBG funds from the County of San Diego, Department of Housing and Community Development, through the San Diego Urban County Program. These funds are used to install and upgrade public facilities (streets, curb, gutter, drainage facilities, and utilities) in lower income neighborhoods. The infrastructure improvements encourage increased private market investment in declining or deteriorating neighborhoods.

- Responsible Agencies:** • City of Imperial Beach Community Development Department
- County of San Diego, Department of Housing and Community Development
- Financing:** CDBG
- 2013-2020 Objectives and Timeframe:**
 - Annually apply to the San Diego Urban County for CDBG funds. Complete 16 infrastructure improvement projects that serve lower income neighborhoods by 2020.

Program 3: Clean and Green

The Clean and Green program provides qualified very low, low, and moderate income single-family homeowners with grants up to \$30,000 for energy and water efficiency

enhancements made to their home. Installation of accessibility improvements is also an eligible expense under the program.

Responsible Agencies: • City of Imperial Beach Community Development Department

Financing: Affordable Housing Bond Fund (contingent upon successful retention for this use by the Imperial Beach Redevelopment Agency Successor Agency)

- 2013-2020 Objectives and Timeframe:**
- Publicize City program on website and at public counters.
 - Assist 30 lower and 30 moderate income households by 2020.

Program 4: Conservation of Existing and Future Affordable Units

Between January 1, 2013, and December 31, 2022, one federally assisted multi-family apartment development with 99 units is at-risk of converting to market rate housing. The City will work with the property owner of the St. James Plaza development, interested groups, and the State and federal governments to conserve its affordable housing stock.

Responsible Agencies:

- City of Imperial Beach
- U.S. Department of Housing and Urban Development (HUD)
- County of San Diego County, Department of Housing and Community Development

Financing: HUD Section 8 Allocation; Housing Authority Special Housing Choice Vouchers

- 2013-2020 Objectives and Timeframe:**
- *Monitor Units at Risk:* Ongoing monitoring of the status of units within the St. James Plaza development.
 - *Tenant Education:* The California legislature extended the noticing requirement of at-risk units opting out of low-income use restrictions to one year. Should a property owner pursue conversion of the units to market rate, the City will ensure that tenants were properly noticed and informed of their rights and that they are eligible to receive Housing Choice Vouchers that would enable them to stay in their units.
 - *Assist Tenants of Existing Rent Restricted Units to Obtain Housing Choice Voucher Assistance:* Six months prior to conversion, the City will assist tenants of "at risk" units to obtain Housing Choice Vouchers through the County of San Diego County, Department of Housing and Community Development.

Program 5: Coastal Zone Monitoring

All housing in Imperial Beach is located within or near the Coastal Zone. In general, existing affordable housing that is located near the ocean are at a greater risk of cost inflation or redevelopment with uses intended to serve above moderate income households than property located further away from the ocean. To ensure the affordable housing stock within

the coastal zone is being protected and provided as required by Government Code Section 65590, the City will:

- Maintain records of existing housing units serving lower and moderate income households in the Coastal Zone areas;
- Track and maintain new construction, conversion and demolition of affordable housing in the Coastal Zone areas, including new construction of affordable housing and replacement affordable housing in or within three miles of the Coastal Zone areas; and
- Enforce applicable affordability covenants.

Responsible Agencies: • City of Imperial Beach Community Development Department

Financing: None required

- 2013-2020 Objectives and Timeframe:**
- Begin maintaining records in 2013.
 - Ongoing tracking of new construction, demolition, and conversion of affordable units within the Coastal Zone.

5.3.2 Housing Assistance

The City seeks to assist the real estate market provide decent housing and a suitable living environment for all Imperial Beach residents. This Housing Element has identified a specific need to expand rental and ownership opportunities for lower and moderate income households. The following programs provide assistance to developers of new affordable housing development or expand housing choices for income-qualified residents of Imperial Beach.

Program 6: Affordable Housing Incentives

To encourage and facilitate affordable housing development in Imperial Beach, the City will provide the following incentives to private developers along with information regarding the availability of funding through federal and State housing assistance:

- Provide technical assistance to developers regarding City mixed use zoning and density bonus incentives;
- Distribute the Affordable Housing Booklet to affordable housing developers;
- Provide fee underwriting, fee deferral, and/or permit fast-tracking for projects that include housing affordable to lower income households;
- As needed to enhance project feasibility, provide relaxed development standards for mixed use development projects that include an affordable housing component;
- Encourage well-planned and designed mixed use development by allowing higher building intensities, reduced parking requirements, reduced set-back and yard requirements, increased building height, and greater floor area ratios; and
- Develop appropriate incentives to encourage the provision of affordable units with three or more bedrooms.

Responsible Agencies: • City of Imperial Beach Community Development Department

Financing: None required

- 2013-2020 Objectives and Timeframe:**
- Continue to provide regulatory and technical assistance to affordable housing developers.

Program 7: Housing Choice Vouchers

The County of San Diego, Department of Housing and Community Development administers the Housing Choice Voucher program on behalf of the City of Imperial Beach. The Housing Choice Voucher program extends rental subsidies to very low income households, including families, seniors, and persons with disabilities. The program offers a voucher that pays the difference between the current fair market rent (FMR) as established by the U.S. Department of Housing and Urban Development (HUD) and what a tenant can afford to pay (i.e. 30 percent of household income). The voucher allows a tenant to choose housing that costs above the payment standard, providing the tenant pays the extra cost. A portion of the Housing Choice Vouchers is reserved for households with extremely low income.

- Responsible Agencies:**
- County of San Diego, Department of Community Development
 - City of Imperial Beach Community Development Department

Financing: HUD Section 8 allocation

2013-2020 Objectives and Timeframe:

- Continue to promote the Housing Choice Voucher program to residents and property owners through dissemination of brochures at public counters, providing information on the City's web-site, and referring residents and property owners to the County of San Diego, Department of Community Development.
- Encourage property owners to accept Housing Choice Vouchers and work to maintain at least the current level of assistance (415 voucher holders) in Imperial Beach.

Program 8: First-Time Homebuyer Programs

The City does not directly offer first-time homebuyers assistance programs due to limited funding available. However, Imperial Beach residents are eligible to participate in County and State programs, including the Down payment and Closing Cost Assistance (DCCA) program and Mortgage Credit Certificate (MCC) program offered by the County, and California Homebuyer's Down payment Assistance Program (CHDAP) offered by the State:

- **DCCA** offers low-interest deferred payment loans of up to \$35,000 or 33 percent of the purchase price, whichever is lower, for lower-income first-time homebuyers. DCCA loan funds may be used to pay down payment and closing costs of a qualifying single-family home, condominium, townhouse, or manufactured home on a permanent foundation.
- **MCC** allows qualified first-time homebuyers to reduce their federal income tax by up to 20 percent of the annual interest paid on a mortgage loan. With less being paid in taxes, the homebuyer's net earnings increase, enabling him/her to more easily qualify for a mortgage loan. The MCC may only be used to purchase single-family detached homes, condominiums, townhouses, or owner-occupied duplexes.

- **CHDAP** provides a deferred-payment junior loan, up to three percent of the purchase price, or appraised value, whichever is less, to be used for their down payment and/or closing costs.

Responsible Agencies: • County of San Diego, Department of Housing and Community Development

• California Housing Finance Agency

• City of Imperial Beach Community Development Department

Financing: HOME and other County and State funds

2013-2020 Objectives and Timeframe:

• Continue to promote the DCCA, MCC, and CHDAP programs to residents through dissemination of brochures at public counters, providing information on City website

• Refer residents to the County of San Diego, Department of Community Development, and the California Housing Finance Agency for assistance.

5.3.3 Provision of Adequate Housing Sites

Meeting the housing needs of all segments of the community requires the provision of adequate sites for all types, size and prices of housing. The City’s General Plan and Zoning Ordinance determine where housing may locate, thereby affecting the supply of land available for residential development.

Program 9: Residential Sites Inventory

Imperial Beach is almost entirely developed and few vacant residentially zoned sites remain in the City. Recent and future residential development relies primarily on the redevelopment of underutilized properties, particularly along the City’s major corridors where mixed use development is permitted. Given the City’s small size, the Imperial Beach is able to monitor the status of vacant and underutilized sites and will continue to provide sites information to interested developers.

Responsible Agencies: • City of Imperial Beach Community Development Department

Financing: None required

2013-2020 Objectives and Timeframe:

• Monitor status of vacant and underutilized sites.

• Provide information on available sites and development incentives to interested developers and property owners.

Program 10: Mixed Use Development Sites

Recognizing the need to create additional capacity to accommodate the community’s housing needs while also expanding Imperial Beach’s commercial base, the City retained a consultant to review rezoning options. The City will implement the following study recommendations for amending the General Plan, Local Coastal Plan, and Zoning Ordinance to facilitate redevelopment of underutilized lower-density residential properties with a mix of high density residential uses above ground-floor commercial uses:

- Redefine the existing base zones and Mixed Use Overlay zones:
 - The areas currently governed by C-1 or R-1500/MU-1 within the Palm Avenue study area will be redefined as “C/MU-1: General Commercial and Mixed Use”;
 - The areas currently governed by C-2 or R-1500/MU-2 within the Seacoast Drive and Old Palm Avenue study area will be redefined as “C/MU-2: Seacoast Commercial and Mixed Use”; and
 - The areas currently governed by C-3 within the 13th Street Corridor study area will be redefined as “C/MU-3: Neighborhood Commercial and Mixed Use.”
- Remove the CUP requirement for mixed use projects.
- Allow Live/Work units by right within the C/MU districts.
- Allow shared parking within 1,000 feet within a proposed mixed use development current 500 feet.
- Reduce parking requirements:
 - Within the C/MU zones, vertical mixed-use projects will be eligible for a 25 percent reduction in overall parking requirement;
 - Parking requirements will be waived for commercial uses less than 1,000 square feet; and
 - An additional reduction may be granted with approval of a shared parking plan.
- Simplify the parking ratios for commercial uses. Instead of varying standards, the City will require one space per 500 SF of commercial use proposed within the C/MU-1 and C/MU-3 zones and only one space per 1,000 SF of commercial use proposed within the C/MU-2 zone.

Responsible Agencies: • City of Imperial Beach Community Development Department

Financing: None required

2013-2020 Objectives and Timeframe: • Amend the General Plan, Local Coastal Plan, and Zoning Ordinance to implement the recommendations of the AECOM Commercial Zoning Review within one year of adoption of the Housing Element.

5.3.4 Removal of Governmental Constraints

Under State law, the Housing Element must address, and where legally possible, remove governmental constraints affecting the maintenance, improvement, and development of housing. The following programs are designed to mitigate government constraints on residential development and facilitate development of housing affordable to lower and moderate income households, including seniors, persons with disabilities, large families, single-parents, and homeless individuals and families.

Program 11: Lot Consolidation Program

Most vacant and underutilized sites within the City are relatively small legal lots under half an acre in size. Although consolidation of lots is not prohibited, Section 19.42.070 of the Municipal Code limits the potential density on a combined lot within residential base zones to the maximum yield that would have occurred on each individual lot. This program will eliminate this restriction and include incentives to encourage the owner-initiated merger or consolidation of contiguous properties. The intent of these incentives is to achieve orderly development, improve pedestrian activity, and implement the goals, policies, and objectives of the Housing Element. The following incentives may be considered at the discretion of the City Council:

- **Parking Reduction:** Required parking may be reduced up to a maximum of 20 percent, subject to finding that adequate parking will be available to serve the subject project; and
- **Alternative Parking:** Tandem, shared, and off-site parking options may be allowed, subject to finding that adequate parking will be available to serve the project.
- **Signage Bonus:** Area of permitted signs within mixed use zones may be increased by a maximum of 10 percent, subject to finding that the increased size of signs on one parcel will not adversely affect the visibility of signs on adjacent parcels; and
- **Graduated Density:** A graduated density bonus may be granted for lot consolidation (e.g., eight parcels consolidated to achieve a lot greater than two acres in size would be eligible for a larger density bonus when compared to consolidation of four parcels to achieve a one acre lot.).

The City will advertise the lot consolidation provisions to existing property owners and prospective mixed-use and affordable housing developers. Advertisement actions may include preparation and distribution of a brochure with information about program incentives and an invitation to attend a working session to discuss opportunities for lot consolidation and mixed use residential development, including affordable housing development.

Responsible Agencies:

- City of Imperial Beach Community Development Department

Financing:

None required

2013-2020 Objectives and Timeframe:

- Amend the Zoning Ordinance to eliminate the existing lot consolidation restrictions within residential base zones and add incentives within one year of adoption of the Housing Element.
- Promote the program through dissemination of brochures at public counters and providing information on City website.

Program 12: Density Bonus Ordinance

Density bonuses, together with the incentives and/or concessions, can result in a lower average cost of land per dwelling unit thereby making the provision of affordable housing more feasible. SB 1818 (enacted 2005) and SB 435 (enacted 2006) changed the requirements of State law regarding the mandatory provision of density bonuses, incentives and concessions to affordable housing developers that meet certain criteria. A density bonus up to 35 percent over the otherwise maximum allowable residential density under the applicable zoning district is available to developers who provide affordable housing as part of their projects. Developers of affordable housing are also entitled to at least one concession or incentive. The City will update its density bonus ordinance to comply with current State law. The revised density bonus ordinance will specify the types of regulatory concessions and incentives to be offered. Examples of concessions and incentives that could be offered include, but are not limited to, reductions in the amount of required on-site parking, fee reductions, expedited permit processing, and modified or waived development standards.

- Responsible Agencies:** • City of Imperial Beach Community Development Department
- Financing:** None required
- 2013-2020 Objectives and Timeframe:**
 - Revise the Zoning Ordinance to update density bonus provisions consistent with State law within one year of adoption of the Housing Element.
 - Promote the use of density bonus incentives and provide technical assistance to developers in utilizing density bonus for maximize feasibility and meet local housing needs.

Program 13: Housing for Homeless and Special Needs

The City will amend the Zoning Ordinance to address the provision of housing opportunities for the homeless and those with special needs:

- **Transitional and Supportive Housing:** The Zoning Ordinance will be amended to differentiate transitional/supportive housing that is operated as group quarters versus that is operated a regular housing development. For transitional/supportive housing facilities that operate as group quarters, such facilities will be permitted as boarding houses. For transitional/supportive housing facilities that operate as regular housing developments, such uses will be permitted where housing is otherwise permitted (regardless of size or presence on-site services).
- **Emergency Shelters:** Consistent with State law, the Zoning Ordinance will be revised to allow emergency shelters with a ministerial permit in the areas currently zoned C-1 and R-1500/MU-1 within the Palm Avenue study corridor. As part of the update, the City will establish objective development standards as allowed by Government Code Section 65583(a)(4).
- **Single-Room Occupancy Units:** The Zoning Ordinance will be amended to facilitate and encourage the provision of SROs, consistent with State law. SROs will require approval of a SUP in the C-1 zone in conjunction with other multifamily housing or mixed use developments. Criteria that would be used to review SUP applications for SROs pertain to performance standards and are not specific to the proposed use. Potential conditions for approval of these facilities may include hours of operation, security, loading requirements, and management. Conditions would be similar to those for other similar uses in the same zones and would not serve to constrain the development of such facilities.
- **Reasonable Accommodation for Persons with Disabilities:** Both the Federal Fair Housing Act and the California Fair Employment and Housing Act direct local governments to make reasonable accommodations (i.e. modifications or exceptions) to allow disabled persons an equal opportunity to use and enjoy a dwelling. The City will amend its Zoning Ordinance to establish a ministerial process for requesting and grant reasonable accommodations in the application of the Zoning regulations for persons with disabilities. Requests for reasonable accommodation will be reviewed and decided by the Community Development Director. The City will place information regarding procedures for requesting reasonable accommodation at public counters and on the City's website. The City will also continue to monitor its development codes and

procedures to ensure that no conditions exist to unduly constrain the development of housing for persons with disabilities. When constraints are identified, the City will work to mitigate or eliminate such constraints.

- **Senior Housing:** The Zoning Ordinance currently defines “senior housing development” as a residential project that may exceed the maximum density permitted for families in the zone in which it is located and which is established and maintained for the exclusive use of low-income or moderate-income senior residents. This definition is inconsistent with the Government Code. The City will revise its definition to be consistent with California Civil Code Section 51.3.

Responsible Agencies: • City of Imperial Beach Community Development Department

Financing: None required

- 2013-2020 Objectives and Timeframe:**
- Revise the Zoning Ordinance within one year of adoption of the Housing Element to address housing for the homeless and special needs groups.

5.3.5 Promotion of Equal Housing Opportunity

To adequately meet the housing needs of all segments of the community, the Housing Plan must promote housing opportunities for all people.

Program 14: Fair Housing Program

Fair housing is defined as a condition in which individuals of similar income levels in the same housing market have a like range of choice available to them regardless of race, color, ancestry, national origin, religion, gender/gender identity, sexual orientation, disability/medical condition, marital status, familial status, or any other arbitrary factor. The City participates in the County of San Diego Fair Housing Program for fair housing outreach and education, as well as tenant/landlord dispute resolution. The program will be advertised through placement of fair housing services brochure at public counters, local library, and on City website. The City will continue to refer fair housing complaints to appropriate agencies.

Responsible Agencies: • County of San Diego, Department of Housing and Community Development

• City of Imperial Beach Community Development Department
Financing: Urban County CDBG allocation

- 2013-2020 Objectives and Timeframe:**
- Continue to participate in the County’s Fair Housing Program a fair housing service provider for fair housing and tenant/landlord dispute resolution services.
 - Continue to disseminate fair housing information and referring complaints to appropriate agencies.
 - Continue to participate in the Analysis of Impediments to Fair Housing Choice update due in 2016.

5.4 Quantified Objectives

The City of Imperial Beach has established the following quantified objectives for the 2013-2020 Housing Element:

Income Group	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
New Construction (RHNA for 2010-2020)	30	33	48	45	98	254
Rehabilitation (Clean and Green)	5	5	20	30	---	60
Housing Assistance (Housing Choice Voucher)	215	200	---	---	---	415
Housing Conservation (At-Risk Housing)	45	44	---	---	---	99

Appendix A: Community Outreach

A.1 Outreach List

1. Sean Wherley, Policy Director
San Diego Housing Federation
110 West C Street, Suite 1811
San Diego, CA 92101
sean@housingsandiego.org
2. San Diego County Housing and Community Development Department
3989 Ruffin Road
San Diego, CA 92123
maria.cavarlez@sdcounty.ca.gov
3. Debbie Ruane, Senior Vice President, Real Estate Department
City of San Diego Housing Commission
1122 Broadway, Suite 300
San Diego, CA 92101
Debbie@sdhc.org
4. Hitzke Development Corporation
251 Autumn Drive, Suite 100
San Marcos, CA 92069
ginger@hitzkedevlopment.com
5. South Bay Community Services
1124 Bay Blvd #D
Chula Vista, CA 91911
(619) 420-3620
klembo@csbcs.org
6. Andrea Skorepa, Chief Executive Officer
Casa Familiar
119 W. Hall Avenue
San Ysidro, CA 92173
andreas@casafamiliar.org
7. Kathy Stone, CEO
Affordable Housing Applications
8139 La Mesa Blvd PMB 806
La Mesa, CA 91941
kstone@ahahousing.com
8. Susan Baldwin, Housing
SANDAG
401 B Street, Ste. 800
San Diego, CA 92101
sba@sandag.org

9. Catherine A. Rodman, Director & Supervising Attorney
Affordable Housing Advocates
4305 University Avenue, Suite 110
San Diego, CA 92105
ahadvocates@sbcglobal.net
10. St James Lutheran Senior Housing
Falkenberg/Gilliam & Associates Managed Properties
1560 W Colorado Blvd
Pasadena, CA 91105-1415
P O Box 7070
Pasadena, CA 91105
11. Falkenberg/Gilliam & Associates
Wesley Terrace Office
5343 Monroe Avenue
San Diego, CA 92115-3429
VrtarRose@fga-net.com
12. John W Chamberlain for Imperial Beach Gardens
Imperial Strand Holdings
Alamo Quarry Market, American Assets Trust, Inc
11455 El Camino Real # 200
San Diego, CA 92130-2047
info@americanassets.com
13. Ellen Immergut, Manager of Development and Communications
San Diego Habitat for Humanity
10222 San Diego Mission Road
San Diego, CA 92108
elleni@sdhfh.org
14. San Diego Community Land Trust
ATTN: Rev. Lee Van Ham & Anastasia Brewster
3295 Meade Ave
San Diego, CA 92116
anastasia@sdclt.org
15. Chelsea Investment Corporation
5993 Avenida Encinas, Suite 101
Carlsbad, CA 92008
info@chelseainvestco.com
16. Sue Reynolds, President & Chief Executive Officer
Community Housing Works
4305 University Avenue Suite 550
San Diego, CA 92105
sreynolds@chworks.org

17. Francis X. Riley, Field Office Director
US Department of Housing and Urban Development
[San Diego Field Office](#)
Symphony Towers
750 B Street, Suite 1600
San Diego, CA 92101-8131
Francis.X.Riley@hud.gov
18. Jennifer Seeger, Program Manager
California Department of Housing and Community Development
1800 Third Street
Sacramento, CA 95811-6942
jseeger@hcd.ca.gov
19. San Diego Association of Realtors
4845 Ronson Court
San Diego, CA 92111
govaffairs@sdar.com
20. San Diego Interfaith Housing Federation
7956 Lester Avenue
Lemon Grove, CA 91945
cepps@sdihf.org
21. Legal Aid Society of San Diego
110 South Euclid Avenue
San Diego, CA 92114
MaricelaW@lassd.org
22. San Diego County Apartments Association
8788 Balboa Avenue, Suite B
San Diego, CA 92123
csullivan@sdcaa.com
23. Lutheran Social Services – San Diego
3101 Fourth Avenue
San Diego, CA 92103
jtaylor@lsssc.org
24. Office of Government and Public Affairs
Health and Human Services Agency
County of San Diego
1700 Pacific Highway
San Diego, CA 92101
Caroline.Smith@sdcounty.ca.gov

25. San Diego Regional Center
South County Center
2727 Hoover Avenue, Ste. 100
National City, CA 91950
cflores@sdrc.org.
26. Creative Support Alternatives
3590 Camino del Rio North, Suite 121
San Diego, CA 92108
kvandeburgt@gmail.com
27. San Diego Association of Realtors
South County Service Center
884 Eastlake Parkway, Suite 1629
Chula Vista, CA 91914
28. San Diego Job Corps Center
1325 Iris Avenue, Building 60
Imperial Beach, CA 91932-3751
business@jobcorps.gov
29. Patricia Hutchins
Imperial Beach Chamber of Commerce
702 Seacoast Drive
Imperial Beach, CA 91932-1871
Pathut@aol.com

A.2 Public Meetings

August 1, 2012 – City Council

On August 1, 2012, the City Council will conduct a public hearing receive comments on the community's housing needs and the Draft Housing Element.

A.2 Comments Received

San Diego Community Land Trust

The City of Imperial Beach received comments from the San Diego Community Land Trust. The SDCLT urges the City of Imperial Beach to participate in the land trust in order to expand affordable housing opportunities in the City (see letter attached). Specifically, the SDCLT provided draft language to be included in the Housing Element.

Due to the dissolution of the Redevelopment Agency, the City is unable to participate in land acquisition activities. The Housing Element includes programs to promote affordable housing opportunities through mixed use land use policies, and continued participation in County programs.

Draft Housing Element Language
Adding the Community Land Trust Model to First Time Homebuyer Options
by
San Diego Community Land Trust

First-time Homebuyer Programs for Low and Moderate Income Households

Cities and counties in California have traditionally enabled low and moderate income households to purchase their first homes using the Mortgage Credit Certificate Program and providing silent second home loans that are re-paid when the home sells. Some cities have also required market-rate homebuilders to sell a percentage of their developments to low & moderate income homeowners. This document proposes to add an additional program that cities can use to meet their home ownership goals: the **Community Land Trust** model of home ownership.

How a Community Land Trust Works

A community land trust is a nonprofit organization formed to hold title to land to preserve its long-term availability for affordable housing and other community uses. A land trust typically receives public or private donations of land or uses government subsidies to purchase land on which housing can be built.¹ The homes are sold to lower-income families, but the CLT retains ownership of the land and provides long-term ground leases to homebuyers. The CLT also retains a long-term option to repurchase the homes at a formula-driven price when homeowners later decide to move.

The “classic” CLT balances the multiple interests of homeowners, neighborhood residents, and the city as a whole in serving as the steward for an expanding stock of permanently affordable, owner-occupied housing. Homeowners leasing and living on the CLT’s land (leaseholder representatives), residents of the CLT’s service area (general representatives), and individuals representing the public interest (which may include municipal officials) each make up a third of a typical board of directors. This tripartite structure ensures that different land-based interests will be heard, with no single set of interests allowed to dominate.

On an operational level, CLTs take on a range of responsibilities for developing and stewarding their lands. Some focus on creating only homeownership units, while others take advantage of the model’s flexibility to develop rental housing, mobile home parks, commercial space, and other community facilities. Most CLTs initiate and oversee development projects with their own staff, but others confine their efforts to assembling land and preserving the affordability of any buildings located upon it.

In their capacity as stewards, CLTs provide the oversight necessary to ensure that subsidized units remain affordable, that occupants are income-eligible, and that units are kept in good repair. Because they retain permanent ownership of the land under housing and other structural improvements, CLTs are closely connected to the homes and to the households that live in them. And as the landowner,

¹ See the Lincoln Institute Policy Report “The City-CLT Partnership: Municipal Support for Community Land Trusts”, June 2008, available for download: http://www.lincolnst.edu/pubs/1395_The-City-CLT-Partnership.

the CLT collects a modest monthly ground lease from every homeowner, allowing the CLT to monitor its assets, protect its investment, and support residents who experience financial difficulties.

Although specific stewardship roles differ from one community to the next, nearly every CLT performs the following tasks:

- assembling and managing land;
- ensuring that owner-occupied homes remain affordably priced;
- marketing the homes through a fair and transparent process;
- educating prospective buyers about the rights and responsibilities of owning a resale-restricted home;
- selecting income-eligible buyers for the homes;
- monitoring and enforcing homeowner compliance with contractual controls over the occupancy, subletting, financing, repair, and improvement of their homes;
- verifying that homeowners maintain property insurance and pay all taxes;
- managing resales to ensure that homes are transferred to other income-eligible households for no more than the formula-determined price; and
- intervening in cases of a homeowner's mortgage default.

At least one California City has included this model in their most recent housing element. The City of Petaluma has identified that the Housing Land Trust of Sonoma County will be the primary means that they achieve their home ownership goals.

Proposed Housing Element Policy/Program Language

The following language can be used as a model for each jurisdiction to add to their housing element.

The city shall encourage the use of community land trusts (San Diego Community Land Trust) for first time homebuyers in the following manner:

1. Donate city-owned residential property for the development and/or rehabilitation and sale of homes for first-time homebuyers with a ground lease held by the community land trust.
2. Grant local, state or federal funds designated for first-time homebuyer subsidy to the CLT to acquire homes to be sold to first-time homebuyers with a ground lease held by the community land trust.
3. Encourage market rate developers that have an inclusionary requirement to partner with a community land trust to develop, market and steward the for sale units required by the inclusionary ordinance with a ground lease held by the community land trust.
4. Provide grants or contracts to the community land trust to improve the capacity of the land trust to develop and provide the ongoing stewardship of the land trust properties.
5. Consider contracting with the community land trust to monitor compliance of all outstanding city first-time homebuyer loans and other agreements with long term affordability requirements that are enforceable by the city.

Appendix B: Review of Previous Housing Element

Program #	Program Name	Description	Progress and Continued Appropriateness
Goal #1: Housing Opportunities and Accessibility			
A	CDBG and HOME funds	The City staff will continue to coordinate with the San Diego County Consortium to apply for the funding that is made available through the County CDBG and HOME funds. The City will use these funds to support rehabilitation and redevelopment programs that benefit very low, low and moderate-income households.	<p>Between 2005 and 2011, the City received approximately \$ 858,913.00 in CDBG and \$0 in HOME funds through the Urban County program annually. In the past, the City has used these funds for the Civic Center and Loudon Lane Crosswalk Projects, Fire Station improvements and equipment purchase, pedestrian safety and ADA ramp improvements, and construction and installation of three city parks improvements in low and moderate income neighborhoods.</p> <p>Continued Appropriateness: The City does not receive HOME funds. The use of CDBG funds will be discussed in the Resources section of the Housing Element and incorporated as funding sources for appropriate housing programs. These funding programs are not included in the 2013-2020 Housing Element as a separate housing program.</p>
B	ESG, Farmworker Housing Grant, and CalHOME funds	City staff will increase its coordination with the State HCD staff to apply for the funding that is made available through the Housing and Emergency Shelter Trust Fund Act of 2002, including the Joe Serna Jr. Farmworker Housing Grant Program and the CalHome Program. Further, the City will apply for funding through the loan and grant program directory provided to the City by HCD annually.	<p>Between 2005 and 2011, the City did not receive ESG, Farmworker Housing, or CalHOME funds.</p> <p>Continued Appropriateness: ESG, Farmworker Housing Grants and CalHOME funds are funding sources. The City does not directly receive these funds. These funding programs are removed from the 2013-2020 Housing Element as a separate housing program.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
C	Redevelopment funds	The City of Imperial Beach Redevelopment Agency will continue to use redevelopment revenues of \$4.1 million in accordance with the Redevelopment Agency's five-year Implementation Plan. The City plans to use this money to purchase deteriorated housing units and finance their improvements, and to provide gap financing for housing projects.	<p>As of October 2011, the City had approximately \$ 780,000 in redevelopment funds available. In the past, the City has used these funds for the rehabilitation of multi- and single-family residential units. As of the writing of this Housing Element, the City's ability to retain its LMIHF is uncertain, pending on the adoption new State legislation.</p> <p>Continued Appropriateness: Redevelopment funds represent an important funding source for the City. Redevelopment funds are incorporated as a funding source for various housing programs in the Housing Element but are not separately identified as a housing program.</p>
D	Project Information Brochure	Prepare a Project Information Brochure outlining City participation and incentives, housing needs from the Housing Element (or other market source), a definition of the state and federal funding for which the City is willing to apply, and other pertinent information. Distribute the brochure to local non-profit and for-profit development groups, and regional agencies.	<p>The City prepared an Affordable Housing Booklet and began distributing it in July 2007. The Booklet is currently available at the Community Development Department.</p> <p>Continued Appropriateness: This action is incorporated in the 2013-2020 Housing Element as part of an overall program to facilitate housing development in the City.</p>
E	Pre-Development Meetings	In order to ensure a timely and efficient planning process the Planning Department will offer pre meetings with developers of proposed affordable projects to strategize about project design, City standards, necessary public improvements, and funding strategies.	<p>City staff continued to offer pre-development meetings with developers.</p> <p>Continued Appropriateness: This ongoing staff function is discussed in the 2013-2020 Housing Element but not included as a separate housing program.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
F	Homebuyer Assistance Programs	Continue the City's promotion of programs such as the Housing Finance Agency Agency's Down Payment Assistance Program, the County of San Diego's Down Payment and Closing Cost Assistance Program and San Diego Regional Mortgage Credit Certificate Program by providing brochures outlining these programs at public locations.	Between 2005 and 2011, 2 households have purchased homes through various homebuyer assistance programs. Continued Appropriateness: The City will continue to promote housing programs available through the County. This is included in the 2013-2020 Housing Element.
G	Regional Development	Attend the San Diego Association of Governments meetings to track regional development.	City staff continued to participate in regional planning efforts. Continued Appropriateness: This is routine staff function and is not included in the 2013-2020 Housing Element as a separate housing program.
H	Housing Legislation	The City will continue to monitor State and federal legislation pertaining to housing and comment on, support, or oppose proposed changes or additions to existing legislation, as well as supporting new legislation when appropriate.	City staff continued to monitor State and federal legislation pertaining to housing. Continued Appropriateness: This is routine staff function and is not included in the 2013-2020 Housing Element as a separate housing program.
I	Homeless Needs	Meet with San Diego Regional Task Force on Homeless to assess homeless needs and address homelessness that may occur by implementing the goals and priorities addressed in the San Diego Homeless Continuum of Care Plan.	Staff continued to participate in the San Diego Regional Task Force on Homeless and Homeless Continuum of Care. Continued Appropriateness: This is routine staff function and is not included in the 2013-2020 Housing Element as a separate housing program.

Program #	Program Name	Description	Progress and Continued Appropriateness
J	Homeless and Transitional Shelters	Actively support efforts of homeless service providers who establish short-term bed facilities for segments of the homeless population including specialized groups such as the mentally ill and chronically disabled. Identify potential land that can be used for a homeless or transitional shelter should one be needed. Offer incentives to developers such as the waiving of development fees to construct a facility.	No homeless or transitional housing facilities were constructed in Imperial Beach between 2005 and 2011. Continued Appropriateness: The 2013-2020 Housing Element now includes a program to amend the Zoning Ordinance to address the provision of emergency shelters, transitional housing, and supportive housing.
K	Housing for Special Needs	Investigate incentives and reporting procedures that can be implemented to encourage and monitor the development of housing opportunities for specialized housing needs.	No homeless or transitional housing facilities were constructed in Imperial Beach between 2005 and 2011. Continued Appropriateness: The 2013-2020 Housing Element now includes a program to amend the Zoning Ordinance to address the provision of emergency shelters, transitional housing, supportive housing, and other special needs housing.
L	Housing Rehabilitation Program	With the adoption of the housing rehabilitation program guidelines, include a grant to very low and low-income senior citizens and very low and low-income disabled persons to improve accessibility and safety.	The City's Clean and Green Program provides qualified very low, low and moderate income single-family homeowners with grants for energy efficient and water conservation improvements. Also, an eligible expense in the program is the installation of accessibility improvements. The program completed 93 projects. Continued Appropriateness: The Housing Clean and Green Program remains an important component of the City's housing services. This program is included in the 2013-2020 Housing Element.

Program #	Program Name	Description	Progress and Continued Appropriateness
M	Residential Care Facilities	Revise zoning ordinance to allow State licensed group homes, foster homes, residential care facilities, and similar state-licensed facilities with six or fewer occupants, deemed permitted by right in a residential zoning district, pursuant to state and federal law.	<p>The City of Imperial Beach will revise its Zoning Ordinance in 2012. In accordance with State law (CA Health and Safety Code Section 1566 – 1566.8), Imperial Beach treats residential care facilities serving six or fewer persons as a normal residential use and these facilities are permitted by-right within all residential zones.</p> <p>Continued Appropriateness: This program is included in the 2013-2020 Housing Element.</p>
N	Reasonable Accommodations	Regularly monitor the City’s ordinances, codes, policies, and procedures to ensure that they comply with the “reasonable accommodation” for disabled provisions.	<p>The City does not currently have specific accommodation procedures for the disabled in its municipal code.</p>
O		Develop and formalize a general process that a person with disabilities will need to go through in order to make a reasonable accommodation request in order to accommodate the needs of persons with disabilities and streamline the permit review process.	<p>Continued Appropriateness: The 2013-2020 Housing Element includes a program to address reasonable accommodation within one year of the Housing Element adoption.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
P	Farmworker Housing	Work with farm owners and labor providers to determine the number of farmworkers who may be in need of additional housing in the area surrounding Imperial Beach. The resulting report should address: permanent workers, seasonal resident workers, and migrant workers, including unaccompanied migrant workers. In addition, should the report demonstrate a need, the City, in conjunction with local developers, will identify potential sites and/or provide or seek financial assistance to prospective developers of the housing for farm labor through the Joe Serna Farmworker Grant Program.	The City is primarily built out and does not have any significant agricultural productions. The City does not have any zones where agricultural production is a permitted use by right. Continued Appropriateness: This program is not included in the 2013-2020 Housing Element.
Q		Revise the City's Zoning Code to ensure compliance with employee labor housing act, specifically H&S 17021.5 and 17021.6.	

Program #	Program Name	Description	Progress and Continued Appropriateness
R	Single Room Occupancy (SROs)	<p>Institute Zoning Ordinance amendment in accordance with SB2 requirements stating that transitional housing and supportive housing shall be treated as a proposed residential use and subject only to those restrictions applicable to other residential uses of the same type in the same zone and the same type of structure. The City will designate commercial and high density residential as the appropriate zoning district to accommodate emergency shelters by right. The allowance for Single Room Occupancy (SRO's) shall be encouraged and facilitated through identification of potential locations and through city assistance with grant writing for the development of SRO projects.</p>	<p>Currently, the Imperial Beach Zoning Ordinance does not provide for SROs in commercial zones.</p> <p>Continued Appropriateness: The 2013-2020 Housing Element includes a program to address the provision of SRO housing within one year of the adoption of the Housing Element.</p>
S	Manufactured Housing	<p>Institute Zoning Ordinance amendment to include manufactured housing as an approved alternative housing type, as per State of California requirements.</p>	<p>The City already has in its Zoning Ordinance (Chapter 19.68) provisions that reflect State law (Government Code Section 65852.3) regarding manufactured homes permitted in single-family residential zones. However, there have been no manufactured homes constructed in the City between 2005 and 2011.</p> <p>Continued Appropriateness: The 2013-2020 Housing Element will note that this program/objective was accomplished in 1994.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
T	Section 8 Housing Vouchers	Work with the Housing Authority and use all the influence the City has to obtain more Housing Vouchers for the Housing Authority.	<p>Approximately 415 Imperial Beach residents receive Housing Choice Vouchers through the County's Housing Authority.</p> <p>Continued Appropriateness: The Housing Choice Voucher Program is an important resource for very low income households in Imperial Beach. This program is included in 2013-2020 Housing Element.</p>
Goal #2: Remove Constraints			
U	Permits and Processing Procedures	Monitor average processing times for discretionary development permits on an annual basis and continue to promote a coordinated City review process among affected City departments to reduce delays and processing time.	As part of the 2013-2020 Housing Element update, the City evaluated its current zoning and permit process provisions and identified areas of improvements.
V		Analyze current zoning and permit process provisions and propose new changes during the update to the Zoning Code to further reduce housing costs and average permit processing time. AECOM is currently conducting an analysis that would more clearly identify the criteria under which mixed-use projects that contain residential units in commercial zones could be approved and, thereby, remove an element of uncertainty in its approval process. Upon completion of the study, the City will commit to implementing zoning and permit processing changes as suggested to reduce housing costs and processing times provided that the changes are reasonable.	<p>In addition, the City retained a consultant (AECOM) to implement a Commercial Zoning Review.</p> <p>Continued Appropriateness: The key recommendations of the Commercial Zoning Review have been incorporated into the 2013-2020 Housing Element.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
W	Affordable Housing Incentives	<p>The City will provide incentives (e.g., density bonus units, fee underwriting, fee deferral, fast-tracking, etc.) to developers for retaining this stock as well as seek the assistance of other affordable housing developers in the rehabilitation and preservation of these units. In addition, for developers utilizing these incentives, the City will establish affordability covenants to ensure the affordability of the project over time. In addition, redevelopment sites that include affordable housing components will be given priority in the fast tracking process to further encourage developers to seek redevelopment opportunities and to make the redevelopment sites more attractive. By making redevelopment more attractive, developers will be more willing to engage in downtown projects which meet other goals of this element.</p>	<p>The City has not yet revised its Zoning Ordinance to reflect State density bonus law. Between 2005 and 2011, no affordable housing units were constructed in Imperial Beach. Specifically, no affordable housing units were constructed as a part of mixed use developments.</p> <p>Continued Appropriateness: The City will continue to offer incentives for affordable housing development. This program is included in the 2013-2020 Housing Element. The City will revise the Zoning Ordinance to include the State density bonus provisions within one year of Housing Element adoption.</p>
X		<p>To facilitate mixed use development on sites included in Appendices E and F, the City will provide relaxed development standards for mixed-use developments (commercial or office uses must be on same site as housing) providing an affordable housing component. To further encourage development of mixed use sites, the City will post inventory or available sites on the City's website, and identify potential financial resources to assist in development (i.e. RDA or CDBG funds). Update the City's existing density bonus ordinance the provisions of SB 1818 (Chapter 928, Statutes of 2004).</p>	

Program #	Program Name	Description	Progress and Continued Appropriateness
Y	Planning Fees	Review current planning fees and where appropriate make changes to reflect the affordability of multifamily development.	<p>Annually, the City reviews its fee schedule to ensure City fees reflect the cost of providing services. To facilitate affordable housing, the City offset the fees with other incentives such as fee underwriting/deferral, financial assistance, density bonus, and fast track processing.</p> <p>Continued Appropriateness: Review of planning fees is a routine task and is not included in the 2013-2020 Housing Element as a separate housing program. However, fee deferral/ underwriting are included as part of the program to facilitate affordable housing and mixed use development through incentives.</p>
Z	Second Dwelling Units	Encourage developers to include second dwelling units as an integral part of their project and to plan for second dwelling units in the design of their projects by providing incentives such as fast-tracking to speed up the review process.	Second units are allowed by-right within the R-3000, R-2000, and R-1500 residential zones. However, the City Council has determined that allowing second units in R1-6,000 and R1-3,800 zones is not in the best interest of the public health, safety, and welfare and adopted findings to preclude second units in those zones.
AA		The City of Imperial Beach will re-examine existing provisions for second units and adopt a new Second Unit Ordinance that satisfies the provisions found under the recently amended Section 65852.2. This new ordinance will determine the zones in which second units are allowed, and the development standards for second units. Monitor the production and affordability of second units on an annual basis.	<p>Between 2005 and 2011, 79 second units were constructed in the City.</p> <p>Continued Appropriateness: Second units are viable affordable housing options in Imperial Beach. The City will continue to facilitate second unit development.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
BB	Affordable Housing Incentives	Provide incentives to developers of residential projects, when feasible, who agree to provide the specified percentage of units mandated by State law at a cost affordable to very-low and/or low-income households or senior citizens such as waiving certain development fees.	See discussions under Program W. Continued Appropriateness: The 2013-2020 Housing Element includes a program on affordable housing incentives.
CC	Public Awareness	Publish the City's Housing Element and updates, Annual Action Plan and respective notices in all public facilities including City Hall, the community center, and the public library	As required by State law and City policies, these City documents are posted on City website and available at the City Hall. Public notices are posted at all public facilities. Continued Appropriateness: This is a routine function and is not included in the 2013-2020 Housing Element as a separate housing program.
DD	Zoning Ordinance Revisions	Review the appropriateness of reducing, waiving, and/or deferring impact and/or processing fees for units affordable to very low and low income households, including senior housing, and apartment units, and housing for special needs groups, including agricultural employees, emergency/transitional housing, and housing for persons with disabilities, to make the development of such units more financially feasible. The City will commit to waiving and/or deferring impact and/or processing fees for the above noted units if the waiver and/or deferral is appropriate and should be done in order to meet the City housing goals and policies set forth herein.	The City has waived or deferred fees for housing projects since 2005. To facilitate housing development, the City provided parking requirement relief for two projects. Continued Appropriateness: This program offers fee deferral, reduction, or waiver for affordable housing development. This program is included in the 2013-2020 Housing Element as part of the overall program to provide incentives for affordable housing.

Program #	Program Name	Description	Progress and Continued Appropriateness
EE	Flexible Development Standards	Allow flexibility, where appropriate and consider aesthetics, safety public input, etc., in infrastructure and development standards and land use and zoning controls in order to encourage affordable residential development.	<p>The City has approved the modification of development standards for two housing projects since 2005. Typical modifications include: parking requirement relief.</p> <p>Continued Appropriateness: Flexible development standards are included as part of the City's overall program to incentivize affordable and mixed use developments. Provision of flexible development standards is not included in the 2013-2020 Housing Element as a separate housing program.</p>
FF	Annual Monitoring	Annually evaluate whether there are constraints on the development, maintenance and improvement of housing intended for persons with disabilities. The analysis will include a monitoring of existing land use controls, permit and processing procedures and building codes. If any constraints are found in these areas, the City will initiate actions to address these constraints, including removing the constraints or providing reasonable accommodation for housing intended for persons with disabilities.	<p>The City last completed a review of its existing land use controls, permit and processing procedures and building codes concerning housing for persons with disabilities in 2009, as a part of the development of the San Diego Regional AI. The Regional AI identified the City's potential constraints on housing for persons with disabilities and outlines the City's plan to remove and/or mitigate these constraints as necessary. These findings are incorporated in the 2013-2020 Housing Element.</p> <p>Continued Appropriateness: Review of City policies and regulations is a routine staff function. This is not included in the 2013-2020 Housing Element as a separate housing program.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
Goal #3: Provide and Maintain an Adequate Supply of Sites for the Development of New Affordable Housing			
GG	Vacant Land Inventory	Update the inventory of vacant land on a quarterly basis or as projects are constructed.	<p>The City is primarily built out and because of the recession, housing development in the City has been limited in recent years. As a result, many of the properties identified in the inventory are still available for development.</p> <p>Continued Appropriateness: The 2013-2020 Housing Element includes an updated residential sites inventory.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
HH	Partnerships with Developers	Partner with a development organization to redevelop parcels as identified in Appendix F to provide multifamily rental opportunities affordable to low or moderate income residents. Furthermore, the City will provide incentives to the developer through the provision of gap financing with the Redevelopment Agency's LMI funds and apply for HOME or CDBG financing through the San Diego County Consortium. In addition, the City will provide other incentives such as fee waivers or deferrals, fast tracking, and provide technical support during the rezone process and the project approval process to ensure that the project goes through the planning process smoothly. The City will solicit three to five potential developers by October 2009 to collaborate in the development of these housing units. City will make contact with developers to identify level of interest and ability to make project happen. It is expected that with the implementation of this program, the City will net 15 units of housing that would be affordable to low-income residents.	<p>Since adoption of the 2005-2012 Housing Element, the housing market in San Diego region has been seriously impacted by the recession. Development interests have been limited not only in the City but in the region as a whole.</p> <p>Continued Appropriateness: The City will continue to partner with developers. This program is included in the 2013-2020 Housing Element.</p>
II		Establish a list of non-profit developers who would be interested in developing affordable housing in the City. Send these providers a development packet including multifamily vacant land inventory, services, and housing incentives.	

Program #	Program Name	Description	Progress and Continued Appropriateness
JJ	Housing Element Review	Annually review the housing element for consistency with the general plan as part of its general plan progress report.	<p>Annually, the City submits report to SANDAG on the City's progress in meeting the RHNA. When the General Plan is amended, appropriate findings are made to ensure internal consistency among all General Plan elements.</p> <p>Continued Appropriateness: This is a routine planning function and is not included in the 2013-2020 Housing Element as a separate housing program.</p>
KK	Mixed Use Development	Encourage development of well planned and designed projects that provides for the development of compatible residential, commercial, industrial, institutional, or public uses within a single project or neighborhood by continuing to provide incentives such as allowing higher building intensities, reduced parking requirements, reduced set-back and yard requirements, allow for a higher building height, and greater floor area ratios in these zones. In addition, the City will work closely with the developer of these projects to expedite processing and permit procedures.	<p>The City is undertaking a review of the commercial zoning for the Palm Avenue/SR-75, Seacoast Drive, Old Palm Avenue, and 13th Street / Imperial Beach Boulevard areas. For these areas, the City is assessing development concepts that will help achieve the community's overall vision for Imperial Beach. Specifically, the City is exploring development regulations for improving the design of commercial and mixed-use projects. The intent of the review is to encourage and facilitate sufficient commercial and retail development to support the City's residents while allowing for well-designed and suitable mixed-use development compatible with maintaining and enhancing Imperial Beach's existing character and quality of life.</p> <p>Continued Appropriateness: Mixed use represents an important tool to provide additional housing in the community. This program is included in the 2013-2020 Housing Element.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
LL	Large Units	Work with the development community to identify the incentives and programs that will encourage the construction of three and four bedroom rental units.	<p>Since adoption of the 2005-2012 Housing Element, the housing market in the San Diego region has been seriously impacted by the recession. Few housing units have been constructed.</p> <p>Continued Appropriateness: The City will continue to work with developers to include some larger units in rental developments. This program is included in the 2013-2020 Housing Element.</p>
MM	Zoning for Affordable Housing	Monitor the amount of land zoned for both single-family and multi-family development and initiate zone changes to accommodate affordable housing.	<p>The City is conducting a review of commercial zoning to facilitate commercial and mixed use developments. Depending on the outcome of the review, the City may amend its Zoning Ordinance to modify development standards. However, the City does not anticipate rezoning additional land for residential uses.</p> <p>Continued Appropriateness: This program is removed from the 2013-2020 Housing Element.</p>
NN	Downzoning of Properties	Implement the provisions of AB 2292 (Dutra) and prevent the down-zoning of a residential property used to meet the RHNA without a concomitant up-zoning of a comparable property.	<p>The City has not downzoned any properties since the 1994 General Plan/LCP/Zoning.</p> <p>Continued Appropriateness: The City commits to providing adequate sites for its RHNA. The 2013-2020 Housing Element includes programs to address this commitment, including maintaining a sites inventory, monitoring the development trends, and reviewing the development standards of commercial zoning. This program is removed from the 2013-2020 Housing Element as a separate housing program.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
Goal #4: Preserve, Rehabilitate, and Enhance Existing Housing and Neighborhoods			
OO	Design Review Standards	Continue to monitor new developments for compliance with City design standards. Revise the current Design Review Standards to reflect these goals.	As part of the Commercial Zoning Review, the City will assess also design standards that work to facilitate quality mixed use developments. Continued Appropriateness: This program is incorporated as part of the Commercial Zoning Review effort and is not included in the 2013-2020 Housing Element as a separate housing program.
PP	Coastal Zone Housing Requirements	The City will monitor all demolitions and conversions and ensure that replacement units are provided when needed under the Coastal Zone Housing Requirements.	Of the 18 units demolished from 2005-2011, 15 of them were in the coastal zone. Of the 92 units constructed during this period, 60 of them were in the coastal zone. However, Government Code Section 65590(b)(3) provides that jurisdictions with less than 50 acres of vacant private land within the coastal zone need not provide replacement units in place of demolished units. Imperial Beach has much less than 50 acres of vacant land. Continued Appropriateness: The City will continue to monitor and comply with the coastal housing requirements. This program is included in the 2013-2020 Housing Element.
QQ	Code Enforcement	Enforce existing regulations regarding derelict or abandoned vehicles, outdoor storage, and substandard or illegal buildings and establish regulations to abate weed-filled yards when any of the above is deemed to constitute a health, safety or fire hazard.	The City continued to provide code enforcement services to preserve and improve the City's existing housing stock. Continued Appropriateness: Code Enforcement is a routine City service and is not included in the 2013-2020 Housing Element as a separate housing program.

Program #	Program Name	Description	Progress and Continued Appropriateness
RR	Energy and Water Conservation	Supply energy and water conservation awareness brochures in all public meeting places.	<p>The City has continued to provide information on energy and water conservation at public counters.</p> <p>Continued Appropriateness: This is a routine City service and is not included in the Housing Element as a separate housing program.</p>
SS	Neighborhood Revitalization Strategy	Continue to implement the programs of the Neighborhood Revitalization Strategy of 1998.	<p>This program was disbanded in 2006 by the City Council.</p> <p>Continued Appropriateness: This program is no longer relevant.</p>
TT	Housing Rehabilitation Programs	Apply for and aggressively market CDBG, HOME and Redevelopment single family housing rehabilitation programs to meet the goal of rehabilitating 15 units by 2010.	<p>Since 2005, the City has provided assistance to 93 households for housing rehabilitation through City and County programs.</p> <p>Continued Appropriateness: Housing Rehabilitation Program is included in the 2013-2020 Housing Element.</p>
UU	San Diego Housing Authority's Home Improvement Program for Rental Property	The City will continue to advertise the County of San Diego Housing Authority's Home Improvement Program for Rental Property.	<p>This program is no longer available from the County. The County focuses the use of housing funds on new construction and acquisition/rehabilitation of rental properties.</p> <p>Continued Appropriateness: This program is removed from the 2013-2020 Housing Element.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
VV	California Housing Partnership Corporation	Continue regular contact with the California Housing Partnership Corporation, the agency that monitors the at-risk units and owner notifications of intent to opt-out. Request to be remained on their mailing or email notification list.	<p>No at-risk affordable housing project was converted to market-rate housing between 2005 and 2011.</p> <p>Continued Appropriateness: The 2013-2020 Housing Element includes a program to monitor and work to preserve the City's affordable housing inventory. The California Housing Partnership Corporation (CHPC) is one of the resources for monitoring the at-risk status of publicly funded programs; CHPC is not included in the Housing Element as a separate housing program.</p>

Program #	Program Name	Description	Progress and Continued Appropriateness
Goal #5: Provide Housing Free from Discrimination			
WW	Fair Housing Laws	Require that all recipients of locally administered housing assistance funds acknowledge their understanding of fair housing law and affirm their commitment to the law.	<p>The City continued to participate in the Urban County's Fair Housing Program. Fair housing services are available to Imperial Beach residents, landlords, and housing professionals through the County's contract (currently with South Bay Community Services). Information about fair housing laws and services are available at public counters. The City's website also provides information of tenant/landlord rights and responsibilities.</p> <p>In 2009, the City participated in the Regional Analysis of Impediments (AI) to Fair Housing Choice coordinated by the County and City of San Diego. The AI examines conditions in the public and private sectors that may impede fair housing choice. Results of the AI have been incorporated into the 2013-2020 Housing Element.</p> <p>Continued Appropriateness: Actively further fair housing is an important community goal. This program is included in the 2013-2020 Housing Element.</p>
XX	Fair Housing Outreach	Acquire and maintain fair housing materials, including all pertinent resource, posters and information available through the Department of Fair Employment and Housing (DFEH) and Housing and Urban Development (HUD) to educate citizens on a variety of fair housing issues. Develop information flyers and brochures that highlight: (1) disability provisions of both federal and state fair housing laws and (2) familial status discrimination. Fair housing materials, brochures and flyers will be distributed at outreach events including school fairs, health fairs, and City sponsored events. Collaborate with service agencies to distribute educational materials.	
YY	Fair Housing Program	The City participates in the County of San Diego Fair Housing Program. All fair housing calls are referred to this organization for follow-up.	

Program #	Program Name	Description	Progress and Continued Appropriateness
Goal #6: Encourage and Enhance Coordination of Housing			
ZZ	Housing Authority Membership	Maintain membership in the Housing Authority to qualify City residents for Housing Choice Voucher - existing housing assistance administered by the San Diego Housing Authority. Provide information on the availability of County programs to qualified residents.	As of November 2011, 415 Imperial Beach households are receiving Housing Choice Vouchers. Continued Appropriateness: The Housing Choice Voucher program is included in the 2013-2020 Housing Element. Maintaining membership with the San Diego County Housing Authority is a requirement to participate in the Housing Choice Voucher program. Therefore, Housing Authority Membership is not included in the 2013-2020 Housing Element as a separate housing program.
AB	Partnership with Non-Profit Housing Organizations	The City will continue to utilize nonprofit housing organizations to provide financial assistance and technical support in the development of affordable housing and the acquisition and rehabilitation of existing multi-family housing. Non-profit organizations include the South Bay Community Services, Sunburst School, Inc-Children's Treatment Center, and Lutheran Social Services of Southern California.	Since 2005, no affordable housing units have been constructed in the City as a result of partnership with nonprofit housing organizations. Continued Appropriateness: The 2013-2020 Housing Element includes a comprehensive program to facilitate affordable housing development, including partnership with nonprofit organizations. This partnership program is not included in the 2013-2020 Housing Element as a separate housing program.

Appendix C: Residential Sites Inventory

Site No.	APN	Address	Owner	Current Use	Zoning/ GP	Density	Lot Size	Max. Capacity	Realistic Capacity	Type
1	6262500900	667 Palm Ave	Rose A. Vogt 2006 Trust	Marginal chiropractic and accupuncture offices within single story building in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	20,300	20	16	UU
2	6262500200	705 Palm Ave	Parmela Sawhney Revocable Trust	Marginal medical office within one story building in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	34,600	34	27	UU
3	6262821300	766 10th St.	Borgia Family Trust	Dilapidated one story single family unit.	C-1/General Commercial	1 du/ 1,000 sf	7,000	7	5	UU
4	6262822600	730 10th St	Robert J. & Frankie Johnstone	Marginal coin operated self car wash. Minimal improvements in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	14,000	14	11	UU
5	6262822500	740 10th St	Richard Bartel Trust (DCSD)	Marginal salon and computer repair businesses within a single story building in poor condition. Majority of the lot is paved with minimal landscaping.	C-1/General Commercial	1 du/ 1,000 sf	10,500	10	8	UU
6	6262821400	754-760 10th St	Rosalio Castro	Marginal glass sales business within small dilapidated building and outdoor storage.	C-1/General Commercial	1 du/ 1,000 sf	8,750	8	7	UU
	6262821500									
7	6262910500	753 10th St	Paulette Goycochea	Operating towing company. Fabricated metal building with storage/junk on side yard.	C-1/General Commercial	1 du/ 1,000 sf	7,350	7	5	UU
8	6262821900	987 Palm Ave	Rosa Duran	Auto repair and car storage lot. Improvements in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	21,440	21	17	UU
	6262822000									
	6262822100									
9	6262820300	975 Palm Ave	John G & Phyllis M. Mason	Marginal auto repair in dilapidated single story building and poorly maintained paved car storage lot.	C-1/General Commercial	1 du/ 1,000 sf	8,050	8	6	UU
	6262820400									
10	6261700500	656 Florida St & 1144 Palm Ave	Frankie Mikkelson	Marginal hair salon within small single story commercial building in poor condition and a 1960s-era one story single family home in fair condition.	C-1/General Commercial	1 du/ 1,000 sf	12,710	12	10	UU
	6261700800									

Site No.	APN	Address	Owner	Current Use	Zoning/ GP	Density	Lot Size	Max. Capacity	Realistic Capacity	Type
11	6261700600	1138 Palm Ave	Hutchins Family Trust	Very small single story marginal property management company within building in fair condition. Most of the lot is gravel parking.	C-1/General Commercial	1 du/ 1,000 sf	5,240	5	4	UU
12	6261700700	1130 Palm Ave	Jean Moinat	Small two-story duplex in poor condition. Debris in yard. Minimal, poorly maintained landscaping.	C-1/General Commercial	1 du/ 1,000 sf	5,580	5	4	UU
13	6261700900	640 Florida St	William & Deborah Blake Family Trust	Very small single story home in poor condition on two adjacent and unmaintained parcels.	C-1/General Commercial	1 du/ 1,000 sf	14,690	14	11	UU
	6261702300									
14	6262301000	1151 Calla Ave	B&P Florence St LLC	Three small single story homes in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	9,240	9	7	UU
15	6262301100	605 Florida St	Garcia Socorro Santana Trust	Two small single story homes in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	11,430	11	9	UU
16	6262301200	627 Florida St	Maximino & Shirley Empizo Revocable Trust	Small single story duplex in poor condition. Most of the lot is undeveloped. Adjacent to large vacant lot.	C-1/General Commercial	1 du/ 1,000 sf	11,010	11	9	UU
17	6262911200	1085 Palm Ave	Paulette Goycochea	Dilapidated single story auto repair with moving truck rentals. Most of the lot used for vehicle storage.	C-1/General Commercial	1 du/ 1,000 sf	29,670	29	23	UU
	6262911300									
	6262911400									
18	6263020200	1177 Palm Ave	Edward Wedelstedt	Marginal t-shirt imprint company and adult bookstore within single story commercial building in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	9,740	9	7	UU
19	6263021500	744 12th St	Rob Seder	Small fabricated metal structure on mostly paved lot.	C-1/General Commercial	1 du/ 1,000 sf	14,750	14	11	UU
20	6263021600	1185 Palm Ave	Thrifty Oil Co	Operating discount gas station within single story building in fair condition.	C-1/General Commercial	1 du/ 1,000 sf	23,700	23	18	UU
21	6263022000	1155 Palm Ave	Michael & Gale Family Trust	Marginal tattoo parlor within small single story building in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	9,010	9	7	UU
22	6262421000	1288 Palm Ave	ATT	Operating single story concrete block building in fair condition that occupies most of the lot.	C-1/General Commercial	1 du/ 1,000 sf	16,100	16	12	UU
23	6262820100	951 Palm Ave & 715 Emory	Sara R. Parsons	Operating bar within small single story building in poor condition. Most of the lot is paved parking.	C-1/General Commercial	1 du/ 1,000 sf	8,050	8	6	UU
	6262820200									

Site No.	APN	Address	Owner	Current Use	Zoning/ GP	Density	Lot Size	Max. Capacity	Realistic Capacity	Type
24	6262300500	1158 Palm Ave	Dolleen Inc	Operating car wash in single story structure with limited improvements and in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	16,100	16	12	UU
25	6262302000	1180 Palm Ave	Imperial Beach Palm LLC	Abandoned fast food restaurant in dilapidated condition. Listed for sale.	C-1/General Commercial	1 du/ 1,000 sf	17,250	17	13	UU
26	6262021600	639 Delaware St	Hanks Family Trust	Small single story dwelling in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	6,170	6	4	UU
27	6262021500	631 Delaware St	Dustin Spencer	Single story dwelling and detached garage in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	7,080	7	5	UU
28	6262021900	740 Palm Ave	Ramon & Marian Castro Trust	Marginal used car sales lot with small single story cottage structure in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	21,700	21	17	UU
29	6262010600	720-30 Palm Ave	George Morgan	Marginal pharmacy and martial arts facility within single story building in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	14,140	14	11	UU
30	6262011100	700-10 Palm Ave	Farida Family Trust	Operating bar and marginal nail salon within single story building in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	6,000	6	4	UU
31	6260705800	690 7th St	Lassman Survivors Trust	Marginal taco shop in dilapidated one story building. Poorly maintained parking lot.	C-1/General Commercial	1 du/ 1,000 sf	9,450	9	7	UU
32	6251400800	550 Palm Ave	Dunham & Associates	Abandoned two-story motel. Building boarded up and fencing around property.	C-1/General Commercial	1 du/ 1,000 sf	45,300	45	36	UU
33	6262811000	738 Emory St	Pappas Family Trust	Single story dwelling in poor condition.	C-1/General Commercial	1 du/ 1,000 sf	7,630	7	6	UU
34	6262811600	744 Emory St	Argoud Family Trust	Small single story dwelling in dilapidated condition on unlandscaped lot.	C-1/General Commercial	1 du/ 1,000 sf	11,400	11	9	UU
35	6252012500	201 Palm Ave	Bob Kipperman	Abandoned former real estate office building in dilapidated condition.	C-2/Seacoast Commercial	1 du/ 1,500 sf	5,250	3	3	UU
36	6250230100	198-200 Palm Ave	Greg and Elta Neil	Operating auto repair within small single story building in fair condition. Most of the lot is gravel parking/storage.	C-2/Seacoast Commercial	1 du/ 1,500 sf	10,300	6	6	UU
	6250230200									

Site No.	APN	Address	Owner	Current Use	Zoning/ GP	Density	Lot Size	Max. Capacity	Realistic Capacity	Type
37	6253802700	1080 Seacoast Dr.	William Mundt Trust	Two story apartment building in poor condition. Developer approached City about redeveloping before the market downturn.	C-2/Seacoast Commercial	1 du/ 1,500 sf	37,800	25	20	UU
	6253802700									
38	6252010900	285 Palm Ave	Rahimpour Family Trust	Operating restaurant. Small one story building in fair condition. Most of the site is a poorly maintained parking lot.	C-2/Seacoast Commercial	1 du/ 1,500 sf	31,470	21	16	UU
	6252011000									
	6252011100									
39	6250140500	134 Palm Ave	John Sanichas Family Trust	Operating realty business in very small one story building in fair condition. Most of the lot is pavement or gravel.	C-2/Seacoast Commercial	1 du/ 1,500 sf	15,310	10	8	UU
	6250140600									
40	6252732300	855 Seacoast Ave	Snow Family Trust	Small single family unit in fair condition. Most of lot is undeveloped.	C-2/Seacoast Commercial	1 du/ 1,500 sf	4,770	3	2	UU
41	6330311900	1133-1155 13th St	Mary Rahimpour	Marginal bar and liquor store in dilapidated condition attached to hair salon in fair condition.	C-3/ Neighborhood Commercial	1du/ 2,000 sf	19,350	9	7	UU
	6330312000									
42	6330222700	1257 Imperial Beach Blvd	Marrero Family Trust	Marginal coin operated self car wash. Minimal improvements in poor condition.	C-3/ Neighborhood Commercial	1du/ 2,000 sf	11,620	5	4	UU
43	6253922000	140 Imperial Beach Blvd	Paula Whalen Trust	Small single family unit in poor condition tucked between two newer multi-family developments.	R-2000/ Residential	1du/ 2,000 sf	4,780	2	2	UU
44	6260212200	730 Basswood Ave	US Financial or Don Rady	Marginal 1970s single story industrial building in poor condition. The City has received an application to convert this site into a duplex.	R-3000-D/ Residential	1 du/ 3,000 sf	8,250	2	2	UU
45	6260212300	716 Basswood Ave	William Barnett Estate	Marginal 1970s single story industrial building in poor condition. Similar in location, size, and condition to 730 Basswood.	R-3000-D/ Residential	1 du/ 3,000 sf	8,480	2	2	UU
46	6260324200	413 Delaware St	Ronald and Deborah Cook	Converted garage (~500SF) in poor condition.	R-3000-D/ Residential	1 du/ 3,000 sf	9,010	3	2	UU

Site No.	APN	Address	Owner	Current Use	Zoning/ GP	Density	Lot Size	Max. Capacity	Realistic Capacity	Type
47	6250111600	684-686 Ocean Lane	Ed Johnson and Rose Gravino	Vacant	R-1500/ Residential	1 du/ 1,500 sf	5,720	3	2	VAC
48	6250111400	670 Ocean lane	Williams Family Trust	Vacant	R-1500/ Residential	1 du/ 1,500 sf	2,780	1	1	VAC
49	6253302800	812 Ocean Lane	Westport Holding Texas LP	Vacant	R-1500/ Residential	1 du/ 1,500 sf	4,000	2	2	VAC
50	6253300500	908-912 Ocean Lane	William Lindley Trust	Vacant	R-1500/ Residential	1 du/ 1,500 sf	6,000	4	3	VAC
	6253300600									
51	6253400300	986 Ocean lane	Kuan Cheng Chen & Chau Hang Le	Vacant	R-1500/ Residential	1 du/ 1,500 sf	4,500	3	2	VAC
52	6251810400	720 Ocean Lane	Robert Schoepe Trust	Vacant	R-1500/ Residential	1 du/ 1,500 sf	6,000	4	3	VAC
	6251810500									
53	6331721600	1485 Holly Ave	Karen Huntington	Vacant	R-2000/ Residential	1 du/ 2,000 sf	12,480	6	5	VAC
54	6330910801	1265 12th St	Solomolto LLC	Vacant	R-3000/ Residential	1 du/ 3,000 sf	9,450	3	3	VAC
55	6331021400	1280 14th St	Cynthia Doop	Vacant	R-3000/ Residential	1 du/ 3,000 sf	6,380	2	2	VAC
56	6260220800	375 Delaware St.	Mario H Cortez	Vacant	R-3000-D/ Residential	1 du/ 3,000 sf	11,200	3	3	VAC
57	6320910200	1113 Louden Lane	Damon & Jessica Stannard	Vacant	R-1-6000/ Single-Family Residential	1 du/ 6,000 sf	8,800	1	1	VAC
58	6320922100	637 Imperial Beach Blvd	Norman Newton Trust	Vacant	R-1-6000/ Single-Family Residential	1 du/ 6,000 sf	6,050	1	1	VAC
59	6321410900	1255 5th St	Thomas Tee Family Trust	Vacant	R-1-6000/ Single-Family Residential	1 du/ 6,000 sf	4,400	1	1	VAC

Site No.	APN	Address	Owner	Current Use	Zoning/ GP	Density	Lot Size	Max. Capacity	Realistic Capacity	Type
60	6321411000	1261 5th St	Thomas Tee Family Trust	Vacant	R-1-6000/ Single-Family Residential	1 du/ 6,000 sf	4,400	1	1	VAC
61	6321520700	1225 East Lane	Heidi Shott Trust	Vacant	R-1-6000/ Single-Family Residential	1 du/ 6,000 sf	4,400	1	1	VAC
62	6321520800	1229 East Lane	Heidi Shott Trust	Vacant	R-1-6000/ Single-Family Residential	1 du/ 6,000 sf	4,400	1	1	VAC
63	6321522200	1210 Connecticut St	Heidi Shott Trust	Vacant	R-1-6000/ Single-Family Residential	1 du/ 6,000 sf	2,200	1	1	VAC
64	6321522300	1208 Connecticut St	Heidi Shott Trust	Vacant	R-1-6000/ Single-Family Residential	1 du/ 6,000 sf	2,200	1	1	VAC
65	6321522400	1206 Connecticut St	Heidi Shott Trust	Vacant	R-1-6000/ Single-Family Residential	1 du/ 6,000 sf	4,400	1	1	VAC
66	6262301300	647 Florida St	Rudolph L. & Dorothy L. Baker	Vacant	C-1/General Commercial	1 du/ 1,000 sf	21,500	21	17	VAC
67	6252010200	213 Palm Ave	Kevin Dalton	Vacant	C-2/Seacoast Commercial	1 du/ 1,500 sf	5,250	3	2	VAC
68	6252010300	221 Palm Ave	Second Palm Ave LLC	Vacant	C-2/Seacoast Commercial	1 du/ 1,500 sf	5,250	3	3	VAC
69	6252010400	225 Palm Ave	Second Palm Ave LLC	Vacant	C-2/Seacoast Commercial	1 du/ 1,500 sf	5,250	3	3	VAC
70	6252010700	255 Palm Ave	Rahimpour Family Trust	Vacant	C-2/Seacoast Commercial	1 du/ 1,500 sf	31,470	21	16	VAC
	6252010800									
71	6253301900	75 Date Ave	Gerald/Barbara Farrelly Fam Trust	Vacant	C-2/Seacoast Commercial	1 du/ 1,500 sf	2,850	1	1	VAC
72	6253302000	850 Seacoast Dr	Laura Hunt/Harris Family Trust	Vacant	C-2/Seacoast Commercial	1 du/ 1,500 sf	2,850	1	1	VAC
73	6252722300	835 Seacoast Dr	Lisoy Family Trust	Vacant	C-2/Seacoast Commercial	1 du/ 1,500 sf	9,500	6	6	VAC

Site No.	APN	Address	Owner	Current Use	Zoning/ GP	Density	Lot Size	Max. Capacity	Realistic Capacity	Type
74	6253512500	Unassigned (NE corner of Seacoast Dr/ Evergreen Ave.)	Howard Land Development LLC	Vacant	C-2/Seacoast Commercial	1 du/ 1,500 sf	4,590	3	2	VAC
75	6253301800	Unassigned (SW corner of Seacoast Dr/ Date Ave.)	SD Vacation Properties	Vacant	C-2/Seacoast Commercial	1 du/ 1,500 sf	2,780	1	1	VAC
76	6330312500	1335 Imperial Beach Blvd	Joseph and Mary Dirienzo Trust	Vacant	C-3/ Neighborhood Commercial	1 du/ 2,000 sf	6,400	3	2	VAC



STAFF REPORT CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: AUGUST 1, 2012

ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT
GREG WADE, DIRECTOR *GW*
DAVID GARCIAS, CODE COMPLIANCE OFFICER *DG*

SUBJECT: ADOPTION OF RESOLUTION NO. 2012-7238 FOR THE ABATEMENT OF SUBSTANDARD AND PUBLIC NUISANCE CONDITION(S) AT 550 HIGHWAY 75

BACKGROUND/DISCUSSION:

Between 2007 and 2012, staff received numerous citizen complaints reporting violations of the Imperial Beach Municipal Code at the former El Camino Motel located at 550 Highway 75. The property has been the subject of nine (9) Code Compliance Cases. During this five-year period, the property has been vacant and owned by a financial institution, Dunham & Associates Mortgage Funds.

On November 30, 2007, staff received a citizen complaint regarding the property. Staff inspected the property, verified the following violations, and issued a Warning Notice / Notice of Violation for the owner, Dunham Mortgage Funds, to correct the violations. See Attachment No. 7.

- | | |
|--------------------|--|
| 1. IBMC 1.16.010.D | Secure Vacant Structures |
| 2. IBMC 1.16.010.G | Overgrown Vegetation |
| 3. IBMC 1.16.010.H | Dead or Hazardous Vegetation |
| 4. IBMC 1.16.010.U | Visual Blight – Unsightly structures, vegetation, and trash & litter |
| 5. IBMC 8.36.040. | Solid Waste constituting a public nuisance |

On January 22, 2008, staff re-inspected the property and observed the violations were substantially abated.

On March 26, 2008, staff received another citizen complaint stating homeless people were trying to move into the vacant bungalows during the evenings and that Sheriff's Deputies arrived and ordered them off the property. The complainant further stated that the night before people had pulled boards off the windows and were trying to remove furniture. Staff inspected and verified the re-violations of the identical code violations from November 30, 2007. Staff issued an Administrative Citation assessing a \$500.00 fine. See Attachment No. 8. The fine was paid in full on April 18, 2008.

On October 22, 2009, staff issued another Warning Notice / Notice of Violation to the property owner after receiving citizen complaints regarding the abandon pool on the property that was an attractive nuisance to children riding skateboards and bicycles. See Attachment No. 9. Staff inspected the property and observed the abandoned pool and trash littered around the property. The property owner chose to install steel plates across the top of the pool thereby disabling the attractive nuisance, and cleaned up the trash littered on the property.

On December 14, 2009, staff conducted an inspection of the property and observed an active and occupied transient campsite on the northwest side of the property. Sheriff's Deputies were called and they contacted a person sleeping in the campsite who was directed to leave the property. A Warning Notice / Notice of Violation was issued to the property owner to remove the campsite, trash, and litter around the property. See Attachment No. 10.

On December 21, 2009, staff re-inspected the property and observed the transient camp site was removed, the fence repaired, and the area cleaned up.

On April 22, 2010, staff conducted an inspection of the property and identified sixteen (16) violations of the Municipal Code, ranging from dead and overgrown vegetation to securing all doorways and openings to vacant structures. Staff issued an Administrative Citation assessing a \$1,000.00 fine. See Attachment No. 11. The fine was paid in full on June 8, 2010.

On August 19, 2010, staff received a complaint regarding a bee hive on the property. Staff contacted the property owner's representative, and the bees were successfully removed.

On March 28, 2012 and April 2, 2012, staff conducted an inspection of the property after receiving complaints of code violations from the Fire Department and identified re-violations of the below sections of the municipal code:

1. IBMC 1.16.010.R. Property Maintenance constituting a public nuisance.
2. IBMC 8.50.040.C. Hazardous Wiring.
3. IBMC 1.16.010.D. Securing All Openings to Vacant Structures.
4. IBMC 1.16.010.U. "Visual Blight" – Unsightly Structures.
5. IBMC 1.16.010.H. Dead or Hazardous Vegetation.
6. IBMC 1.16.010.G. Overgrown Vegetation.
7. IBMC 8.36.040. Solid Waste – Declared Public Nuisance.
8. IBMC 19.52.070.D Maintenance of Signs required.
9. IBMC 12.72.070. Graffiti declared a nuisance

On March 28, 2012 and April 2, 2012, staff observed that electrical power and gas are still connected to the vacant structures and identified hazardous exposed live electrical wiring. There were two transient campsites located in the overgrown vegetation. Several openings to the vacant structures were not boarded up and secured as required by the Building Official. Graffiti was visible around the property and overgrown and dead vegetation, litter and trash were evident around the entire property. Other violations included several broken and unsightly cabinet signs, a collapsing awning canopy structure, and the structures were decaying, dilapidated, unsightly, and in disrepair.

On April 20, 2012, Sheriff's Deputies reported responding to an attempted suicide inside the unsecured and vacant "Little Vienna Lounge" on the property.

On June 18, 2012, staff received a citizen complaint regarding trespassers seen inside the second floor of the two-story motel building.

On June 28, 2012, staff served the property owner via regular and certified mail a Notice to Eliminate Substandard and Public Nuisance Conditions and initiated the accrual of civil penalties in the amount of \$50.00 per day per violation. See Attachment No. 4. As staff posted

a copy of the notice at the property, staff observed that one of the two exterior concrete staircases leading to the second story of the motel building had collapsed from decay.

The property owner was advised that they were required to make the following corrections no later than July 18, 2012:

1. IMMEDIATELY obtain a demolition permit to remove the unsightly public nuisance structures on the property, including the bar, the two story hotel building, and the detached bungalows, thereby abating the above listed code violations. If a demolition permit to abate all violations is obtained, all demolition work must be completed within sixty (60) days of the receipt of the demolition permit.
 - a. Violations of IBMC 1.16.010.R; 1.16.010.U; 12.72.070; 1.16.010.D
2. IMMEDIATELY Contact your utility providers (such as Electric, Gas, Water) and obtain service disconnections to all utilities. Provide written proof of utility disconnections.
 - a. Violations of IBMC 8.50.040.C; 1.16.010.R
3. REMOVE SIGNS: Within 30-days remove all of the signs, sign cabinets, and sign poles.
 - a. Violations of IBMC 19.52.070; 1.16.010.U
4. IMMEDIATELY Cut down and remove all overgrown, dead, and unsightly weeds and vegetation.
 - a. Violations of IBMC 1.16.010.G; 1.16.010.H; 1.16.010.U
5. IMMEDIATELY PICKUP and REMOVE all litter, trash, debris, discarded mattresses, and equipment from the property.
 - a. Violations of IBMC 1.16.010.U; 8.36.040.
6. SECURE SITE FROM ENTRY. Provide a perimeter fence around the entire property, along the property line.
 - a. Violations of IBMC 1.16.010.D; 1.16.010.R
7. PREVENT THE HARBORAGE FOR TRESPASSERS. Suggestions include providing onsite security patrols. City staff is willing, however, to discuss and consider other options for the provision of temporary security for the property.
 - a. Violations of IBMC 1.16.010.D; 1.16.010.R

Photos of each of these violations are provided in the accompanying power point slide. On July 18, 2012, City staff observed that violation Nos. 2 and 7 had been abated via the securing of openings and removal of graffiti.

As of July 18, 2012, the property owner had secured the structures, and abated the graffiti, but failed to complete all the remaining required corrections listed on the June 28, 2012 notice.

On July 18, 2012, with the permission of the property owner, staff conducted an inspection of the subject property. City staff was accompanied by the property owner's representatives during an inspection, which included the interiors of the vacant structures. Staff observed:

- a. the structures are infested with termites and are substantially deteriorated resulting in the collapse of the exterior stair case
- b. sections of the ceilings roof supports and horizontal members were visibly split due to defective material, deterioration, and termite damage
- c. the remaining staircase is also likely to partially or completely collapse because of dilapidation, deterioration, termite damage, and/or decay
- d. sections of the second floor guard rails are likely to fail because of dilapidation, deterioration, and/or decay
- e. signs of unlawful activities and trespassers, such as vandalism, damaged to the interior rooms, walls, fixtures, graffiti, litter, trash, and use of the toilets as make shift fire places for warming fires

Photos of each of these violations are provided in the accompanying power point slide.

On July 19, 2012, at about 9:00 am, Sheriff Deputies contacted a trespasser inside room number #17. The trespasser stated he was able to get in through the front door. The property owner's representatives were contacted, but they advised they did not desire to prosecute the trespasser. The trespasser was released with a warning.

On July 19, 2012, staff served the property owner via regular and certified mail, and via e-mail to the property owners representatives, an amended Notice to Eliminate Substandard and Public Nuisance Conditions and continued the accrual of civil penalties in the amount of \$50.00 per day per violation for the violations listed on the June 28, 2012 Notice and for the following additional code violations listed below on the July 19, 2012 Notice to be corrected by August 1, 2012:

1. **IBMC 8.50.040.I. Abandoned or Partial Buildings.**
 - The structures, or portion of the structures remain on a site after portions of the structures have collapsed, deteriorated, or been abandoned for a period in excess of six months, and constitute such building or portion thereof as an attractive nuisance or hazard to the public.
2. **IBMC 8.50.040.B. Structural Hazards.**
 - **Subsection 1:** Whenever the building, structure or any portion thereof, is likely to partially or completely collapse because of Dilapidation, deterioration or decay.
 - **Subsection 3:** Whenever there is a structural hazard contained in a building or structure. Structural hazards shall include, but not be limited to, the following: members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration.
 - **Subsection 4:** Whenever the building, structure or portion thereof has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to: Become an attractive nuisance to children, Become a harbor for trespassers, or Enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
3. **IBMC 1.16.010.B. Buildings in a state of partial construction.**
 - Buildings that are abandoned, partially destroyed, or unreasonably permitted to remain in a state of partial construction.
4. **IBMC 1.16.010.E. Termite Infestation.**
 - Buildings with a major portion unpainted or infested with dry rot or termites.
5. **IBMC 15.40.020.B. Uniform Code for the Abatement of Dangerous Buildings.**

If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry for a period not to exceed 180 days. The property and building must meet security guidelines as established by the Building Official and must obtain a temporary use permit pursuant to the Administrative Code of the City of Imperial Beach and re-inspection for temporary use status every 180 days. Any such vacant property receiving three notices of violation, during the time of vacancy, of the Municipal Code of the City of Imperial Beach may be subject to enforcement and abatement pursuant to this code or as otherwise authorized by law.

Photos of each of these violations are provided in the accompanying power point slide.

On July 20, 2012, Staff posted a copy of the notice at the property.

In addition to the specific code enforcement cases, the subject property has been a magnet of calls for service. This has resulted in significant officer time, an expense to the City, spent on problems related to the property. All told, there have been a total of 341 Sheriff's calls for service at 550 Highway 75, from 2007 to 2012, which have included the following matters:

<u>Year</u>	<u>Total Number of Calls</u>	<u>Types of Calls</u>	<u>Number</u>
2007	51 Calls for Service	1. Discharge of a firearm, unable to locate	1
		2. Trespassers, warned	8
		3. Fraud report	1
		4. Assault & battery	2
		5. Disturbances	7
		6. Felony Arrest	2
		7. Petty theft report	1
		8. Suspicious person	2
		9. Security checks	27
2008	49 Calls for Service	1. Disturbances	6
		2. Suspicious person reports	3
		3. Trespassers, warned	16
		4. Arrest for misdemeanor	1
		5. Vandalism/arrest felony	1
		6. Security checks	22
2009	88 Calls for Service	1. Vandalism, arrested juvenile	2
		2. Arrested person for misdemeanor	3
		3. Trespasser, warned	3
		4. Security checks	80
2010	62 Calls for Service	1. Disturbance by juveniles, warned	2
		2. Trespassers, warned	7
		3. Felony arrest	1
		4. Security checks	52
2011	61 Calls for Service	1. Trespass arrest of a juvenile	1
		2. Trespasser warned	6
		3. Suspicious person reports	3
		4. Security checks	51
2012	30 Calls for Service	1. Attempted suicide	1
		2. Suspicious person / Trespasser	3
		3. Security checks	26

By the time of the August 1, 2012 City Council Meeting staff may have additional items to report.

FISCAL ANALYSIS:

March 26, 2008, Administrative Fines of \$500.00 assessed. Fines paid in full on April 15, 2008.

April 22, 2010, Administrative Fines of \$1,000.00 assessed. Fines paid in full on June 8, 2010.

Civil Penalties have accrued pursuant to Imperial Beach Municipal Code section 1.12.020. Accrual of Civil Penalties in the amount of \$50.00 per day per violation is as follows:

1. June 28, 2012 to July 18, 2012 – 20 days (9-violations) @ \$50.00 per day per violation = **\$9,000.00**

2. July 19, 2012 to August 1, 2012 – 13 days (12-violations) @ \$50.00 per day per violation = **\$7,800.00**

An Administrative fee in the amount of \$500.00 for nuisance abatement proceedings has also been assessed pursuant to Imperial Beach Municipal Code Sections 1.16.240.

3. Administrative Fee: **\$500.00**

	Civil Penalties:	\$9,000.00
	Civil Penalties:	\$7,800.00
	Administrative Costs:	+ 500.00
Total administrative fees and civil penalties:		\$17,300.00

As currently drafted, Resolution No. 2012-7238 recommends that if abatement is not initiated by the property owner including applying for and obtaining a demolition permit, within thirty (30) days of this hearing, and complete the full abatement and demolition of the property within sixty (60) days of this hearing, that legal action be filed in order to obtain court approval for abatement by City forces or private contractor. If directed to do so by the City Council and approval is received from the court, costs to complete the abatement of the violations on the property by City forces or private contract are estimated to be between **\$250,000.00** to **\$400,000.00**. The City Council would then hold a subsequent hearing to determine the cost of the abatement, which may then result in a special assessment/lien against the property. Requested cost recovery for the abatement will include those permissible under IBMC chapter 1.16, including costs of the notices, contracts, inspections and all legal costs.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council order the owner to complete the abatement of the foregoing items in accordance with the June 28, 2012 and July 19, 2012 notices by taking the following actions:

1. Declare the public hearing open, and receive the report.
2. Entertain any objections or protests.
3. Close the Public Hearing.
4. Adopt Resolution No. 2012-7238 finding and declaring that the Notice and Order to Eliminate Substandard and Public Nuisance Condition(s), regarding the property at 550 Highway 75 is appropriate and assessing a \$500.00 administrative fee for nuisance abatement proceedings and \$17,300.00 in accrued civil penalties, and authorizing staff to seek legal action to either compel the property owner to clean up the property or to obtain an abatement warrant to cause the abatement to be completed by city forces or private contract.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2012-7238

2. Public Nuisance Notice, dated July 19, 2012
3. Declaration of Service, dated July 24, 2012
4. Public Nuisance Notice, dated June 28, 2012
5. Declaration of Service, dated July 2, 2012
6. Sheriff's Department Calls for Service to 550 Highway 75
7. Notice of Violation, dated November 30, 2007
8. Admin Citation #1206, dated March 26, 2008
9. Notice of Violation, dated October 22, 2009
10. Notice of Violation, dated December 14, 2009
11. Admin Citation #A10028, dated April 22, 2010
12. E-mail to Liz Tuquero, dated April 22, 2010

cc:

D & A SEMI ANNUAL MORTGAGE FUND L P III
10251 VISTA SORRENTO PKWY #200
SAN DIEGO, CA 92121

RESOLUTION NO. 2012-7238

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, FINDING AND DECLARING THAT THE NOTICE AND ORDER TO ELIMINATE SUBSTANDARD AND PUBLIC NUISANCE CONDITION(S), REGARDING THE PROPERTY AT 550 HIGHWAY 75 IS APPROPRIATE AND ASSESSING AN ADMINISTRATIVE FEE FOR NUISANCE ABATEMENT PROCEEDINGS AND CIVIL PENALTIES, AND AUTHORIZE STAFF TO SEEK LEGAL ACTION TO EITHER COMPEL THE PROPERTY OWNER TO CLEAN UP THE PROPERTY OR TO OBTAIN AN ABATEMENT WARRANT TO CAUSE THE ABATEMENT TO BE COMPLETED BY CITY FORCES OR PRIVATE CONTRACT

WHEREAS, Between 2007 and 2012, staff received numerous citizen complaints reporting violations of the Imperial Beach Municipal Code at the former El Camino Motel located at 550 Highway 75. The property has been the subject of nine (9) Code Compliance Cases; and

WHEREAS, During this five-year period, the property has been vacant and owned by a financial institution, Dunham & Associates Mortgage Funds; and

WHEREAS, On November 30, 2007, staff received a citizen complaint regarding the property. Staff inspected the property, verified the following violations, and issued a Warning Notice / Notice of Violation for the owner, Dunham Mortgage Funds, to correct the violations

1. IBMC 1.16.010.D Secure Vacant Structures
2. IBMC 1.16.010.G Overgrown Vegetation
3. IBMC 1.16.010.H Dead or Hazardous Vegetation
4. IBMC 1.16.010.U Visual Blight – Unsightly structures, vegetation, and trash & litter
5. IBMC 8.36.040. Solid Waste constituting a public nuisance; and

WHEREAS, on or about January 22, 2008, staff re-inspected the property and observed the violations were substantially abated; and

WHEREAS, on or about March 26, 2008, staff received another citizen complaint stating homeless people were trying to move into the vacant bungalows during the evenings and that Sheriff's Deputies arrived and ordered them off the property. The complainant further stated that the night before people had pulled boards off the windows and were trying to remove furniture. Staff inspected and verified the re-violations of the identical code violations from November 30, 2007. Staff issued an Administrative Citation assessing a \$500.00 fine. The fine was paid in full on April 18, 2008; and

WHEREAS, on or about October 22, 2009, staff issued another Warning Notice / Notice of Violation to the property owner after receiving citizen complaints regarding the abandon pool on the property that was an attractive nuisance to children riding skateboards and bicycles. Staff inspected the property and observed the abandoned pool and trash littered around the property. The property owner chose to install steel plates across the top of the pool thereby disabling the attractive nuisance, and cleaned up the trash littered on the property; and

WHEREAS, on or about December 14, 2009, staff conducted an inspection of the property and observed an active and occupied transient campsite on the northwest side of the property. Sheriff's Deputies were called and they contacted a person sleeping in the campsite who was directed to leave the property. A Warning Notice / Notice of Violation was issued to the property owner to remove the campsite, trash, and litter around the property; and

WHEREAS, on or about December 21, 2009, staff re-inspected the property and observed the transient camp site was removed, the fence repaired, and the area cleaned up; and

WHEREAS, on or about April 22, 2010, staff conducted an inspection of the property and identified sixteen (16) violations of the Municipal Code, ranging from dead and overgrown vegetation to securing all doorways and openings to vacant structures. Staff issued an Administrative Citation assessing a \$1,000.00 fine. The fine was paid in full on June 8, 2010; and

WHEREAS, on or about August 19, 2010, staff received a complaint regarding a bee hive on the property. Staff contacted the property owner's representative, and the bees were successfully removed; and

WHEREAS, on or about March 28, 2012 and April 2, 2012, staff conducted an inspection of the property after receiving complaints of code violations from the Fire Department and identified re-violations of the below sections of the municipal code:

1. IBMC 1.16.010.R. Property Maintenance constituting a public nuisance.
2. IBMC 8.50.040.C. Hazardous Wiring.
3. IBMC 1.16.010.D. Securing All Openings to Vacant Structures.
4. IBMC 1.16.010.U. "Visual Blight" – Unsightly Structures.
5. IBMC 1.16.010.H. Dead or Hazardous Vegetation.
6. IBMC 1.16.010.G. Overgrown Vegetation.
7. IBMC 8.36.040. Solid Waste – Declared Public Nuisance.
8. IBMC 19.52.070.D Maintenance of Signs required.
9. IBMC 12.72.070. Graffiti declared a nuisance; and

WHEREAS, on or about March 28, 2012 and April 2, 2012, staff observed that electrical power and gas are still connected to the vacant structures and identified hazardous exposed live electrical wiring. There were two transient campsites located in the overgrown vegetation. Several openings to the vacant structures were not boarded up and secured as required by the Building Official. Graffiti was visible around the property and overgrown and dead vegetation, litter and trash were evident around the entire property. Other violations included several broken and unsightly cabinet signs, a collapsing awning canopy structure, and the structures were decaying, dilapidated, unsightly, and in disrepair; and

WHEREAS, on or about April 20, 2012, Sheriff's Deputies reported responding to an attempted suicide inside the unsecured and vacant "Little Vienna Lounge" on the property; and

WHEREAS, on or about June 18, 2012, staff received a citizen complaint regarding trespassers seen inside the second floor of the two-story motel building; and

WHEREAS, on June 28, 2012, staff served the property owner via regular and certified mail a Notice to Eliminate Substandard and Public Nuisance Conditions and initiated the accrual of civil penalties in the amount of \$50.00 per day per violation. As staff posted a copy of the notice at the property, staff observed that one of the two exterior concrete staircases leading to the second story of the motel building had collapsed from decay; and

WHEREAS, the property owner was advised that they were required to make the following corrections no later than July 18, 2012:

1. IMMEDIATELY obtain a demolition permit to remove the unsightly public nuisance structures on the property, including the bar, the two story hotel building, and the detached bungalows, thereby abating the above listed code violations. If a demolition permit to abate all violations is obtained, all demolition work must be completed within sixty (60) days of the receipt of the demolition permit.
 - a. Violations of IBMC 1.16.010.R; 1.16.010.U; 12.72.070; 1.16.010.D

2. IMMEDIATELY Contact your utility providers (such as Electric, Gas, Water) and obtain service disconnections to all utilities. Provide written proof of utility disconnections.
 - a. Violations of IBMC 8.50.040.C; 1.16.010.R
3. REMOVE SIGNS: Within 30-days remove all of the signs, sign cabinets, and sign poles.
 - a. Violations of IBMC 19.52.070; 1.16.010.U
4. IMMEDIATELY Cut down and remove all overgrown, dead, and unsightly weeds and vegetation.
 - a. Violations of IBMC 1.16.010.G; 1.16.010.H; 1.16.010.U
5. IMMEDIATELY PICKUP and REMOVE all litter, trash, debris, discarded mattresses, and equipment from the property.
 - a. Violations of IBMC 1.16.010.U; 8.36.040.
6. SECURE SITE FROM ENTRY. Provide a perimeter fence around the entire property, along the property line.
 - a. Violations of IBMC 1.16.010.D; 1.16.010.R
7. PREVENT THE HARBORAGE FOR TRESPASSERS. Suggestions include providing onsite security patrols. City staff is willing, however, to discuss and consider other options for the provision of temporary security for the property.
 - a. Violations of IBMC 1.16.010.D; 1.16.010.R; and

WHEREAS, As of July 18, 2012, the property owner had secured the structures, and abated the graffiti, but failed to complete all the remaining required corrections listed on the June 28, 2012 notice; and

WHEREAS, On July 18, 2012, with the permission of the property owner, staff conducted an inspection of the property. City staff was accompanied by the property owner's representatives during the inspection, which included the interiors of the vacant structures. Staff observed:

- a. the structures are infested with termites and are substantially deteriorated resulting in the collapse of the exterior stair case
- b. sections of the ceilings roof supports and horizontal members were visibly split due to defective material, deterioration, and termite damage
- c. the remaining staircase is also is likely to partially or completely collapse because of dilapidation, deterioration, termite damage, and/or decay
- d. sections of the second floor guard rails are likely to fail because of dilapidation, deterioration, and/or decay
- e. signs of unlawful activities and trespassers, such as vandalism, damaged to the interior rooms, walls, fixtures, graffiti, litter, trash, and use of the toilets as make shift fire places for warming fires; and

WHEREAS, On July 19, 2012, at about 9:00 am, Sheriff Deputies contacted a trespasser inside room number #17. The trespasser stated he was able to get in through the front door. The property owner's representatives were contacted, but they advised they did not desire to prosecute the trespasser. The trespasser was released with a warning; and

WHEREAS, On July 19, 2012, staff served the property owner via regular and certified mail, and via e-mail to the property owners representatives, an amended Notice to Eliminate Substandard and Public Nuisance Conditions and continued the accrual of civil penalties in the amount of \$50.00 per day per violation for the violations listed on the June 28, 2012 Notice and for the following additional code violations listed below on the July 19, 2012 Notice to be corrected by August 1, 2012:

1. **IBMC 8.50.040.I. Abandoned or Partial Buildings.**
 - The structures, or portion of the structures remain on a site after portions of the structures have collapsed, deteriorated, or been abandoned for a period in excess of six months, and constitute such building or portion thereof as an attractive nuisance or hazard to the public.
2. **IBMC 8.50.040.B. Structural Hazards.**
 - **Subsection 1:** Whenever the building, structure or any portion thereof, is likely to partially or completely collapse because of Dilapidation, deterioration or decay.
 - **Subsection 3:** Whenever there is a structural hazard contained in a building or structure. Structural hazards shall include, but not be limited to, the following: members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration.
 - **Subsection 4:** Whenever the building, structure or portion thereof has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to: Become an attractive nuisance to children, Become a harbor for trespassers, or Enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
3. **IBMC 1.16.010.B. Buildings in a state of partial construction.**
 - Buildings that are abandoned, partially destroyed, or unreasonably permitted to remain in a state of partial construction.
4. **IBMC 1.16.010.E. Termite Infestation.**
 - Buildings with a major portion unpainted or infested with dry rot or termites.
5. **IBMC 15.40.020.B. Uniform Code for the Abatement of Dangerous Buildings.**

If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry for a period not to exceed 180 days. The property and building must meet security guidelines as established by the Building Official and must obtain a temporary use permit pursuant to the Administrative Code of the City of Imperial Beach and re-inspection for temporary use status every 180 days. Any such vacant property receiving three notices of violation, during the time of vacancy, of the Municipal Code of the City of Imperial Beach may be subject to enforcement and abatement pursuant to this code or as otherwise authorized by law; and

WHEREAS, On July 20, 2012, Staff posted a copy of the notice at the property; and

WHEREAS, as of the August 1, 2012, the violations listed on July 19, 2012 amended Notice to Eliminate Substandard and Public Nuisance Conditions still exist at the property; and

WHEREAS, There have been a total of 341 Sheriff's calls for service at 550 Highway 75, from 2007 to 2012, include the following matters:

<u>Year</u>	<u>Total Number of Calls</u>	<u>Types of Calls</u>	<u>Number</u>
2007	51 Calls for Service	1. Discharge of a firearm, unable to locate	1
		2. Trespassers, warned	8
		3. Fraud report	1

	4. Assault & battery	2
	5. Disturbances	7
	6. Felony Arrest	2
	7. Petty theft report	1
	8. Suspicious person	2
	9. Security checks	27
2008	49 Calls for Service	
	1. Disturbances	6
	2. Suspicious person reports	3
	3. Trespassers, warned	16
	4. Arrest for misdemeanor	1
	5. Vandalism/arrest felony	1
	6. Security checks	22
2009	88 Calls for Service	
	1. Vandalism, arrested juvenile	2
	2. Arrested person for misdemeanor	3
	3. Trespasser, warned	3
	4. Security checks	80
2010	62 Calls for Service	
	1. Disturbance by juveniles, warned	2
	2. Trespassers, warned	7
	3. Felony arrest	1
	4. Security checks	52
2011	61 Calls for Service	
	1. Trespass arrest of a juvenile	1
	2. Trespasser warned	6
	3. Suspicious person reports	3
	4. Security checks	51
2012	30 Calls for Service	
	1. Attempted suicide	1
	2. Suspicious person / Trespasser	3
	3. Security checks	26

WHEREAS, testimony was presented to the City Council at the duly noticed public hearing on August 1, 2012 regarding the conditions at 550 Highway 75; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

SECTION 1: The foregoing recitals are true and correct and incorporated in these findings as if set forth in full.

SECTION 2: The City Council hereby concurs with the determinations of the June 28, 2012 and July 19, 2012 Notices and Orders to Eliminate Substandard and Public Nuisance Conditions and finds that substandard, public nuisance and hazardous conditions exist at 550 Highway 75, Imperial Beach, CA 91932,, and assesses an administrative fee and civil penalties as set forth below.

SECTION 3: The assessment of civil penalties and an administrative fee for nuisance abatement proceedings is approved as follows:

March 26, 2008, Administrative Fines of \$500.00 assessed. Fines paid in full on April 15, 2008.

April 22, 2010, Administrative Fines of \$1,000.00 assessed. Fines paid in full on June 8, 2010.

Civil Penalties have accrued pursuant to Imperial Beach Municipal Code section 1.12.020. Accrual of Civil Penalties in the amount of \$50.00 per day per violation is as follows:

1. June 28, 2012 to July 18, 2012 – 20 days (9-violations) @ \$50.00 per day per violation = **\$9,000.00**
2. July 19, 2012 to August 1, 2012 – 13 days (12-violations) @ \$50.00 per day per violation = **\$7,800.00**

An Administrative fee in the amount of \$500.00 for nuisance abatement proceedings has also been assessed pursuant to Imperial Beach Municipal Code Sections 1.16.240.

3. Administrative Fee: **\$500.00**

	Civil Penalties:	\$9,000.00
	Civil Penalties:	\$7,800.00
	Administrative Costs:	+ 500.00
Total administrative fees and civil penalties:		\$17,300.00

SECTION 4: The Sixteen Thousand Eight hundred dollars (\$16,800.00) in current civil penalties, and the Five Hundred dollars (\$500.00) administrative fee are hereby assessed and to be remitted to the City within thirty (30) days of adoption of this Resolution. The total amount of **\$17,300.00** constitutes a special assessment against the lot or parcel of land to which it relates. Upon recording a notice of lien in the office of the county recorder, the cost is a lien on the property for the amount of the assessment. The assessment shall be collected at the same time and in the same manner as ordinary municipal taxes are collected and, in case of delinquency, is subject to the same penalties and procedures as provided for ordinary municipal taxes. All laws of the state applicable to the levy, collection, and enforcement of municipal assessments apply. The assessment is also a personal obligation of the property owner.

SECTION 5: In order to eliminate the substandard, public nuisance and hazardous conditions at 550 Highway 75, Imperial Beach, CA 91932, the property owner must begin abatement of the property as required in the June 28, 2012 and July 19, 2012 Notices to Eliminate Substandard and Public Nuisance Conditions, including applying for and obtaining a demolition permit, within thirty (30) days of this hearing, and complete the full abatement and demolition of the property within sixty (60) days of this hearing. Corrections required are:

- a. Obtain all required demolition permits to remove the unsightly public nuisance structures on the property, including the bar, the two story hotel building, and the detached bungalows, thereby abating the above listed code violations. When a demolition permit to abate all violations is obtained, all demolition work must be completed within sixty (60) days of the receipt of the demolition permit.
 - Violations of **IBMC 1.16.010.R; 1.16.010.U; 1.16.010.D; 8.50.040.B; 1.16.010.B; 8.50.040.I; 15.40.020.B**
- b. Contact your utility providers (such as Electric, Gas, Water) and obtain service disconnections to all utilities. Provide written proof of utility disconnections.
 - Violations of **IBMC 8.50.040.C; 1.16.010.R**
- c. Remove Signs: Within 30-days remove all of the signs, sign cabinets, and sign poles.
 - Violations of **IBMC 19.52.070; 1.16.010.U**
- d. Cut down and remove all overgrown, dead, and unsightly weeds and vegetation.

- Violations of **IBMC 1.16.010.G; 1.16.010.H; 1.16.010.U**
- e. Pickup and Remove all litter, trash, debris, discarded mattresses, and equipment from the property.
 - Violations of **IBMC 1.16.010.U; 8.36.040.**
- f. Secure site from entry. Secure all openings into the vacant structures by boarding up.
 - Violations of **IBMC 1.16.010.D; 1.16.010.R**
- g. Prevent the harborage for trespassers. Suggestions include providing onsite security patrols. City staff is willing, however, to discuss and consider other options for the provision of temporary security for the property.
 - Violations of **IBMC 1.16.010.D; 1.16.010.R**

SECTION 6: If any of the abatement actions required in Section 5 are not completed by the property owner, the City Council authorizes staff to seek legal action to either compel the property owner to abate the property or to obtain an abatement warrant to cause the abatement to be completed by city forces or private contract at the cost of the property owner. The costs to complete the abatement of the violations on the property by City forces or private contract are estimated to be, but may exceed, between **\$250,000.00 to \$400,000.00. Any work performed by the City, and related legal costs incurred, shall be done at the expense of the owner and the expense of such abatement shall constitute a lien against the property and a personal obligation of the person(s) causing and creating the substandard and nuisance conditions.**

SECTION 7: The City Manager may cause a copy or copies of this Resolution to be conspicuously posted, as the City Manager may deem necessary.

SECTION 8: The City Clerk is hereby directed to:

1. Mail a copy or copies of this Resolution, by first class and certified mail, to the owner(s) of the above-described property as shown in the last equalized assessment roll and post it conspicuously at the property address;
2. Inform the property owner, by copy of this Resolution, that the time within which judicial review of this decision must be sought is governed by §1094.6 of the California Code of Civil Procedure. The property owner's right to appeal this decision is governed by California Code of Civil Procedure §1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 1st day of August 2012, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK

NOTICE ELIMINATE SUBSTANDARD AND PUBLIC NUISANCE CONDITIONS

SUBSTANDARD AND PUBLIC NUISANCE CONDITIONS

THE CITY MANAGER HAS DETERMINED THAT A CONDITION EXIST WHICH CONSTITUTES SUBSTANDARD AND PUBLIC NUISANCE CONDITIONS, PURSUANT TO CHAPTERS 1.16 PROPERTY MAINTENANCE, CHAPTER 8.36 SOLID WASTE, CHAPTER 19.52 SIGNS, CHAPTER 8.50 SUBSTANDARD BUILDINGS, 15.40 DANGEROUS BUILDINGS, AND CHAPTER 12.72 GRAFFITI, OF THE IMPERIAL BEACH MUNICIPAL CODE.

PROPERTY OWNER(S): D & A SEMI ANNUAL MORTGAGE FUND L P III, 10251 VISTA SORRENTO PKWY #200, SAN DIEGO, CA 92121

ASSESSOR'S RECORD(S): The East ½ of the Southeast ¼ of the Southeast ¼ of the Southeast ¼ of Section 19, Township 18 South, Range 2 West, & POR SEC 20-18-2W, San Bernardino Base and Meridian, in the City of Imperial Beach, County of San Diego, State of California, as found on or, Property located at 550 Highway 75, Imperial Beach, CA 91932

ASSESSOR'S PARCEL NO. 625-140-08-00 & 626-070-33-00

BETWEEN 2006 AND PRESENT, THE CITY HAS RECEIVED NUMEROUS & REPEATED CITIZEN COMPLAINTS REGARDING THE PROPERTY AT 550 HIGHWAY 75, GENERATED 14-CODE COMPLIANCE CASES, AND ASSESSED \$1,500.00 IN FINES.

ON MARCH 28, 2012, APRIL 2, 2012, AND JUNE 28, 2012, THE CONDITIONS DETERMINED TO CREATE A SUBSTANDARD AND PUBLIC NUISANCE ARE AS FOLLOWS. THESE ARE THE VIOLATIONS IDENTIFIED AT 550 HIGHWAY 75:

1. **IBMC 1.16.010.R. Property Maintenance constituting a public nuisance.**
 - Property maintained in such condition as to be detrimental to the public health, safety, or general welfare, to create a dangerous or substandard property or dangerous condition under Chapter 8.50, or to constitute a public nuisance as defined by Civil Code Section 3480.
2. **IBMC 8.50.040.C. Hazardous Wiring.**
 - Currently there are exposed and hazardous electrical wiring on the property posing a dangerous condition.
3. **IBMC 1.16.010.D. Securing All Openings to Vacant Structures.**
 - The structures on the property, including the rear door to the "Little Vienna Lounge" bar is wide open and transients have accessed the main two store hotel building, and Sheriffs have documented activities occurring within the vacant structures.
4. **IBMC 1.16.010.U. "Visual Blight" – Unsightly Structures.**
 - Remove all of the junk, trash, or debris; the unsightly structures including the bar, the two story hotel building, and the detached bungalows, and the unsightly vegetation from the property.
5. **IBMC 1.16.010.H. Dead or Hazardous Vegetation.**
 - Cut down and remove all of the dead and hazardous vegetation on the property.
6. **IBMC 1.16.010.G. Overgrown Vegetation.**
 - Cut down and remove all of the overgrown weeds and unsightly vegetation on the property.
7. **IBMC 8.36.040. Solid Waste – Declared Public Nuisance.**
 - Remove all of the garbage, trash, litter, discarded equipment, clothing, and furniture on the property.
8. **IBMC 19.52.070.D Maintenance of Signs required.**
 - Remove the dilapidated, unsightly, and broken signs from the property.
9. **IBMC 12.72.070. Graffiti declared a nuisance**
 - Remove all graffiti painted on the structures.

Securing
Openings
Abated
7/18/2012

Graffiti
Abated
7/18/2012

ON JULY 18, 2012, THE CITY CONDUCTED AN INTERIOR INSPECTION OF ALL THE VACANT STRUCTURES ON THE PROPERTY. THESE CONDITIONS IDENTIFIED BELOW ARE DETERMINED TO CONTINUE TO CREATE A SUBSTANDARD AND PUBLIC NUISANCE CONDITION ON THE PROPERTY. THESE ARE ADDITIONAL VIOLATIONS IDENTIFIED AT 550 HIGHWAY 75:

8. **IBMC 8.50.040.I. Abandoned or Partial Buildings.**
 - The structures, or portion of the structures remain on a site after portions of the structures have collapsed, deteriorated, or been abandoned for a period in excess of six months, and constitute such building or portion thereof as an attractive nuisance or hazard to the public.

9. **IBMC 8.50.040.B. Structural Hazards.**
- **Subsection 1:** Whenever the building, structure or any portion thereof, is likely to partially or completely collapse because of Dilapidation, deterioration or decay.
 - **Subsection 3:** Whenever there is a structural hazard contained in a building or structure. Structural hazards shall include, but not be limited to, the following: members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration.
 - **Subsection 4:** Whenever the building, structure or portion thereof has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to: Become an attractive nuisance to children, Become a harbor for trespassers, or Enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
10. **IBMC 1.16.010.B. Buildings in a state of partial construction.**
- Buildings that are abandoned, partially destroyed, or unreasonably permitted to remain in a state of partial construction.
11. **IBMC 1.16.010.E. Termite Infestation.**
- Buildings with a major portion unpainted or infested with dry rot or termites.
12. **IBMC 15.40.020.B. Uniform Code for the Abatement of Dangerous Buildings.**
- If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry for a period not to exceed 180 days. The property and building must meet security guidelines as established by the Building Official and must obtain a temporary use permit pursuant to the Administrative Code of the City of Imperial Beach and re-inspection for temporary use status every 180 days. Any such vacant property receiving three notices of violation, during the time of vacancy, of the Municipal Code of the City of Imperial Beach may be subject to enforcement and abatement pursuant to this code or as otherwise authorized by law.

CORRECTIONS REQUIRED: Immediately complete the below list of required corrections no later than August 1st 2012:

- * **Item a.** a. IMMEDIATELY obtain all required demolition permits to remove the unsightly public nuisance structures on the property, including the bar, the two story hotel building, and the detached bungalows, thereby abating the above listed code violations. When a demolition permit to abate all violations is obtained, all demolition work must be completed within sixty (60) days of the receipt of the demolition permit.
- Amended 7/18/2012**
- Violations of **IBMC 1.16.010.R; 1.16.010.U; 1.16.010.D; 8.50.040.B; 1.16.010.B; 8.50.040.I; 15.40.020.B**
- b. IMMEDIATELY Contact your utility providers (such as Electric, Gas, Water) and obtain service disconnections to all utilities. Provide written proof of utility disconnections.
- Violations of **IBMC 8.50.040.C; 1.16.010.R**
- c. REMOVE SIGNS: Within 30-days remove all of the signs, sign cabinets, and sign poles.
- Violations of **IBMC 19.52.070; 1.16.010.U**
- d. IMMEDIATELY Cut down and remove all overgrown, dead, and unsightly weeds and vegetation.
- Violations of **IBMC 1.16.010.G; 1.16.010.H; 1.16.010.U**
- e. IMMEDIATELY PICKUP and REMOVE all litter, trash, debris, discarded mattresses, and equipment from the property.
- Violations of **IBMC 1.16.010.U; 8.36.040.**

* Item f.
Amended
7/18/2012

- f. SECURE SITE FROM ENTRY. Secure all openings into the vacant structures by boarding up.
 - Violations of **IBMC 1.16.010.D; 1.16.010.R**
- g. PREVENT THE HARBORAGE FOR TRESPASSERS. Suggestions include providing onsite security patrols. City staff is willing, however, to discuss and consider other options for the provision of temporary security for the property.
 - Violations of **IBMC 1.16.010.D; 1.16.010.R**

IMPORTANT: Code Compliance staff may allow for additional time to complete the abatement if substantial abatement is observed.

Pursuant to Imperial Beach Municipal Code Chapters 1.12, 1.16, and 8.50, all buildings, structures, properties, or portions thereof which are determined by Authorized personnel to be substandard or unsafe are declared to be unsafe or substandard and are declared to be a public nuisance, and be abated by repair, rehabilitation, demolition, removal or cleaning.

The property located at the **550 Highway 75, Imperial Beach, CA 91932** must be cured of all violations on or before **August 1, 2012**. The City may also continue Public Nuisance Abatement proceedings against you and your property and will secure payment of such expense by assessment and lien, as provided by Imperial Beach Municipal Code Chapters 1.12, 1.16 and 8.50. **Administrative fees of up to \$500.00 may be assessed. In addition to an administrative fee, beginning on the date of this notice, civil penalties of \$50.00 per day per violation will be imposed upon the nuisance property for each day the violations listed above exist.**

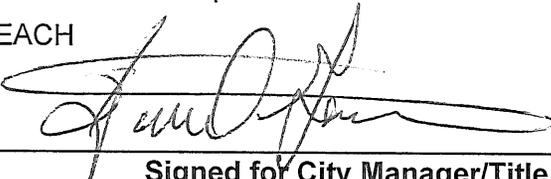
Pursuant to Imperial Beach Municipal Code Chapter 1.16 if a nuisance is not completely abated by the property owner within the designated abatement period, then the City Manager or the City Manager's designee must cause the abatement to be completed by City forces or private contract. The City Manager or the City Manager's designee is expressly authorized to enter the premises on which the nuisance exists for abatement purposes.

The cost for abating a nuisance, as confirmed by the City Council, is a special assessment against the lot or parcel of land to which it relates. Upon recording a notice of lien in the office of the county recorder, the cost is a lien on the property for the amount of the assessment. The assessment will be collected at the same time and in the same manner as ordinary municipal taxes are collected and, in case of delinquency, is subject to the same penalties and procedures as provided for ordinary municipal taxes. All laws of the state applicable to the levy, collection, and enforcement of municipal assessments apply. The assessment is also a personal obligation of the property owner.

The City of Imperial Beach City Council will consider this matter at its hearing on **August 1, 2012, 6:00 PM at 825 Imperial Beach Boulevard**, at which time the owner(s) of said property may appear and present reason why civil penalties and administrative costs may not be assessed, and why clearing or repair should not be required.

CITY OF IMPERIAL BEACH

Date Posted: JUL 19 2012

By:  _____
Signed for City Manager/Title **CITY OF IMPERIAL BEACH**
CODE COMPLIANCE DIVISION

NOTICE TO ELIMINATE SUBSTANDARD AND PUBLIC NUISANCE CONDITIONS

The City Manager has determined that a condition exist which constitutes substandard and public nuisance conditions, pursuant to Chapters 1.16 Property Maintenance, Chapter 8.36 Solid Waste, Chapter 19.52 Signs, Chapter 8.50 Substandard Buildings, and Chapter 12.72 Graffiti, of the Imperial Beach Municipal Code.

PROPERTY OWNER(S): D & A SEMI ANNUAL MORTGAGE FUND L P III, 10251 VISTA SORRENTO PKWY #200, SAN DIEGO, CA 92121

ASSESSOR'S RECORD(S): The East ½ of the Southeast ¼ of the Southeast ¼ of the Southeast ¼ of Section 19, Township 18 South, Range 2 West, & POR SEC 20-18-2W, San Bernardino Base and Meridian, in the City of Imperial Beach, County of San Diego, State of California, as found on or, Property located at 550 Highway 75, Imperial Beach, CA 91932

ASSESSOR'S PARCEL NO. 625-140-08-00 & 626-070-33-00

BETWEEN 2006 AND PRESENT, THE CITY HAS RECEIVED NUMEROUS & REPEATED CITIZEN COMPLAINTS REGARDING THE PROPERTY AT 550 HIGHWAY 75, GENERATED 14-CODE COMPLIANCE CASES, AND ASSESSED \$1,500.00 IN FINES.

ON MARCH 28, 2012, APRIL 2, 2012, AND JUNE 28, 2012, THE CONDITIONS DETERMINED TO CREATE A SUBSTANDARD AND PUBLIC NUISANCE ARE AS FOLLOWS. THESE ARE THE VIOLATIONS IDENTIFIED AT 550 HIGHWAY 75:

1. **IBMC 1.16.010.R. Property Maintenance constituting a public nuisance.**
 - Property maintained in such condition as to be detrimental to the public health, safety, or general welfare, to create a dangerous or substandard property or dangerous condition under Chapter 8.50, or to constitute a public nuisance as defined by Civil Code Section 3480.
2. **IBMC 8.50.040.C. Hazardous Wiring.**
 - Currently there are exposed and hazardous electrical wiring on the property posing a dangerous condition.
3. **IBMC 1.16.010.D. Securing All Openings to Vacant Structures.**
 - The structures on the property, including the rear door to the “Little Vienna Lounge” bar is wide open and transients have accessed the main two store hotel building, and Sheriffs have documented activities occurring within the vacant structures.
4. **IBMC 1.16.010.U. “Visual Blight” – Unsightly Structures.**
 - Remove all of the junk, trash, or debris; the unsightly structures including the bar, the two story hotel building, and the detached bungalows, and the unsightly vegetation from the property.
5. **IBMC 1.16.010.H. Dead or Hazardous Vegetation.**
 - Cut down and remove all of the dead and hazardous vegetation on the property.
6. **IBMC 1.16.010.G. Overgrown Vegetation.**
 - Cut down and remove all of the overgrown weeds and unsightly vegetation on the property.
7. **IBMC 8.36.040. Solid Waste – Declared Public Nuisance.**
 - Remove all of the garbage, trash, litter, discarded equipment, clothing, and furniture on the property.
8. **IBMC 19.52.070.D Maintenance of Signs required.**
 - Remove the dilapidated, unsightly, and broken signs from the property.
9. **IBMC 12.72.070. Graffiti declared a nuisance**
 - Remove all graffiti painted on the structures.

CORRECTIONS REQUIRED: Immediately complete the below list of required corrections no later than July 18, 2012:

- a. IMMEDIATELY obtain a demolition permit to remove the unsightly public nuisance structures on the property, including the bar, the two story hotel building, and the detached bungalows, thereby abating the above listed code violations. If a demolition permit to abate all violations is obtained, all demolition work must be completed within sixty (60) days of the receipt of the demolition permit.
 - Violations of **IBMC 1.16.010.R; 1.16.010.U; 12.72.070; 1.16.010.D**
- b. IMMEDIATELY Contact your utility providers (such as Electric, Gas, Water) and obtain service disconnections to all utilities. Provide written proof of utility disconnections.
 - Violations of **IBMC 8.50.040.C; 1.16.010.R**

- c. REMOVE SIGNS: Within 30-days remove all of the signs, sign cabinets, and sign poles.
 - Violations of **IBMC 19.52.070; 1.16.010.U**
- d. IMMEDIATELY Cut down and remove all overgrown, dead, and unsightly weeds and vegetation.
 - Violations of **IBMC 1.16.010.G; 1.16.010.H; 1.16.010.U**
- e. IMMEDIATELY PICKUP and REMOVE all litter, trash, debris, discarded mattresses, and equipment from the property.
 - Violations of **IBMC 1.16.010.U; 8.36.040.**
- f. SECURE SITE FROM ENTRY. Provide a perimeter fence around the entire property, along the property line.
 - Violations of **IBMC 1.16.010.D; 1.16.010.R**
- g. PREVENT THE HARBORAGE FOR TRESPASSERS. Suggestions include providing onsite security patrols. City staff is willing, however, to discuss and consider other options for the provision of temporary security for the property.
 - Violations of **IBMC 1.16.010.D; 1.16.010.R**

IMPORTANT: Code Compliance staff may allow for additional time to complete the abatement if substantial abatement is observed.

Pursuant to Imperial Beach Municipal Code Chapters 1.12, 1.16, and 8.50, all buildings, structures, properties, or portions thereof which are determined by Authorized personnel to be substandard or unsafe are declared to be unsafe or substandard and are declared to be a public nuisance, and be abated by repair, rehabilitation, demolition, removal or cleaning.

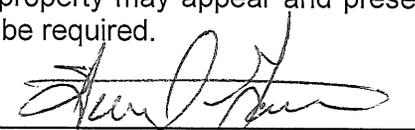
The property located at the **550 Highway 75, Imperial Beach, CA 91932** must be cured of all violations on or before **July 18, 2012**. The City may also continue Public Nuisance Abatement proceedings against you and your property and will secure payment of such expense by assessment and lien, as provided by Imperial Beach Municipal Code Chapters 1.12, 1.16 and 8.50. **Administrative fees of up to \$500.00 may be assessed. In addition to an administrative fee, beginning on the date of this notice, civil penalties of \$50.00 per day per violation will be imposed upon the nuisance property for each day the violations listed above exist.**

Pursuant to Imperial Beach Municipal Code Chapter 1.16 if a nuisance is not completely abated by the property owner within the designated abatement period, then the City Manager or the City Manager's designee must cause the abatement to be completed by City forces or private contract. The City Manager or the City Manager's designee is expressly authorized to enter the premises on which the nuisance exists for abatement purposes.

The cost for abating a nuisance, as confirmed by the City Council, is a special assessment against the lot or parcel of land to which it relates. Upon recording a notice of lien in the office of the county recorder, the cost is a lien on the property for the amount of the assessment. The assessment will be collected at the same time and in the same manner as ordinary municipal taxes are collected and, in case of delinquency, is subject to the same penalties and procedures as provided for ordinary municipal taxes. All laws of the state applicable to the levy, collection, and enforcement of municipal assessments apply. The assessment is also a personal obligation of the property owner.

The City of Imperial Beach City Council will consider this matter at its hearing on **July 18, 2012, 6:00 PM at 825 Imperial Beach Boulevard**, at which time the owner(s) of said property may appear and present reason why civil penalties and administrative costs may not be assessed, and why clearing or repair should not be required.

CITY OF IMPERIAL BEACH
By: _____


Signed for City Manager/Title

Date Posted: _____
CITY OF IMPERIAL BEACH
CODE COMPLIANCE DIVISION

JUN 28 2012

7/9/2012

TOTAL Call for Service: 27

Address	Entry Date	DOW	CallType	CallType/Dispo	LocationComments
00550 STATE ROUTE 75	2012/01/12	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/01/13	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/01/15	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/01/25	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/02/16	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/02/17	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/03/01	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/03/02	6 FRI	XPAT	EXTRA PATROL / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/03/07	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/03/10	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/03/13	3 TUE	1153	SECURITY CHECK / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/03/13	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/03/15	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/03/19	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/03/25	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 SILVER STRAND BL	2012/04/03	3 TUE	SUSP	SUSPICIOUS PERSON / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/04/08	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/04/09	2 MON	FOOTP	FOOT PATROL / EXTRA PATROL	: @EL CAMINO MOTEL
00550 SILVER STRAND BL	2012/04/20	6 FRI	1145	SUICIDE - ACTUAL OR ATTEMPT / REPORT TO FOLLOW	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/04/21	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

Jan - Jun 2012 All Cad Entry - El Camino Motel

00550 STATE ROUTE 75	2012/04/25	4 WED	53	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/04/29	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/05/03	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/05/07	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/05/28	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/06/09	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2012/06/12	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

2011 All Cad Entry - El Camino Motel

7/9/2012

TOTAL Call for Service: 61

Address	Entry Date	DOW	CallType	CallType/Dispo	LocationComments
00550 STATE ROUTE 75	2011/01/02	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/01/03	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/01/05	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/01/09	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/01/16	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/01/18	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/01/24	2 MON	53	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/02/06	1 SUN	1153	SECURITY CHECK / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/02/07	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/02/13	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/02/16	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/02/20	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/03/03	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/03/04	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/03/19	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/03/24	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/03/25	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/04/02	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/04/11	2 MON	602	TRESPASSING / ARREST JUVENILE	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/04/20	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

2011 All Cad Entry - El Camino Motel

00550 STATE ROUTE 75	2011/04/21	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/04/28	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 SILVER STRAND BL	2011/05/05	5 THU	SUSC	SUSPICIOUS CIRCUMSTANCE / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/05/05	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/05/06	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/05/06	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/06/02	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/06/04	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/06/09	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/06/11	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/06/16	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/06/18	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/06/25	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/06/26	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/07/07	5 THU	1153	SECURITY CHECK / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/07/13	4 WED	1153	SECURITY CHECK / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/07/15	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/07/21	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/07/30	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/08/11	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/08/18	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

2011 All Cad Entry - El Camino Motel

00550 STATE ROUTE 75	2011/08/23	3 TUE	602	TRESPASSING / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/08/24	4 WED	SUSP	SUSPICIOUS PERSON / FIELD INTERVIEW	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/08/27	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/09/11	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/09/12	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/09/12	2 MON	602	TRESPASSING / FIELD INTERVIEW	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/09/22	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/09/30	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/10/04	3 TUE	602	TRESPASSING / UNABLE TO LOCATE	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/10/12	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/10/14	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/10/19	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/10/23	1 SUN	SUSP	SUSPICIOUS PERSON / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 HWY 75	2011/10/23	1 SUN	FOOTP	FOOT PATROL / CHECKS OK	
00550 STATE ROUTE 75	2011/10/27	5 THU	53	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/11/02	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/11/05	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/11/24	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/12/10	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2011/12/16	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

2010 All Cad Entry - El Camino Motel

7/9/2012

TOTAL Call for Service: 64

Address	Entry Date	DOW	CallType	CallType/Dispo	LocationComments
00550 STATE ROUTE 75	2010/01/01	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2010/01/02	7 SAT	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2010/01/07	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2010/01/08	6 FRI	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2010/01/14	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/01/20	4 WED	1153	SECURITY CHECK / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/01/22	6 FRI	PARK	ILLEGAL PARKING / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/01/27	4 WED	FOOTP	FOOT PATROL / FIELD INTERVIEW	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/01/30	7 SAT	EXTRA	EXTRA PATROL / EXTRA PATROL	: @EL CAMINO MOTEL
00550 ST RTE 75	2010/02/04	5 THU	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2010/02/04	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/02/06	7 SAT	1153	SECURITY CHECK / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/02/10	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2010/02/11	5 THU	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2010/02/14	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2010/02/15	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/02/16	3 TUE	1153	SECURITY CHECK / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/02/17	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/02/17	4 WED	602	TRESPASSING / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/02/18	5 THU	415J	DISTURBANCE, JUVENILES / FIELD INTERVIEW	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/02/25	5 THU	1151	SUBJECT STOP / FIELD INTERVIEW	: @EL CAMINO MOTEL
00550 HIGHWAY 75	2010/03/03	4 WED	FOOTP	FOOT PATROL / CHECKS OK	

2010 All Cad Entry - El Camino Motel

00550 STATE ROUTE 75	2010/03/07	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/03/08	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2010/03/14	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2010/03/16	3 TUE	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2010/03/25	5 THU	1151	SUBJECT STOP / WARNED	: @EL CAMINO MOTEL
00550 ST RTE 75	2010/04/04	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2010/04/11	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2010/04/13	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2010/04/19	2 MON	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2010/04/27	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/04/30	6 FRI	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2010/05/11	3 TUE	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2010/05/16	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 SILVER STRAND BL	2010/05/21	6 FRI	415J	DISTURBANCE, JUVENILES / WILL COOPERATE	: @EL CAMINO MOTEL
00550 SILVER STRAND BL	2010/05/21	6 FRI	1151	SUBJECT STOP / FIELD INTERVIEW	: @LITTLE VIENNA LODGE
00550 STATE ROUTE 75	2010/05/28	6 FRI	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL:EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/05/30	1 SUN	FOOTP	FOOT PATROL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/06/02	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/06/10	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2010/06/20	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2010/06/27	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2010/07/11	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2010/07/21	4 WED	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2010/07/25	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/07/26	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

2010 All Cad Entry - El Camino Motel

00550 STATE ROUTE 75	2010/08/07	7 SAT	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2010/08/15	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2010/08/30	2 MON	1153	SECURITY CHECK / ARREST FELONY	: @EL CAMINO MOTEL
00550 ST RTE 75	2010/09/01	4 WED	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2010/09/05	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/09/24	6 FRI	415N	DISTURBANCE, NOISE / UNABLE TO LOCATE	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/09/28	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/09/29	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/10/03	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/10/05	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/10/06	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/10/12	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/10/31	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/11/07	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/12/02	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/12/05	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2010/12/07	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

2009 All Cad Entry - El Camino Motel

7/9/2012

TOTAL Call for Service: 91

Address	Entry Date	DOW	CallType	CallType/Dispo	LocationComments
00550 HIGHWAY 75	2009/01/19	2 MON	1153	SECURITY CHECK / CHECKS OK	
00550 HIGHWAY 75	2009/01/31	7 SAT	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/02/23	2 MON	UNKTR	UNKNOWN TROUBLE / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/03/08	1 SUN	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/03/11	4 WED	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/03/25	4 WED	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/04/02	5 THU	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/04/03	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/04/03	6 FRI	1153	SECURITY CHECK / EXTRA PATROL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/04/16	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/04/18	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/05/02	7 SAT	594	VANDALISM / ARREST JUVENILE	: @EL CAMINO MOTEL
00550 SILVER STRAND BL	2009/05/06	4 WED	23152	DRIVING UNDER THE INFLUENCE / INFORMATION ONLY	: EST
00550 STATE ROUTE 75	2009/05/08	6 FRI	1153	SECURITY CHECK / CHECKS OK	:
00550 STATE ROUTE 75	2009/05/12	3 TUE	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/05/15	6 FRI	1153	SECURITY CHECK / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/05/16	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

2009 All Cad Entry - El Camino Motel

00550 HIGHWAY 75	2009/05/28	5 THU	1153	SECURITY CHECK / INFORMATION ONLY	
00550 STATE ROUTE 75	2009/06/03	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/06/06	7 SAT	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/06/08	2 MON	XPAT	EXTRA PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/06/09	3 TUE	R594	REPORT - VANDALISM / REPORT TO FOLLOW	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/06/11	5 THU	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/06/12	6 FRI	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/06/12	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STE RTE 75	2009/06/13	7 SAT	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/06/15	2 MON	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/06/17	4 WED	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/06/19	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/06/20	7 SAT	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/06/30	3 TUE	EXTRA	EXTRA PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/07/07	3 TUE	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2009/07/15	4 WED	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/07/16	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/07/18	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/07/18	7 SAT	FOOTP	FOOT PATROL / ARREST MISDEMEANOR	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/07/23	5 THU	1153	SECURITY CHECK / CHECKS OK	

2009 All Cad Entry - El Camino Motel

00550 STATE ROUTE 75	2009/07/23	5 THU	EXTRA	EXTRA PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/07/24	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/07/25	7 SAT	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/08/01	7 SAT	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/08/04	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/08/12	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/08/13	5 THU	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/08/14	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/08/15	7 SAT	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/08/16	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/08/20	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/08/20	5 THU	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2009/08/21	6 FRI	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2009/08/22	7 SAT	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/08/26	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/08/26	4 WED	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/08/26	4 WED	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2009/08/27	5 THU	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/08/28	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/08/29	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/09/19	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

2009 All Cad Entry - El Camino Motel

00550 STATE ROUTE 75	2009/09/19	7 SAT	1151	SUBJECT STOP / WARNED	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/09/24	5 THU	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2009/09/25	6 FRI	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/09/26	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/09/26	1 SUN	602	ARREST MISDEMEANOR	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/09/28	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/10/01	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/10/04	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2009/10/21	4 WED	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2009/10/22	5 THU	1153	SECURITY CHECK / CHECKS OK	
00550 PALM AV	2009/10/23	6 FRI	1149	TRAFFIC STOP / WARNED	
00550 STATE ROUTE 75	2009/10/31	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/11/01	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2009/11/04	4 WED	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2009/11/06	6 FRI	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/11/06	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/11/19	5 THU	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/11/19	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/11/20	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/12/02	4 WED	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/12/03	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/12/05	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

2009 All Cad Entry - El Camino Motel

00550 STATE ROUTE 75	2009/12/10	5 THU	1153	SECURITY CHECK / WARNED	: @EL CAMINO MOTEL
00550 ST RTE 75	2009/12/11	6 FRI	1153	SECURITY CHECK / CHECKS OK	
00550 ST RTE 75	2009/12/12	7 SAT	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2009/12/14	2 MON	602	TRESPASSING / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/12/18	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/12/19	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/12/22	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/12/24	5 THU	1153	SECURITY CHECK / ARREST MISDEMEANOR	:
00550 STATE ROUTE 75	2009/12/25	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/12/25	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2009/12/30	4 WED	FOOTP	FOOT PATROL / CHECKS OK	: @EL CAMINO MOTEL

2008 All Cad Entry - El Camino Motel

7/5/2012

TOTAL Call for Service: 54

Address	Entry Date	DOW	CallType	CallType/Dispo	LocationComments
00550 SILVER STRAND BL	2008/01/03	5 THU	415FI	DISTURBANCE, FIGHT / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/01/04	6 FRI	MEVIC	Court Serv EVICTION OR MOVE OUT ORDER / SERVED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/01/10	5 THU	R415FA	REPORT - DISTURBANCE, FAMILY / CANCELED BEFORE DISPATCHED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/01/11	6 FRI	SUSP	SUSPICIOUS PERSON / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/01/15	3 TUE	MCIV	Court Serv CIVIL PAPERS / NOT FOUND	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/02/02	7 SAT	53	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/02/24	1 SUN	SUSP	SUSPICIOUS PERSON / UNABLE TO LOCATE	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/03/13	5 THU	602	TRESPASSING / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/03/15	7 SAT	1151	SUBJECT STOP / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/03/20	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 HWY 75	2008/03/21	6 FRI	1153	SECURITY CHECK / FIELD INTERVIEW	
00550 STATE ROUTE 75	2008/03/24	2 MON	1149	TRAFFIC STOP / CITED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/03/25	3 TUE	602	TRESPASSING / FIELD INTERVIEW	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/03/27	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/03/31	2 MON	51	SUBJECT STOP / FIELD INTERVIEW	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/04/02	4 WED	XPAT	EXTRA PATROL / CHECKS OK	: @EL CAMINO MOTEL
00550 PALM	2008/04/06	1 SUN	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2008/04/17	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/04/20	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 HWY 75	2008/04/21	2 MON	1153	SECURITY CHECK / CHECKS OK	
00550 STATE ROUTE 75	2008/04/22	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

2008 All Cad Entry - El Camino Motel

00550 STATE ROUTE 75	2008/05/06	3 TUE	602	TRESPASSING / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/05/09	6 FRI	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/06/01	1 SUN	415J	DISTURBANCE, JUVENILES / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/06/02	2 MON	602	TRESPASSING / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/06/03	3 TUE	602	TRESPASSING / UNFOUNDED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/06/05	5 THU	602	TRESPASSING / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/06/10	3 TUE	415J	DISTURBANCE, JUVENILES / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/06/10	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/06/12	5 THU	415J	DISTURBANCE, JUVENILES / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 HIGHWAY 75	2008/07/12	7 SAT	1149	TRAFFIC STOP / WILL COOPERATE	
00550 STATE ROUTE 75	2008/07/26	7 SAT	51	SUBJECT STOP / FIELD INTERVIEW	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/08/02	7 SAT	594	VANDALISM / ARREST FELONY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/08/03	1 SUN	1151	SUBJECT STOP / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/08/05	3 TUE	1021	TELEPHONE CALL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 SILVER STRAND BL	2008/08/07	5 THU	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/08/14	5 THU	415J	DISTURBANCE, JUVENILES / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/08/17	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/08/18	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/08/26	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 PALM	2008/08/28	5 THU	XPAT	EXTRA PATROL / CHECKS OK	
00550 STATE ROUTE 75	2008/08/30	7 SAT	53	SECURITY CHECK / ARREST MISDEMEANOR	: @EL CAMINO MOTEL

2008 All Cad Entry - El Camino Motel

00550 PALM AV	2008/09/07	1 SUN	51	SUBJECT STOP / WARNED	
00550 STATE ROUTE 75	2008/09/08	2 MON	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/09/24	4 WED	51	SUBJECT STOP / WARNED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/10/02	5 THU	SUSV	SUSPICIOUS VEHICLE / FIELD INTERVIEW	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/10/19	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/10/28	3 TUE	ATC	ATTEMPT TO CONTACT / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/10/28	3 TUE	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/10/29	4 WED	ATC	ATTEMPT TO CONTACT / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 SILVER STRAND BL	2008/11/12	4 WED	602	TRESPASSING / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/11/18	3 TUE	53	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/12/07	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2008/12/28	1 SUN	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

2007 All Cad Entry - El Camino Motel

7/9/2012

TOTAL Call for Service: 70

Address	Entry Date	DOW	CallType	CallType/Dispo	LocationComments
00550 STATE ROUTE 75	2007/01/16	3 TUE	MSUB	Court Serv SUBPOENA SERVICE / INFORMATION ONLY	
00550 STATE ROUTE 75	2007/02/23	6 FRI	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/02/23	6 FRI	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/02/28	4 WED	415A	DISTURBANCE, ARGUMENT / UNFOUNDED	: @EL CAMINO MOTEL
00550 HIGHWAY 75	2007/03/05	2 MON	MCIV	Court Serv CIVIL PAPERS / SERVED	
00550 STATE ROUTE 75	2007/03/19	2 MON	1186	SPECIAL DETAIL / NO DISPOSITION	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/03/20	3 TUE	1186	SPECIAL DETAIL / INFORMATION ONLY	
00550 STATE ROUTE 75	2007/03/20	3 TUE	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/03/21	4 WED	242	BATTERY / INFORMATION ONLY	MOTEL,1
00550 STATE ROUTE 75	2007/03/23	6 FRI	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/03/23	6 FRI	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL: @EL CAMINO
00550 STATE ROUTE 75	2007/04/13	6 FRI	ASST	ASSISTANCE NEEDED / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/04/25	4 WED	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/04/26	5 THU	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/04/26	5 THU	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/04/27	6 FRI	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/05/01	3 TUE	1151	SUBJECT STOP / CHECKS OK	MOTEL
00550 STATE ROUTE 75	2007/05/09	4 WED	SUSP	SUSPICIOUS PERSON / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/05/16	4 WED	1186	SPECIAL DETAIL / INFORMATION ONLY	
00550 STATE ROUTE 75	2007/05/16	4 WED	1186	SPECIAL DETAIL / INFORMATION ONLY	
00550 STATE ROUTE 75	2007/05/24	5 THU	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/05/24	5 THU	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 PALM AV	2007/06/11	2 MON	WARR	WARRANT SERVICE / ARREST FELONY	
00550 STATE ROUTE 75	2007/06/13	4 WED	1186	SPECIAL DETAIL / INFORMATION ONLY	: @EL CAMINO MOTEL

2007 All Cad Entry - El Camino Motel

00550 STATE ROUTE 75	2007/06/19	3 TUE	602	TRESPASSING / SETTLED	MOTEL
00550 STATE ROUTE 75	2007/08/08	4 WED	1016	PRISONER / ARREST FELONY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/08/19	1 SUN	WELCK	WELFARE CHECK / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/08/30	5 THU	EXTRA	EXTRA PATROL / FIELD INTERVIEW	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/08/31	6 FRI	116	DISCHARGE OF A FIREARM / UNABLE TO LOCATE	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/08/31	6 FRI	R488	REPORT - PETTY THEFT / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 HIGHWAY 75	2007/09/04	3 TUE	MSUB	Court Serv SUBPOENA SERVICE / NOT FOUND	
00550 STATE ROUTE 75	2007/09/04	3 TUE	415J	DISTURBANCE, JUVENILES / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/09/05	4 WED	415J	DISTURBANCE, JUVENILES / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/09/06	5 THU	415FI	DISTURBANCE, FIGHT / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/09/06	5 THU	602	TRESPASSING / REPORT TO FOLLOW	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/09/10	2 MON	1160	LEAK - GAS, WATER, SEWER / CHECKS OK	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/09/13	5 THU	ATC	ATTEMPT TO CONTACT / FIELD INTERVIEW	: @EL CAMINO MOTEL
00550 HIGHWAY 75	2007/09/19	4 WED	MCIV	Court Serv CIVIL PAPERS / NOT FOUND	
00550 STATE ROUTE 75	2007/09/23	1 SUN	602	TRESPASSING / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/09/23	1 SUN	602	TRESPASSING / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/10/01	2 MON	602	COOPERATE	MOTEL
00550 STATE ROUTE 75	2007/10/02	3 TUE	MISPAR	MISSING PERSON AT RISK / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/10/02	3 TUE	RFRAUD	REPORT - FRAUD / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/10/02	3 TUE	602	TRESPASSING / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/10/05	6 FRI	MCIV	Court Serv CIVIL PAPERS / SERVED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/10/06	7 SAT	415J	DISTURBANCE, JUVENILES / GONE ON ARRIVAL	: @EL CAMINO MOTEL
00550 HIGHWAY 75	2007/10/10	4 WED	MCIV	Court Serv CIVIL PAPERS / SERVED	
00550 STATE ROUTE 75	2007/10/11	5 THU	MEVIC	Court Serv EVICTION OR MOVE OUT ORDER / NOT FOUND	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/10/16	3 TUE	MEVIC	Court Serv EVICTION OR MOVE OUT ORDER / NOT FOUND	: @EL CAMINO MOTEL

2007 All Cad Entry - El Camino Motel

00550 HIGHWAY 75	2007/10/31	4 WED	MTRO	Court Serv TEMP RESTRAINING ORDER / SERVED	
00550 SILVER STRAND BL	2007/10/31	4 WED	R242	REPORT - BATTERY / REPORT TO FOLLOW	: EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/11/01	5 THU	WELCK	WELFARE CHECK / CHECKS OK	
00550 STATE ROUTE 75	2007/11/07	4 WED	EXTRA	EXTRA PATROL / EXTRA PATROL	: @LITTLE VIENNA
00550 STATE ROUTE 75	2007/11/12	2 MON	PRES	PRESERVE THE PEACE / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 SILVER STRAND BL	2007/11/13	3 TUE	R594	REPORT - VANDALISM / UNFOUNDED	: @LITTLE VIENNA LODGE
00550 SILVER STRAND BL	2007/11/14	4 WED	594	VANDALISM / UNFOUNDED	MOTEL
00550 STATE ROUTE 75	2007/11/18	1 SUN	EXTRA	EXTRA PATROL / CHECKS OK	MOTEL
00550 STATE ROUTE 75	2007/11/19	2 MON	1153	SECURITY CHECK / CHECKS OK	MOTEL
00550 HWY 75	2007/11/19	2 MON	1186	SPECIAL DETAIL / INFORMATION ONLY	
00550 STATE ROUTE 75	2007/11/19	2 MON	415	DISTURBANCE / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/11/25	1 SUN	SUSP	SUSPICIOUS PERSON / UNABLE TO LOCATE	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/11/26	2 MON	EXTRA	EXTRA PATROL / CHECKS OK	MOTEL
00550 STATE ROUTE 75	2007/12/15	7 SAT	R594	REPORT - VANDALISM / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 HIGHWAY 75	2007/12/17	2 MON	MCIV	Court Serv CIVIL PAPERS / SERVED	
00550 HIGHWAY 75	2007/12/19	4 WED	MEVIC	Court Serv EVICTION OR MOVE OUT ORDER / SERVED	
00550 STATE ROUTE 75	2007/12/23	1 SUN	415FA	DISTURBANCE, FAMILY / SETTLED	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/12/23	1 SUN	UNKTR	UNKNOWN TROUBLE / INFORMATION ONLY	: @EL CAMINO MOTEL
00550 STATE ROUTE 75	2007/12/26	4 WED	1087	MEET / NO CONTACT MADE	: @LITTLE VIENNA
00550 STATE ROUTE 75	2007/12/26	4 WED	1087	MEET / INFORMATION ONLY	LOUNGE
00550 STATE ROUTE 75	2007/12/29	7 SAT	1153	SECURITY CHECK / CHECKS OK	: @EL CAMINO MOTEL

The City of
Imperial
Beach



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE DIVISION

825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932

November 30, 2007

COPY

Dunham Mortgage Funds
ATTN: Liz Tuquero
10251 Vista Sorrento Pkwy Ste 200
San Diego, CA 92121-3769

SUBJECT: CODE VIOLATIONS AT 550 HIGHWAY 75, IMPERIAL BEACH. APN. #625-140-08.

This is just a follow-up to our conversations regarding the property located at 550 Highway 75, Imperial Beach, (the former "El Camino Motel") of the below Imperial Beach Municipal Codes (IBMC) violation(s):

IBMC 1.16.010.D. The failure to close, by means acceptable to the building official, all doorways, windows, and other openings into vacant structures.

IBMC 1.16.010.G. Overgrown vegetation that is likely to harbor rats, vermin, or other nuisances or to be detrimental to nearby property or property values.

IBMC 1.16.010.H. Dead, decayed, diseased, or hazardous trees, weeds, or other vegetation that is unsightly, dangerous to public safety or welfare, detrimental to nearby property or property values, or reasonably deemed to be a fire hazard.

IBMC 1.16.010.U. Property maintained in such a condition as to constitute visual blight. For purposes of this chapter, "visual blight" includes the storage of lumber, junk, trash, or debris; abandoned, discarded, or unused appliances, equipment, vehicles, cans, or containers; excavations; or any device, decoration, design, fence, structure, clothesline, or unsightly vegetation. For purposes of this chapter, there must be detriment to the property of others for a condition to constitute "visual blight".

IBMC 8.36.040. No garbage, brush, dead terrestrial or marine animal, rubbish, construction wastes or discarded appliances, or any diseased, putrid or offensive terrestrial or marine animal or vegetable matter, or refuse of any kind or character whatsoever shall be placed or allowed to be placed or remain upon the pier, any vacant lot, park, public or private property, street, road, highway or alley within the corporate limits of the City, and the same are declared to be a public nuisance, except that home composting of yard waste and compostables as defined in this chapter is exempt from the provisions of this section. It is further unlawful for any person to deposit or place such material in any garbage or refuse container owned or used by the owner of such property unless such person first obtains the permission of said owner to do so.

REQUIRED CORRECTIONS: Please secure all the openings to the vacant structures, remove all trash and litter, overgrown, dead, and unsightly vegetation from the property, and from the parkway beside the sidewalk. Please correct the violations no later than **December 10, 2007**.

Correction of the violation(s) indicted below must be completed by: Correction Date: DEC 10 2007 Time: _____

IMPORTANT INFORMATION: This notice is a WARNING NOTICE. If you fail to correct the violations by the correction date, or re-violate anytime within 18-months, an Administrative Citation may be issued:

1st Administrative Citation - \$100 / 2nd Citation - \$200 / 3rd Citation - \$500 / 4th and Subsequent Citation(s) - \$1000

These civil fines are calculated per violation, per occurrence, and are cumulative. Payment does not excuse correction of the violation(s), nor shall it bar further enforcement action by the City as specified by the Imperial Beach Municipal Code.

Thank you in advance for your cooperation in complying with the Imperial Beach Municipal Codes. Your efforts will enhance the neighborhood and are appreciated by everyone living in Imperial Beach.

Sincerely,

David Garcias
Code Compliance Officer
Tel. (619) 628-1358 / 628-1359
E-mail: dgarcias@cityofib.org



City of Imperial Beach
Code Compliance Division
825 Imperial Beach Blvd
Imperial Beach, CA 91932
Tel. (619) 628-1359 / 628-1358 / Fax. (619) 424-4093

Citation No. 1206
Case No. 08-174
Case Type Code: NA

ADMINISTRATIVE CITATION

1st Citation - \$100 2nd Citation - \$200 3rd Citation - \$500 4th and Subsequent Citation (s) - \$1,000

These civil fines are calculated per violation, per occurrence, and are cumulative. Payment does not excuse correction of the violation(s), nor shall it bar further enforcement action by the City.

Payments of \$ 500.00 is due no later than May 2, 2008 (See reverse side for payment instructions).

Correction of the violation(s) indicted below must be completed by: Correction Date: April 2, 2008 Time: ---

IMPORTANT INFORMATION: If you fail to correct the violations by the correction date, or re-violate anytime within 18-months, the next level Administrative Citation may be issued:

The Building Official will suspend or refuse to issue any building permits until all violations are corrected pursuant to Chapters 15.06 and 8.30 of the Imperial Beach Municipal Code.

Date Citation Issued: <u>3/26/2008</u>	Date Violation Observed: <u>3/26/2008</u>	Time of Violation: A.M. / P.M. <u>11:00 am</u>	Day of Week <u>Wed</u>	Origination Code <u>CZ</u>
Location of Violation (Address) <u>550 Hwy 75, IB 91932</u>			Assessor's Parcel Number: <u>625-140-08</u>	
Person Cited: Last <u>D & A</u>	First <u>Semi-Annual Mtg. Fund III</u>	Middle	Identification / Driver's License:	
Title/Relationship to the Violation (i.e. Property Owner, Tenant, Contractor...): <u>Property Owner</u>			Business Name (If Applicable) <u>Dunham Mortgage Funds</u>	
Mailing Address: <u>10251 Vista Sorrento Pkwy, Ste 209</u>		City/State: <u>SD</u>	Zip: <u>57209</u>	Phone No.

Code Section(s) Violated	Date Observed	Description of Violation(s)
<input checked="" type="checkbox"/> 11.16.010.D	<u>3/26/08</u>	<u>Failure to close and secure all openings.</u>
<input checked="" type="checkbox"/> 11.16.010.G	<u>3/26/08</u>	<u>Overgrown Vegetation</u>
<input checked="" type="checkbox"/> 11.16.010.H	<u>3/26/08</u>	<u>Dead or Hazardous Vegetation</u>
<input checked="" type="checkbox"/> 11.16.010.U	<u>3/26/08</u>	<u>"Visual Blight" Junk, trash, & debris littered on property</u>
<input checked="" type="checkbox"/> 8.36.040	<u>3/26/08</u>	<u>Solid Waste - Constituting a Public Nuisance</u>

CORRECTIONS REQUIRED: You must secure all openings to the vacant structures, and maintain them. You must cut down and remove all of the dead, unsightly, and overgrown vegetations. Remove all of the junk, trash, and debris littered around the property. You may wish to consider establishing regularly scheduled cleanup & Landscape services.
You are hereby Fined \$500 (\$100 x 5-code Violations).
IF Not corrected or if re-violated, Fines increase to \$200 per.

ISSUING ENFORCEMENT OFFICER: D. Garcias Telephone: (619) 628-1359 Officer's Signature: [Signature] Date: 3/26/08

PERSON CITED:
 Violator's Signature: Mailed & Fax'd Date: 3/26/08



City of Imperial Beach
 Code Compliance Division
 825 Imperial Beach Blvd
 Imperial Beach, CA 91932
 Tel. (619) 628-1359 / 628-1358 / Fax. (619) 424-4093

Case No. 09-509

Case Type Code: NA

NOTICE OF VIOLATION

The City of Imperial Beach is very concerned about preserving and maintaining clean and well-kept residential neighborhoods and commercial areas. In order to carry out this objective, the City's Code Compliance Division has made an inspection of this property and the below violations of the Imperial Beach Municipal, Zoning, Building, and State Codes were found. If you have any questions regarding this matter, please contact the Code Compliance Division at Tel. (619) 628-1359 / 628-1358.

Correction of the violation(s) indicted below must be completed by: **Correction Date:** 11/22/2009 **Time:** _____

IMPORTANT INFORMATION: This notice is a **WARNING NOTICE**. If you fail to correct the violations by the correction date, or re-violate anytime within 18-months, an Administrative Citation may be issued:

1st Administrative Citation - \$100 / 2nd Citation - \$200 / 3rd Citation - \$500 / 4th and Subsequent Citation(s) - \$1000

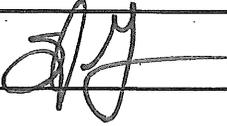
These civil fines are calculated per violation, per occurrence, and are cumulative. Payment does not excuse correction of the violation(s), nor shall it bar further enforcement action by the City as specified by the Imperial Beach Municipal Code.

Date Notice Issued: 10/22/2009	Date Violation Observed: 10/22/2009	Time of Violation: A.M. / P.M.	Day of Week Thursday	Origination Code: CD
Location of Violation (Address): 550 HIGHWAY 75 & VACANT LOT 626-070-33-00, Imperial Beach, CA 91932			Assessor's Parcel Number: 625-140-08 / 626-070-33	
Property Owner's Name: Last D & A SEMI ANNUAL MORTGAGE FUND L P III		First 	Middle 	Phone No.
Mailing Address: 10251 VISTA SORRENTO PKWY UNIT# 200, SAN DIEGO, CA 92121-3769		City/State: 	Zip: 	Property Mgmt. \ Business Name:
Occupant / Recipient Name (If different from owner): 		Title/Relationship to the Violation (i.e. Property Owner, Tenant, Business Owner.): 		

Code Section(s) Violated	Description of Violation(s) (See Reverse)
<input type="checkbox"/>	
<input type="checkbox"/>	
<input checked="" type="checkbox"/> 1.16.010.I.	Attractive nuisances dangerous to children, including unprotected or hazardous pools, ponds, and excavations
<input type="checkbox"/> IBMC 4.04.040. Business License – Required <input type="checkbox"/> Commercial Business License <input type="checkbox"/> Rental Business License	<input checked="" type="checkbox"/> IBMC 8.36.040. Garbage, discarded appliances, and trash on property. <input type="checkbox"/> IBMC 8.44.020. Inoperable, wrecked, dismantled, or abandon vehicles. <input type="checkbox"/> IBMC 8.50.050 (I). Fence violation. <input type="checkbox"/> IBMC 8.50.050 (K). Vehicles must be parked on a paved surface. <input type="checkbox"/> IBMC 12.48.120. Maintenance of vegetation by adjacent property owner. <input type="checkbox"/> IBMC 12.72.070. Graffiti – Declaration of Nuisance. <input type="checkbox"/> IBMC 19.54.030. Temporary awnings, temporary structures designed to cover automobiles are prohibited in front yards.
<input type="checkbox"/> IBMC 1.16.010 (G). Overgrown vegetation	
<input type="checkbox"/> IBMC 1.16.010 (H). Dead or hazardous vegetation.	
<input type="checkbox"/> IBMC 1.16.010 (R). Property constituting a public nuisance.	
<input checked="" type="checkbox"/> IBMC 1.16.010 (U). Junk, trash, and debris littered on property.	

CORRECTIONS REQUIRED:

1. Immediately remove the unsafe and unsecured pool at 550 Highway 75. The Pool has become an attractive public nuisance with children and trespassers. Options to render the pool safe may be obtained from the IB Building Dept at tel. (619) 628-1357. You are required to obtain a demolition permit from the IB Building Department to either remove/demolish the pool, or to render it inaccessible. If the pool is not removed or rendered inaccessible and a permit is not obtained, a fine shall be assessed.
2. Remove all the trash littered on the property, including from the vacant lot (APN. 626-070-33-00) located on the east side of the property behind the bungalows. Trash has remained in that location for months. If these violations are not corrected immediately, fines shall be assessed.

ISSUING ENFORCEMENT OFFICER:	Telephone:	Date:
Officer's Name (Print): D.Garcias 	(619) 628-1359	10/22/2009

<input checked="" type="checkbox"/> Recipient's Signature:	<input checked="" type="checkbox"/> Date:
--	---

(Note: Signing this notice acknowledges receipt only, and is not an admission of guilt.)

Notice Served: In Person To: _____ Posted on Property By Mail Other _____

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION



City of Imperial Beach
 Code Compliance Division
 825 Imperial Beach Blvd
 Imperial Beach, CA 91932
 Tel. (619) 628-1359 / 628-1358 / Fax. (619) 424-4093

Case No. 09-613

Case Type Code: NA

NOTICE OF VIOLATION

The City of Imperial Beach is very concerned about preserving and maintaining clean and well-kept residential neighborhoods and commercial areas. In order to carry out this objective, the City's Code Compliance Division has made an inspection of this property and the below violations of the Imperial Beach Municipal, Zoning, Building, and State Codes were found. If you have any questions regarding this matter, please contact the Code Compliance Division at Tel. (619) 628-1359 / 628-1358.

Correction of the violation(s) indicted below must be completed by: **Correction Date:** 12/21/2009 **Time:** 9:00 am

IMPORTANT INFORMATION: This notice is a **WARNING NOTICE**. If you fail to correct the violations by the correction date, or re-violate anytime within 18-months, an Administrative Citation may be issued:

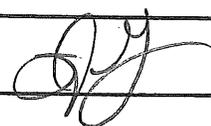
1st Administrative Citation - \$100 / 2nd Citation - \$200 / 3rd Citation - \$500 / 4th and Subsequent Citation(s) - \$1000

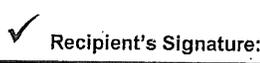
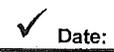
These civil fines are calculated per violation, per occurrence, and are cumulative. Payment does not excuse correction of the violation(s), nor shall it bar further enforcement action by the City as specified by the Imperial Beach Municipal Code.

Date Notice Issued: 12/14/2009	Date Violation Observed: 12/14/2009	Time of Violation: A.M. / P.M.	Day of Week Monday	Origination Code: IN
Location of Violation (Address): 550 Highway 75, Imperial Beach, CA 91932			Assessor's Parcel Number: 625-140-08-00	
Property Owner's Name: Last D&A SEMI ANNUAL MORTGAGE FUND LP III		First 	Middle 	Phone No.
Mailing Address: 10251 VISTA SORRENTO PKWY UNIT #200, SAN DIEGO, CA 92121-3769		City/State: SAN DIEGO, CA	Zip: 92121-3769	Property Mgmt. \ Business Name:
Occupant / Recipient Name (If different from owner):		Title/Relationship to the Violation (i.e. Property Owner, Tenant, Business Owner.):		

Code Section(s) Violated	Description of Violation(s) (See Reverse)
<input type="checkbox"/>	
<input type="checkbox"/>	
<input checked="" type="checkbox"/> 1.16.010.R.	Property maintained in such condition to constitute a public nuisance
<input type="checkbox"/> IBMC 4.04.040. Business License – Required <input type="checkbox"/> Commercial Business License <input type="checkbox"/> Rental Business License	<input checked="" type="checkbox"/> IBMC 8.36.040. Garbage, discarded appliances, and trash on property. <input checked="" type="checkbox"/> IBMC 8.44.020. Inoperable, wrecked, dismantled, or abandon vehicles. <input checked="" type="checkbox"/> IBMC 8.50.050 (I). Fence violation. <input type="checkbox"/> IBMC 8.50.050 (K). Vehicles must be parked on a paved surface. <input type="checkbox"/> IBMC 12.48.120. Maintenance of vegetation by adjacent property owner. <input type="checkbox"/> IBMC 12.72.070. Graffiti – Declaration of Nuisance. <input type="checkbox"/> IBMC 19.54.030. Temporary awnings, temporary structures designed to cover automobiles are prohibited in front yards.

CORRECTIONS REQUIRED:
 Immediately clean up and remove the transient camp site on the north west side of the property. Remove all of the trash, mattresses, sleeping bags, and tents from the property. Remove all of the overgrown, dead, and unsightly vegetation on the west side of the property. These plants, trees, and bushes have become a harborage for nuisances detrimental to nearby property or property values. The overgrown, dead, and unsightly vegetation includes the Pepper Tree, the Yucca type plants, and the bushes at the northwest corner of the property. Also, repair the fence on the west side where trespassers have created an access hole. If not removed by the correction date, or if re-violated, fines shall be assessed against the property.

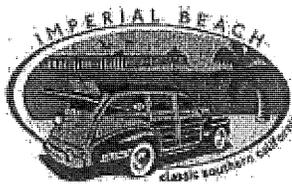
ISSUING ENFORCEMENT OFFICER:
 Officer's Name (Print): **David Garcias**  Telephone: **(619) 628-1359** Date: **12/14/2009**

Recipient's Signature:  Date: 

(Note: Signing this notice acknowledges receipt only, and is not an admission of guilt.)

Notice Served: In Person To: _____ Posted on Property By Mail Other E-mail attachment

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION



City of Imperial Beach
 Code Compliance Division
 825 Imperial Beach Blvd
 Imperial Beach, CA 91932
 Tel. (619) 628-1359 / 628-1358 / Fax. (619) 424-4093

Citation No. **A10028**

Case No. 10-160

Case Type Code: NA

ADMINISTRATIVE CITATION

<input checked="" type="checkbox"/> 1st Citation – \$100	<input type="checkbox"/> 2nd Citation – \$200	<input type="checkbox"/> 3rd Citation – \$500	<input type="checkbox"/> 4th and Subsequent Citation (s) – \$1,000
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These civil fines are calculated per violation, per occurrence, and are cumulative. Payment does not excuse correction of the violation(s), nor shall it bar further enforcement action by the City.
 Payments of \$ 1,000.00 is due no later than 06/08/2010 (See reverse side for payment instructions).
 Correction of the violation(s) indicted below must be completed by: Correction Date: 05/09/2010 Time: _____
IMPORTANT INFORMATION: If you fail to correct the violations by the correction date, or re-violate anytime within 18-months, the next level Administrative Citation may be issued:
 The Building Official will suspend or refuse to issue any building permits until all violations are corrected pursuant to Chapters 15.06 and 8.30 of the Imperial Beach Municipal Code.

Date Citation Issued: 04/22/2010	Date Violation Observed: 04/21/2010	Time of Violation: A.M. / P.M. 12:00 pm	Day of Week Wed	Origination Code IN
Location of Violation (Address) 550 Highway 75, Imperial Beach, CA 919320			Assessor's Parcel Number: 625-140-08-00 / 626-070-33-00	
Person Cited: Last D&A Semi Annual Mortgage Fund LP III First _____ Middle _____			Identification / Driver's License:	
Title/Relationship to the Violation (i.e. Property Owner, Tenant, Contractor...): Property Owner		Business Name (If Applicable)		
Mailing Address: 10251 Vista Sorrento Pkwy, Unit #200, San Diego, CA 92121		City/State: San Diego, CA	Zip: 92121	Phone No.

Code Section(s) Violated	Date Observed	Description of Violation(s)
<input checked="" type="checkbox"/> 1.16.010.U.	04/21/2010	"Visual Blight". Unsightly structures.
<input checked="" type="checkbox"/> 1.16.010.D.	04/21/2010	Failure to close all doorways, windows, and other openings into vacant structures
<input checked="" type="checkbox"/> 1.16.010.F.	04/21/2010	Broken windows
<input checked="" type="checkbox"/> 1.16.010.G.	04/21/2010	Overgrown Vegetation.
<input checked="" type="checkbox"/> 1.16.010.H.	04/21/2010	Dead or hazardous vegetation

CORRECTIONS REQUIRED:
 This is a final notice to abate the repeated code violations on the property located at 550 Highway 75, Imperial Beach, Assessor Parcel Numbers 625-140-08-00 and 626-070-33-00. The property is in a substandard and blighted condition and must be repaired, rehabilitated, demolished, removed, or cleared. Failure to correct the current violations or any re-violation may result in the City commencing proceedings to compel repairs or demolition. The City of Imperial Beach staff have observed the below listed violations on the property located at 550 Highway 75.

Please be advised that failure to meet the listed deadlines to correct the existing code violations will result in further enforcement action by the City, including assessment of administrative citations and/or civil penalties as specified by the Imperial Beach Municipal Code. All timelines in this notice are calendar days.

CONTINUED ON PAGE 2

ENFORCEMENT OFFICER:	Telephone:	Officer's Signature:	Date:
Officer's Name (Print): David Garcias	(619) 628-1359		04/22/2010

PERSON CITED:
<input checked="" type="checkbox"/> Violator's Signature: _____ <input checked="" type="checkbox"/> Date: _____

(Note: Signing this citation acknowledges receipt only, and is not an admission of guilt.)

Citation Served: In Person To: _____ Posted on Property By Mail Other _____ **Page 1 of 2**

SEE REVERSE SIDE FOR IMPORTANT INFORMATION AND PAYMENT INSTRUCTIONS



City of Imperial Beach
 Code Compliance Division
 825 Imperial Beach Blvd
 Imperial Beach, CA 91932
 Tel. (619) 628-1359 / 628-1358 / Fax. (619) 424-4093

Case No. 10-160

Case Type Code: NA

Administrative Citation

Notice of Violation

CONTINUATION:

Location of Violation (Address): 550 Highway 75, Imperial Beach, CA 919320 Assessor's Parcel Number: 625-140-08-00 / 626-070-33-00

Code Section(s) Violated	Description of Violation(s) (See Reverse)
<input checked="" type="checkbox"/> 8.50.050.I.	Unsightly Fences.
<input checked="" type="checkbox"/> 8.36.040.	Solid waste declared public nuisance
<input checked="" type="checkbox"/> 1.16.010.R.	Property maintained constituting a public nuisance

**CORRECTIONS
 REQUIRED:**

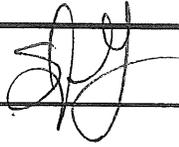
CONTINUED: Code Section(s) Violated

- IBMC 8.50.040.B.4. Whenever the building, structure or portion thereof has become so dilapidated or deteriorated as to:
 - a. Become an attractive nuisance to children.
 - b. Become a harbor for trespassers.
 - c. Enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
- IBMC 12.72.070. Graffiti deemed a public and private nuisance.
- IBMC 1.16.010.E. Buildings with a major portion unpainted.
- IBMC 1.16.010.R. Property maintained constituting a public nuisance.
- IBMC 8.50.040.C. Hazardous Wiring. All wiring except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner.
- IBMC 8.50.040.D. Hazardous Plumbing. All plumbing except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition .
- IBMC 8.50.040.E. Hazardous Mechanical Equipment. All mechanical equipment, including vents, except that which conformed with all applicable laws in effect at the time of installation, and which has been maintained in good and safe condition
- IBMC 19.52.070. Sign Maintenance: All signs shall be maintained in good order and repair at all times so that they do not constitute any visual blight, and are free of peeling paint, major cracks or loose and dangling materials.
- IBMC 8.50.050.A. Substandard Buildings

CONTINUED: Corrections Required

1. Immediately complete the below list of required corrections no later than May 9, 2010:
 - a. Remove all of the signs, sign cabinets, and sign poles that are unsightly, dilapidated, or broken.
 - b. Remove all of the graffiti on the entire property.
 - c. Contact your utility providers (such as Electric, Gas, Water) and obtain service disconnections to all utilities. Provide written proof of utility disconnections.
 - d. Cut down and remove all overgrown, dead, and unsightly weeds and vegetation.
 - e. Pickup and remove all litter, trash, and debris from the property.
 - f. Secure all doorways, windows, and other openings with half inch plywood boards. The boards must be cut to fit opening trim, screwed in with 5/8 inch screws penetrating into the framing. The boards shall be painted to match the color of the building body.
 - g. Secure second floor walkway and prevent access to the walkway, and all 2nd floor units.
 - h. Provide a perimeter fence around the entire property, along the property line, where ever no fence exists. Further, any unsightly fences, fences with holes, portions that are rusted, broken, strung together or dilapidated fences shall be removed and replaced with new fencing.
 - i. Remove all doors and windows, broken or whole, and replace with proper plywood boards (see subsection "f" above).
 - j. Paint the building and all portions of the structure to match. All materials and colors should appear in an aesthetically pleasing manner. To ensure compliance with design standards you may contact the Imperial Beach Planning Division at (619) 628-2381.
 - k. Prevent the harborage for trespassers. Suggestions include providing onsite security patrols. City staff is willing, however, to discuss and consider other options for the provision of security for the property.

2. AS AN ALTERNATIVE to the above, you may apply for a demolition permit to remove all structures on the site, thereby abating the code violations. If a demolition permit to abate all violations is obtained, all demolition work must be completed within sixty (60) days of the receipt of the demolition permit.

ENFORCEMENT OFFICER:
 Officer's Name (Print): David Garcias  Telephone: (619) 628-1359 Date: 04/22/2010

David Garcias

From: David Garcias
Sent: Thursday, April 22, 2010 3:26 PM
To: 'liz.tuquero'
Subject: Administrative Citation #A10028 - 550 Highway 75, Imperial Beach, CA
Attachments: Admin Cite A10028 - 550 Hwy 75.pdf

Liz,

Please review the attached Administrative Citation, **A10028 / fine \$1,000.**

Please correct the violations by May 9, 2010.

This is a final notice to abate the repeated code violations on the property located at 550 Highway 75, Imperial Beach, Assessor Parcel Numbers 625-140-08-00 and 626-070-33-00. The property is in a substandard and blighted condition and must be repaired, rehabilitated, demolished, removed, or cleared. Failure to correct the current violations or any re-violation may result in the City commencing proceedings to compel repairs or demolition. The City of Imperial Beach staff have observed the below listed violations on the property located at 550 Highway 75.

Please be advised that failure to meet the listed deadlines to correct the existing code violations will result in further enforcement action by the City, including assessment of administrative citations and/or civil penalties as specified by the Imperial Beach Municipal Code. All timelines in this notice are calendar days.

REQUIRED CORRECTIONS:

1. Immediately complete the below list of required corrections no later than **May 9, 2010**:
 - a. Remove all of the signs, sign cabinets, and sign poles that are unsightly, dilapidated, or broken.
 - b. Remove all of the graffiti on the entire property.
 - c. Contact your utility providers (such as Electric, Gas, Water) and obtain service disconnections to all utilities. Provide written proof of utility disconnections.
 - d. Cut down and remove all overgrown, dead, and unsightly weeds and vegetation.
 - e. Pickup and remove all litter, trash, and debris from the property.
 - f. Secure all doorways, windows, and other openings with half inch plywood boards. The boards must be cut to fit opening trim, screwed in with 5/8 inch screws penetrating into the framing. The boards shall be painted to match the color of the building body.
 - g. Secure second floor walkway and prevent access to the walkway, and all 2nd floor units.
 - h. Provide a perimeter fence around the entire property, along the property line, where ever no fence exists. Further, any unsightly fences, fences with holes, portions that are rusted, broken, strung together or dilapidated fences shall be removed and replaced with new fencing.
 - i. Remove all doors and windows, broken or whole, and replace with proper plywood boards (see subsection "f" above for requirements).
 - j. Paint the building and all portions of the structure to match. All materials and colors should appear in an aesthetically pleasing manner. To ensure compliance with design standards you may contact the Imperial Beach Planning Division at (619) 628-2381.

k. Prevent the harborage for trespassers. Suggestions include providing onsite security patrols. City staff is willing, however, to discuss and consider other options for the provision of security for the property.

2. **AS AN ALTERNATIVE** to the above, you may apply for a demolition permit to remove all structures on the site, thereby abating the code violations. If a demolition permit to abate all violations is obtained, all demolition work must be completed within sixty (60) days of the receipt of the demolition permit.



David Garcias
Code Compliance Officer
City of Imperial Beach
Community Development Dept.
825 Imperial Beach Blvd.
Imperial Beach, CA 91932
Phone: (619) 628-1359 - Fax: (619) 424-4093
dgcacias@cityofib.org - www.cityofib.com



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER
MEETING DATE: AUGUST 1, 2012
ORIGINATING DEPT.: PUBLIC WORKS *Hof*
SUBJECT: RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT WITH ATKINS NORTH AMERICA, INC. FOR A SEWER SERVICE CHARGE AND CAPACITY FEE STUDY

BACKGROUND: Upon the advice of the City Attorney, staff advertised for a new study to evaluate the Sewer Enterprise Fund revenue and expenditure plan for the upcoming five to ten years. In 2005, the City Council considered sewer rate increases based upon the information provided in the 2005 Sewer Utility Cost-of-Service Rate Study prepared by Foresight Consulting Services. City Council chose to increase sewer rates at 5.5% per year over a five year period, with subsequent adjustments based upon the CPI or comparable inflation calculation. At that time, the CPI was 3.4%. For Fiscal Year 2012/13, City Council adopted Ordinance No. 2012-1128 approving a 6% rate increase in the sewer service charge. This increase was based on a one year Sewer Enterprise Fund revenue and expenditure evaluation conducted by City staff. The proposed study herewith is to evaluate the sewer service charge and capacity fee over the next 5 or more years such that there is a sound basis for the rate structure in the upcoming years.

City staff solicited Request for Qualifications/Proposals (RFQ/P) from consultants to perform a cost-of-service study of the city's sewer system. The objectives of this study were to perform the following tasks:

1. Updating the City's sewer-related revenue requirements. Develop a revenue sufficiency forecast for the sewer enterprise fund which will take into account current and projected expenditures, fixed and variable expenditures, capital improvements for both the City and Metro infrastructure and requirements for compliance with all county, state and federal regulations over the next 5 years.
2. Adjusting and projecting sewer rates over the next 10-years.
3. Preparing three rate adjustment alternatives to phase in the new sewer rates.
4. Recommending new or validating existing rate class BOD and TSS proportions.
5. Recommending new or validating existing "sewer class" categories. Include recommended "sewer class" definitions and listing of business types in each class.
6. Calculating new or validating existing sewer capacity charges for equitability and sufficiency to meet the full revenue requirements.
7. Prepare a study report which includes the following:
 - a. Findings
 - b. Recommendations
 - c. Cost of Service Rate Methodology

- d. Results of cost of Services Analysis
8. Lead meetings as follows:
 - a. Initial kick off meeting
 - b. Two (2) progress, data gathering meetings with City staff
 - c. Draft final report to City Council
 - d. Final report to City Council
9. Provide an easy to use electronic rate model in MS Excel for City use.
 - The City wants to ensure rate equity among customers.
 - San Diego Metro, which provides treatment of the City's wastewater effluent, cost allocations need to be reflected in the City's new sewer rates,
 - The City wants a rate model that staff could better understand and potentially use to evaluate future financial plans and options.
10. The City encourages the Proposer to suggest changes to the scope of services (as part of the proposal) in order to achieve the City's project objectives.

DISCUSSION: A Request For Qualifications/Proposals was advertised May 24, 2012 and were to be received not later than June 14, 2012. Six proposals were received and subsequently evaluated. The evaluation was conducted independently by five staff members. Atkins North America, Inc. was the unanimous number one proposal from the six proposals received. Staff then met with Karyn Keese, Project Manager, Atkins North America, Inc. to review their proposal and the scope of work. Staff recommends that the Sewer Service Charge & Capacity Fee Study be awarded to Atkins North America, Inc. as the most qualified consultant to perform the requested study.

The cost for performing this study will be \$39,124. As a matter of comparison, the study performed by Foresight Consulting Services in 2005 cost \$46,400.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

This study is proposed to be funded through the Sewer Maintenance Division Fiscal Year 2013 O&M budget. If FY 2013 Metro treatment costs exceed Metro estimates, it may be necessary to return to City Council at mid-year to request additional funds be transferred from the Sewer Enterprise Fund reserve to maintain a balanced budget. That action is not recommended at this time.

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Adopt resolution nr. 2012-7239 awarding the Professional Services Agreement for the Sewer Service Charge & Capacity Fee Study to Atkins North America, Inc.
3. Authorize the City Manager to approve a requisition in the amount of the Atkins North America, Inc. proposal - \$39,124.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2012-7239

RESOLUTION NO. 2012-7239

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AWARDING A PROFESSIONAL SERVICES AGREEMENT WITH ATKINS NORTH AMERICA, INC. FOR A SEWER SERVICE CHARGE AND CAPACITY FEE STUDY

WHEREAS, in 2005, the City Council considered sewer rate increases based upon the information provided in the 2005 Sewer Utility Cost-of-Service Rate Study prepared by Foresight Consulting Services; and

WHEREAS, City Council chose to increase sewer rates at 5.5% per year over a five year period, with subsequent adjustments based upon the CPI or comparable inflation calculation and

WHEREAS, the proposed Sewer Service Charge & Capacity Fee Study is to evaluate the sewer service charge and capacity fee over the next 5 or more years such that there is a sound basis for the rate structure in the upcoming years; and

WHEREAS, City staff solicited for Sewer Service Charge & Capacity Fee Study Request for Qualifications/Proposals (RFQ/P) from consultants to perform a cost-of-service study of the city's sewer system; and

WHEREAS, a RFQ/P was advertised May 24, 2012 and were to be received not later than June 14, 2012; and

WHEREAS, six proposals were received and subsequently evaluated independently by five staff members; and

WHEREAS, Atkins North America, Inc. was the unanimous number one proposal from the six proposals received; and

WHEREAS, staff recommends that the Sewer Service Charge & Capacity Fee Study be awarded to Atkins North America, Inc. as the most qualified consultant to perform the requested study; and

WHEREAS, the cost for performing this study was \$39,124.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. Atkins North America, Inc. is awarded the Professional Services Agreement to perform the Sewer Service Charge & Capacity Fee Study at a cost of \$39,124.
3. The City Manager is authorized to approve a requisition for Atkins North America, Inc. at a cost of \$39,124.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 1st day of August 2012, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

**JACQUELINE M. HALD, MMC
CITY CLERK**



STAFF REPORT
CITY OF IMPERIAL BEACH

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GARY BROWN, CITY MANAGER
MEETING DATE: AUGUST 1, 2012
ORIGINATING DEPT.: PUBLIC WORKS *gab*
SUBJECT: RESOLUTION APPROVING CITY IMPERIAL BEACH CDBG
FY12-13 PROJECT NAME CHANGE AND APPROVING THE
REALLOCATION OF A PORTION OF CDBG PROJECT FUNDS
FROM FY 09-10 AND FY 11-12 TO CDBG FY 12-13 PROJECT

BACKGROUND:

The Community Development Block Grant Program ("CDBG") is funded through the Department of Housing and Urban Development Department ("HUD"). The County of San Diego's Department of Housing and Community Development (HCD) allocates funds to participating cities based on a formula that considers factors such as population, income level, and overcrowded housing.

Recent CDBG Funded Imperial Beach Projects approved by the Board of Supervisors are:

- FY 09-10 Civic Center Crosswalk CIP# S09-102 - \$153,718 - Completed 12-14-11
- FY 10-11 Imperial Beach Blvd Crosswalk at Loudon Lane - \$150,778 - Completed 10-14-11
- FY 11-12 13th Street & Ebony Ave Pedestrian Access Ramps CIP# S12-103 - \$105,000 - Active
- FY 11-12 Design of Imperial Beach Blvd Crosswalk at 5th Street CIP# S12-102 - \$21,094 - Active
- FY 12-13 Construction Imperial Beach Blvd Crosswalk at 5th (between 4th & 5th Street) Street \$99,363 – HUD Contract not awarded thus construction has not started.

DISCUSSION

At the March 21, 2012, Council meeting the location of the FY 12-13 Imperial Beach Crosswalk at 5th Street project was changed from the corner Imperial Beach Blvd and 5th Street to mid-block on Imperial Beach Blvd between 4th and 5th Street. Due to the change in location the County's HCD is required to change the project description and name by removing reference to the corner of 5th Street. HCD's proposed name change is "Imperial Beach Blvd Pedestrian Crosswalk". This item is on the Board of Supervisor's agenda for September 11, 2012.

Two of the City of Imperial Beach CDBG projects were constructed under the allocated budget:

- FY 09-10 Civic Center Cross Walk project CIP# S09-102 has a \$22,491.10 savings.
- FY 11-12 13th Street & Ebony Ave Pedestrian Access Ramps CIP# S12-103 has a savings of approximately \$18,000.

Unexpended CDBG funds can be reallocated to future projects. Reallocations of excess CDBG funds requires San Diego County Board of Supervisors approval. The City has the opportunity to consolidate the reallocation of unexpended CDBG funds with the "Imperial Beach Blvd Crosswalk at 5th" name change agenda item to be heard at the Board of Supervisors' September 2012 meeting. Since the "Project Description and Name Change" agenda item is already calendared this will reduce potential delays in starting construction of the FY 12-13 Imperial Beach Blvd Pedestrian Crosswalk project (between 4th and 5th Street).

FISCAL IMPACT:

Proposed budget for FY 12-13 Imperial Beach Blvd Pedestrian Crosswalk project (between 4th and 5th Street).

- \$99,363.00 Approved budget
- \$22,491.10 Reallocation of funds remaining from the Civic Center Crosswalk Project CIP# S09-102
- \$18,000.00 Reallocation of funds remaining from the FY 11-12 13th & Ebony Ave Pedestrian Access Ramps S12-103 (not to exceed)
- \$139,854.00 Total Amount of CDBG Funds available

- \$139,945.00 Engineer's Construction Estimate

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. That the City Council adopt Resolution No. 2012-7240 authorizing the following:
 - a. Name change for CDBG FY 12-13 Project to "Imperial Beach Boulevard Pedestrian Crosswalk."
 - b. Transfer of \$22,491.10 FY 2009-2010 CDBG Funds from the Civic Center Crosswalk Project CIP# S09-102 to the Imperial Beach Boulevard Pedestrian Crosswalk project.
 - c. Transfer of up to \$18,000 from FY 11-12 13th Street & Ebony Ave Pedestrian Access Ramps Project CIP# S12-103 to the Imperial Beach Boulevard Pedestrian Crosswalk project.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2012-7240

RESOLUTION NO. 2012-7240

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING CITY IMPERIAL BEACH CDBG FY12-13 PROJECT NAME CHANGE AND APPROVING THE REALLOCATION OF A PORTION OF CDBG PROJECT FUNDS FROM FY 09-10 AND FY 11-12 TO CDBG FY 12-13 PROJECT

WHEREAS, the City of Imperial Beach receives annual CDBG allocation of funds using a formula that considers factors such as population, income level, and overcrowded housing; and

WHEREAS, March 21, 2012, Council approved a change in the FY 12-13 CDBG project location from the corner of 5th Street and Imperial Beach Boulevard to mid-block Imperial Beach Blvd. between 4th and 5th Street; and

WHEREAS, the San Diego County Board of Supervisors have an agenda item on their September 11, 2012, meeting to address changes to the FY 12-13 CDBG project.; and

WHEREAS, the City of Imperial Beach has CDBG allocated funds from previous year CDBG projects remaining after completion of the respective approved projects; and

WHEREAS, the City of Imperial Beach can add the reallocation of unused funds from previous projects to the existing September 11, 2012, Board meeting agenda which would reduce construction delays in the FY 12-13 CDBG Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

1. The City Council authorizes the CDBG FY 12-13 Project name change to "Imperial Beach Boulevard Pedestrian Crosswalk and the project location changed to Imperial Beach Boulevard between 4th and 5th Street.
2. The City Council authorizes reallocation of \$22,491.10 from the FY 09-10 Civic Center Crosswalk CIP# S09-102 project to the FY 12-13 Imperial Beach Boulevard Pedestrian Crosswalk project (between 4th and 5th Street)
3. The City Council authorizes reallocation not to exceed \$18,000 from the FY 11-12 13th Street & Ebony Ave Pedestrian Access Ramp CIP# S12-103 to the FY 12-13 Imperial Beach Boulevard Pedestrian Crosswalk project (between 4th and 5th Street).

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 1st day of August 2012, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, CMC
CITY CLERK



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GARY BROWN, CITY MANAGER

MEETING DATE: AUGUST 1, 2012

ORIGINATION DEPTS.: GARY BROWN, CITY MANAGER
 JENNIFER LYON, CITY ATTORNEY
 IN CONSULTATION WITH COUNCIL SUBCOMMITTEE
 (SPRIGGS AND BILBRAY)

SUBJECT: CONSIDERATION TO SUBMIT AN ALTERNATIVE INITIATIVE
 REGARDING MEDICAL MARIJUANA COLLECTIVES

BACKGROUND:

Currently, the City of Imperial Beach prohibits large-scale medical marijuana dispensaries (those involving four or more members). However, on March 5, 2012, the advocates of a petition to allow medical marijuana dispensaries began the process to submit a citizen-drafted initiative to the voters (See Attachment 1). On July 18, 2012, the City Clerk certified to the City Council that the proponents had gathered sufficient signatures to require the Council to either adopt the citizen-drafted initiative or to place it on a general election ballot for consideration by the City's residents. At that same Council meeting, Council approved the necessary resolutions to place the citizen-drafted initiative on the November 2012 ballot. After discussing concerns about the citizen-drafted initiative, the Council also voted to direct staff to work with two Council members to prepare an alternative initiative on the topic and to present it to the City Council before August 10, 2012 (which is the deadline to submit ballot questions to the County ROV).

CURRENT CONSIDERATION:

Staff consulted with Mayor Pro Tem Spriggs and Councilmember Bilbray to prepare an alternative ballot measure "Alternative Initiative" (See Attachment 2). The Alternative Initiative is largely based on the licensing and operating approach approved by the County of San Diego in 2011 because the County of San Diego is the only local government in the San Diego area that specifically allows collectives at this time. Imperial Beach utilizes the same law enforcement agency as the County, therefore by making IB's licensing and operating regulations similar, it may facilitate the process. The pertinent provisions are described below.

I. The Alternative Initiative:

Similar to the citizen-drafted initiative, the Alternative Initiative would repeal the current ordinances which prohibit large-scale medical marijuana dispensaries (those involving four or more members) in the City approved by the City Council in July of 2011. Instead, the Alternative Initiative provides a process by which a medical marijuana collective facility "collective" can locate in Imperial Beach.

A. Location of Collective:

The locational requirements of the Alternative Initiative were largely taken from the adult entertainment provisions of Chapter 19.60 of the Imperial Beach Municipal Code, with a few adjustments made pursuant to state law and based on the San Diego County Code. Staff has prepared a map of the proposed locational requirements and it is Attachment 3 to this staff report. The Alternative Initiative provides that no more than one (1) collective can operate in the City. The collective can only locate in the C-1 zone (as is allowed for adult entertainment establishments) and cannot locate within:

1. 500 feet of a parcel containing a church, park, playground, recreation center, preschool or day care;
2. 600 feet of a parcel containing a public school as defined and measured in compliance with Health and Safety Code § 11362.768; and
3. 200 feet of any parcel that is denominated as an R-1-6000, R-1-3800, R-3000-D, R-3000, R-2000, or R-1500 zone, or any other area that is primarily residential in character, as evidenced by letter designation in the zoning law of the City.

These locational requirements are different from the citizen-drafted initiative since the citizen-drafted initiative would allow dispensaries to locate in the C-1, C-2, and C-3 zones and only provides for a 600 foot buffer from schools and a 300 foot buffer from other dispensaries. Otherwise, the citizen-drafted initiative has no limits on the number of dispensaries that could open in the City.

The Alternative Initiative provides an alternative to the citizen-drafted initiative because it keeps any collective only along the Palm Avenue corridor and provides for buffers from a larger category of sensitive uses. Further, it allows for only one (1) collective in the City.

B. Licensing of Dispensaries:

Following the County model, the Alternative Initiative requires that a collective obtain an Inspection Certificate prior to obtaining a business license from the City. In order to obtain an Inspection Certificate, the collective applicant must supply information to the City/Sheriff that (1) the applicant(s) will not be operating a Medical Marijuana Collective Facility in violation of California law and the City's ordinance, and (2) the applicant(s) is the owner or has permission of the owner of the property to operate a collective at the location. Further, no Inspection Certificate will be issued if the collective contains any member who has a felony conviction. Prior to issuance of the Inspection Certificate, the applicant will have to verify that the location is acceptable and that all improvements necessary for the facility under the ordinance have been completed. The applicant will also need to obtain any needed tenant improvement or building permits.

By contrast, under the citizen-drafted initiative, if a person or group applies for a medical marijuana dispensary business license, city officials must grant a business license unless the proposed location is within 300 feet of another location licensed for a MMD. There are no other requirements for issuance of a City business license under the citizen-drafted initiative, and the City cannot revoke a license once given. There are no provisions at all allowing for background checks on dispensary owners or verifying building requirements.

The Alternative Initiative provides an alternative to the citizen-drafted initiative because it includes provisions which will allow for background checks, accountability, and infrastructure requirements that promote safety for the welfare of both patients of the collective and the surrounding general public.

C. Rules Governing Operation of Collectives:

Again, the operating requirements were largely taken from the County of San Diego ordinance for the reasons stated above. As a result, the Alternative Initiative includes a number of operating requirements for the collective such as the following:

- closed circuit television monitoring;
- an alarm system;
- mechanisms to prevent unwanted intrusions into the facility;
- fire sprinklers;
- parking in compliance with the IBMC based on similar uses;
- record keeping related to patients and transactions;
- an on-site security guard;
- no consumption or smoking of marijuana on premises;
- no delivery services;
- no on-site cultivation of marijuana;
- maintenance of records regarding cultivation of marijuana and patient activity; and
- no on-site medical evaluations/recommendations.

The main differences in operating requirements between the citizen-drafted initiative and the Alternative Initiative are that the citizen-drafted initiative allows on-site smoking and consumption; does not require a security guard; allows on-site cultivation of marijuana; and does not specifically prohibit on-site medical evaluations/recommendations. Another key difference is that the citizen-drafted initiative does not clearly specify who is accountable if a dispensary violates its operating requirements. Under the Alternative Initiative, the City can inspect the premises and records and take necessary measures to deal with any failure to operate according to the ordinance and/or state law. The Alternative Initiative also prevents the collective from becoming a locale for the use or cultivation of medical marijuana on-site.

D. Revenue Provisions:

The Alternative Initiative and the citizen-drafted initiative will operate in the same manner which is that sales tax will be identical to that collected by any other business selling other goods. Even if a collective organizes as a non-profit, it must pay sales tax. However, nonprofits (and collectives will likely be organized as nonprofits in accordance with state law) are exempt both under the City's code and state law from paying business license fees.

E. Cost Recovery

Following the County of San Diego ordinance, the Alternative Initiative allows the Council to approve a resolution in the future to set a cost recovery fee to be charged to the collective to process the Inspection Certificate and business license and any other costs the City incurs to administer and enforce the ordinance. The citizen-drafted initiative has no cost recovery for the City, therefore the City could be required to use general fund monies to administer the citizen-drafted initiative provisions.

The Alternative Initiative provides an alternative to the citizen-drafted initiative to allow the City to at least recover the costs of administering the ordinance.

II. Legality of the Initiatives:

A. State Law:

In 1996 voters passed the Compassionate Use Act (“CUA”), which made certain “qualified patients” and their “primary caregivers” immune from *criminal prosecution* when they possess marijuana. Later, the state passed the Medical Marijuana Program (“MMP”) which allowed cooperatives and collectives to provide medical marijuana to qualified patients without being subject to criminal prosecution for the activity. Various court decisions and legislative amendments to the MMP have helped explain exactly what is or is not lawful under state law.

Nonetheless, as this Council has been made aware throughout the process of enacting its medical marijuana ordinances, questions about the legality of local medical marijuana regulations continue to vex courts, the Legislature, and consequently local government. As of this writing, the issues continue to be unresolved, with little likelihood of resolution for at least the next year due to the fact that several cases are pending before the California Supreme Court.

B. Federal Law:

Federal law does not recognize medical marijuana. Congress has expressed the view that there is no valid medical use for marijuana, and has outlawed marijuana possession, including medical marijuana. Under the Controlled Substances Act, those who knowingly facilitate drug sales can be criminally prosecuted.

Since 2011, United States Attorneys have written letters to governors of states that were considering medical marijuana dispensary laws. In a couple of cases, U.S. Attorneys in California have threatened municipal officials with prosecution when those cities have been involved in planning or approving particularly large-scale dispensaries. As recently as July 17, 2012, the City of Del Mar was sent a letter by the U.S Attorney’s Office in San Diego explaining that City employees who conduct activities mandated by a citizen-drafted medical marijuana dispensary ordinance are not immune from liability under the Controlled Substances Act. (See Attachment 7).

Recently, the United States Attorneys began issuing threatening letters to landlords and property owners who lease or rent to dispensaries in California. This has caused many property owners and landlords to terminate lease agreements or process evictions for dispensaries operating on their property. As recently as July 26, 2012, it was reported that the only medical marijuana collective that was allowed to open up in East County (Mother Earth Alternative Healing Coperative) under the San Diego County’s regulatory program was being evicted from its location due to the U.S. Attorney issuing a threatening letter to the property owner of the site.

To put it simply, the citizen-drafted initiative and the Alternative Initiative are potentially in violation of federal law, and if either initiative passes, there is a possibility that city officials giving collectives business licenses or other certificates as required by the initiative that prevails could be criminally prosecuted by the federal government.

III. Options:

The Council has two options at this point:

- (1) Put the Alternative Initiative on the ballot; or
- (2) Do not place the Alternative Initiative on the ballot.

(1) Place the Alternative Initiative on the Ballot

The City Council can place the Alternative Initiative on the November 2012 ballot to be voted on by the City's electorate. If both the citizen-drafted initiative and Alternative Initiative pass (i.e., receive more than 50% of yes votes), the measure that garners the most affirmative votes would take effect. Election results will likely be certified in December 2012, after which the initiative that wins would need to be approved by the Coastal Commission prior to taking effect. If voters reject both measures, the City's current ordinance which prohibits large-scale MMDs (those involving four or more members) will remain in effect.

To place the Alternative Initiative on the ballot, the Council would need to pass several resolutions. One resolution calls for the election to be consolidated with the November 2012 general election and places the measure on the ballot. Another resolution authorizes Council members to sign arguments in favor of or against the measure. An argument signed by Council members is given priority under the Elections Code. The last resolution sets deadlines for filing rebuttal arguments to appear on the ballot.

(2) Do Not Place the Alternative Initiative on the Ballot

If the Council does not place the Alternative Initiative on the ballot and the voters reject the citizen-drafted initiative, the City's current ordinance which prohibits large-scale dispensaries (those involving four or more members) will remain in effect. If Council does not wish to place the competing measure on the ballot, Council members can work (as any individual can) towards the passage or defeat of the citizen-drafted initiative, although no City funds or resources can be used for any campaign efforts. Similar to what is described above, the resolutions passed by the Council at the last meeting allow Council members to sign ballot arguments in support of or opposed to the citizen-drafted initiative, which would receive priority placement in the voter materials (except in the case of the argument in favor of the citizen-drafted initiative because first priority goes to the proponents if they submit an argument in favor of their measure). If the Alternative Initiative is placed on the ballot under Option 1 above, councilmembers could comment on either or both measures.

COASTAL COMMISSION:

Coastal cities are legally obligated to have a Local Coastal Program, a plan approved by the California Coastal Commission to regulate use of the coast and preserve public access to it. In Imperial Beach, the entirety of Title 19 of the Imperial Beach Municipal Code (the Title dealing with zoning) is the Local Coastal Program. Under state law, any law amending the Local Coastal Program must be approved by the Coastal Commission before it goes into effect.

If either initiative is successful at the November 2012 election, it will require approval by the Coastal Commission prior to taking effect.

FINANCIAL IMPLICATIONS:

Placing the citizen-drafted initiative on the November 2012 ballot will cost an estimated \$8,000 to \$9,500. If the City Council elects to place the Alternative Initiative on the ballot, it would cost an additional \$8,000 to \$9,500. It is difficult to determine the financial implications of the proposed citizen-drafted initiative or the Alternative Initiative. Any marijuana or related products sold at a dispensary would be subject to sales tax, but the novelty of the field makes it difficult to estimate how much sales tax revenue the initiative would generate. It is also unclear how much in increased costs the citizen-drafted measure would cause, whether for crime prevention and law enforcement or for litigation about the validity of the ordinance. The Alternative Initiative

does provide for a collective to be charged a cost recovery fee for services that the Sheriff's Department or other City Departments charge for processing the Inspection Certificate and enforcing the ordinance. However, at this point it is difficult to estimate the exact increased costs of the processing services and enforcement under the Alternative Initiative.

ENVIRONMENTAL DETERMINATION:

The proposed Alternative Initiative has been reviewed and determined that it is not a project as defined by CEQA. The proposed initiative is exempt from CEQA under Section 15060(c)(2) of the CEQA Guidelines, which states that an activity is not subject to CEQA if the activity will not result in any direct or reasonably foreseeable indirect physical change in the environment. Additionally, the proposed initiative is exempt under Section 15061(b)(3), which states that an activity is not a project subject to CEQA if there is no possibility that the activity in question may have a significant effect on the environment.

DEPARTMENT RECOMMENDATION:

It is recommended that the City Council consider the following options:

- (1) If the City Council wishes to place the Alternative Initiative as a competing measure on the November 2012 ballot:
 - A. Adopt Resolution 2012-7241 (Attachment 4) adding the proposed ordinance relating to Medical Marijuana Collectives to the November 6, 2012 Election; and
 - B. Adopt Resolution 2012-7242 (Attachment 5), setting priorities for filing written arguments and directing the City Attorney to prepare an impartial analysis; and
 - C. Adopt Resolution 2012-7243 (Attachment 6), providing for the filing of rebuttal arguments.

- (2) If the City Council does not wish to submit the Alternative Initiative as a competing ballot measure, then no action is required at this time.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

ATTACHMENTS:

1. Medical Marijuana Dispensary Citizen-Drafted Initiative
2. Draft Alternative Initiative
3. Map of Locational Requirements for Alternative Initiative
4. Resolution No. 2012-7241 adding the proposed ordinance relating to Medical Marijuana Collectives to the November 6, 2012 Election
5. Resolution No. 2012-7242 setting priorities for filing written arguments and directing the City Attorney to prepare an impartial analysis
6. Resolution No. 2012-7243 providing for the filing of rebuttal arguments
7. U.S. Attorney Letter to City of Del Mar (July 17, 2012)

Item No. 6.3

Attachments 1 - 7
to be provided prior to
City Council Meeting



**STAFF REPORT
CITY OF IMPERIAL BEACH
REDEVELOPMENT AGENCY
SUCCESSOR AGENCY**

TO: CHAIR AND MEMBERS OF THE SUCCESSOR AGENCY
FROM: GARY BROWN, CITY MANAGER/EXECUTIVE DIRECTOR
MEETING DATE: AUGUST 1, 2012
ORIGINATING DEPT.: SUCCESSOR AGENCY STAFF
GREG WADE, DEPUTY DIRECTOR *GW*

SUBJECT: ADOPTION OF RESOLUTION NO. SA-12-11 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY DETERMINING THAT THE HOUSING AUTHORITY'S DESIGNATIONS OF THE USE AND COMMITMENT OF CERTAIN PROCEEDS DERIVED FROM HOUSING BONDS ISSUED PRIOR TO JANUARY 1, 2011 FOR PURPOSES OF AFFORDABLE HOUSING ARE CONSISTENT WITH THE HOUSING BONDS COVENANT OBLIGATIONS, INCLUDING REQUIREMENTS RELATING TO TAX STATUS, AND THAT THERE ARE SUFFICIENT HOUSING BONDS PROCEEDS AVAILABLE FOR THE DESIGNATED PURPOSES

BACKGROUND:

On May 3, 1995, the City Council of the City of Imperial Beach ("City Council") adopted Ordinance No. 95-891 which created the Imperial Beach Redevelopment Agency pursuant to the California Community Redevelopment Law. Subsequently, the City Council adopted, and later expanded, a Redevelopment Plan for Imperial Beach's redevelopment project areas. Additionally, pursuant to Sections 33334.2 and 33334.3 of the Redevelopment Law, the Redevelopment Agency was required to deposit not less than twenty percent (20%) of taxes allocated to the Redevelopment Agency into a Low and Moderate Income Housing Fund for the purposes of increasing, improving, and preserving the community's supply of low and moderate income housing.

On November 1, 2003, Tax Allocation Revenue Bonds were issued pursuant to an Indenture Trust by and among the Imperial Beach Public Financing Authority, the Redevelopment Agency and Wells Fargo Bank, National Association, as trustee, backed by the Low and Moderate Income Housing Fund, to provide funds to the Redevelopment Agency for the purposes of increasing, improving, and preserving the community's supply of low and moderate income housing.

On June 28, 2011, AB x1 26 ("AB 26") was signed into law by the Governor of California which called for the dissolution of redevelopment agencies throughout the state and established the procedures by which this was to be accomplished. On December 29, 2011, following a law suit filed by the League of California Cities, AB 26 was largely upheld by the California State Supreme Court. As a result of the Supreme Court's decision, on February 1, 2012, all California redevelopment agencies were dissolved and successor agencies to the former redevelopment agencies were established and tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and winding down the affairs of the former redevelopment agencies.

As part of the wind-down process enacted by AB 26, on January 5, 2012 the City Council adopted Resolution No. 2012-7136 electing for the City Council to serve as the Successor Agency to the Redevelopment Agency ("Successor Agency") upon the dissolution of the Redevelopment Agency under AB 26. Additionally, on January 5, 2012, the City Council adopted Resolution No. 2012-7137 designating the City of Imperial Beach Housing Authority ("Housing Authority") to serve as the successor housing entity upon the dissolution of the Redevelopment Agency and to receive the dissolved Redevelopment Agency's housing assets, rights, powers, duties, obligations, liabilities and functions previously performed by the Redevelopment Agency, including enforcement of affordability covenants and performance of related activities pursuant to applicable provisions of the Community Redevelopment Law. Also on January 5, 2012, the Housing Authority adopted Resolution No. HA-12-06 accepting the transfer of the housing assets, rights, powers, duties, obligations, liabilities and functions previously performed by the Redevelopment Agency upon its dissolution.

DISCUSSION:

On June 27, 2012, the Governor signed Assembly Bill No. 1484 ("AB 1484") as a trailer bill for the Fiscal Year 2012-2013 State budget package. Although the primary purpose of AB 1484 is to make technical and substantive amendments to AB 26 based on issues that have arisen in the implementation of AB 26, AB 1484 also imposes additional statutory provisions relating to the activities and obligations of successor agencies and successor housing entities and to the wind-down process of former redevelopment agencies.

Pursuant to Health and Safety Code Section 34176(g)(1)(A) of AB 26 as amended by AB 1484, the Housing Authority may designate the use of and commit any excess housing bond proceeds from the 2003 Bond issuance ("Excess Housing Bond Proceeds") in a manner that is consistent with the Housing Bond covenants, including requirements relating to tax status. Currently, there is a total of \$913,000 of Excess Housing Bond Proceeds remaining from the 2003 Housing Bond issuance that can be expended in accordance with the associated bond covenants. Pursuant to AB 1484, the Housing Authority may designate the use of and commit these Excess Housing Bond Proceeds by providing written notice to the Successor Agency designating the use and commitment of these funds. This notice was duly provided and is included as Attachment 2 to this staff report. Pursuant to previous Housing Authority action, the Excess Housing Bond Proceeds have been allocated in the identified amounts to the following affordable housing projects:

- Approximately \$380,000 toward the Clean & Green Program, including a proportionate amount for project administration costs, which will provide grants to very low, low and moderate-income single-family homeowners to provide energy, water efficiency and health and safety improvements; and
- Approximately \$533,000 in financial assistance to Habitat for Humanity, including a proportionate amount for project administration costs, for the acquisition and

development of six (6) semi-detached for-sale houses located at 776 10th Donax in the City of Imperial Beach, California for ownership by low-income households.

The Housing Authority's designation of the use and commitment of the Excess Housing Bonds Proceeds toward the affordable housing projects as outlined above is consistent with Item Numbers 44 and 45 listed on the Recognized Obligation Payment Schedule (ROPS) for the period January 1, 2012 through June 30, 2012 as previously approved by the Successor Agency, the Oversight Board and the Department of Finance, and deemed valid and effective under AB 26 as amended by AB 1484. The designated expenditures of the Excess Housing Bonds Proceeds will also be listed separately on the Recognized Obligation Payment Schedule for the period of January 1, 2013 through June 30, 2013, which is being considered by the Successor Agency under Resolution No. SA-12-13.

Finally, pursuant to AB 1484, review of the Housing Authority's designations of the use and commitment of the Excess Housing Bonds Proceeds by the Successor Agency, the Oversight Board and the Department of Finance is limited to a determination that the Housing Authority's designations of these bond proceeds are consistent with the Housing Bonds covenant obligations, including requirements relating to tax status, and that there are sufficient Excess Housing Bonds Proceeds available for the identified and designated purposes.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

There is currently a total of \$913,000 of Excess Housing Bond Proceeds remaining from the 2003 Housing Bond issuance that can be expended on the projects identified above and in accordance with the associated bond covenants.

DEPARTMENT RECOMMENDATION:

Staff recommends that the Imperial Beach Redevelopment Agency Successor Agency adopt Resolution Number SA-12-11 determining that:

1. The housing authority's designations of the use and commitment of certain proceeds derived from housing bonds issued prior to January 1, 2011, for purposes of affordable housing are consistent with the housing bonds covenant obligations, including requirements relating to tax status; and
2. That there are sufficient housing bonds proceeds available for the designated purposes.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, Executive Director/City Manager

Attachments:

1. Resolution No. SA-12-11
2. Notice of Designations of Use and Commitment of Excess Housing Bond Proceeds

RESOLUTION NO. SA-12-11

RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY DETERMINING, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34176(g)(1)(B)-(2), THAT THE HOUSING AUTHORITY'S DESIGNATIONS OF THE USE AND COMMITMENT OF CERTAIN PROCEEDS DERIVED FROM HOUSING BONDS ISSUED PRIOR TO JANUARY 1, 2011 FOR PURPOSES OF AFFORDABLE HOUSING ARE CONSISTENT WITH THE HOUSING BONDS COVENANT OBLIGATIONS, INCLUDING REQUIREMENTS RELATING TO TAX STATUS, AND THAT THERE ARE SUFFICIENT HOUSING BONDS PROCEEDS AVAILABLE FOR THE DESIGNATED PURPOSES

WHEREAS, the Imperial Beach Redevelopment Agency ("Redevelopment Agency") was a redevelopment agency in the City of Imperial Beach ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code ("Health and Safety Code")) ("Redevelopment Law"); and

WHEREAS, the City Council has adopted redevelopment plans for Imperial Beach's redevelopment project areas, and from time to time, the City Council has amended such redevelopment plans; and

WHEREAS, Sections 33334.2 and 33334.3 of the Redevelopment Law required the Redevelopment Agency to deposit into its Low and Moderate Income Housing Fund not less than twenty percent (20%) of taxes allocated to the Redevelopment Agency pursuant to Section 33670 of the Redevelopment Law for the purposes of increasing, improving, and preserving the community's supply of low and moderate income housing; and

WHEREAS, certain Tax Allocation Revenue Bonds, 2003 Series A (Palm Avenue/Commercial Redevelopment Project) ("Housing Bonds") were issued pursuant to an Indenture Trust, dated as of November 1, 2003, by and among the Imperial Beach Public Financing Authority, the Redevelopment Agency and Wells Fargo Bank, National Association, as trustee, backed by the Low and Moderate Income Housing Fund, to provide money for loans by the Redevelopment Agency for the purposes of increasing, improving, and preserving the community's supply of low and moderate income housing; and

WHEREAS, AB x1 26 ("AB 26") and AB x1 27 ("AB 27") were signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law and the Health and Safety Code, including adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the Health and Safety Code; and

WHEREAS, the California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.*, Case No. S194861) alleging that AB 26 and AB 27 were unconstitutional; and

WHEREAS, on December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding as constitutional AB 26, invalidating as unconstitutional AB 27, and holding that AB 26 may be severed from AB 27 and enforced independently; and

WHEREAS, the Supreme Court generally reformed and revised the effective dates and deadlines for performance of obligations under Health and Safety Code Part 1.85 of AB 26 arising before May 1, 2012 to take effect four months later, while leaving the effective dates or deadlines for performance of obligations under Health and Safety Code Part 1.8 of AB 26 unchanged; and

WHEREAS, as a result of the Supreme Court's decision, and on February 1, 2012, all California redevelopment agencies were dissolved, successor agencies were established as successor agencies to the former redevelopment agencies pursuant to Health and Safety Code Section 34173 of AB 26, and successor agencies are tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and winding down the affairs of the former redevelopment agencies; and

WHEREAS, the City Council of the City adopted Resolution No. 2012-7136 on January 5, 2012, pursuant to Part 1.85 of AB 26, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency under AB 26 ("Successor Agency"); and

WHEREAS, the City Council of the City adopted Resolution No. 2012-7137 on January 5, 2012, pursuant to Part 1.85 of AB 26, designating the City of Imperial Beach Housing Authority ("Housing Authority") to serve as the successor housing entity ("Successor Housing Entity") upon the dissolution of the Redevelopment Agency on February 1, 2012 and to receive the dissolved Redevelopment Agency's housing assets, rights, powers, duties, obligations, liabilities and functions previously performed by the Redevelopment Agency upon its dissolution, including enforcement of affordability covenants and performance of related activities pursuant to applicable provisions of the Community Redevelopment Law (Part 1, commencing with Section 33000), including, but not limited to, Section 33418; and

WHEREAS, the Housing Authority adopted Resolution No. HA-12-06 on January 5, 2012 accepting the transfer of the housing assets, rights, powers, duties, obligations, liabilities and functions previously performed by the Redevelopment Agency upon its dissolution; and

WHEREAS, as part of the FY 2012-2013 State budget package, on June 27, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1484 ("AB 1484", Chapter 26, Statutes 2012). Although the primary purpose of AB 1484 is to make technical and substantive amendments to AB 26 based on issues that have arisen in the implementation of AB 26, AB 1484 imposes additional statutory provisions relating to the activities and obligations of successor agencies and to the wind down process of former redevelopment agencies; and

WHEREAS, there exists \$913,000 of available proceeds derived from the Housing Bonds ("Excess Housing Bonds Proceeds") to be expended in accordance with the Housing Bonds covenants, including requirements relating to tax status; and

WHEREAS, pursuant to Health and Safety Code Section 34176(g)(1)(A) of AB 26 as amended by AB 1484, the Housing Authority may designate the use of and commit the Excess Housing Bonds Proceeds in a manner that is consistent with the Housing Bonds covenants, including requirements relating to tax status; and

WHEREAS, in accordance with Health and Safety Code Section 34176(g)(1)(B) of AB 26 as amended by AB 1484, the Housing Authority provided written notice to the Successor Agency designating the use of and commitment of the Excess Housing Bonds Proceeds in the amounts set forth below for the following affordable housing projects (collectively, "Affordable Housing Projects"):

- a. Approximately \$380,000 toward that certain Clean & Green Program, including a proportionate amount for project administration costs, which Program provides grants to very low, low and moderate-income single-family homeowners to improve energy and water efficiency and health and safety conditions; and

- b. Approximately \$533,000 in financial assistance to Habitat for Humanity, including a proportionate amount for project administration costs, for the acquisition and development of six (6) semi-detached for-sale houses located at 776 10th Donax in the City of Imperial Beach, California for ownership by low-income households ("Habitat Project"); and

WHEREAS, the Housing Authority's designation of the use and commitment of the Excess Housing Bonds Proceeds toward the Affordable Housing Projects and in the amounts provided above is consistent with Item #44 and Item #45 listed on the Recognized Obligation Payment Schedule for the period January 1, 2012 through June 30, 2012 as previously approved by the Successor Agency, the Oversight Board and the Department of Finance and deemed valid and effective under AB 26 as amended by AB 1484; and

WHEREAS, pursuant to Health and Safety Code Section 34176(g)(1)(B) of AB 26 as amended by AB 1484, review of the Housing Authority's designations of the use and commitment of the Excess Housing Bonds Proceeds by the Successor Agency, the Oversight Board and the Department of Finance shall be limited to a determination that the Housing Authority's designations of the use and commitment of such proceeds are consistent with the Housing Bonds covenant obligations, including requirements relating to tax status, and that there are sufficient Excess Housing Bonds Proceeds available for the designated purposes; and

WHEREAS, pursuant to Health and Safety Code Section 34176(g)(2) of AB 26 as amended by AB 1484, the Successor Agency shall retain and expend the Excess Housing Bonds Proceeds at the discretion of the Housing Authority provided that the Successor Agency ensures that the proceeds are expended in a manner consistent with the Housing Bonds covenants, including requirements relating to tax status of the Housing Bonds, and within the amount of Excess Housing Bonds Proceeds available for such purposes. The Excess Housing Bonds Proceeds shall be used and committed in a manner consistent with the purposes of the Low and Moderate Income Housing Asset Fund, established by the Housing Authority pursuant to AB 1484, and such expenditures shall be listed separately on the Recognized Obligation Payment Schedule submitted by the Successor Agency; and

WHEREAS, this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

WHEREAS, this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT RESOLVED by the Imperial Beach Redevelopment Agency Successor Agency, as follows:

- Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.

- Section 2.** The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any rights that the Successor Agency may have to challenge the effectiveness and/or legality of all or any portion of AB X1 26 or AB 1484 through administrative or judicial proceedings.
- Section 3.** The Successor Agency determines that the Housing Authority's designations of the use and commitment of the Excess Housing Bonds Proceeds toward the Affordable Housing Projects and in the amounts proposed in this Resolution are consistent with the Housing Bonds covenant obligations, including requirements relating to tax status, and that there are sufficient Excess Housing Bonds Proceeds available for the designated purposes.
- Section 4.** The Successor Agency determines that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines.
- Section 5.** The Executive Director, or designee, is hereby authorized and directed to: (i) accept, retain and expend the Excess Housing Bonds Proceeds at the discretion of the Housing Authority in accordance with this Resolution and pursuant to Health and Safety Code Section 34176(g)(2) of AB 26 as amended by AB 1484 and (ii) take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution and to comply with Health and Safety Code Section 34176(g) on behalf of the Successor Agency.
- Section 6.** This Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED, AND ADOPTED by the Imperial Beach Redevelopment Agency Successor Agency at its meeting held on the 1st day of August 2012, by the following vote:

AYES: BOARDMEMBERS:
NOES: BOARDMEMBERS:
ABSENT: BOARDMEMBERS:

JAMES C. JANNEY
CHAIRPERSON

ATTEST:

JACQUELINE M. HALD, MMC
SECRETARY



City of Imperial Beach, California

HOUSING AUTHORITY

825 Imperial Beach Blvd., Imperial Beach, CA 91932 Tel: (619) 423-8303 Fax: (619) 628-1395

NOTICE **PURSUANT TO HEALTH AND SAFETY CODE SECTION** **34176(g)(1)(B)**

(Designations of Use and Commitment of Excess Housing Bonds Proceeds)

July 24, 2012

VIA PERSONAL SERVICE

Imperial Beach Redevelopment Agency Successor Agency
 Attention: Gregory Wade, Deputy Director
 825 Imperial Beach Blvd.
 Imperial Beach, CA 91932

Dear Mr. Wade:

This NOTICE is provided by the CITY OF IMPERIAL BEACH HOUSING AUTHORITY ("Housing Authority") to the IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY ("Successor Agency") pursuant to California Health and Safety Code ("Health and Safety Code") Section 34176(g)(1)(B) of Part 1.85, enacted by Assembly Bill No. X1 26 ("AB 26") as amended by Assembly Bill No. 1484 ("AB 1484").

Pursuant to the authority provided in Health and Safety Code Section 34176(g)(1)(A) of AB 26 as amended by AB 1484, the Housing Authority hereby designates the use and commitment of certain available indebtedness obligation proceeds in a manner that is consistent with the indebtedness obligation covenants, including requirements relating to tax status.

Specifically, certain Tax Allocation Revenue Bonds, 2003 Series A (Palm Avenue/Commercial Redevelopment Project) ("Housing Bonds") were issued pursuant to an Indenture Trust, dated as of November 1, 2003, by and among the Imperial Beach Public Financing Authority, the former Imperial Beach Redevelopment Agency ("Redevelopment Agency") and Wells Fargo Bank, National Association, as trustee, backed by the Low and Moderate Income Housing Fund, to provide money for loans by the Redevelopment Agency for the purposes of increasing, improving, and preserving the community's supply of low and moderate income housing. Currently, there exists approximately \$913,000 of available proceeds derived from the Housing Bonds ("Excess Housing Bonds Proceeds") to be expended in accordance with and required by the Housing Bonds covenants, including requirements relating to tax status.

In accordance with Health and Safety Code Section 34176(g)(1)(A) of AB 26 as amended by AB 1484, the Housing Authority hereby designates the use and commitment of the Excess Housing Bonds Proceeds in the amounts set forth below for the following affordable housing projects (collectively, "Affordable Housing Projects"):

- a. Approximately \$380,000 toward that certain Clean & Green Program, including a proportionate amount for project administration costs, which Program provides grants to very low, low and moderate-income single-family homeowners to improve energy and water efficiency and health and safety conditions; and
- b. Approximately \$533,000 in financial assistance to Habitat for Humanity, including a proportionate amount for project administration costs, for the acquisition and development of six (6) semi-detached for-sale houses located at 776 10th Donax in the City of Imperial Beach, California for ownership by low-income households ("Habitat Project").

The Housing Authority's designation of the use and commitment of the Excess Housing Bonds Proceeds toward the Affordable Housing Projects and in the amounts provided above is consistent with Item #44 and Item #45 listed on the Recognized Obligation Payment Schedule for the period January 1, 2012 through June 30, 2012 as previously approved by the Successor Agency, the Oversight Board for the Successor Agency ("Oversight Board") established under AB 26 as amended by AB 1484, and the California Department of Finance ("Department of Finance") and deemed valid and effective under AB 26 as amended by AB 1484.

Further, the Housing Authority's designation of the use and commitment of the Excess Housing Bonds Proceeds toward the Affordable Housing Projects and in the amounts provided above is consistent with Resolution HA-12-07, in which the Housing Authority approved the use of \$380,000 of Excess Housing Bonds Proceeds toward the Clean & Green Program, and Resolution HA-12-11, in which the Housing Authority approved the use of \$500,000 in Excess Housing Bonds Proceeds toward the Habitat Project. Pursuant to Resolution HA-12-07 and Resolution HA-12-11, the Housing Authority's Executive Director or designee is authorized and empowered to, among other things, sign all documents necessary and appropriate to carry out and implement the aforementioned Affordable Housing Projects, including providing this NOTICE to the Successor Agency.

Pursuant to Health and Safety Code Section 34176(g)(1)(B) of AB 26 as amended by AB 1484, review of the Housing Authority's designations of the use and commitment of the Excess Housing Bonds Proceeds by the Successor Agency, the Oversight Board and the Department of Finance shall be limited to a determination that the Housing Authority's designations of the use and commitment of such proceeds are consistent with the Housing Bonds covenant obligations, including requirements relating to tax status, and that there are sufficient Excess Housing Bonds Proceeds available for the designated purposes.

Pursuant to Health and Safety Code Section 34176(g)(2) of AB 26 as amended by AB 1484, the Successor Agency shall retain and expend the Excess Housing Bonds Proceeds at the discretion of the Housing Authority provided that the Successor Agency ensures that the proceeds are expended in a manner consistent with the Housing Bonds covenants, including requirements relating to tax status of the Housing Bonds, and within the amount of Excess Housing Bonds Proceeds available for such purposes. The Excess

Housing Bonds Proceeds shall be used and committed in a manner consistent with the purposes of the Low and Moderate Income Housing Asset Fund, established by the Housing Authority pursuant to AB 1484, and such expenditures shall be listed separately on the Recognized Obligation Payment Schedule submitted by the Successor Agency.

Should you have any questions regarding this NOTICE, please contact Michael McGrane, Finance Director & Treasurer, at (619) 628-1361.

Very truly yours,

CITY OF IMPERIAL BEACH HOUSING AUTHORITY

A handwritten signature in cursive script, reading "Gary Brown", is written above a solid horizontal line.

Gary Brown, Executive Director



**STAFF REPORT
CITY OF IMPERIAL BEACH
REDEVELOPMENT AGENCY
SUCCESSOR AGENCY**

TO: CHAIR AND MEMBERS OF THE SUCCESSOR AGENCY

FROM: GARY BROWN, CITY MANAGER/EXECUTIVE DIRECTOR

MEETING DATE: AUGUST 1, 2012

ORIGINATING DEPT.: SUCCESSOR AGENCY STAFF
GREG WADE, DEPUTY DIRECTOR *GW*

SUBJECT: ADOPTION OF RESOLUTION NO. SA-12-12 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE ADMINISTRATIVE BUDGET FOR THE PERIOD OF JANUARY 1, 2013 THROUGH JUNE 30, 2013 AND RELATED ACTIONS

BACKGROUND:

On June 28, 2011, AB x1 26 ("AB 26") was signed into law by the Governor of California which called for the dissolution of redevelopment agencies throughout the state and established the procedures by which this was to be accomplished. On December 29, 2011, AB 26 was largely upheld by the California State Supreme Court with some of the dates by which certain dissolution actions were to occur pushed back by four months. As a result of the Supreme Court's decision, and on February 1, 2012, all California redevelopment agencies were dissolved, successor agencies to the former redevelopment agencies were established and were tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and winding down the affairs of the former redevelopment agencies.

As part of the wind-down process enacted by AB 26, the City Council adopted Resolution No. 2012-7136 on January 5, 2012, electing for the City to serve as the successor agency to the Redevelopment Agency ("Successor Agency") upon the dissolution of the Redevelopment Agency under AB 26.

DISCUSSION:

On June 27, 2012, the State Legislature passed and the Governor signed Assembly Bill No. 1484 ("AB 1484", Chapter 26, Statutes 2012) as a trailer bill for the Fiscal Year 2012-2013 State budget package. Although the primary purpose of AB 1484 is to make technical and substantive amendments to AB 26 based on issues that have arisen in the implementation of AB 26, AB 1484 also imposes additional statutory provisions relating to the activities and obligations of successor agencies and to the wind-down process of former redevelopment agencies.

Pursuant to Section 34177(j) of AB 26, as amended by AB 1484, requires the Successor Agency to prepare an administrative budget for each six-month fiscal period and submit the administrative budget to the Oversight Board for approval. The administrative budget shall include all of the following: (i) estimated amounts for Successor Agency administrative costs for the upcoming six-month fiscal period; (ii) proposed sources of payment for Successor Agency administrative costs; and (iii) proposals for arrangements for administrative and operations services provided by the City or other entity. Section 34177(k) of AB 26 as amended by AB 1484 requires the Successor Agency to provide to the San Diego County Auditor-Controller for each six-month fiscal period the administrative cost estimates from its approved administrative budget that are to be paid from property tax revenues (i.e. former tax increment revenues) deposited in the County's Redevelopment Property Tax Trust Fund established for the Successor Agency.

Successor Agency staff is now seeking the Successor Agency's approval of the administrative budget for the period of January 1, 2013 through June 30, 2013 ("Administrative Budget"), in the form attached to Resolution Number SA-12-12 as Exhibit "A", and the Successor Agency's authorization to submit the approved Administrative Budget to the Oversight Board for its consideration at their meeting on August 8, 2012, and to forward the information required by Section 34177(k) to the San Diego County Auditor-Controller.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

DEPARTMENT RECOMMENDATION:

Staff recommends that the Imperial Beach Redevelopment Agency Successor Agency adopt Resolution Number SA-12-12 approving the Administrative Budget for the period of January 1, 2013 through June 30, 2013 and other related actions.

CITY MANAGER/EXECUTIVE DIRECTOR'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, Executive Director/City Manager

Attachments:

1. Resolution No. SA-12-12

RESOLUTION NO. SA-12-12

RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE ADMINISTRATIVE BUDGET FOR THE PERIOD OF JANUARY 1, 2013 THROUGH JUNE 30, 2013 AND OTHER RELATED ACTIONS

WHEREAS, the Imperial Beach Redevelopment Agency ("Redevelopment Agency") was a redevelopment agency in the City of Imperial Beach ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, the City Council has adopted redevelopment plans for Imperial Beach's redevelopment project areas, and from time to time, the City Council has amended such redevelopment plans; and

WHEREAS, the Redevelopment Agency was responsible for the administration of redevelopment activities within the City; and

WHEREAS, AB x1 26 ("AB 26") and AB x1 27 ("AB 27") were signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code ("Health and Safety Code"); and

WHEREAS, the California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.*, Case No. S194861) alleging that AB 26 and AB 27 were unconstitutional; and

WHEREAS, on December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding as constitutional AB 26, invalidating as unconstitutional AB 27, and holding that AB 26 may be severed from AB 27 and enforced independently; and

WHEREAS, the Supreme Court generally reformed and revised the effective dates and deadlines for performance of obligations under Health and Safety Code Part 1.85 of AB 26 arising before May 1, 2012 to take effect four months later, while leaving the effective dates or deadlines for performance of obligations under Health and Safety Code Part 1.8 of AB 26 unchanged; and

WHEREAS, as a result of the Supreme Court's decision, and on February 1, 2012, all California redevelopment agencies were dissolved, successor agencies were established as successor agencies to the former redevelopment agencies pursuant to Health and Safety Code Section 34173, and successor agencies are tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and winding down the affairs of the former redevelopment agencies; and

WHEREAS, the City Council of the City adopted Resolution No. 2012-7136 on January 5, 2012, pursuant to Part 1.85, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency under AB 26 ("Successor Agency"); and

WHEREAS, as part of the FY 2012-2013 State budget package, on June 27, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1484 ("AB 1484", Chapter 26, Statutes 2012). Although the primary purpose of AB 1484 is to make technical and substantive

amendments to AB 26 based on issues that have arisen in the implementation of AB 26, AB 1484 imposes additional statutory provisions relating to the activities and obligations of successor agencies and to the wind down process of former redevelopment agencies; and

WHEREAS, Health and Safety Code Section 34179 of AB 26 as amended by AB 1484 establishes a seven (7) member local entity with respect to each successor agency and such entity is titled the "oversight board." The oversight board has been established for the Successor Agency (hereinafter referred to as the "Oversight Board") and all seven (7) members have been appointed to the Oversight Board pursuant to Section 34179. The duties and responsibilities of the Oversight Board are set forth in Health and Safety Code Sections 34179 through 34181 of AB 26 as amended by AB 1484; and

WHEREAS, Section 34177(j) of AB 26 as amended by AB 1484 requires the Successor Agency to prepare an administrative budget for each six-month fiscal period and submit the administrative budget to the Oversight Board for approval. The administrative budget shall include all of the following: (i) estimated amounts for Successor Agency administrative costs for the upcoming six-month fiscal period; (ii) proposed sources of payment for Successor Agency administrative costs; and (iii) proposals for arrangements for administrative and operations services provided by the City or other entity; and

WHEREAS, Section 34177(k) of AB 26 as amended by AB 1484 requires the Successor Agency to provide to the San Diego County Auditor-Controller for each six-month fiscal period the administrative cost estimates from its approved administrative budget that are to be paid from property tax revenues (i.e. former tax increment revenues) deposited in the County's Redevelopment Property Tax Trust Fund established for the Successor Agency; and

WHEREAS, staff of the Successor Agency seeks the Successor Agency's approval of the administrative budget for the period of January 1, 2013 through June 30, 2013 ("Administrative Budget"), in the form attached to this Resolution as Exhibit "A", and the Successor Agency's authorization to submit the approved Administrative Budget to the Oversight Board for its approval and to forward the information required by Section 34177(k) to the San Diego County Auditor-Controller; and

WHEREAS, this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

WHEREAS, this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT RESOLVED by the Imperial Beach Redevelopment Agency Successor Agency, as follows:

Section 1. The foregoing recitals are true and correct and are a substantive part of this Resolution.

- Section 2.** The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any rights the Successor Agency may have to challenge the effectiveness and/or legality of all or any portion of AB 26 or AB 1484 through administrative or judicial proceedings.
- Section 3.** The Successor Agency's Administrative Budget for the period of January 1, 2013 through June 30, 2013, which is attached hereto as Exhibit "A", is approved and adopted.
- Section 4.** The Executive Director, or designee, is hereby authorized and directed to: (i) submit the approved Administrative Budget to the Oversight Board for its review and approval; (ii) submit to the San Diego County Auditor-Controller the administrative cost estimates from the Administrative Budget that are to be paid from property tax revenues deposited in the County's Redevelopment Property Tax Trust Fund established for the Successor Agency; and (iii) take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution on behalf of the Successor Agency.
- Section 5.** The Successor Agency determines that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines.
- Section 6.** This Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED, AND ADOPTED by the Imperial Beach Redevelopment Agency Successor Agency at its meeting held on the 1st day of August 2012, by the following vote:

AYES: **BOARDMEMBERS:**
NOES: **BOARDMEMBERS:**
ABSENT: **BOARDMEMBERS:**

JAMES C. JANNEY
CHAIRPERSON

ATTEST:

JACQUELINE M. HALD, MMC
SECRETARY

EXHIBIT "A"

**IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY
ADMINISTRATIVE BUDGET
FOR THE PERIOD OF JANUARY 1, 2013 THROUGH JUNE 30, 2013**

(See Attachment)

City of Imperial Beach
Successor Agency Administrative Staffing Budget
 Recent 4 Week Monthly TotalTotal

Check Date _____

" Labor Acct				
Position Title	Salary	Total Labor Cost	% Time Working on SA	Monthly SA Cost
ADMINISTRATIVE SECRETARY II	\$3,802	\$5,498	0%	\$0
	\$3,752	\$5,499	25%	\$1,375
ASST CM/COMM DEV DIRECTOR	\$10,846	\$14,645	75%	\$10,984
CITY CLERK	\$9,110	\$12,328	40%	\$4,931
CITY MANAGER	\$12,733	\$17,023	70%	\$11,916
CLERK TYPIST	\$2,803	\$4,309	15%	\$667
FINANCE DIRECTOR	\$9,649	\$13,230	90%	\$11,907
FINANCE SUPERVISOR	\$5,897	\$8,256	10%	\$826
PUBLIC WORKS DIRECTOR	\$9,649	\$12,396	20%	\$2,479
REDEVELOPMENT COORDINATOR	\$6,783	\$9,459	0%	\$0
SENIOR ACCOUNT TECHNICIAN	\$3,149	\$4,645	0%	\$0
Total Labor Cost	\$78,172	\$107,289		\$45,085 Per 4 Week Month
Total for 6 Month Period				\$ 270,511
SA General Attorney				\$40,000
SA RDA Attorney				\$40,000
				\$ 350,511
		Rounded		\$ 351,000
Source of Funding:				
Property Tax formerly tax increment funds				\$ 351,000



**STAFF REPORT
CITY OF IMPERIAL BEACH
REDEVELOPMENT AGENCY
SUCCESSOR AGENCY**

TO: CHAIR AND MEMBERS OF THE SUCCESSOR AGENCY

FROM: GARY BROWN, CITY MANAGER/EXECUTIVE DIRECTOR

MEETING DATE: AUGUST 1, 2012

ORIGINATING DEPT.: SUCCESSOR AGENCY STAFF
GREG WADE, DEPUTY DIRECTOR *GW*

SUBJECT: ADOPTION OF RESOLUTION NO. SA-12-13 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE PERIOD OF JANUARY 1, 2013 THROUGH JUNE 30, 2013

BACKGROUND:

On June 28, 2011, AB x1 26 ("AB 26") was signed into law by the Governor of California which called for the dissolution of redevelopment agencies throughout the state and established the procedures by which this was to be accomplished. On December 29, 2011, AB 26 was largely upheld by the California State Supreme Court with some of the dates by which certain dissolution actions were to occur pushed back by four months. As a result of the Supreme Court's decision, and on February 1, 2012, all California redevelopment agencies were dissolved, successor agencies were established as successor agencies to the former redevelopment agencies, and successor agencies are tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and winding down the affairs of the former redevelopment agencies.

Pursuant to Health and Safety Code Section 34177 of AB 26, the Imperial Beach Redevelopment Agency Successor Agency ("Successor Agency") prepared a draft Recognized Obligation Payment Schedule ("ROPS") by the required deadline of March 1, 2012, adopting the draft ROPS on February 15, 2012 for the period ending June 30, 2012. This ROPS, for the period of January 1, 2012 through June 30, 2012, was subsequently modified and approved by the Successor Agency's Oversight Board and submitted to the State of California Controller's Office and the State of California Department of Finance by April 15, 2012. Additionally, the Successor Agency adopted the second ROPS covering the period from July 1, 2012 through December 31, 2012, which was also approved by the Oversight Board and transmitted to the State of California Controller's Office and the State of California Department of Finance by April 15, 2012.

DISCUSSION:

On June 27, 2012, the State Legislature passed and the Governor signed Assembly Bill No. 1484 ("AB 1484", Chapter 26, Statutes 2012) as a trailer bill for the Fiscal Year 2012-2013 State budget package. Although the primary purpose of AB 1484 is to make technical and substantive amendments to AB 26 based on issues that have arisen in the implementation of AB 26, AB 1484 also imposes additional statutory provisions relating to the activities and obligations of successor agencies and to the wind-down process of former redevelopment agencies.

Pursuant to Section 34177(m) of AB 26 as amended by AB 1484, the Successor Agency is required to submit the third ROPS for the period of January 1, 2013 through June 30, 2013, to the Department of Finance and the County Auditor-Controller no later than September 1, 2012. Staff has prepared the third ROPS covering the period from January 1, 2013 through June 30, 2013 and it is attached to this staff report as Exhibit "A" to Resolution Number SA-12-13. If adopted by the Successor Agency, the third ROPS will then be submitted to the Oversight Board for review and approval. Section 34177(l)(2)(B) of AB 26 as amended by AB 1484 requires the Successor Agency to submit a copy of the third ROPS to the County Administrative Officer, the County Auditor-Controller, and the Department of Finance at the same time that the Successor Agency submits the third ROPS to the Oversight Board for approval. Again, this must be done by September 1, 2012.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

DEPARTMENT RECOMMENDATION:

Staff recommends that the Imperial Beach Redevelopment Agency Successor Agency adopt Resolution Number SA-12-13 approving the Recognized Obligation Payment Schedule for the period of January 1, 2013 through June 30, 2013.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. SA-12-13

RESOLUTION NO. SA-12-13**A RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY
SUCCESSOR AGENCY ADOPTING THE RECOGNIZED OBLIGATION
PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2013 THROUGH
JUNE 30, 2013**

WHEREAS, the Imperial Beach Redevelopment Agency ("Redevelopment Agency") was a redevelopment agency in the City of Imperial Beach ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, the City Council has adopted redevelopment plans for Imperial Beach's redevelopment project areas, and from time to time, the City Council has amended such redevelopment plans; and

WHEREAS, the Redevelopment Agency was responsible for the administration of redevelopment activities within the City; and

WHEREAS, AB x1 26 ("AB 26") and AB x1 27 ("AB 27") were signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code ("Health and Safety Code"); and

WHEREAS, the California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.*, Case No. S194861) alleging that AB 26 and AB 27 were unconstitutional; and

WHEREAS, on December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding as constitutional AB 26, invalidating as unconstitutional AB 27, and holding that AB 26 may be severed from AB 27 and enforced independently; and

WHEREAS, the Supreme Court generally reformed and revised the effective dates and deadlines for performance of obligations under Health and Safety Code Part 1.85 of AB 26 arising before May 1, 2012 to take effect four months later, while leaving the effective dates or deadlines for performance of obligations under Health and Safety Code Part 1.8 of AB 26 unchanged; and

WHEREAS, as a result of the Supreme Court's decision, and on February 1, 2012, all California redevelopment agencies were dissolved, successor agencies were established as successor agencies to the former redevelopment agencies pursuant to Health and Safety Code Section 34173, and successor agencies are tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and winding down the affairs of the former redevelopment agencies; and

WHEREAS, the City Council of the City adopted Resolution No. 2012-7136 on January 5, 2012, pursuant to Part 1.85, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency under AB 26 ("Successor Agency"); and

WHEREAS, as part of the FY 2012-2013 State budget package, on June 27, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1484 ("AB 1484", Chapter 26,

Statutes 2012). Although the primary purpose of AB 1484 is to make technical and substantive amendments to AB 26 based on issues that have arisen in the implementation of AB 26, AB 1484 imposes additional statutory provisions relating to the activities and obligations of successor agencies and to the wind down process of former redevelopment agencies; and

WHEREAS, Health and Safety Code Section 34179 of AB 26 as amended by AB 1484 establishes a seven (7) member local entity with respect to each successor agency and such entity is titled the "oversight board." The oversight board has been established for the Successor Agency (hereinafter referred to as the "Oversight Board") and all seven (7) members have been appointed to the Oversight Board pursuant to Section 34179. The duties and responsibilities of the Oversight Board are set forth in Health and Safety Code Sections 34179 through 34181 of AB 26 as amended by AB 1484; and

WHEREAS, pursuant to Health and Safety Code Section 34177 of AB 26, the Successor Agency (i) prepared its draft Recognized Obligation Payment Schedule ("ROPS") by March 1, 2012, (ii) adopted the draft ROPS on February 15, 2012 for the period ending June 30, 2012, as modified administratively by the Executive Director, (iii) submitted the draft ROPS to the State of California Controller's Office and the State of California Department of Finance by April 15, 2012 for the period of January 1, 2012 through June 30, 2012, (iv) amended the draft ROPS as the first ROPS for submission to the State Controller's Office and the Department of Finance by April 15, 2012 and revised the ROPS to reflect the time period of January 1, 2012 through June 30, 2012, and (v) adopted the second ROPS covering the period from July 1, 2012 through December 31, 2012; and

WHEREAS, pursuant to Health and Safety Code Section 34177(m) of AB 26 as amended by AB 1484, the Successor Agency is required to submit the third ROPS for the period of January 1, 2013 through June 30, 2013, after its approval by the Oversight Board, to the Department of Finance and the County Auditor-Controller no later than September 1, 2012; and

WHEREAS, the third ROPS covering the period from January 1, 2013 through June 30, 2013 is attached to this Resolution as Exhibit "A"; and

WHEREAS, if adopted by the Successor Agency, the third ROPS shall thereafter be submitted to the Oversight Board for review and approval. In this regard, Health and Safety Code Section 34177(l)(2)(B) of AB 26 as amended by AB 1484 requires the Successor Agency to submit a copy of the third ROPS to the County Administrative Officer, the County Auditor-Controller, and the Department of Finance at the same time that the Successor Agency submits the third ROPS to the Oversight Board for approval; and

WHEREAS, pursuant to Health and Safety Code Section 34177(l)(2)(C) of AB 26, a copy of the approved third ROPS shall be submitted to the County Auditor-Controller and both the State Controller's Office and the Department of Finance and shall be posted on the Successor Agency's internet website; and

WHEREAS, pursuant to Health and Safety Code Section 34177(m)(1) of AB 26 as amended by AB 1484, the Successor Agency shall submit a copy of the third ROPS to the Department of Finance electronically and the Successor Agency shall complete the third ROPS in the manner provided by the Department of Finance; and

WHEREAS, pursuant to Health and Safety Code Section 34183(a)(2) of AB 26 as amended by AB 1484, the County is required to make a payment of property tax revenues (i.e. former tax increment funds) to the Successor Agency by January 2, 2013 for payments to be made toward recognized obligations listed on the third ROPS for the period of January 1, 2013 through June 30, 2013; and

WHEREAS, pursuant to Health and Safety Code Section 34177(l)(3) of AB 26 as amended by AB 1484, the ROPS shall be forward looking to the next six (6) months; and

WHEREAS, according to Health and Safety Code Section 34177(l)(1) of AB 26 as amended by AB 1484, for each recognized obligation, the ROPS shall identify one or more of the following sources of payment: (i) Low and Moderate Income Housing Funds, (ii) bond proceeds, (iii) reserve balances, (iv) administrative cost allowance, (v) the Redevelopment Property Tax Trust Fund but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation or by the provisions of Part 1.85 of AB 26 as amended by AB 1484, and (vi) other revenue sources, including rents, concessions, asset sale proceeds, interest earnings, and any other revenues derived from the former Redevelopment Agency as approved by the Oversight Board in accordance with Part 1.85 of AB 26 as amended by AB 1484; and

WHEREAS, it is the intent of AB 26 as amended by AB 1484 that the ROPS serve as the designated reporting mechanism for disclosing the Successor Agency's bi-annual payment obligations by amount and source and that the County Auditor-Controller will be responsible for ensuring that the Successor Agency receives revenues sufficient to meet the requirements of the ROPS during each bi-annual period; and

WHEREAS, notwithstanding the provisions of Health and Safety Code Section 34177(a)(1) of AB 26 as amended by AB 1484, agreements between the City and the Redevelopment Agency have been included in the ROPS because, among other things, they have been validated by operation of law prior to the Governor's signature of AB 26 on June 28, 2011; and

WHEREAS, the proposed third ROPS attached to this Resolution as Exhibit "A" is consistent with the requirements of the Health and Safety Code and other applicable law; and

WHEREAS, this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

WHEREAS, this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT RESOLVED by the Imperial Beach Redevelopment Agency

Successor Agency, as follows:

- Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any rights the Successor Agency may have to challenge the effectiveness and/or legality of all or any portion of AB X1 26 or AB 1484 through administrative or judicial proceedings.
- Section 3.** The Successor Agency's third ROPS, which is attached hereto as Exhibit "A", is approved and adopted.
- Section 4.** The Executive Director, or designee, is hereby authorized and directed to: (i) provide the third ROPS to the Oversight Board for review and approval and concurrently submit a copy of the third ROPS to the County Administrative Officer, the County Auditor-Controller, and the Department of Finance; (ii) submit the third ROPS, as approved by the Oversight Board, to the Department of Finance (electronically) and the County Auditor-Controller no later than September 1, 2012; (iii) submit a copy of the third ROPS, as approved by the Oversight Board, to the State Controller's Office and post the third ROPS on the Successor Agency's internet website; (iv) revise the third ROPS, and make such changes and amendments as necessary, before official submittal of the third ROPS to the Department of Finance, in order to complete the third ROPS in the manner provided by the Department of Finance and to conform the third ROPS to the form or format as prescribed by the Department of Finance; and (v) take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution on behalf of the Successor Agency.
- Section 5.** The Successor Agency determines that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines.
- Section 6.** This Resolution shall take effect upon the date of its adoption.
- Section 7.** The Executive Director, or designee, is hereby authorized to make such non-substantive changes and amendments to the third ROPS as may be approved by the Executive Director of the Successor Agency and its legal counsel.
- Section 8.** The Executive Director, or designee, is hereby authorized to revise the third ROPS, and make such changes and amendments as necessary, before official submittal of the third ROPS to the Department of Finance, in order to complete the third ROPS in the manner provided by the Department of Finance and to conform the third ROPS to the form or format as prescribed by the Department of Finance.

PASSED, APPROVED, AND ADOPTED by the Imperial Beach Redevelopment Agency
Successor Agency at its meeting held on the 1st day of August 2012, by the following vote:

AYES:	BOARDMEMBERS:
NOES:	BOARDMEMBERS:
ABSENT:	BOARDMEMBERS:

JAMES C. JANNEY
CHAIRPERSON

ATTEST:

JACQUELINE M. HALD, MMC
SECRETARY

EXHIBIT "A"

**IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY
RECOGNIZED OBLIGATION PAYMENT SCHEDULE
January 1, 2013 through June 30, 2013
("Third ROPS")**

Approved on August 1, 2012

(See Attachment)

RECOGNIZED OBLIGATION PAYMENT SCHEDULE January 1 - June 30, 2013 (ROPS 3)

Project Name / Debt Obligation	Payee	Description	Funding	Payments by month						Total	
				January	February	March	April	May	June		
Debt Obligations											
1	2003 Tax Allocation Bonds Series A	Wells Fargo Bank	Bond Debt Service	RPTTF					\$ 1,020,792		\$1,020,792
2	2010 Tax Allocation Bonds Series	Wells Fargo Bank	Bond Debt Service	RPTTF					\$ 655,953		\$655,953
3	City RDA Agreement 1995	City of Imperial Beach	Finance start up costs	RPTTF					\$ 224,286		\$224,286
4	2003 Tax Allocation Bonds Series A	Wells Fargo Bank	Bond Debt Reserve	RPTTF					\$518,787		\$518,787
5	2010 Tax Allocation Bonds Series	Wells Fargo Bank	Bond Debt Reserve	RPTTF					\$524,003		\$524,003
Totals - Debt Obligations - This Page					\$ -	\$ -	\$ -	\$ -	\$ 2,943,821	\$ -	\$ 2,943,821
Totals - Housing Program Related - Page 2					\$928,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$1,003,000
Totals - RDA Operating - Page 3					\$108,800	\$108,800	\$108,800	\$108,800	\$108,800	\$113,800	\$657,800
Totals - RDA Projects - Page 4					\$0	\$0	\$0	\$0	\$0	\$0	\$0
Totals - Prior Period ROPS Payments Due- Page 5					\$892,682	\$892,682	\$892,682	\$892,682	\$892,682	\$892,682	\$892,682
Total Enforceable Obligations					\$1,929,482	\$1,016,482	\$1,016,482	\$1,016,482	\$3,960,303	\$1,021,482	\$5,497,303

RECOGNIZED OBLIGATION PAYMENT SCHEDULE January 1 - June 30, 2013 (ROPS 3)

	Project Name / Debt Obligation	Payee	Description	Funding	Payments by month						Total
					January	February	March	April	May	June	
RDA Operating											
2	Admin Costs	City of Imperial Beach	Per AB 26	RPTTF	\$ 58,500	\$ 58,500	\$ 58,500	\$ 58,500	\$ 58,500	\$ 58,500	\$351,000
14	City Service Agreement	City of Imperial Beach	Oversight and related costs	RPTTF	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$240,000
15	Hotel DDA Compliance	City of Imperial Beach	DDA Compliance Issues	RPTTF						\$5,000	\$5,000
16	Capital Trailer Rental	Bert's	Temp Trailer for Project Management	RPTTF	\$300	\$300	\$300	\$300	\$300	\$300	\$1,800
17	Legal	McDougal/Kane Balmer	Specific	RPTTF	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$60,000
18	Interim Audit Management	City of Imperial Beach	Additional Audit Requirement	RPTTF							\$0
Totals - This Page					\$108,800	\$108,800	\$108,800	\$108,800	\$108,800	\$113,800	\$657,800

Item No. 7.4

**Staff Report
to be provided prior to
City Council Meeting**