

**ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT  
FOR THE SAN DIEGO INTERNATIONAL AIRPORT ALUCP  
(STATE CLEARINGHOUSE NO. 2013031060)  
MARCH 2014**

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**1. INTRODUCTION AND REVISED PROJECT OVERVIEW**

The Draft EIR (July 2013) and Final EIR (January 2014) (State Clearinghouse No. 2013031060), for the proposed Airport Land Use Compatibility Plan (ALUCP) prepared for San Diego International Airport (SDIA) (Project), evaluated the environmental impacts of the proposed Project as presented at the February 6, 2014 Airport Land Use Commission (ALUC) meeting. The San Diego County Regional Airport Authority (Airport Authority), acting in its capacity as the ALUC for San Diego County, directed ALUC staff at that meeting to evaluate a revised method for calculating the allowable density and intensity of mixed-use projects presented by the City of San Diego (City) for the ALUC's consideration. Additionally, ALUC staff was asked to further evaluate questions raised at the February 6, 2014 meeting related to ALUCP Policies 1.6.1.2, 1.10.1, 1.10.2.1, and N.7. This Addendum evaluates the environmental ramifications of the City's proposal, the proposal's ability to feasibly mitigate the identified significant effects of the proposed Project relative to residential displacement, and the minor changes ALUC staff made to ALUCP Policies 1.6.1.2, 1.10.1, 1.10.2.1, and N.7.

As discussed in greater detail below, the City's proposal would feasibly reduce the amount of potential displacement of future residential development identified in the EIR, such that potential residential displacement would be less than previously anticipated. Therefore, this Addendum recommends that the City's proposal be treated as a feasible mitigation measure for purposes of CEQA, though the proposed Project's residential displacement impacts would remain significant and unavoidable even with implementation of this mitigation measure. This Addendum also recommends that minor revisions to Policies 1.6.1.2, 1.10.1, 1.10.2.1, and N.7 be incorporated into the SDIA ALUCP.

**2. RECIRCULATION OF AN EIR PRIOR TO CERTIFICATION**

Under CEQA, a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087, but before certification (Cal. Code Regs., tit. 14, §15088.5, subd. (a)).

New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement (Cal. Code Regs., tit. 14, §15088.5, subd. (a)).

Circumstances requiring recirculation include the following:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043)

(Cal. Code Regs., tit. 14, §15088.5, subd. (a).) Recirculation is not required when new information added to the EIR clarifies or amplifies or makes insignificant modifications in an adequate EIR (Cal. Code Regs., tit. 14, §15088.5, subd. (b)).

In this instance, recirculation of the EIR is not required because, although the City identified a new feasible mitigation measure during the February 6, 2014 meeting, the Airport Authority – acting in its capacity as the ALUC – intends to adopt the measure to reduce the proposed Project's potential residential displacement effects. The evidence supporting this determination is contained in Section 3.0, Environmental Analysis of the City's Recommended Mitigation Measure, below.

### **3. ENVIRONMENTAL ANALYSIS OF THE CITY'S RECOMMENDED MITIGATION MEASURE**

As background, during the February 6, 2014 ALUC meeting, the City requested that the ALUC consider the feasibility of a policy modification to the proposed SDIA ALUCP in order to lessen the residential displacement effects of the proposed Project. Specifically, the City's request contemplated the following text revisions to Policy S.8 (Mixed-Use Projects) of the SDIA ALUCP:

#### **3.3 Supplemental Safety Compatibility Policies**

##### **Policy S.8 Mixed-Use Projects**

For a proposed project with a mix of residential and nonresidential uses, residential density is converted to intensity and the total number of residential occupants is limited to half of the maximum nonresidential intensity specified in **Table 3-1**.

For live/work projects, each dwelling unit is to be counted towards density, and only the square footage devoted to nonresidential use is to be used in the calculation of nonresidential intensity.

Areas devoted to parking (whether above/below ground or enclosed) are not to be included in the gross square footage of the building and, therefore, are not considered in the calculation of intensity.

## How do you calculate density and intensity for a mixed-use project?

Step 1: The density of the residential portion of the proposed project is calculated by dividing the number of dwelling units by the net acreage of the entire project site. The residential density limits identified in **Table 3-1** do not apply.

Step 2: The resulting residential density is then converted to "intensity" by multiplying the density, in units per acre, by the number of persons per household for the corresponding safety zone indicated at the top of **Table 3-1**.

Step 3: Nonresidential intensity is calculated by dividing the total occupants of the nonresidential uses by the net acreage of the project site. (The number of occupants is calculated by dividing the gross square footage of the building by the occupancy factor shown in **Table 3-1**.) If different types of nonresidential uses are proposed, the number of people occupying each component nonresidential use is calculated separately, as presented in **Table 3-2**, Example D.

Step 4: The residential and nonresidential intensities calculated in Steps 2 and 3 are summed, and the total intensity level is compared with the maximum allowable intensity limits presented at the top of **Table 3-1** to determine if the proposed use complies with the ALUCP. The sum total of the project's residential and nonresidential intensities cannot exceed the allowed intensity limit identified in **Table 3-1**.

ALUC staff reviewed the City's request and determined that the policy modification is consistent with the *California Airport Land Use Planning Handbook* (Caltrans *Handbook*) and is a feasible mitigation measure for purposes of CEQA. The policy modification would maintain the original intensity limits allowed by safety zone and would better reflect the existing development pattern for mixed-use projects. Additionally, the modification is consistent with the Caltrans *Handbook* guidance for mixed-use development. Therefore, ALUC staff identified the following additional mitigation measure for consideration and adoption by the Airport Authority, acting in its capacity as the ALUC:

**PH-2** Concurrent with adoption of the SDIA ALUCP, the Airport Authority shall revise Policy S.8 (Mixed-Use Projects) of the ALUCP in a manner consistent with the City of San Diego's request in order to reduce the potential displacement of residential units within mixed-use projects. The precise parameters of the policy modification are set forth in the Addendum (March 2013) to the EIR, and shall be incorporated directly into Policy S.8 of the SDIA ALUCP.

Therefore, the purpose of this Addendum is to assess whether mitigation measure **PH-2** requires recirculation of the EIR or otherwise results in environmental impacts not previously disclosed and studied in the EIR.

The Draft EIR, at Section 4.0, Environmental Impacts, determined that implementation of the proposed SDIA ALUCP would result in significant unavoidable impacts to Land Use and Planning and Population and Housing. The feasible mitigation measure identified by the City would reduce the amount of potential displacement of future residential development (due to the modified method of calculating density/intensity for mixed-use projects), does not increase the level of any previously identified impacts, and creates no new significant impacts. Therefore, the Airport Authority has determined that, based on the entire record, the mitigation measure will not change the EIR's conclusions regarding potential impacts and the significance of those impacts, and that the proposed Project will have *less* environmental impact (in the form of residential displacement) than that identified in the Draft EIR with implementation of mitigation measure **PH-2**.

### **A. Land Use and Planning**

With implementation of the City's recommended mitigation measure, the proposed Project would result in the same level of impact to Land Use and Planning as that disclosed in the Draft EIR, summarized in Table 4-24 of the EIR. The following statement from Table 4-24 would remain true, even with implementation of mitigation measure **PH-2**: “the proposed ALUCP is inconsistent with applicable zoning, primarily because it would set lower intensity limits and, in some cases, would declare certain allowable land uses as incompatible.”

In general, mitigation measure **PH-2** would reduce the degree of inconsistency insofar as mixed-use development is concerned. Specifically, mitigation measure **PH-2** would allow a greater number of housing units in mixed-use projects, but would reduce the allowable amount of nonresidential square footage, compared with the previously proposed Project. However, nonresidential uses represent a relatively small portion of the total square footage expected in future mixed-use developments (based on the amount of nonresidential square footage in existing mixed-use projects), and the nonresidential intensity achievable with mitigation measure **PH-2** would still meet expectations for mixed-use development in the proposed safety zones. Appendix A, Attachment F of the EIR provides additional details on the basis for nonresidential buildout expectations assumed for mixed-use developments. Overall, when averaged over all developable mixed-use properties affected by mitigation measure **PH-2**, it would still allow for a greater intensity of nonresidential development than would be expected based on the mix of residential and nonresidential square footage in existing mixed-use developments.

Thus, when compared with potential nonresidential development under current zoning, mitigation measure **PH-2** would result in no net change in nonresidential displacement from the previously proposed Project.

### **B. Population and Housing**

With implementation of the City's recommended mitigation measure, the proposed Project would result in less residential displacement than previously identified in the Draft EIR because mixed-

use projects would be permitted to have a greater allotment of residential development. (See Table 1, below.) Specifically, the City's requested revisions to Policy S.8 (above) would allow for greater residential density, which would reduce residential displacement impacts, but not to a level below significant.

Additionally, after the release of the Draft EIR for public review, an amendment to the Centre City Planned District Ordinance to create an Industrial Buffer Overlay Zone was approved by the City of San Diego City Council in early 2014. The Industrial Buffer Overlay Zone prohibits residential use on several parcels within the proposed safety zones. Implementation of this overlay zone further reduces residential displacement associated with the proposed Project, as shown in Table 1.

**Table 1**

	Displaced Residential Units	Displaced Residential Units with Industrial Buffer Overlay Zone
Project	779	304
Project with New Mitigation	527	186

#### **4. ADDITIONAL PROJECT REVISIONS**

The following minor revisions to ALUCP Policies 1.6.1.2, 1.10.1, 1.10.2.1, and N.7 have been incorporated into the proposed Project as a result of the discussion at the February 6, 2014 ALUC meeting. These revisions represent minor, clarifying information and do not trigger recirculation of the EIR.

### **1.10 Local Agency Implementation**

#### **1.10.1 Local Agency Requirements and Responsibilities**

Within 180 calendar days of the ALUC's adoption or amendment of this ALUCP, each local agency affected by this ALUCP must:<sup>28</sup>

1. Amend its land use plans and regulations to be consistent with this ALUCP, [if needed](#), or
2. Overrule this ALUCP by a two-thirds vote of its governing body after adopting findings that justify the overrule and providing notice, as required by law<sup>29</sup>

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If a local agency fails to take either action, it must follow the review process detailed in **Section 1.9**.

### 1.10.2.1 Methods of Implementing this ALUCP

A local agency can make its land use plans and regulations consistent with this ALUCP in the following ways:

- Incorporate ALUCP policies into General Plan Elements—Individual elements of local general plans may be amended to incorporate applicable policies from this ALUCP. For example, noise compatibility policies and standards could be added to the noise element, safety policies to the safety element, and other policies, standards and maps to the land use element
- Adopt ALUCP as Stand-Alone Document—Local agencies may adopt this ALUCP as a local policy document
- Adopt Overlay Zone—Local agencies may incorporate the policies and standards of this ALUCP into an overlay zone to supplement the requirements of the standard land use zoning districts
- [If the local agency's land use plans and regulations are consistent with this ALUCP, no action to adopt additional policies or regulations is required. However, only the ALUC can determine whether or not a local agency's land use plans and regulations are consistent with this ALUCP.](#)

### Policy N.7 New Uses in Existing Buildings

No consistency review is required when new compatible or conditionally compatible uses, as described in **Table 2-1**, are proposed within a portion of an existing building, such as a multi-tenant shopping center. However, consistency review is required for new residential, public assembly and adult school uses.<sup>2</sup> Incompatible uses are not allowed.

Consistency review, including recordation of an avigation easement (if applicable), is required when a new use (or multiple uses) is proposed to entirely occupy an existing building. Only new residential, public assembly and adult school uses require sound attenuation per **Table 2-1**.<sup>3</sup>

<sup>2</sup> [Title 21, California Code of Regulations, Subchapter 6, Noise Standards, Section 5014.](#)

<sup>3</sup> [Title 21, California Code of Regulations, Subchapter 6, Noise Standards, Section 5014.](#)

### 1.6.1.2 Safety

#### 2. Nonresidential Uses Only

- An existing incompatible nonresidential use may be expanded in building area or reconstructed if there is no increase in the intensity of the use.
- Existing incompatible children's schools (grades K-12) may be expanded, replaced or reconstructed if required by State law, ~~but no new assembly facilities with capacities of 50 or more people are allowed.~~ New, expanded or modernized facilities to accommodate existing enrollment must be submitted to the ALUC for review.

## 5. CONCLUSION

Based on the information provided above, ALUC staff finds that: (i) mitigation measure **PH-2** reduces the amount of residential displacement attributable to the proposed Project; (ii) mitigation measure **PH-2** does not give rise to any of the circumstances requiring recirculation of the Draft EIR; (iii) any potential environmental impacts associated with the proposed Project were identified within the scope of the Draft EIR; (iv) no new or substantially more severe environmental effects would result from the proposed Project with implementation of mitigation measure **PH-2** and the related revisions to Policy S.8 (Mixed-Use Projects); (v) the minor revisions to Policies 1.6.1.2, 1.10.1, 1.10.2.1, and N.7 do not constitute significant new information; and (vi) no new information has been presented regarding the proposed Project's environmental effects that gives rise to any new or more severe environmental effects than were previously identified in the Draft EIR. Therefore, the legal requirements for recirculating the Draft EIR are not applicable, and preparation of an addendum to the Draft EIR is appropriate under the present circumstances.