



INDEPENDENT LA JOLLA

Proposed Incorporation of the City of La Jolla: 2014 Initial Study
For Information Purposes Only

Prepared By:
Independent La Jolla
March, 2014

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
1.0 Introduction	3
2.0 Project Description	4
3.0 Environmental Setting and Background	9
4.0 Consistency with LAFCO and Local Policies	10
5.0 Overview of Incorporation Process	12
6.0 Environmental Checklist and Initial Study	14
7.0 LAFCO Definitions	56
8.0 Writ of Incorporation	61
 <u>Table</u>	
2.1 Current and Proposed Service Providers in La Jolla	8
 <u>Exhibits</u>	
1.1 Proposed Incorporation Boundaries and Vicinity Map	7
4.1 LAFCO Flowchart	62

SECTION 1: INTRODUCTION

Purpose of the Initial Study

This Initial Study (IS) is an informational document intended to assess and disclose the potential socioeconomic and environmental effects of the proposed Incorporation of a defined area located in San Diego City as a new City, to be called the City of La Jolla. This type of Incorporation is known as a Special Reorganization.

Pursuant to §15367 of the State CEQA Guidelines, the Local Agency Formation Commission of San Diego City (LAFCO) is the lead agency for the Project. The lead agency is the public agency that has the principal responsibility for carrying out or approving the Project that may have a significant effect upon the environment. LAFCO, as lead agency, has authority for Project approval and certification of the accompanying environmental documentation.

This Study focuses on the analyzing if fifteen particular aspects of the Environment would be negatively impacted specifically as a result of the Village of La Jolla becoming the City of La Jolla via the Special Organization procedural workflow.

Summary of Findings

Based on the environmental checklist and supporting environmental analysis, the proposed Incorporation of the City of La Jolla would have no impact or less than significant impact in the following areas: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology/soils, hazards and hazardous materials, hydrology/water quality, land use, noise, population/housing, public services, recreation/ mineral resources, transportation/ traffic and utilities/service systems.

The proposed Project does not involve any new development or provision of new services or change in the level of current services. Zoning Ordinance and other policies, regulations and ordinances affecting the area would be adopted by the new City after the necessary CEQA analysis. Any development Projects proposed following Incorporation would be subject to specific environmental review by the new City.

Acknowledgement of Responsible Agencies and Trustee Agencies

Section 21069 of CEQA defines a “responsible agency” as being a public agency, other than the Lead Agency, which has responsibility for carrying out or approving a Project, LAFCO has not identified any responsible agencies that must act on the Proposed Incorporation.

Section 21070 of CEQA indicates that a “trustee agency” is a state agency that has jurisdiction by law

over natural resources affected by a Project, that are held in trust for the people of the State of California. LAFCO has not identified any trustee agencies that must act on the Proposed Incorporation.

SECTION 2.0: PROJECT DESCRIPTION

The Project is the Incorporation of a new City to be called the ***City of La Jolla*** located in southwestern San Diego City and within the boundaries of the City of San Diego. The Incorporation, if approved by LAFCO and supported by a majority vote of registered voters in the area, would transfer general governance and jurisdiction over service provision and land use decisions from the City of San Diego to the new City of La Jolla. The Project also involves the establishment of planning boundaries such as the urban service area and sphere of influence for the new City of La Jolla. No new development or new services are associated with the proposed Project.

Purpose and Objectives of the Incorporation

The underlying purpose of the Incorporation and objectives sought by the Proponents in proposing the Incorporation of the City of La Jolla, include:

- To create a locally accountable governing body that is more visible and accessible
- To have local control of land use, growth, planning policy and other governmental activities
- To maintain the rural residential character and small-scale agricultural activities of the City
- To maintain the existing public services and service levels.

Proposed Boundaries of the Incorporation

The proposed Incorporation boundary of the City of La Jolla, as submitted by the Proponents, roughly encompasses an 8320-acre area bounded by the far end of the Torrey Reserves on the north, El Camino Real on the east, Turquoise Avenue on the south, and the Pacific Ocean on the west. Please see **Exhibit 1.1** for a map of the proposed Incorporation boundaries. LAFCO is required to consider alternative boundaries and is empowered to modify boundaries in its review of proposals in accordance with Government Code Section 56668 and Section 56375 (a) & (l) and LAFCO Policies.

For the purposes of preparing a comprehensive environmental document, it is assumed that any other planning boundaries if adopted by LAFCO at this time (i.e. Urban Service Area Boundary and Sphere of Influence Boundary) will be coterminous with the proposed Incorporation boundary. This

Initial Study analyzes a broadly defined Incorporation area and this will allow LAFCO to use this environmental document for any potential reductions in the proposed boundaries.

General Plan and Zoning

Government Code Section 65360 provides a period of up to thirty months following Incorporation for the development and adoption of a new City General Plan. During that period, a new City is not required to have a General Plan or have its decisions be consistent with the general plan provided certain conditions are met. Research has shown that recently incorporated cities typically adopt the existing City General Plan. It is

reasonable to conclude that La Jolla will adopt the current La Jolla City General Plan until such time as the City adopts its own General Plan in accordance with Government Code Section 65360. The new City will comply with the appropriate CEQA requirements at the time the new City adopts its General Plan.

Government Code Section 57376 requires the new City to immediately adopt an ordinance providing that all La Jolla City ordinances shall continue as the new City's ordinances for 120 days or until superseded by ordinances adopted by the new City. Therefore, it is assumed that the City's land use policies and regulations would serve as the new City's policies following Incorporation, until the new City adopts its own policies. It is not uncommon for new cities to keep City zoning ordinances and the General Plan in effect for at least a year or more until they have the time and funds to prepare and certify a new City General Plan. Any proposed changes to the General Plan, Zoning Ordinance, or adoption of any other plans, policies, guidelines, or regulations to regulate development would be subject to environmental review at the time any such change is proposed, as required by the California Environmental Quality Act (CEQA).

Government Reorganizations

The Project does not include any changes in adjacent cities or affected special districts' boundaries at this time, except in the case of School Districting. The School District include lands within and out the proposed Incorporation boundary

In the case of School Districting, the proponent's Plan for Service includes continued service from the City entity as an initial concept. School District boundaries do not map to City boundaries. Therefore determination on School Districts are planned so that there will be no disruption or change to current Districting.

Municipal Services

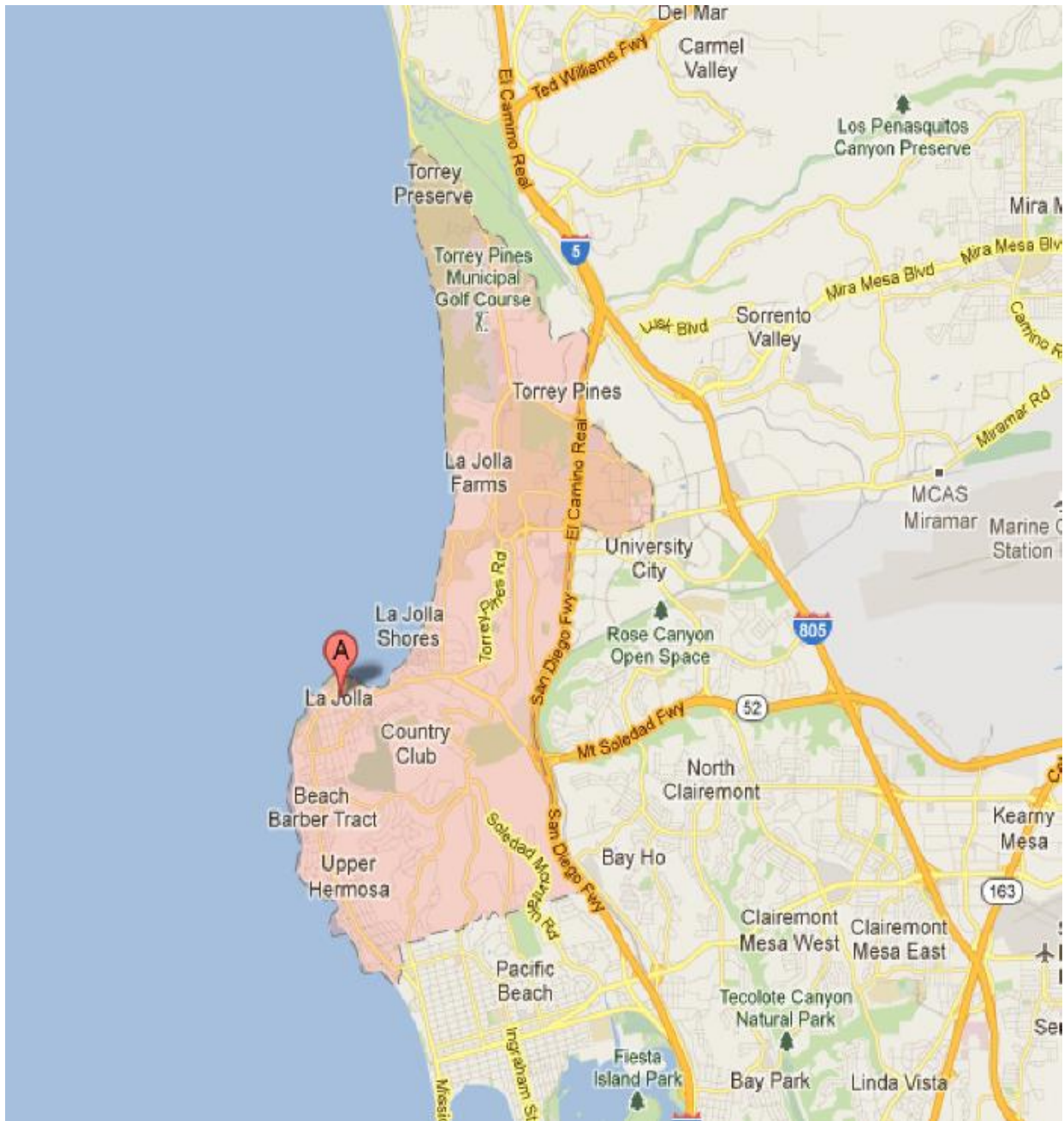
Incorporation, if the process succeeds, includes the election of a City Council and transfer of

specific service obligations from the City to the new City. The proposed Incorporation does not involve a change in the type or level of services that are currently being provided and no new services are proposed.

The Project area is unincorporated and currently receives minimal/limited levels of municipal services that are provided by the City of San Diego, and other public or private entities. Initially, the new City may contract with the City or other appropriate public or private entities to provide these services. Over time, these services may be provided directly by the City subject to future decisions by the City Council. The level of municipal services that the community receives from the City of San Diego and other entities is currently being documented in the Comprehensive Fiscal Analysis study. Richard Berkson, Principal of Economic & Planning Systems of Sacramento, will be conducting an updated Comprehensive Fiscal Analysis for the Incorporation that will identify revenues, taxes, assessments, fees and charges that are collected within the proposed boundaries of the City of La Jolla.

Financial Characteristics

As mentioned earlier, Richard Berkson, Principal of Economic & Planning Systems of Sacramento, will be conducting an updated Comprehensive Fiscal Analysis for the Incorporation that will identify revenues, taxes, assessments, fees and charges that are collected within the proposed boundaries of the City of La Jolla and will demonstrate whether the proposed new City is still fiscally viable, as required by State law and LAFCO Policies.



Map of Project Area Exhibit 1.1

MUNICIPAL SERVICE	CURRENT PROVIDER	PROPOSED SERVICE PROVIDER
Administrative/ General	City	New City will assume responsibility
Airport	City/State	City/State (No Change)
Animal Control	City	New City will assume responsibility. Options include: <ul style="list-style-type: none"> • Contract with City / City • Contract with other service provider • Form a City department
Building Inspection	City	New City will assume responsibility. Options include: <ul style="list-style-type: none"> • Contract with the City / City • Contract with a private consultant • Form a City department
Fire Protection and Paramedics	City	City
Flood Control Service	City Water District	City Water District
Land Use and Planning	City/City	New City will assume responsibility. Options include: <ul style="list-style-type: none"> • Contract with the City / City • Contract with a private consultant • Form a City department
Law Enforcement	City Sheriff	New City will assume responsibility. Options include: <ul style="list-style-type: none"> • Contract with City / City • Contract with other service provider • Form a City department
Library	City Library	City (No Change)
Vector Control	City	City (No Change)
Parks and Recreation	City	New City
Road Maintenance, Traffic Enforcement, Engineering, Drainage, Street Sweeping, Etc.	City	New City will assume responsibility. Options include: <ul style="list-style-type: none"> • Contract with the City / City • Contract with a private consultant • Form a City department
Street Lighting	City	City
Schools	City	<i>(TBD Options)</i>
Sewer Service	City	(No Change)
Solid Waste Trash Collection and Disposal	City	New City may choose to franchise garbage collection service
Transit and Paratransit	City/City	City/City (No Change)
Water Service	City of San Diego Water District,	City of San Diego Water District, (No Change)

SECTION 3.0: ENVIRONMENTAL SETTING & BACKGROUND

Environmental Setting

The unincorporated community of La Jolla is located in the southwest of San Diego City. It is a hilly seaside community, occupying 7 miles (11 km) of curving coastline along the Pacific Ocean within the northern city limits. The 2012 estimated population of the 92037 ZIP code was 45,808 while the La Jolla community planning area had an estimated population of 31,746 in 2010. La Jolla is surrounded on three sides by ocean bluffs and beaches and is located 12 miles (19 km) north of Downtown San Diego, and 40 miles (64 km) south of Orange City California. The climate is mild, with an average daily temperature of 70.5 °F (21.4 °C). La Jolla is home to a variety of businesses in the areas of lodging, dining, shopping, software, finance, real estate, bio-engineering, medical practice and scientific research.

The University of California, San Diego (UCSD) is located in La Jolla, as are the Salk Institute, Scripps Institution of Oceanography, Scripps Research Institute, and the headquarters of National University.

The current "Village of La Jolla" or community core is centered at the intersection of Girard and Prospect Avenues. This community core consists of single-family lots and most of the commercial and industrial uses within the community. The community core is characterized by a predominance of small lots, a Village atmosphere, and higher population density than the remainder of the community. In general, the unincorporated lands consist of the following land uses: rural residential estate type development that is either clustered on smaller lots or is located on larger lots, golf clubs, hotels and permanently protected open space.

Background

The desire to incorporate as a new City is not new position for residents or business owner/operators in the community of La Jolla. Incorporation has been considered a couple of times over the past four decades. Although these earlier efforts were not successful, the desire to be self-governing has remained.

In addition to conducting this review for the Incorporation, Independent La Jolla will be preparing a Comprehensive Fiscal Analysis in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) and La Jolla LAFCO policies regarding Incorporations.

Prior to submitting the request for Incorporation of the City of La Jolla, the Proponents evaluated various alternatives to Incorporation and submitted them to LAFCO in September 2005. The Proponents concluded that none of the government structure alternatives evaluated would fulfill the underlying purpose and objectives which they sought and, as a later result, the Proponents filed an application with LAFCO for the proposed Incorporation of the City of La Jolla in 2009.

SECTION 4: CONSISTENCY WITH LAFCO and LOCAL POLICIES

The following discusses the consistency of the proposed Project with the relevant State law, and local and regional plans and policies, specifically the proposed Project's consistency with the following:

- Cortese Knox Hertzberg Act
- LAFCO Incorporation Policies
- LAFCO Agricultural Mitigation Policies
- LAFCO Urban Service Area Policies
- LAFCO Sphere of Influence Policies
- La Jolla Community Plan

Cortese Knox Hertzberg Act (excerpts)

Section 56720: LAFCO shall not approve or conditionally approve any proposal that includes an Incorporation, unless the commission finds based on the entire record, that:

(a) The proposed Incorporation is consistent with the intent of this division, including, but not limited to, the policies of Sections 56001, 56300, 56301, and 56377.

***Section 56001:** LAFCO's mandate is to encourage orderly growth and development, discourage urban sprawl, preserve open space and prime agricultural lands, promote the efficient provision of government services and encourage the orderly formation of local agencies.*

***Section 56300:** It is the intent of the Legislature that each commission, not later than January 1, 2002, shall establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns.*

***Section 56301:** Among the purposes of a commission are discouraging urban sprawl, preserving open-space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances. One of the objects of the commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of each county and to shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities.*

***Section 56377:** In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:*

- Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless the action would not promote the planned, orderly, efficient development of an area.*
- Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be*

encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency.

Consistency Analysis: Consistent with Policy

LAFCO Incorporation Policies (excerpts):

Incorporation Boundaries Policy 3e

An area proposed for Incorporation must be compact and contiguous, and possess a community identity.

Consistency Analysis: Consistent with Policy

Incorporation Boundaries Policy 3f

The proposal boundaries and alternatives shall not create islands or areas that would be difficult to serve.

Consistency Analysis: Consistent with Policy

Incorporation Boundaries Policy 3g

Areas included within the proposed Incorporation boundaries should consist of existing developed areas and land, which are planned for development.

Consistency Analysis: Consistent with Policy

Incorporation Boundaries Policy 3h

Inclusion of agricultural and open space lands within the boundaries of a proposed City is discouraged.

Consistency Analysis:

According to the California Department of Conservation's Important Farmland Map, the Project includes approximately 0 acres of Prime Farmland, 0 acres of Farmland of Statewide Importance, and 0 acres of Unique Farmland. Lands considered "Prime Farmland" include Class I and II soils and meet the Cortese Knox Hertzberg Act's (CKH Act's) definition of "prime agricultural land."

Incorporation Boundaries Policy :

Incorporation boundaries should be drawn so that community based special districts are wholly included within or excluded from the Incorporation area, unless the Commission determines that there is either an overriding benefit to dividing the district or that there is no negative impact from dividing the district.

Consistency Analysis: Consistent with Policy.

SECTION 5: OVERVIEW OF INCORPORATION PROCESS

Key steps of the process for Incorporation include:

- Proponent submits the petition and application for Incorporation to LAFCO
- LAFCO staff prepares preliminary and final Comprehensive Fiscal Analyses review
- LAFCO staff prepares necessary environmental documentation
- The City and the Incorporation proponents negotiate a revenue neutrality agreement
- LAFCO staff conducts required governmental review and develops recommendations
- LAFCO public hearing to consider and approve or deny the proposed Incorporation
- If LAFCO approves the application, the Board of Supervisors will be requested to place the Incorporation on the next Ballot.
- Election by registered voters within the area to be incorporated. A majority vote is required to approve the Incorporation. Secondary vote within City of San Diego.

On a granular level, the overall approach is broken into two phases:

Part I

- Define Alternatives to Secession
- Consult with LAFCO on City Type
- Submit Fiscal Feasibility Plan
- Define Logical Boundaries
- Facilitate Early Discussions with Affected Agencies
- Initial Fiscal Feasibility Review
- Initiation By Petition of Registered Voters (Election fees)
- Formation of Incorporation Proposal
- Submission of Service Plan
- Submission of Revenue Neutrality Plan
- Map and Legal Description of Boundaries
- Municipal Services Review (Police, Animal Control, Fire Protection)

Part II

- LAFCO Staff Analysis of Proposal
- Establish Base Year Costs
- Calculate Property Tax Transfer
- Develop Budget Projections
- Establish Budget Projections: Revenue (Franchise fees, Road related revenue, Transportation tax related revenue)
- Establish Budget Projections: Expenditures
- Determine an appropriations budget
- Determine an appropriations limit
- Effective date and transitions period
- Indicate financial feasibility
- Revenue neutrality process including method of calculation
- Negotiate process of mitigation payments
- Integration of CEQA with the recommendation
- Executive officer's Report of Incorporation process
- State Controller's review of CFA
- Commission hearing and decision
- Elections for Incorporation

SECTION 6: ENVIRONMENTAL CHECKLIST and INITIAL STUDY

This section provides an overview of the environmental setting and an evaluation of potential environmental impacts that could result as a result of the implementation of the Project. Consistent with the requirements of CEQA, the discussion of each resource topic includes a brief setting description to sufficiently characterize existing conditions. The setting discussion is presented from site, local, sub-regional and/or regional perspectives, as appropriate, to capture existing conditions for each environmental topic.

The environmental effects of the Project are defined as changes to the environmental setting that are attributable to the Project, as described herein. Based on the lead agency’s evaluation of those actions outlined in this document, the environmental factors checked below would be potentially affected by the Project.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is still a “Potentially Significant Impact”(after any proposed mitigation measures have been adopted) as indicated by the checklist on the following pages.

- | | | |
|--|----------------------------------|------------------------------------|
| Aesthetics | Agricultural Resources | Air Quality |
| Biological Resources | Cultural Resources | Geology / Soils |
| Hazards & Hazardous Materials | Hydrology / Water Quality | Land Use |
| Noise | Population / Housing | Public Services |
| Recreation / Mineral Resources | Transportation / Traffic | Utilities / Service Systems |

This environmental checklist identifies the potential impacts of the Project, based on actions described in Section 2 of this document. The environmental checklist discussion focuses on the physical direct and indirect changes that the Project would have on existing environmental conditions. Where appropriate, mitigation measures are identified to reduce the identified impact below a level of significance. For this environmental checklist, the following impact classifications are used:

Potentially Significant Impact. Adverse environmental consequence that has the potential to be significant according to the threshold criteria identified for each resource, even after mitigation strategies are applied. This classification also applies to adverse effects that could be significant and for which no mitigation has been identified. If any potentially significant impacts are identified, an Environmental Impact Report (EIR) must be prepared to meet CEQA requirements.

Less than Significant Impact with Mitigation. Adverse environmental consequence that has the potential to be significant, but can be reduced to less-than-significant levels through the application of identified mitigation strategies.

Less than Significant Impact. Adverse environmental consequence that has been identified; however, the level of significance does not meet or exceed the significance threshold for that resource.

No Impact. No adverse environmental consequences have been identified for the resource or the consequences are negligible, undetectable and/or not applicable.

Mitigation measures identified in this IS are characterized as those that have been determined to be feasible and are necessary to reduce the identified impact below a level of significance. Where implementation of more than one mitigation measure is needed to reduce an impact below a level of significance, this is noted and other mitigation measures may be cross-referenced. Mitigation measures described in this IS are required over and above other measures that have been incorporated into the Project Description or regulatory or policy considerations that will reduce the potential for significant environmental effects.

1) AESTHETICS

SETTING

The scenery of the Project area is awe-inspiring and a significant factor in tourism dollars. The local ecology, topography and coastline are known to be of historical significance and of unusual coastal beauty.

Scenic Vistas include:

- Scripps Pier
- The Cove
- Museum of Contemporary Art
- La Valencia
- Mount Soledad
- Salk Institute
- Torrey Pines Gliderport
- Torrey Pines Golf Course
- Bird Rock

Would the Project:

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact.

It is believed that would be no permanent interference with any existing scenic views over time.

b) Impact scenic resources, including but not limited to: trees, rock outcroppings, and historic buildings?

No Impact. According to the California Department of Transportation (Caltrans), there are no state or county designated scenic highways that would be affected by Incorporation. Moreover, there are no rock outcroppings or historic buildings in the vicinity that would be affected. Therefore, the Project would result in no impact to any scenic resources within a state scenic highway. No mitigation is required.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. The existing visual character of the Project area varies by area and is heavily influenced by land uses within each area. The only physical component of the Project with the potential to alter existing visual character is the concept- not delineated of at- or below-grade infrastructure as a future need, and any road resurfacing on selected streets. If a future need, the infrastructure would be out of public view, except for storm drain catch basins and new manholes/other access points to newly installed, below-grade water, sewer, and storm drain pipes. Such catch basins and access points would have a negligible impact upon visual

character/quality. Any road resurfacing would somewhat modify the visual character on affected streets, but such effects could reasonably not be construed as a substantial degradation of visual quality. Overall, any future impacts would be less-than-significant; no mitigation is required.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact. The Project will include below-grade infrastructure improvements and limited road resurfacing. While many of the City's existing roads have streetlights in place, the Project does not propose the addition of streetlights. As a result, the Project does not introduce or propose any new lighting features that would cause a glare or change nighttime/daytime views. Impacts of the Project would be less-than-significant. No mitigation is required.

Regulatory. LAFCO recommends several implementation guidelines in relation to visual quality, landscaping, and design review for the La Jolla community. These specific implementing measures include the following:

Implementing Measure: Develop design guidelines for the La Jolla community which address landscaping, setbacks and scenic preservation along City roads.

Implementing Measure: Explore the applicability of the La Jolla design guidelines to other areas of the county.

Implementing Measure: The new City should continue to prepare environmental assessments which address but are not be limited to natural resource and scenic impact(s) of proposed roadway Projects. These assessments should identify mitigations available to reduce any impacts to a less than significant level. Identified mitigation measures should be incorporated into Project design.

IMPACT DISCUSSION

Would the Project:

a.) *Have a substantial adverse effect on a scenic vista?*

No Impact. Immediately following its organization and prior to performing any other official act, the new City must adopt an ordinance providing that all City ordinances (including the City Zoning Ordinance and all other land use regulations and City General Plan land use designations) previously applicable to the former unincorporated area of the Proposed Incorporation shall remain in full force and effect as ordinances of the City for a period of 120 days after Incorporation, or until the City Council has enacted ordinances superseding the City ordinances, whichever occurs first. As a result, the act of incorporating the City will not involve any change in land use or other development activities that might result in substantial adverse physical impacts on existing scenic vistas or the existing land use pattern within the area of the Proposed

Incorporation.

b.) *Substantially damage scenic resources along a designated state scenic highway?*

No Impact.

c.) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

No Impact.

d.) *Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?*

No Impact. Nighttime lighting is extensively used within the Project area. The Proposed Incorporation involves no physical improvements that would result in any new sources of daytime glare or nighttime lighting. Any future development proposals would be subject to further environmental and design reviews by the City in keeping with the current City/City Zoning Ordinance and all other land use regulations and City General Plan land use designations, it is reasonable to conclude that the Project would not adversely affect any day or nighttime views in the area.

e.) *If subject to ASA, be generally in non-compliance with the Guidelines for Architecture and Site Approval?*

No Impact. The Proposed Incorporation does not involve a formal development application and, therefore, is not subject to the City Guidelines for Architecture and Site Approval. Any future development

proposals would be subject to further environmental and design reviews by the City in keeping with the current City/City Zoning Ordinance and all other land use regulations and City General Plan land use designations.

f.) *If subject to Design Review, be generally in non-compliance with the Guidelines for Design Review Approval?*

No Impact. The Project does not include the construction on any structures that would be subject to City Guidelines for Design Review Approval. Any future development proposals would be subject to further environmental and design reviews by the City in keeping with the current City/City Zoning Ordinance and all other land use regulations and City General Plan land use designations.

g.) *Be located on or near a ridgeline visible from the valley floor?*

No Impact. The area of the Proposed Incorporation is generally located on the Valley floor, and no change in land use is proposed on or near a ridgeline visible from the valley floor. Any future development proposals would be subject to further environmental and design reviews by the City in keeping with the current City Zoning Ordinance and all other land use regulations and City General Plan land use designations.

2) AGRICULTURAL RESOURCES

SETTING

Regulatory. The policies and provisions of the City's General Plan, zoning ordinance and other land use regulations would be formally adopted by the City upon Incorporation. These existing policies support continued agricultural use in the Project area and acknowledge that the remaining supply of highly valuable agricultural lands is not only of great economic importance, but also provides: productive use of lands not intended for urban development,

Land Conservation Act. Under the provisions of the Williamson Act (California Land Conservation Act 1965, Section 51200), landowners contract with the City to maintain agricultural or open space use of their lands in return for reduced property tax assessment. The contract is self-renewing and the landowner may notify the City at any time of intent to withdraw the land from its preserve status. Withdrawal involves a ten-year period of tax adjustment to full market value before protected open space can be converted to urban uses. Consequently, land under a Williamson Act Contract can be in either a renewal status or a non-renewal status. Lands with a non-renewal status indicate the farmer has withdrawn from the Williamson Act Contract and is waiting for a ten-year period of tax adjustment for the land to reach its full market value.

Pursuant to Government Code section 56754, the new City must succeed to the rights, duties and powers of the City in administering any Williamson Act contracts. In 2006, the City revised its policies and practices relating to administering the Williamson Act in order to meet City goals and comply with state statute

FARMLAND IMPACT DISCUSSION

Would the Project:

a.) *Convert farmland to non-agricultural use?*

No Impact.

b.) *Conflict with existing zoning for agricultural use?*

No Impact.

c.) *Conflict with an existing Williamson Act Contract?*

No Impact.

d.) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?*

No Impact.

3) AIR QUALITY

Regulatory. Regulation of air pollution is achieved through both federal and state ambient air quality standards and emission limits for individual sources of air pollutants. An “ambient air quality standard” represents the level of air pollutant in the outdoor (ambient) air necessary to protect public health. As required by the federal Clean Air Act, the Environmental Protection Agency (EPA) has identified criteria pollutants and established National Ambient Air Quality Standards (NAAQS or national standards) to protect public health and welfare. NAAQS have been established for ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), inhalable particulate matter (PM₁₀), fine particulate matter (PM_{2.5}), and lead. These pollutants are called “criteria” air pollutants because standards have been established for each of them to meet specific public health and welfare criteria. Criteria air pollutants of concern in the Project area include ozone, CO, and particulate matter (both PM₁₀ & PM_{2.5}).

Pursuant to the 1990 Federal Clean Air Act Amendments, the EPA classifies air basins (or portions thereof) as “attainment” or “nonattainment” for each criteria air pollutant, based on whether or not the NAAQS had been achieved. Under the federal Clean Air Act Amendments of 1990, ozone nonattainment areas are further classified as marginal, moderate, serious, severe, or extreme, depending upon the severity of peak ozone concentrations in the area. In 1988, the State Legislature passed the California Clean Air Act, which is patterned after the federal Clean Air Act to the extent that areas are required to be designated as “attainment” or “non-attainment”; however, area designations that have been made under the California Clean Air Act correspond to the state standards, rather than the national standards. Thus, areas in California have two sets of area designations: one set with respect to the national standards and another set with respect to the state standards.

Pollutant	Averaging Time	State Status	National Status
Ozone	1-hour	Nonattainment	Not Applicable ¹
	8-hour	Unclassified	Nonattainment ²
Carbon Monoxide	1-hour; 8-hour	Attainment	Attainment ³
Nitrogen Dioxide	1-hour	Attainment	No federal standard
	Annual	No state standard	Attainment
Sulfur Dioxide	24-hour; 1-hour	Attainment	Attainment
PM ₁₀	24-hour	Nonattainment	Unclassified
	Annual	Nonattainment	No federal standard ⁴
PM _{2.5}	24-hour	No state standard	Unclassified
	Annual	Nonattainment	Attainment

Source: BAAQMD 20071

Constituent gases of the Earth's atmosphere called atmospheric greenhouse gases (GHG) play a critical role in the Earth's radiation budget by trapping infrared radiation emitted from the Earth's surface, which would otherwise have escaped into space. Prominent GHG contributing to this process include carbon dioxide (CO₂), methane (CH₄), ozone, water vapor, nitrous oxide (N₂O), and chlorofluorocarbons (CFCs). This phenomenon, known as the "Greenhouse Effect," is responsible for maintaining a habitable climate. Anthropogenic emissions of these GHGs in excess of natural ambient concentrations are responsible for the enhancement of the Greenhouse Effect and have led to a trend of unnatural warming of the Earth's climate, known as global warming or climate change. Global warming is a global problem, and GHGs are global pollutants, unlike criteria air pollutants and TACs, which are pollutants of regional and local concern.

In September 2006, Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 was adopted. AB 32 established regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap on statewide GHG emissions, and it is the first of its kind worldwide. AB 32 applies to major stationary sources of emissions only but acknowledges the urgency of this potential threat to the environment. At the time of writing, no air districts within California, including BAAQMD, have a recommended emission threshold for determining significance associated with GHGs from development Projects.

IMPACT DISCUSSION

Would the Project:

a.) *Conflict with or obstruct implementation of the applicable air quality plan?*

No Impact.

b.) *Violate any air quality standard or contribute substantially to an existing or Projected air quality violation?*

No Impact.

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 that exceed quantitative thresholds for ozone precursors)?*

No Impact.

d.) *Expose sensitive receptors to substantial pollutant concentrations?*

No Impact.

e.) *Create objectionable odors or dust affecting a substantial number of people?*

No Impact.

4) BIOLOGICAL RESOURCES

WOULD THE PROJECT:	IMPACT			
	YES			NO
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
*Questions relating to the California Department of Fish & Game “no effect determination” for the CEQA Filing Fee Exemption are listed in italics.				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.) or tributary to an already impaired water body, as defined by section 303(d) of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law – (conversion/loss of oak woodlands)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with any local policies or ordinances protecting biological resources:				
i) Tree Preservation Ordinance [Section C16]?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Wetland Habitat [GP Policy, R-RC 25-30]?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Riparian Habitat [GP Policy, R-RC 31-41]?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SETTING

Methods. The following information sources were reviewed for this analysis:

Special-Status Species. For the purpose of this analysis, special-status species are those species:

- Listed as threatened or endangered under the ESA and those species formally proposed or candidates for listing;
- Listed as threatened or endangered under California ESA (CESA) or candidates for listing;
- Designated as endangered or rare pursuant to California Fish and Game Code (§1901);
- Designated as fully protected pursuant to California Fish and Game Code (§3511, §4700, §5050);
- Designated as a species of special concern by CDFG;
- Plants listed as rare under the California Native Plant Protection Act or considered by CNPS as List 1A, 1B, 2, or 3 species.

Special-Status Plant Species None noted

Regulatory. The regulations applicable to the protection and conversation of special-status species and sensitive biological resources are outlined below.

Federal Endangered Species Act. The USFWS administers the federal ESA, which provides a process for listing species as either threatened or endangered, and methods of protecting listed species. The ESA defines as “endangered” any plant or animal species that is in danger of extinction throughout all or a significant portion of its known geographic range. A “threatened” species is a species that is likely to become endangered. A “proposed” species is one that has been officially proposed by USFWS for addition to the federal threatened and endangered species list.

Under Section 9 of the ESA, “take” of threatened or endangered species is prohibited. The term “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in such conduct. Take can include disturbance to habitats used by a threatened or endangered species during any portion of its life history. The presence of any federally threatened or endangered species in a Project area generally imposes severe constraints on development, particularly if development would result in “take” of the species or its habitat. Under ESA regulations, USFWS may authorize “take” when it is incidental to, but not the purpose of, an otherwise lawful act.

California Endangered Species Act. CDFG administers CESA, which considers an “endangered” species one whose prospects of survival and reproduction are in immediate jeopardy. A “threatened” species is one present in such small numbers throughout its range that it is likely to become an endangered species in the near future in the absence of special protection or management. A “rare” species is one present in such small numbers throughout its portion of its known geographic range that it may become endangered if its present environment worsens. The rare species designation applies to California native plants. State threatened and endangered species are fully protected against take, as defined above. The term “species of special concern” is an informal designation used by CDFG for some declining wildlife species that are not

state candidates for listing. This designation does not provide legal protection, but signifies that these species are recognized as sensitive by CDFG.

CEQA Guidelines Section 15380. Threatened and endangered species are protected by specific federal and state statutes. In addition, CEQA Guidelines Section 15380 provides that a species not listed on the federal or state lists of threatened or endangered species may be considered rare or endangered under CEQA review if the species can be shown to meet certain specified criteria. This section was included in the CEQA Guidelines primarily to deal with situations in which a public agency is reviewing a Project that may have a significant impact on for example, a “candidate species” that has not yet been listed under FESA or CESA. Therefore, CEQA provides an agency with the ability to protect a species from a Project’s potential impacts until the respective government agency has an opportunity to formally designate the species as protected, if warranted.

California has 111 threatened and endangered animal species, denoted herein as Endangered or Threatened. None are impacted by Project.

Status	<u>Listing</u>
E	Albatross, short-tailed (<u><i>Phoebastria albatrus</i></u>)
T	Beetle, delta green ground (<u><i>Elaphrus viridis</i></u>)
E	Beetle, Mount Hermon June (<u><i>Polyphylla barbata</i></u>)
T	Beetle, valley elderberry longhorn (<u><i>Desmocerus californicus dimorphus</i></u>)
T	Butterfly, bay checkerspot (<u><i>Euphydryas editha bayensis</i></u>)
E	Butterfly, Behren's silverspot (<u><i>Speyeria zerene behrensii</i></u>)
E	Butterfly, callippe silverspot (<u><i>Speyeria callippe callippe</i></u>)
E	Butterfly, El Segundo blue (<u><i>Euphilotes battoides allyni</i></u>)
E	Butterfly, Lange's metalmark (<u><i>Apodemia mormo langei</i></u>)
E	Butterfly, lotis blue (<u><i>Lycaeides argyrognomon lotis</i></u>)
E	Butterfly, mission blue (<u><i>Icaricia icarioides missionensis</i></u>)
E	Butterfly, Myrtle's silverspot (<u><i>Speyeria zerene myrtleae</i></u>)
T	Butterfly, Oregon silverspot (<u><i>Speyeria zerene hippolyta</i></u>)
E	Butterfly, Palos Verdes blue (<u><i>Glaucopteryx lygdamus palosverdesensis</i></u>)
E	Butterfly, Quino checkerspot (<u><i>Euphydryas editha quino</i></u>)
E	Butterfly, San Bruno elfin (<u><i>Callophrys mossii bayensis</i></u>)
E	Butterfly, Smith's blue (<u><i>Euphilotes enoptes smithi</i></u>)
E	Chub, bonytail (<u><i>Gila elegans</i></u>)
E	Chub, Mohave tui (<u><i>Gila bicolor mohavensis</i></u>)
E	Chub, Owens tui (<u><i>Gila bicolor snyderi</i></u>)
E	Condor, California (U.S.A. only) (<u><i>Gymnogyps californianus</i></u>)
E	Crayfish, Shasta (<u><i>Pacifastacus fortis</i></u>)
T	Eagle, bald (lower 48 States) (<u><i>Haliaeetus leucocephalus</i></u>)

E Fairy shrimp, Conservancy (*Branchinecta conservatio*)

E Fairy shrimp, longhorn (*Branchinecta longiantenna*)

E Fairy shrimp, Riverside (*Streptocephalus woottoni*)

E Fairy shrimp, San Diego (*Branchinecta sandiegonensis*)

T Fairy shrimp, vernal pool (*Branchinecta lynchi*)

E Fly, Delhi Sands flower-loving (*Rhaphiomidas terminatus abdominalis*)

E Flycatcher, southwestern willow (*Empidonax traillii extimus*)

E Fox, San Joaquin kit (*Vulpes macrotis mutica*)

T Frog, California red-legged (subspecies range clarified) (*Rana aurora draytonii*)

T Gnatcatcher, coastal California (*Polioptila californica californica*)

E Goby, tidewater Entire (*Eucyclogobius newberryi*)

T Goose, Aleutian Canada (*Branta canadensis leucopareia*)

E Grasshopper, Zayante band-winged (*Trimerotropis infantilis*)

E Kangaroo rat, Fresno (*Dipodomys nitratooides exilis*)

E Kangaroo rat, giant (*Dipodomys ingens*)

E Kangaroo rat, Morro Bay (*Dipodomys heermanni morroensis*)

E Kangaroo rat, San Bernardino Merriam's (*Dipodomys merriami parvus*)

E Kangaroo rat, Stephens' (*Dipodomys stephensi*)

E Kangaroo rat, Tipton (*Dipodomys nitratooides nitratooides*)

E Lizard, blunt-nosed leopard (*Gambelia silus*)

T Lizard, Coachella Valley fringe-toed (*Uma inornata*)

T Lizard, Island night (*Xantusia riversiana*)

T Moth, Kern primrose sphinx (*Euproserpinus euterpe*)

E Mountain beaver, Point Arena (*Aplodontia rufa nigra*)

E Mouse, Pacific pocket (*Perognathus longimembris pacificus*)

E Mouse, salt marsh harvest (*Reithrodontomys raviventris*)

T Murrelet, marbled (CA, OR, WA) (*Brachyramphus marmoratus marmoratus*)

T Otter, southern sea [XN] (*Enhydra lutris nereis*)

T Otter, southern sea (except where XN) (*Enhydra lutris nereis*)

T Owl, northern spotted (*Strix occidentalis caurina*)

E Pelican, brown (except U.S. Atlantic coast, FL, AL) (*Pelecanus occidentalis*)

E Pikeminnow, Colorado (except Salt and Verde R. drainages, AZ) (*Ptychocheilus lucius*)

T Plover, western snowy (Pacific coastal pop.) (*Charadrius alexandrinus nivosus*)

E Pupfish, desert (*Cyprinodon macularius*)

E Pupfish, Owens (*Cyprinodon radiosus*)

E Rabbit, riparian brush (*Sylvilagus bachmani riparius*)

E Rail, California clapper (*Rallus longirostris obsoletus*)

E Rail, light-footed clapper (U.S.A. only) (*Rallus longirostris levipes*)

E Rail, Yuma clapper (U.S.A. only) (*Rallus longirostris yumanensis*)

E Salamander, California tiger U.S.A. (CA - Santa Barbara City) (*Ambystoma californiense*)

E Salamander, desert slender (*Batrachoseps aridus*)

E Salamander, Santa Cruz long-toed (*Ambystoma macrodactylum croceum*)

E Salmon, chinook (winter Sacramento R.) (*Oncorhynchus tshawytscha*)

T Salmon, chinook (CA Central Valley spring-run) (*Oncorhynchus tshawytscha*)

T Salmon, chinook (CA coastal) (*Oncorhynchus tshawytscha*)

T Salmon, coho (OR, CA pop.) (*Oncorhynchus kisutch*)

T Salmon, coho (central CA coast) (*Oncorhynchus kisutch*)

T Sea turtle, green (except where endangered) (*Chelonia mydas*)

E Sea turtle, leatherback (*Dermochelys coriacea*)

T Sea turtle, loggerhead (*Caretta caretta*)

T Sea-lion, Steller (eastern pop.) (*Eumetopias jubatus*)

T Seal, Guadalupe fur (*Arctocephalus Citysendi*)

E Sheep, bighorn (Peninsular CA pop.) (*Ovis canadensis*)

E Sheep, bighorn (Sierra Nevada pop.) (*Ovis canadensis californiana*)

E Shrike, San Clemente loggerhead (*Lanius ludovicianus mearnsi*)

E Shrimp, California freshwater (*Syncaris pacifica*)

E Skipper, Laguna Mountains (*Pyrgus ruralis lagunae*)

T Smelt, delta (*Hypomesus transpacificus*)

E Snail, Morro shoulderband (*Helminthoglypta walkeriana*)

T Snake, giant garter (*Thamnophis gigas*)

E Snake, San Francisco garter (*Thamnophis sirtalis tetrataenia*)

T Sparrow, San Clemente sage (*Amphispiza belli clementeae*)

T Splittail, Sacramento (*Pogonichthys macrolepidotus*)

E Steelhead (southern CA coast) (*Oncorhynchus mykiss*)

T Steelhead (central CA coast) (*Oncorhynchus mykiss*)

T Steelhead (Central Valley CA) (*Oncorhynchus mykiss*)

T Steelhead (south central CA coast) (*Oncorhynchus mykiss*)

E Stickleback, unarmored threespine (*Gasterosteus aculeatus williamsoni*)

E Sucker, Lost River (*Deltistes luxatus*)

E Sucker, Modoc (*Catostomus microps*)

E Sucker, razorback (*Xyrauchen texanus*)

T Sucker, Santa Ana (3 CA river basins) (*Catostomus santaanae*)

E Sucker, shortnose (*Chasmistes brevirostris*)

E Tadpole shrimp, vernal pool (*Lepidurus packardi*)

E Tern, California least (*Sterna antillarum browni*)

E Toad, arroyo (*Bufo microscaphus californicus*)

T Tortoise, desert (outside/taken from Sonoran Desert) (*Gopherus agassizii*)

T Tortoise, desert (U.S.A., except in Sonoran Desert) (*Gopherus agassizii*)

T Towhee, Inyo California (*Pipilo crissalis eremophilus*)

T Trout, Lahontan cutthroat (*Oncorhynchus clarki henshawi*)

T Trout, Little Kern golden (*Oncorhynchus aquabonita whitei*)

T Trout, Paiute cutthroat (*Oncorhynchus clarki seleniris*)

- E Vireo, least Bell's (*Vireo bellii pusillus*)
- E Vole, Amargosa (*Microtus californicus scirpensis*)
- E Whale, blue (*Balaenoptera musculus*)
- E Whale, humpback (*Megaptera novaeangliae*)
- T Whipsnake, Alameda (*Masticophis lateralis euryxanthus*)
- E Woodrat, riparian (*Neotoma fuscipes riparia*)

Sensitive plant species are afforded protection under CEQA through the CNPS inventory of rare, threatened, and endangered plants of California. CNPS is a California resource conservation organization that has developed an inventory of California's sensitive plant species. This inventory summarizes information on the distribution, rarity, and endangerment of California's vascular plants. The inventory is divided into four lists based on the rarity of the species. In addition, CNPS provides an inventory of plant communities that are considered sensitive by state and federal resource agencies, academic institutions, and various conservation groups. The level of sensitivity is determined by the number and size of remaining occurrences as well as recognized threats.

Migratory Bird Treaty Act. The Migratory Bird Treaty Act (MBTA) protects all common wild birds found in the United States (U.S.) except the house sparrow, starling, feral pigeon, and resident game birds such as pheasant, grouse, quail, and wild turkey. Resident game birds are managed separately by each state. The MBTA makes it unlawful for anyone to kill, capture, collect, possess, buy, sell, trade, ship, import, or export any migratory bird including feathers, parts, nests, or eggs. In addition, disturbance to an occupied nest is considered "take" under this act.

California Fish and Game Code - Section 3503 and Section 3511. CDFG administers the California Fish and Game Code. Under Section 3503 of the Code, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird that is protected under MBTA. The Code Section 3503.5 further protects all birds in the orders Falconiformes and Strigiformes, birds of prey such as hawks and owls, and their eggs and nests from any form of take. Code Section 3511 lists fully protected bird species for which CDFG is unable to authorize the issuance of permits or licenses to take these species.

California Oak Woodlands Conservation Act. Recognizing the importance of oak woodlands and the critical role private landowners having in the conservation of oaks, the Legislature created in 2001 the Oak Woodlands Program with the expressed intent of accomplishing the following:

- Support and encourage voluntary, long-term private stewardship and conservation of California oak woodlands by offering landowners financial incentives to protect and promote biologically functional oak woodlands;
- Provide incentives to protect and encourage farming and ranching operations that are operated in a manner that protect and promote healthy oak woodlands;
- Provide incentives for the protection of oak trees providing superior wildlife values on private land, and;
- Encourage planning that is consistent with oak woodlands conservation.

With the passing of the Act, local government agencies must now determine whether or not a Project may result in a conversion of oak woodlands that will have a significant effect. If there may be a significant effect, they must employ one or more of the following mitigation measures: conserving oaks through the use of conservation easements; planting and maintaining an appropriate number of trees either onsite or in restoration of a former oak woodlands (tree planting is limited to half the mitigation requirement); contributing funds to the Oak Woodlands Conservation Fund for the purpose of purchasing conservation easements; or other mitigation measures developed by the county.

IMPACT DISCUSSION

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?*

No Impact.

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 California Department of Fish and Game or US Fish and Wildlife Service?*

No Impact. The Project would not have any direct or indirect adverse effects on local riparian habitat or other sensitive natural communities.

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.) or tributary to an already impaired water body, as defined by section 303(d) of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?*

No Impact. The Project involves no ground disturbing activities or direct removal, fill, or interruption of existing wetland features.

d.) *Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law – (conversion/loss of oak woodlands)?*

No Impact.

e.) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

No Impact.

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?*

No Impact.

g.) *Conflict with any local policies or ordinances protecting biological resources:*

- i) *Tree Preservation Ordinance [Section C16]? ii)*
- Wetland Habitat [GP Policy, R-RC 25-30]? iii)*

Riparian Habitat [GP Policy, R-RC 31-41]?

No Impact

5) CULTURAL RESOURCES

SETTING

Archaeology.

PHASES WITHIN THE LA JOLLA PERIOD

Six millennia of prehistory, after about 6000 B.C., have been assigned to the Archaic Period in the San Diego region. Extreme cultural conservatism or continuity has often been considered to have been one of the most notable characteristics of this period and of the coastal La Jolla Complex. However, several attempts have been made to differentiate chronological phases within the La Jolla Complex:

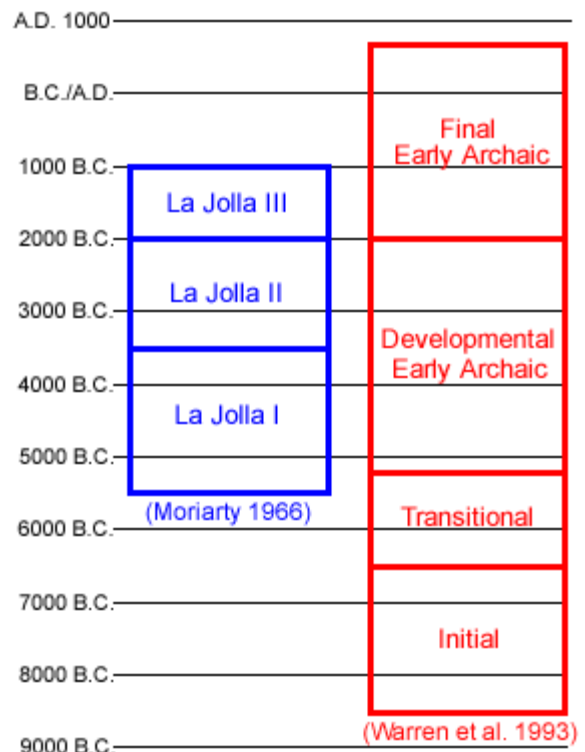
-- Malcolm J. Rogers (1945) proposed two developmental phases, which at various times he designated as La Jolla and Encinitas, Littoral I and II, and La Jolla I and II (Harding 1951). La Jolla II was said to be distinguishable from La Jolla I by an increase in flaked lithic artifacts, an increase in the use of metates, a tendency to segregate burials into cemeteries, and a decrease in the long-headedness (dolichocephaly) of human skulls.

-- Mabel Harding (1951) noted three components at a La Jolla site in Sorrento Valley. The lowest stratum generally lacked groundstone, chopping tools, planes, and Projectile points. The middle stratum contained all of these classes of tools. The upper stratum included somewhat more finely flaked tools and at least one side-notched point.

-- George Shumway, Carl L. Hubbs, and James R. Moriarty, III, (1961:118) questioned the validity of the ways Rogers and Harding had characterized patterns of change during the span of the La Jolla Complex. They noted that the Scripps Estate Site, which was placed early in the La Jolla sequence on the basis of radiocarbon dates, contained an area of concentrated burials and an abundance of flaked stone tools, which were supposed to be characteristics of later phases.

-- Claude N. Warren (1964) also critically evaluated previous La Jolla phase proposals and found little empirical evidence to support them. He did note a few subtle changes in Intermediate-period (post 1000 B.C.) assemblages, including the advent of the mortar and pestle and a slight increase in the frequency of Projectile points.

-- Moriarty (1966) proposed the existence of three distinguishable phases: La Jolla I (ca. 5500-3500 B.C.), La Jolla II (ca. 3500-2000 B.C.), and La Jolla III (ca. 2000-1000 B.C.). The second phase was said to be differentiated from



the first by the presence of drilled and polished stone artifacts (beads, pendants, discoidals, and balls), by the reappearance of Projectile points and varied and well-made bifacially worked tools (present in the earlier San Dieguito complex but not in La Jolla I), and by orientation of burials, their organization into cemeteries, and the general presence of mortuary offerings. La Jolla III was distinguished by the placement of sites at lower elevations and by a well-developed association of food refuse with burials.

-- Warren, Gretchen Siegler, and Frank Ditmar (2008) recognized four early periods: an Initial period (ca. 8500-6200 B.C.), including both San Dieguito assemblages and some La Jolla assemblages; a Transitional period (ca. 6200-5200 B.C.), with both Transitional San Dieguito/La Jolla assemblages and purely La Jolla assemblages; a Developmental Early Archaic period (ca. 5200-2000 B.C.), representing the main florescence of the La Jolla pattern; and a Final Early Archaic period (ca. 2000 B.C. to A.D. 700), with La Jolla assemblages somewhat modified by environmental changes and by Campbell Tradition influences.

PROSPECTS

Future archaeological investigations may be able to test the various proposed changes through time in La Jolla cultural patterns and to discover additional chronologically diagnostic artifacts, features, and other elements. Studies may be able to determine whether changes during the middle Holocene were staggered and gradual, indicating cultural continuity, or whether there were abrupt discontinuities suggestive of ethnic replacement, an influx of additional groups, or general cultural reorganization.

Demographics:

According to U.S. Census Bureau figures, the ethnic/racial makeup of La Jolla is 82.5% White, 0.8% Black, 0.2% American Indian, 11.2% Asian, 0.1% Pacific Islander, 2.0% some other race, and 3.1% two or more races.

Latinos, who may be of any race, form 7.2% of La Jolla's population.

La Jolla had the highest home prices in the nation in 2008 and 2009, according to a survey by Coldwell Banker. The survey compares the cost of a standardized four-bedroom home in communities across the country. The average price for such a home in La Jolla was reported as US\$ 1.842 million in 2008 and US\$ 2.125 million in 2009.

Regulatory. As part of the Incorporation process, the City would adopt existing City General Plan policies, including those intended to minimize the impacts of future development on historical and archaeological resources.

IMPACT DISCUSSION

Would the Project:

a.) *Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 of the CEQA Guidelines?*

No Impact. The Project involves no physical improvements or change to the environment that would carry the potential to result in substantial, adverse changes in the significance of a historical resource.

b.) *Cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the CEQA Guidelines?*

No Impact. As previously indicated, the Project would not include any physical ground disturbance and, therefore, it is reasonable to conclude that the Project would not cause a substantial, adverse change in the significance of a previously recorded or undiscovered archaeological resource.

c.) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

No Impact. The Project does not involve any physical land disturbance and, therefore, it is reasonable to conclude that the Project would not destroy, either directly or indirectly, a unique paleontological resource or site, or geological feature.

d.) *Disturb any human remains, including those interred outside of formal cemeteries?*

No Impact. As previously indicated, no physical impacts are proposed part of the Proposed Incorporation. Upon Incorporation, the City would adopt existing City Ordinance(s), which would include those adopted for the purposes appropriately notifying the City Coroner and the California Native American Heritage Commission.

e.) *Change or affect any resource listed in the City Historic Resources Database?*

No Impact. The Project involves no physical improvements that could result in a change or adverse affect to resources listed in the City Historic Resources Database.

6) GEOLOGY

SETTING

Local Geology.

La Jolla is an area of mixed geology, including sandy beaches and rocky shorelines. The area is occasionally susceptible to flooding and ocean storms, as occurred in January and December 2010.

Mount Soledad is covered with the narrow roads that follow its contours and hundreds of homes overlooking the ocean on its slopes. It is the home of the large concrete Mount Soledad Easter Cross built in 1954, later designated a Korean War Memorial which became the center of a controversy over the display of religious symbols on government property.

The most compelling geographical highlight of La Jolla is its ocean front, with alternating rugged and sandy coast line and wild seal congregations. Popular sandy beaches, dotting the coastline from the south to the north, are:

- Windansea Beach
- Marine Street
- Horse Shoes
- Wipeout Beach
- Children's Pool Beach
- Shell Beach (La Jolla)
- La Jolla Cove
- Boomers Beach
- La Jolla Beach and Tennis Club
- La Jolla Shores
- Scripps
- Black's Beach

Seismicity. The northern Coast Ranges of the State of California contain both active and potentially active faults and is considered a region of high seismic activity. Major active faults in the immediate Project area include the San Andreas, Hayward, and Calaveras Faults. The San Andreas Fault, one of the principle fault features in central California, has generated significant earthquakes in the past, including events in 1836, 1868, 1908, and 1989. Current estimates suggest that the peninsula segment of the San Andreas Fault is capable of producing a moment magnitude 7.2 earthquake resulting a horizontal acceleration of 0.4 g (ABAG 2001). The San Jacinto Fault (the State's second most active fault, which runs through northeast San Diego City) are more than 60 miles away from the more populated parts of the county. This distance, and the lack of recent damaging earthquakes, may lead many residents of the San Diego area to believe that earthquakes are a problem for the rest of southern California. However it may surprise many to know that a major fault, called Rose Canyon, cuts right through the heart of downtown San Diego, through the center of San Diego Bay, and north through La Jolla and northward along the

coast. This should be cause for concern among all citizens in the area.

Soil Resources. The soil is underlain by alluvium, resulting in the formation of deep, fertile soils that facilitate agricultural production. These soils are generally greater than 60 inches in depth and characterized by a low to moderate permeability. Some local soils contain clay minerals that have expansive properties and expand when wet and shrink when dried. Local soils may also have low pH or high sulfate concentration or other chemical characteristics that can create a corrosive environment to uncoated steel or concrete.

Regulatory. The California Building Code is another name for the body of regulations known as the California Code of Regulations (CCR), Title 24, Part 2, which is a portion of the California Building Standards Code (California Building Standards Commission, 2001). Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. Under state law, all building standards must be centralized in Title 24 or they are not enforceable.

Published by the International Conference of Building Officials, the Uniform Building Code is a widely adopted model building code in the United States. The California Building Code incorporates by reference the Uniform Building Code (UBC) with necessary California amendments. About one-third of the text within the California Building Code has been tailored for California earthquake conditions.

IMPACT DISCUSSION *Would the Project:*

a.i.) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

i) *Rupture of a known earthquake fault.*

No impact.

7) HAZARDS AND HAZARDOUS MATERIALS

SETTING

Airports. No Commercial or General Aviation Airports in the Project.

Hazards Materials Regulation. A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. Title 22 of the CCR defines a hazardous material as:

“a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed” (CCR, Title 22, Division 4.5, Chapter 10, Article 2, Section 66260.10).

Hazardous wastes are defined in the same manner. Hazardous wastes are hazardous materials that no longer have practical use, such as substances that have been discarded, discharged, spilled, contaminated, or are being stored prior to proper disposal. According to Title 22 of the CCR, hazardous materials and hazardous wastes are classified according to four properties: toxic, ignitable, corrosive, and reactive (CCR, Title 22, Chapter 11, Article 3).

A limited regulatory agency records search was performed for areas within the Project area. The records search included the CVRWQCB’s List of Spill and Leak Sites (SLIC) (CVRWQCB, 2004a); the CVRWQCB’s List of Leaking Underground Storage Tank (LUST) (CVRWQCB, 2004b); and the State of California’s Cortese list maintained by the California Department of Toxic Substances Control (DTSC). These lists are a compilation of information from various sources listing potential and confirmed hazardous waste and hazardous substances sites in California. The regulatory agency database search (EDR, 2007) conducted for the Project revealed the presence of numerous sites with documented hazardous material concerns on or within the vicinity of the Project study area. The complete EDR Report is available for review at LAFCO’s main office during normal business hours.

Regulatory. The applicable policy framework for this Initial Study discussion topic is contained in the Health and Safety portion of the City’s General Plan and will be carried forward and adopted by the City upon Incorporation:

IMPACT DISCUSSION *Would the Project:*

a.) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

No Impact. The Proposed Incorporation would not involve the increased delivery, storage, or use of hazardous materials. As a result, no impacts are expected.

b.) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

No Impact. The Proposed Incorporation does not include the use, storage, or transport of hazardous materials and/or substances. In this context, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

c.) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?

No Impact. The Proposed Incorporation does not involve the operation of any new facilities that could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school.

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 environment?

No Impact. No impact found.

e.) For a Project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?

No Impact. No impact found.

f.) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No impact. These services would continue to be provided by municipal or contracted staff and, therefore, it is reasonable to conclude that the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

g.) 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?

No Impact. Although the threat of wildland fires exists within the area of the Proposed Incorporation, especially in those areas where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, the Project would not involve the placement of any new structures within a

wildfire hazard zone that were not already contemplated or authorized by the City General Plan or zoning ordinances.

h.) Provide breeding grounds for vectors?

No Impact. The Project does not involve the creation of any ponds or excavation and therefore is not expected to create a new breeding ground for vectors.

i.) Proposed site plan result in a safety hazard (i.e., parking layout, access, closed community, etc.)?

No Impact. No site development is proposed as part of the Project and therefore, the Project would not result in a new safety hazard as a result of parking, access, closed community, etc.

j.) Involve construction of a building, road or septic system on a slope of 30% or greater?

No Impact. The Project does not involve the construction of a building, road or septic system.

k.) Involve construction of a roadway greater than 20% slope for a distance of 300' or more?

No Impact. The Project does not involve the construction of a roadway on a slope of greater than 20 percent for a distance of 300 feet or more.

8) HYDROLOGY

SETTING

Watershed. The Project area within the Peñasquitos Hydrologic Unit (Unit 6.00) of the San Diego Region. This unit is defined in the *Water Quality Control Plan for the San Diego Basin* (1994), referred to as the Basin Plan. As shown in Figure 4.7-1, the Peñasquitos Hydrologic Unit is a triangular shaped area of about 170 square miles extending from Poway to La Jolla. The unit is generally bordered to the north by the San Dieguito River watershed and to the south by the San Diego River watershed. Development within the hydrologic unit consists of a variety of land uses including high density commercial and residential uses in the University and Mira Mesa areas, medium density residential areas, and open space areas such as Los Peñasquitos Canyon, the area around MCAS Miramar, the Del Mar Mesa, and Rose Canyon. The unit is relatively dry with annual precipitation levels ranging from approximately eight inches along the coast to over 18 inches at the inland reaches, with UCSD averaging approximately 10 inches per year.

The Peñasquitos Hydrologic Unit is comprised of five hydrologic areas (HAs) and UCSD is located within three of them: the Miramar Reservoir HA, the Scripps HA, and the Miramar HA. The other two HAs in the unit are the Poway (6.20) and Tecolote (6.50) HAs. Drainage within the unit is unique when compared to typical hydrologic units because of the dramatic difference in direction of drainage. In the northern portion of the unit, drainage within the Miramar Reservoir and Poway HAs flows to Los Peñasquitos Creek and Carmel Valley Creek, which flow westward to the Los Peñasquitos Lagoon and then the Pacific Ocean. In the southern portion of the unit, drainage within the Miramar and Tecolote HAs flows to the southwest to Mission Bay through Rose Creek and Tecolote Creek. Lastly, on the western edge of the unit, within the Scripps HA, the majority of drainage flows directly to the Pacific Ocean through unnamed intermittent coastal canyons or storm drains.

The drainage areas in the Project area can be divided into three general areas: those that drain directly west into the Pacific Ocean (located in the Scripps HA), those that drain to the south to Mission Bay (located in the Miramar HA), and those that drain to the north to Los Peñasquitos Lagoon (located in the Miramar Reservoir HA). The drainage areas located on the UCSD campus and flow direction within those areas are shown in Figure 4.7-2.

Runoff is a term used to describe any water that drains or runs off of a defined land area into a waterway. Runoff can be the result of rain, in which case it is also sometimes referred to as storm water. Runoff can also result from various other sources or activities such as irrigation, hosing down of areas, errant wash water from cleaning, leaks in pipes, and air conditioner condensation. When runoff is not the result of natural precipitation, it is sometimes referred to as non-storm water. This section describes the existing water quality of the runoff that is discharged from UCSD campus as storm water and non-storm water.

IMPACT DISCUSSION *Would the Project:*

a.) *Violate any water quality standards or waste discharge requirements?*

No Impact.

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)?*

No Impact. Incorporation of the area of the Proposed Incorporation is not expected to result in any direct increase in groundwater consumption.

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 that would result in substantial erosion or siltation on- or off-site?*

No Impact. The Project involves no new physical alterations to existing land surfaces and waterways. In this context, it is reasonable to conclude that the Project would not substantially alter existing drainage patterns nor would it require the alteration of a stream or river course in a manner that could result in substantial erosion or siltation either on- or off-site.

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 that would result in flooding on- or off-site?*

No Impact. As previously indicated, the Project involves no new development that would result in alterations to existing drainage patterns. In addition, the Project would involve the adoption of the City General Plan, zoning ordinance and land use regulations which currently discourage urban-forms of development within delineated floodplains. As a result, it is reasonable to conclude that the Project would not result in substantial increases in the rate and amount of new surface runoff in a manner that would result in flooding within or outside the Project area.

e.) *Create or contribute increased impervious surfaces and associated runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

Less than Significant Impact. The Project does not involve any new forms of development that would create or contribute to increased impervious surfaces and associated runoff water, which would exceed the capacity of existing or planned stormwater drainage systems.

f.) *Otherwise substantially degrade water quality?*

No Impact. Given that the Project would not involve any direct impacts to water quality (e. g. construction-related erosion, use of industrial chemicals, etc.) or any reasonably foreseeable indirect impact, the Project would not otherwise substantially degrade existing water quality.

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?

No Impact. The Project will retain existing City General Plan land use designations and zoning ordinance provisions and, therefore, would not result in the construction or placement of new housing within delineated 100-year floodplains. Consequently, no impact is expected.

h.) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?

No Impact. The Project will retain existing City General Plan land use designations and zoning ordinance provisions and, therefore, would not result in the placement of any structures within a waterway or a designated 100-year flood hazard area structures.

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?

No Impact. No significant dam impoundments are located up-stream of the Project area. The Project would not encroach into an existing levee structure.

j.) Be located in an area of special water quality concern (e.g., Los Gatos or Guadalupe Watershed)?

No Impact.

k.) Be located in an area known to have high levels of nitrates in well water?

No Impact.

l.) Result in a septic field being constructed on soil where a high water table extends close to the natural land surface?

No Impact. The Project will retain existing City General Plan land use designations and county ordinance provisions and does not involve the construction of a septic system and/or disposal field.

m.) Result in a septic field being located within 50 feet of a drainage swale; 100 feet of any well, water course or water body or 200 feet of a reservoir at capacity?

No Impact. The Project will retain existing City General Plan land use designations and county ordinance provisions and does not involve the construction of a septic system and/or disposal field

9) LAND

SETTING

Existing Land Use. La Jolla is a coastal residential community which is characterized by a unique topographical identity. Proponents of the Project have stated that their intent is to maintain the residential character of the community after Incorporation. The City's current General Plan generally states that in order to best preserve future options for the La Jolla community and environs, La Jolla should remain a rural community, predominantly non-urban and residential in nature.

IMPACT DISCUSSION *Would the Project:*

a.) *Physically divide an established community?*

No Impact The proposed boundary is consistent with the sphere of influence of the adjacent cities of Del Mar and Pacific Beach and includes all of the unincorporated lands in between the sphere of influence of the two cities. The proposed Incorporation will not physically divide an established community.

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, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

Less than Significant Impact. Since the City's Zoning Ordinance will be adopted by the new City, land use entitlements, which have active conditions of approvals and mitigation measures associated with them, must be enforced by the new City in accordance with the ordinances. The City Zoning Ordinance lays out the process for modifying the permit approval. Because of these requirements, no new environmental impacts associated with the potential alteration of previously adopted mitigation measures and conditions of approval for the Project area are anticipated as a result of Incorporation.

The La Jolla Community Plan include policies to avoid environmental effects such as to avoid encroachment into agricultural land and to minimize land use conflicts between agricultural and urban land uses. The City General Plan and the Zoning Ordinances would be adopted by the new city and no changes in land use or service levels are included as part of this proposed Project. The City upon Incorporation would have the land use jurisdiction to designate future land uses and would have the authority to provide urban type services to lands within its boundaries even though the stated objective of the Incorporation is to maintain the rural residential character of the City.

Any changes that involve conversion of farmlands to non-agricultural uses or that involve provision of new urban services and result in more intensive development could affect adjacent agricultural lands located outside the proposed city's boundaries. However, it is premature and speculative at this time to predict the potential future legislative actions of the new City Council. Any such changes if and when they are proposed, will be subject to CEQA and the environmental analysis for those actions will be conducted by the new City at that time.

10) NOISE

SETTING

Environmental noise is usually measured in A-weighted decibels (dBA). Environmental noise typically fluctuates over time, and different types of noise descriptors are used to account for this variability. Typical noise descriptors include the energy-equivalent noise level (Leq), the daynight average noise level (Ldn), and the Community Noise Equivalent Level (CNEL). The Ldn and CNEL are commonly used in establishing noise exposure guidelines for specific land uses such as airports. In general, a change of 3 dBA is a noticeable change, and a change of 10 dBA is perceived as a doubling of noise.

CEQA does not define what noise level increase would be considered substantial and as general practice, this determination is made by the Lead Agency based on the provisions contained in the Noise Element of their adopted General Plan. Typically, in high noise environments, if the Ldn due to the Project would increase by more than 3 dBA at noise sensitive receptors, the impact is considered significant. Where the existing noise level is lower, a somewhat higher increase (i.e., 5 dBA) can be tolerated before the impact is considered significant.

The City of San Diego has adopted a Noise Element as part of the General Plan and has an adopted noise ordinance which will be transferred to the new City upon Incorporation. The guidelines contained in the Noise Element of the San Diego General Plan state that a new Project should not create noise levels which cause the Ldn at the nearest residential and open space noise sensitive receptors to exceed 55 dBA. Therefore, if noise levels generated by the Project could cause the Ldn at the nearest residential and open space noise sensitive receptors to exceed 55 dB, the impact would be considered significant. In instances where the Project involves the development of a school, library, church, or hospital, a noise level of up to 60 dBA Ldn is considered satisfactory.

IMPACT DISCUSSION *Would the Project:*

a.) 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?

No Impact. The Project would not directly authorize the development of new noise-sensitive land uses. Existing sensitive receptors in the vicinity of the Project area would not experience any changes to the ambient noise environment as a result of the Project when compared to those permitted by existing General Plan and zoning ordinance provisions. The Project would involve the adoption of all City policies related to noise and associated ordinances. As a result, the Project would not expose people to noise levels in excess of standards established in the local general plan or noise ordinance.

b.) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

No Impact. The Project does not entail any ground disturbance or construction activity. As a result, the Project would not expose existing residences or structures to excessive groundborne vibration or groundborne noise levels.

c.) Result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?

No Impact. The Project involves no change in existing land use within the area of the Proposed Incorporation as compared to those permitted by existing General Plan and zoning ordinance provisions. As a result, it is reasonable to conclude that the Project would not result in a substantial permanent increase in the ambient noise environment.

d.) Result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?

No Impact. As previously indicated, the Project would not involve any construction activities or permanent structures that could result in a substantial temporary or periodic increase in ambient noise levels.

e.) For a Project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or private airstrip would the Project expose people residing or working in the Project area to excessive noise levels?

No Impact.

11) POPULATION

SETTING

The California Department of Finance estimates the 2012 population of the City of San Diego to be 1,322,553. San Diego is a major city in California, on the coast of the Pacific Ocean in Southern California, approximately 120 miles (190 km) south of Los Angeles and immediately adjacent to the border with Mexico. San Diego is the eighth largest city in the United States and second largest in California and is one of the fastest growing cities in the nation. San Diego is the birthplace of California and is known for its mild year-round climate, natural deep-water harbor, extensive beaches, long association with the U.S. Navy, and recent emergence as a healthcare and biotechnology development center.

Historically home to the Kumeyaay people, San Diego was the first site visited by Europeans on what is now the West Coast of the United States. Upon landing in San Diego Bay in 1542, Juan Cabrillo claimed the entire area for Spain, forming the basis for the settlement of Alta California 200 years later. The Presidio and Mission of San Diego, founded in 1769, formed the first European settlement in what is now California. In 1821, San Diego became part of newly independent Mexico, and in 1850, became part of the United States following the Mexican-American War and the admission of California to the union.

The city is the seat of San Diego County and is the economic center of the region as well as the San Diego–Tijuana metropolitan area. San Diego's main economic engines are military and defense-related activities, tourism, international trade, and manufacturing. The presence of the University of California, San Diego (UCSD), with the affiliated UCSD Medical Center, has helped make the area a center of research in biotechnology.

Growth Inducement Defined. The CEQA Guidelines (Section 15126.2 [d]) require that a Lead Agency consider whether a proposed Project would have growth inducing effects. The CEQA Guidelines stipulate that such effects may be either direct or indirect. A proposed Project could directly stimulate construction of new housing, population increases, and/or increases in employment in the vicinity of the Project site itself. A proposed Project could also induce growth by removing constraints; for example, a Project that would substantially expand a major wastewater treatment plant might induce additional construction within the plant's service area. According to the CEQA guidelines, it must not be assumed that growth inducement in itself is "necessarily beneficial, detrimental, or of little significance to the environment" (CEQA Guidelines Section 15126.2[d]). Rather, it is the changes in environmental conditions caused by induced growth that have the potential to result in impacts, whether adverse or beneficial and significant or not. For example, a proposed Project might induce population growth that requires construction of new community and public facilities, it is the construction and operation of the new facilities that could result in adverse environmental effects, perhaps to sensitive biological resources or water quality.

Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans provide development patterns and growth policies that guide orderly urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer services, and solid waste services. A Project that would induce "disorderly" growth (i.e., conflict with the local land use plans) could directly or indirectly cause additional adverse environmental impacts and other public services impacts. An example of this would be the redesignation of property planned for

agricultural uses to urban uses, possibly resulting in the development of services and facilities that encourage the transition of additional land in the vicinity to more intense urban uses. Another example would be the extension of urban services to a non-urban site, thereby encouraging conversion of non-urban lands to urban lands.

IMPACT DISCUSSION *Would the Project:*

a.) Induce substantial 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)?

No Impact. The proposed Incorporation of the Village of La Jolla does not involve any change to the existing land use or to the City General Plan or Zoning ordinance which would transfer to the City upon Incorporation. The proposed Project does not involve any new development or provision of any new urban services. Therefore there is no direct growth inducing impact. The City upon Incorporation, would have the land use jurisdiction to designate future land uses and would have the authority to provide urban type services within its boundaries that could have growth inducing impacts. However, it is not possible for CEQA analysis purposes to predict the new city's actions or forecast the actual effects of the actions as it would be premature and speculative at this time. Moreover, any such future city actions will require further CEQA analysis by the new city prior to adoption.

b.) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

No Impact. The Project would not involve the physical removal of any existing residential or commercial structures. In this context, it is reasonable to conclude that the Project would not displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere.

12) PUBLIC SERVICES

SETTING

The following section describes the proposed plan for municipal services which identifies those municipal services that will be provided by the new City of La Jolla, and those municipal services that will continue to be provided by other agencies after Incorporation.

Administrative Services

Administrative and general government services are currently provided by the City of San Diego. After Incorporation, the City of La Jolla will assume responsibility for administrative services, including hiring a City Manager, and all other positions as required by law.

Airport

No Airport in Project area.

Animal Control

Animal control services are currently provided by the San Diego City Animal Care and Control Department. After Incorporation, the City of La Jolla will either have to provide these services or contract with the City or another city or agency for these services

Building Inspection

Building inspection services are currently provided by the City of San Diego. After Incorporation, the City of La Jolla will be responsible for provision of these services. The new City may choose to contract these services out to the City or other cities or provide them directly.

Fire Protection and Paramedics

The proposed City of La Jolla will continue to be served by the City of San Diego Fire District which when necessary contracts with California Department of Forestry (CDF) for fire protection services and staffing.

Land Use and Planning Services

Land use, planning and environmental services are currently provided by the City of San Diego with community organizations in La Jolla maintaining the La Jolla Community Plan. After Incorporation, the City of La Jolla must provide these services either directly or may choose to contract with the City or another city or a private consultant for these services.

Law Enforcement

Law enforcement is currently provided by the City of San Diego Police Department Traffic enforcement is the responsibility of the California Highway Patrol and City of San Diego. After Incorporation, the City of La Jolla will either establish its own police department or contract with the City of San Diego to provide law enforcement services. The new City, or contracted agency, will be responsible for traffic enforcement on city streets after Incorporation.

Library

Currently public library services are provided by the San Diego City Library system with one branch in the Project Area. After Incorporation, the City will continue to provide this service.

Lighting

The City Lighting Service Area provides lighting services areas within the proposed Incorporation boundaries. After Incorporation, the area within the City Lighting Service Area will remain within the CLSA provided specific findings are made by LAFCO.

Road Maintenance, Engineering, Drainage

These services are currently provided by the City of San Diego.

City of San Diego will be responsible for these services. Some of these services may be contracted out to either government or private entities.

Schools

After Incorporation, school district boundaries will not change. School district boundaries and administration are managed by the City Board of Education and area not subject to City/ LAFCO control.

Transit and Paratransit

Transit and paratransit bus and van service in La Jolla is currently provided by the San Diego County Transportation Authority (VTA). After Incorporation, it is expected that transit service will remain the same.

IMPACT DISCUSSION *Would the Project:*

i.) 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:

a.i) Fire Protection?

No Impact. The San Diego City Fire Department currently provides fire protection services to the Project area with three fire district stations serving the area of the Proposed Incorporation. Following the Proposed Incorporation, fire protection services would continue to be provided by the San Diego Fire Department. In addition, the Project would not create new residential or commercial development that could adversely impact existing fire protection service ratios, response times, or other performance objectives.

a.ii) Police Protection?

No Impact. Following the Proposed Incorporation of La Jolla, the City would either contract with the City

Sheriff's Department or a city police department for law enforcement service or establish its own police department. Based on this arrangement, the Project is not expected to result in substantial adverse physical impacts associated with the provision of law enforcement services.

a.iii) *School facilities?*

No Impact. The Proposed Incorporation does not involve any new growth that has not already been included in the existing City General Plan. As a result, the Project is not expected to generate a substantial number of new students and, therefore, no impact is expected.

a.iv) *Parks?*

No Impact. The Project would not generate a substantial number of new residences which could be potentially underserved by existing park facilities.

13) RECREATION/MINERAL RESOURCES

SETTING

Parks. The proposed area of the Proposed Incorporation includes and/or is adjacent to several existing recreational areas. These facilities include

- Whale View Point
- Ellen Browning Scripps Park
- Torrey Pines Park
- Kellogg Park
- Cuvier Park
- Childrens Pool
- Kate O. Sessions Park

Regulatory. The applicable policy framework for this Initial Study discussion topic is contained in the City's General Plan and will be carried forward and adopted by the City upon Incorporation:

Mineral Resources. The California Geological Survey (CGS) classifies the regional significance of mineral resources in accordance with the California Surface Mining and Reclamation Act of 1975 (SMARA). Mineral Resource Zones (MRZ) have been designated to indicate the significance of mineral deposits. The MRZ categories are as follows:

- MRZ-1: Areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence.
 - MRZ-2: Areas where adequate information indicates significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.
 - MRZ-3: Areas containing mineral deposits the significance of which cannot be evaluated from available data.
 - MRZ-4: Areas where available information is inadequate for assignment to any other MRZ.
- No MRZ zones are identified within the area of the Proposed Incorporation.

IMPACT DISCUSSION *Would the Project:*

a.) *Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?*

No Impact. The Project would involve the Incorporation of unincorporated City lands, which would involve the adoption of the City General Plan and the associated land use diagram. In this context, the Project would not affect existing land use patterns and, therefore, it is appropriate to conclude that the Project would not result in the loss of availability of known classified MRZ-2 by the State geologist that would be of value to the region and the residents of the state.

b.) *Result in the loss of availability of a locally-important mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan?*

No Impact. As previously indicated, the Project would not involve any changes to existing land use and therefore, as discussed in (a), the Project would be unlikely to result in the loss of availability of a locally important mineral resource deposit.

c.) 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?

No Impact. The Project does not involve any new forms of residential development beyond that permitted by the City General Plan and zoning ordinance that would result in an unanticipated increase in the local recreational user populations. In this context, it is reasonable to conclude that the Project would not 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. Additional development, impacts to parks and recreational services would be evaluated in the accompanying CEQA analysis.

d.) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. The Project does not include or require the development of any new recreational facilities.

e.) Be on, within or near a public or private park, wildlife reserve, or trail or affect existing or future recreational opportunities?

No Impact.

f.) Result in loss of open space?

No Impact. The proposed Project would not result in loss of open space

14) TRANSPORTATION/TRAFFIC

SETTING

The Project area is served by a roadway network of state highways (including freeways) and county and local roads. Highway 5 serves as the primary north-south regional route to the Project area. It is a hilly seaside community, occupying 7 miles (11 km) of curving coastline along the Pacific Ocean within the northern city limits. The estimated population of the 92037 ZIP code was 45,808 while the La Jolla community planning area had an estimated population of 31,746 in 2010. La Jolla is surrounded on three sides by ocean bluffs and beaches and is located 12 miles (19 km) north of Downtown San Diego, and 40 miles (64 km) south of Orange City California. Other local roadways include Prospect Street, La Jolla Boulevard and Pearl Street.

Regulatory. The applicable policy framework for this Initial Study discussion topic is contained in the City's General Plan.

IMPACT DISCUSSION *Would the Project:*

a.) *Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio, or congestion at intersections)?*

No Impact. Approval of the proposed Incorporation is not expected to generate increased traffic in the immediate Project area beyond that previously authorized by the provisions of the City General Plan and zoning ordinance. Following the Incorporation, traffic volumes would be similar to the existing conditions. As mentioned in Section 1, the City would adopt the City General Plan, which would result in a general continuation of the existing land use pattern. In this context, the Project is not expected to result in any new traffic with respect to worker trips and/or deliveries to and from the Project Area. As a result, given no change in the existing condition, the Project would not impact existing traffic roadway capacities.

b.) *Exceed, either individually or cumulatively, a level of service standard established by the City congestion management agency for designated roads or highways?*

No Impact. As discussed above in (a), the Project would result in a continuation of the existing land use pattern and, thus, is comparable to existing conditions. In this context, it is reasonable to conclude that with no increases in traffic, the Project would not exceed, either individually or cumulatively, City level of service standards.

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?*

No Impact. The Project does not involve use of air transit, nor is it expected to cause any change in air traffic patterns.

d.) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or*

incompatible uses (e.g., farm equipment)?

No Impact. The Project would not include the design of any roadway improvements.

e.) Result in inadequate emergency access?

No Impact. The Project involves no increases in vehicle trips or physical improvements to the roadway system. In this context, the Project would not result in any physical disruptions to existing emergency access.

f.) Result in inadequate parking capacity?

No Impact. The Project involves no construction activities and therefore, no additional parking for workers and equipment would be required. In addition, the Project involves no changes in existing land use, which could indirectly require additional parking.

g.) Conflict with adopted policies, plans, or programs supporting alternative transportation?

No Impact. Local transit and para-transit bus and van service is provided by the City of San Diego. The Project proposes no change in local means of alternative transportation and, therefore, the Project would not create conditions that could conflict with adopted policies supporting alternative transportation.

h.) Not provide safe access, obstruct access to nearby uses or fail to provide for future street right of way?

No Impact. The Project proposes no access improvements and, therefore, the Project would not obstruct access to nearby uses or fail to provide for future street right of way.

15) UTILITIES

SETTING

The Project does not propose any change in the existing service providers or their respective existing levels of service that are currently provided to the Project area.

Sewer Service

Wastewater service is currently provided by the City of San Diego. After Incorporation, no changes are expected to the level of sewer service provided to the area.

Solid Waste Trash Collection and Disposal

The City has a franchise agreement for this area and solid waste trash collection and disposal. After Incorporation, there is the likelihood to enter into a franchise agreement with the existing service provider.

Water Service

Municipal water service is currently provided by the City of San Diego Water District. The ground water supply is managed by the City of San Diego. After Incorporation, there will be no change in water service providers.

Flood Control Service

Flood control service is currently provided by the City of San Diego. After Incorporation, it is expected that the City of San Diego will continue to provide flood control services.

IMPACT DISCUSSION *Would the Project:*

a.) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

No Impact. The Project proposes no changes in existing land uses that could otherwise result in increased demand for wastewater treatment; nor does it include the construction of any new wastewater treatment facilities.

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?*

No Impact. The Project would not result in the construction of additional or new water or wastewater treatment facilities to be served by this Project.

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?*

No Impact. As previously indicated in Section 2, the Project would result in no changes in the existing land use pattern. As a result, the Project would not require additional or expanded storm water conveyance facilities that could cause significant adverse environmental effects.

d.) Require new or expanded entitlements in order to have sufficient water supplies available to serve the Project?

No Impact. As previously indicated in Section 1, the Project would result in no changes in the existing land use pattern. As provided in the Hydrology Section, the Project area generally relies of groundwater supplies to accommodate potable water demands. The City of San Diego is currently responsible for managing the local groundwater basin, and based on the existing supplies available, sufficient water supplies and entitlements exist to serve the Project, which from a functional standpoint resembles existing conditions. Therefore, no new or expanded entitlements would be required to implement the Project.

e.) Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has inadequate capacity to serve the Project's Projected demand in addition to the provider's existing commitments?

No Impact. The Project would not generate any additional demand for wastewater treatment, and therefore, no impact is expected.

f.) Not be able to be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?

No Impact. Implementation of the Project would entail a continuation of existing land use and, therefore, would not generate any more quantities of solid waste than would otherwise be generated under existing conditions.

g.) Be in non-compliance with federal, state, and local statutes and regulations related to solid waste?

No Impact.

SECTION 7: DEFINITIONS

Definitions of Common LAFCO and Planning Terms

LAFCOs use terms from California state law, and the fields of public administration and regional planning. The common terms are listed below. The definitions are intended to help the general reader.

Annexation: The inclusion of territory in a city or special district.

CEQA: California Environmental Quality Act. Pronounced "SEE-kwa".

Change of organization: An alteration of government structure including: city Incorporation, district formation, annexation to or detachment from a city or district, city disIncorporation, district dissolution, city or district consolidation, or merger or establishment of a subsidiary district.

Coastal plan: A local plan prepared by cities and counties lying within the coastal zone and certified by the California Coastal Commission pursuant to the California Coastal Act. Also known as local coastal program (LCP).

Commission: The governing board of a LAFCO.

Community plan: A focused planning policy document that is part of a general plan. The community plan addresses a particular region within the overall planning area of an agency and is adopted in the same manner as a general plan. Also called area plan.

Conducting authority: The legislative body of an affected city, district or county, which is authorized by the Commission to conduct protest proceedings for a change of organization or reorganization. Usually, LAFCO itself will be the conducting authority. Under a few circumstances specified in law, such as district formations, LAFCO will designate another public agency to conduct protest proceedings.

Consolidation: The uniting or joining of two or more cities, or two or more districts located in the same county, into a single new successor city or successor district.

Contiguous: In the case of annexation, territory adjacent to an agency to which annexation is proposed. Territory is not contiguous if the only contiguity is based upon a strip of land more than 300 feet long and less than 200 feet wide.

Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: The collection of state laws that govern the changes of organization of local governments in California. The act begins at Section 56000 of the Government Code. Also known as the Local Government Reorganization Act.

Dependent special district: A special district whose board of directors is another legislative body, such as a city Council or board of supervisors. Also see special district.

Detachment: The exclusion of territory from a city or district.

Disincorporation: The termination of the existence of a city.

Dissolution: The termination of the existence of a district.

Easement: A less-than-fee interest that includes selected rights, or grants the holder the right to prevent certain land uses. A property owner retains ownership and the rights other than those expressly limited by the easement. Easements may be granted for a number of reasons, including access, public utilities, conservation, open-space, and scenic purposes.

Effective date: At the end of the boundary change process, this is the date upon which the boundary change becomes legally effective. For instance, for a municipal annexation, the annexed territory becomes part of the city on the effective date. Then the city's ordinances apply to the annexed territory, and the city provides services to the territory.

Environmental Impact Report: As required by the California Environmental Quality Act, a document prepared by a public agency that examines the potential environmental impacts of a Project and evaluates alternatives to avoid and mitigate impacts.

Environmental Justice: As used in the LAFCO law, environmental justice means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

Extraterritorial service: A situation in which a city or special district is authorized by LAFCO to extend limited services to certain properties outside its boundaries. Also known as out-of-agency service agreements.

Formation: The creation of a district.

General Plan: A document containing a statement of development policies including a diagram and text setting forth the objectives of the plan. The general plan must include certain state mandated elements related to and use, circulation, housing, conservation, open-space, noise and safety

Incorporation: The creation of a city.

Independent special district: A special district that has a directly elected board of directors. Also see special district.

Inhabited territory: Territory within which 12 or more registered voters reside.

Initiating petition: A document signed either by registered voters or landowners that requests LAFCO to consider a boundary change.

Island: Unincorporated territory substantially surrounded by a city, or territory surrounded by a city on one or more sides and the Pacific Ocean on the remaining side.

Lead agency: As used in the environmental review process, the lead agency is the public agency that acts first on a Project and takes the lead in preparing the environmental review document.

Merger: The termination of the existence of a district, and the assumption of the district's responsibilities by a city.

Municipal Services Review: See "Services Review".

Negative Declaration: A document, prepared by a public agency administering the California Environmental Quality Act, stating that a Project would not have a significant effect on the environment.

Prezoning: A zoning designation, formally adopted by a city, that applies to property outside the city limits. Prezoning has no regulatory effect until the property is annexed. Also see zoning.

Prime agricultural land: An area of land that has not been developed for a use other than agriculture and meets certain criteria related to soil classification or crop and livestock carrying capacity.

Principal act: The sections of state law under which authority a district was formed and now operates. The Cortese-Knox-Hertzberg Local Government Reorganization Act provides for formation process, but is not the principal act under which districts operate. An example of a principal act is the Recreation and Park District Law, commencing with Section 5780 of the Public Resources Code.

Principal county: For districts located in more than one county, the county in which all boundary change applications are filed at LAFCO. The principal county is determined to be the county with the largest share of assessed value of taxable property within the district.

Protest proceedings: A process under state law which occurs after LAFCO approval of certain boundary changes and which provides notice to registered voters and property owners within the subject territory and allows for written protest to be filed. Certain thresholds of protest can trigger either an election to be scheduled on the question of the boundary change, or termination of the boundary change.

Redevelopment: A process under which a city or county can utilize increases in property tax revenue to finance capital improvements in an area. Redevelopment agency formations and boundary changes are not subject to LAFCO review.

Reorganization: Two or more changes of organization initiated in a single proposal.

Responsible agency: As used in the environmental review process, a responsible agency is a public agency that considers a Project after a lead agency has prepared an environmental review document and granted

its approval for the Project. The responsible agency uses the environmental review document when considering the Project.

Services review: A LAFCO study conducted for a county, or area of a county, examining all public service needs for the area and recommending actions to promote the efficient provision of public services. Also known as municipal services review.

Special district: A local governmental agency formed pursuant to general law of the state or special act of the Legislature.

Specific plan: A policy statement and implementation tool that is used to address a single Project or planning problem. Specific plans contain concrete standards and development criteria that supplement those of the general plan.

Sphere of influence: A plan, adopted by LAFCO, for the probable physical boundaries and service areas of a city or district.

Sphere of influence amendment: The changing or updating of an adopted sphere of influence.

Sphere of influence designations: Santa Cruz LAFCO has adopted four types of sphere of influence designations:

1. **Coterminous:** A sphere may be designated for a city or special district that is the same as its existing boundaries if there is no anticipated need for services outside the boundaries of the agency, or if there is insufficient information to support inclusion of additional territory within the sphere. Also known as a "status quo" sphere.
2. **Interim:** An interim sphere of influence may be adopted which applies until the agency goes out of existence due to a consolidation, dissolution, reorganization, or merger.
3. **Standard:** A sphere may be designated for an agency that calls for the continued existence of the agency, specifies which services the agency shall provide, and identifies the geographical areas into which the agency is expected to expand or contract.
4. **Zero:** A zero sphere, which includes no territory, may be designated for an agency, usually a special district. A zero sphere assumes that the public service responsibility and function of the agency should ultimately be reassigned to another agency or that the services being provided by the agency should not be a function of a public agency.

Sphere of influence determinations: In establishing a sphere of influence, the Commission must consider and prepare written determinations related to present and planned land uses, need and capacity of public facilities, and existence of social and economic communities of interest.

Sphere of influence time frame: In establishing a sphere of influence, particular emphasis is placed on Projected service demands for the time frames of the land use and public service plans of the affected agencies (e.g., general plans, capital improvement plans, district service plans, etc.) This time period is typically 10-20 years. Also known as the horizon year for the plan or sphere of influence.

Subsidiary district: A district of limited powers for which a city Council is designated as the ex officio board of directors of the district. At least 70% of the district's land area and number of registered voters must be within the city limits for a district to become a subsidiary district.

Substantially developed: Territory not exceeding 100 acres in area which has 75% of its total number of parcels developed, except that the total acreage of the undeveloped parcels shall not be greater than 25% of the total acreage of the territory.

Substantially surrounded: Territory not exceeding 100 acres in area, which is bounded by an incorporated city along 75% of its perimeter

Uninhabited territory: Territory within which fewer than 12 registered voters reside.

Urban service line: A planning boundary established by a city or county that shows the limits of urban development. Also referred to as urban development area, urban development boundary, urban limit line, etc.

Zoning: The primary regulatory instrument for implementing the general plan. Zoning divides a community into districts or "zones" which specify the permitted and prohibited uses.

SECTION 8: STATE LEGISLATURE WRIT

Writ of Incorporation:

If La Jolla does succeed in Electorate by becoming a City via the Special Reorganization process, such an Incorporation will be legally defined as follows:

A BILL to be entitled an Act to incorporate the City of La Jolla in San Diego City; to provide for a charter for the City of La Jolla; to provide for Incorporation, boundaries, and powers of the city; to provide for general powers and limitations on powers; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, expenses, qualifications, prohibitions, and districts relative to members of such governing authority; to provide for inquiries and investigations; to provide for organization and procedures; to provide an effective date; to repeal conflicting laws; and for other purposes.

Special Reorganization (City Detachment and Incorporation)

