

FINDINGS OF FACT
Regarding the Program Environmental Impact Report
for the
City of Oceanside General Plan Update –
Economic Development Element,
Energy and Climate Action Element, and
Climate Action Plan

SCH No. 2017051075
April 2019

SECTION 1: THE PROJECT

I. PROJECT DESCRIPTION

The project includes an amendment to the City of Oceanside (City) General Plan to add two new General Plan elements: an Economic Development Element (EDE) and an Energy-Climate Action Element (ECAE), referred to as the ECAP in the Program Environmental Impact Report (PEIR). The purpose of the EDE is to provide policies that would support economic growth and fiscal sustainability; business expansion, attraction, and retention; and community revitalization within the City. The purpose of the ECAE is to provide a policy framework for reducing energy use within the City, promoting sustainable practices, and implementing greenhouse gas (GHG) reduction and climate action strategies. The ECAE builds on the GHG emission inventories, emissions targets, reduction measures, and implementation actions identified in the proposed Climate Action Plan (CAP), which is included as an appendix to the ECAE. Specifics relating to the goals, policies and implementation measures of the elements are detailed in Chapter 3 of the Final PEIR prepared for the project. A summary follows.

A. General Plan Element

Economic Development Element. EDE policies are presented and organized around four key themes: quality of life, prosperity, resilience, and collaboration (see Final PEIR Sections 3.4.1.1 through 3.4.1.4). Taken together, implementation of EDE policies is intended to promote the City’s economic health in the form of increased commercial activity and employment growth. The EDE includes goals, policies, and implementation measures related to the expansion of business activity and City’s employment base in order to achieve a balance between employment and housing opportunities. Specific goals and policies support

Energy Climate Action Element. The ECAE identifies City-specific measures for achieving the statewide GHG emission reduction targets, provides a framework for the City to effectively implement sustainability measures, and provides environmental review streamlining for future development. ECAE policies and implementation measures are intended to reduce GHG emissions by improving energy efficiency, conserving water, minimizing solid waste, and expanding renewable energy use. The ECAE identifies a number of goals and policies focused around several key themes including renewable energy and

energy efficiency, smart growth and multi-modal transportation, zero waste, water conservation, urban greening, agriculture, and sustainable consumption (see Final PEIR Section 3.4.2.1).

Climate Action Plan. The CAP is the technical document that would implement the policies of the ECAE. The CAP provides an inventory of local GHG emission sources, forecasts growth and associated GHG emissions, and establishes specific GHG reduction targets aligned with state and regional goals. The CAP identifies per capita GHG reduction targets to address energy and water use, transportation, solid waste management, agriculture, and other sources of GHG emissions. The CAP quantifies GHG emissions for the baseline year (2013) and forecasts emissions under three conditions including: (1) the “Business-as-Usual” (BAU) condition, which represents emissions under existing conditions; (2) the “Adjusted Business-as-Usual” (ABAU) condition which accounts for emissions that would result when considering the effects of adopted federal, state, or local GHG reduction measures (also known as “no action taken” scenario); and (3) the “Reduced Forecast,” which accounts for GHG emissions considering existing local regulations and reduction measures proposed within the CAP (see Final PEIR Section 3.4.2.2). The CAP includes reduction measures focused on energy and buildings, water and wastewater, solid waste, transportation and land use, and agriculture and forestry. The reduction measures (detailed in Section 3.0 of the CAP, Final PEIR Appendix D) were primarily selected based on their ability to achieve substantial, long-term GHG emission reductions in a cost-effective manner. Overall, the anticipated emission reductions to be achieved by implementation of existing local regulation and all local reduction measures would be equivalent to 3 percent compared to projected 2020 emissions and by 19 percent compared to projected 2030 emissions.

B. Implementation

Implementation of the EDE would involve a number of actions to achieve the overall economic vision for the City. Land use policies, zoning standards, permitting, and environmental review processes would be evaluated to identify opportunities to incentivize, streamline, and remove impediments to economic growth as envisioned in the EDE. The ECAE identifies a number of policies and recommendations that would require further action by the City to fully implement. Implementation of the ECAE would involve a number of actions to achieve the overall sustainability goals for the City. The ECAE identifies specific future actions that require ordinance amendments and adoption of new standards or other policy amendments in order to fully implement the ECAE (see Final PEIR Section 3.4.3.2).

Implementation of the CAP would occur in multiple phases as shown in Table 18 of the CAP. This table provides a prioritized list of CAP actions with responsible department identified, and timing/phase of implementation.

C. Monitoring and Reporting

Implementation of the EDE would involve ongoing monitoring to track economic and industry trends and to evaluate the effects of implementation of EDE strategies. Certain EDE policies call for monitoring economic trends and reporting information to stakeholders and local businesses. In order to ensure that the City is achieving the GHG reduction goals identified

in the CAP, the project includes monitoring, reporting, and adaptive management. This process would include the tracking of reduction measures, activity indicators (e.g., electricity, natural gas, and water use), and statewide GHG reduction progress.

II. PROJECT OBJECTIVES

The primary purposes, goals, and objectives of the project are:

- Build a robust and balanced local economy that provides a wide range of employment options and expands the City's tax base;
- Reduce barriers to commercial and industrial development, balance employment and housing opportunities, and increase tourism;
- Reduce the City's energy consumption and associated GHG emissions;
- Assist the state in compliance with laws and regulations related to GHG emission reductions (Executive Order S-3-05, Assembly Bill 32, Executive Order B-30-15, and Senate Bill 32);
- Streamline GHG emissions analysis for new developments; and
- Improve the quality of life in the City by promoting health and wellness, aesthetic improvements, and public facilities and services.

III. DISCRETIONARY ACTIONS

All discretionary approvals required from the City to implement the project have been subject to review and approval by the City's Planning Commission and City Council. The current discretionary actions for this project consist of the following:

- Adopt a General Plan Amendment to add the EDE and ECAE General Plan elements
- Certify the PEIR
- Adopt the CAP
- Adopt the Mitigation Monitoring and Reporting Program (MMRP)
- Adopt the Statement of Overriding Considerations

Future discretionary actions required to implement policy measures identified in the CAP, ECAE, and EDE consist of:

- Adoption of new ordinances
- Updates of future General Plan elements
- Updates to Municipal Code regulations

SECTION 2: ENVIRONMENTAL REVIEW PROCESS

The Lead Agency approving the project and conducting environmental review under the California Environmental Quality Act (CEQA; California Public Resources Code §§21000, et

seq.), and the Guidelines promulgated thereunder in California Code of Regulations, Title 14, §§15000 et seq. (CEQA Guidelines), hereinafter collectively CEQA, shall be the City. The City as Lead Agency shall be primarily responsible for carrying out the project. In accordance with CEQA Guidelines Section 15082(a), a Notice of Preparation (NOP), dated May 31, 2017, was prepared for the project and distributed to agencies and members of the public who may have an interest in the project. The purpose of the NOP was to solicit comments on the scope and analysis to be included in the PEIR. Comments on the NOP were submitted by the California Department of Fish and Wildlife, Native American Heritage Commission, San Diego Association of Governments (SANDAG), Climate Action Campaign, and Sierra Club. A copy of the NOP and public comment letters received on the NOP are provided in Appendix A of the Final PEIR.

The Draft PEIR for the project was then prepared and circulated for review and comment by the public, agencies, and organizations for a 45-day public review period that began on January 30, 2019 and ended on March 18, 2019. A Notice of Completion of the Draft PEIR was sent to the State Clearinghouse and the Draft PEIR was circulated to state agencies for review through the State Clearinghouse, Office of Planning and Research (SCH No. 2017051075). A Notice of Availability of the Draft PEIR was filed with the County Clerk. Comments on the Draft PEIR were received from SANDAG, City Bicycle and Pedestrian Committee, Climate Action Campaign, Sierra Club, CleanEarth4Kids, and several individuals. After the close of the public review period, the City provided in the Final PEIR responses in writing to all comments received on the Draft PEIR.

The Final PEIR has been prepared in accordance with CEQA and the State CEQA Guidelines. The City, acting as the Lead Agency, has reviewed and edited as necessary the submitted drafts and certified that the Final PEIR reflects its own independent judgment and analysis under Guideline §15090(a)(3) and CEQA Statute §21082.1(a)-(c).

The Final PEIR addresses the environmental effects associated with implementation of the project. The Final PEIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the project. The Final PEIR addressed the potential significant adverse environmental impacts associated with the project and identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts. The Final PEIR is incorporated by reference into this CEQA Findings of Fact document.

The Final PEIR is the primary reference document for the formulation and implementation of a mitigation monitoring program for the project. Environmental impacts cannot always be mitigated to a level that is considered less than significant. In accordance with CEQA, if a Lead Agency approves a project that has significant unavoidable impacts that cannot be mitigated to a level below significance, the agency must state in writing the specific reasons and overriding considerations for approving the project based on the final CEQA documents and any other information in the public record for the project (CEQA Guidelines §15093).

I. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings of Fact, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOP and all other public notices issued by the City in conjunction with the proposed project;
- The Draft PEIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft PEIR;
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft PEIR;
- All written and verbal public testimony presented during a noticed public hearing for the proposed project at which such testimony was taken;
- The MMRP;
- The Final PEIR for the proposed project;
- The reports and technical memoranda included or referenced in the Responses to Comments and/or in the Final PEIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft PEIR and the Final PEIR;
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings of Fact;
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e);
- All ordinances and resolutions adopted in connection with the project; and
- All project application materials.

II. CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials which constitute the administrative record for the City's actions related to the project are located at the City of Oceanside, Planning Division, 300 N. Coast Highway Oceanside, California 92054. The City Planning Division is the custodian of the administrative record for the project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the offices of the City Planning Division. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

SECTION 3: SUMMARY OF IMPACTS

The Final PEIR Chapters 4.0, 5.0, 6.0, and 7.0 demonstrate, and the City hereby finds, based on the Final PEIR and the Record of Proceedings, that the project would have **less than significant impacts** and require no mitigation with respect to the following issues:

- Land Use
- Agricultural Resources
- Transportation and Circulation
- Aesthetics (scenic vista, visual character, light and glare)
- Greenhouse Gas
- Cultural Resources (archeological resources, human remains, tribal cultural resource)
- Population and Housing
- Utilities and Service Systems

There are no potentially **significant impacts of the project that would be mitigated** to below a level of significance.

Chapter 4.0 of the Final PEIR demonstrates, and Section 4(III) of these Findings of Fact includes the corresponding findings, that the project would result in **significant and unavoidable impacts** to the following:

- Aesthetics (scenic resources)
- Cultural Resources (historical resource)

SECTION 4: FINDINGS OF FACT

I. INTRODUCTION

The CEQA Guidelines require that no public agency shall approve or carry out a project which identifies one or more significant environmental impacts of a project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The findings shall be supported by substantial evidence in the record. The possible findings are:

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

CEQA requires that the Lead Agency adopt mitigation measures or alternatives where feasible to avoid or mitigate significant environmental impacts that would otherwise occur with the implementation of the project. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with another agency (Guidelines §15091(a)(b)). For those significant impacts that cannot be mitigated to a less than significant level, the Lead Agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment (CEQA §21081(b) and Guidelines §15093). If such findings can be made, the Guidelines state in §15093 "the adverse environmental effects may be considered acceptable." CEQA also requires that findings made pursuant to §15091 be supported by substantial evidence in the record (State CEQA Guidelines §15091(b)). Under CEQA, substantial evidence means enough relevant information has been provided (reasonable inferences from this information may be made) to support a conclusion, even though other conclusions might also be reached. Substantial evidence includes facts, reasonable assumptions predicated on facts, and expert opinion supported by facts (State CEQA Guidelines, §15384).

The findings reported in the following pages incorporate the facts and discussions in the Final PEIR for the project as fully set forth therein. The CEQA Guidelines §15091 do not require findings to address environmental impacts that an EIR identifies as not significant or less than significant without mitigation. Section 3 above identifies those issue areas in impacts were found to be less than significant without mitigation.

CEQA Findings under CEQA Guidelines §15091(a)(1) focused on potentially significant effects of a project that can be reduced to a less than significant level with mitigation. However, the Final PEIR did not find any such impacts. Likewise, it is noted that no findings are made pursuant to CEQA Guidelines §15091(a)(2), potentially significant effects of a project that can be reduced to a less than significant but are under the jurisdiction of another agency.

Subsection III focuses on those impacts that, although feasible mitigation is proposed, would remain significant and unavoidable (CEQA Guidelines §15091(a)(3)). Subsection IV below includes findings regarding the reasonable range of alternatives analyzed in the Final EIR.

II. FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

The City, having independently reviewed and considered the information contained in the Final PEIR and the Record of Proceedings pursuant to Public Resource Code §21081(a)(1) and State CEQA Guidelines §15091(a)(1), concludes there are no findings which require adoption under this subsection.

III. FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS FOUND TO REMAIN SIGNIFICANT AND UNAVOIDABLE

The City, having independently reviewed and considered the information contained in the Final PEIR and the Record of Proceedings pursuant to Public Resource Code §21081(a)(3)

and State CEQA Guidelines §15091(a)(3), adopt the following finding for each issue discussed below:

Pursuant to CEQA Guidelines Section 15091(a)(3), specific economic, legal, social, technological, or other considerations may make infeasible the mitigation measures or project alternatives identified in the Final PEIR.

A. Aesthetics (scenic resources)

Description of Potentially Significant Impacts: As described in Section 4.4.4, adoption of the ECAE and CAP could result in impacts to historic resources. As historic resources may be scenic resources, implementation of ECAE and CAP policies could result in a significant impact to scenic resources due to potential changes to scenic historic resources associated with solar photovoltaic installations, energy efficiency upgrades, and other changes to structures supported by the project policy framework that could affect the visual integrity of a historic structure.

Facts in Support of Finding: As described in the Final PEIR, mitigation measure MM-CUL-1 would be required to mitigate potential impacts to historic resources (see Section III.B).

The City finds that implementation of mitigation measure MM-CUL-1 would minimize potential impacts to scenic resources associated with implementation of policy direction provided by the ECAE and CAP; however, because specific locations of physical improvements consistent with the policies related to solar construction projects are unknown at this time. Therefore, at this program-level of analysis impacts would remain significant and unavoidable.

Reference: Final PEIR Section 4.4.

B. Cultural Resources (historical resources)

Description of Potentially Significant Impacts: As described in Section 4.6.3, adoption of the ECAE and CAP could result in impacts to historic resources. implementation of some ECAE and CAP measures could encourage and require physical changes to existing structures as policies and ordinances are implemented require new development projects include renewable energy sources (i.e., rooftop solar panels, wind technology) to offset energy use. These energy upgrades could adversely impact potentially historic structures if solar panels are not appropriately designed and sited with sensitivity to the historical resource. ECAE and CAP policies supporting incentives for energy efficiency measures could also increase the incidence of upgraded window installations that may alter the historic significance of structures.

Facts in Support of Finding: While ECAE Policy 1(b)(vi) would help to reduce impacts associated with the installation of energy efficiency upgrades and/or renewable energy systems for discretionary projects, all projects may not be able to conform. Therefore, the Final PEIR identifies mitigation measure MM-CUL-1, which provides a

framework for future projects that propose installation of solar photovoltaic panels, energy efficiency upgrades such as replacement windows, or other renewable energy technologies on buildings/structures that are in excess of 50 years of age. The framework includes the requirement for pre-construction historical analysis and the design of energy efficiency upgrades to minimize adverse effects to historic resources to the maximum extent practicable.

The City finds that implementation of mitigation measure MM-CUL-1 would minimize potential impacts to scenic resources associated with implementation of policy direction provided by the ECAE and CAP; however, specific locations of physical improvements consistent with the policies related to solar construction projects are unknown at this time. Therefore, at this program-level of analysis impacts would remain significant and unavoidable.

Reference: Final PEIR, Section 4.6.

IV. FINDINGS REGARDING ALTERNATIVES

In accordance with Section 15126.6(a) of the CEQA Guidelines, an EIR must contain a discussion of "a range of reasonable alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives." Section 15126.6(f) further states that "the range of alternatives in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." Thus, the following discussion focuses on project alternatives that are capable of eliminating significant environmental impacts or substantially reducing them as compared to the proposed project, even if the alternative would impede the attainment of some project objectives or would be more costly. In accordance with Section 15126.6(f)(1) of the State CEQA Guidelines, among the factors that may be taken into account when addressing the feasibility of alternatives are: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; and (6) jurisdictional boundaries.

As required in CEQA Guidelines Section 15126.6(a), in developing the alternatives to be addressed in this section, consideration was given regarding an alternative's ability to meet most of the basic objectives of the project. Because the project would result in potentially significant environmental effects related to aesthetics (scenic resource) and cultural resources (historical resource), the City must consider the feasibility of project alternatives that could avoid or substantially lessen these environmental effects while achieving most of the objectives of the proposed project. The project objectives are presented above.

The City, having reviewed and considered the information contained in the Final PEIR and the Record of Proceedings, and pursuant to Public Resource Code §21081(a)(3) and State CEQA Guidelines §15091(a)(3), makes the following findings with respect to the alternatives identified in the Final EIR.

A. Project Alternatives

As required by CEQA, the Final PEIR evaluated a reasonable range of potentially feasible project alternatives. Alternatives already considered but rejected as infeasible are discussed in Section 7.1. As part of that evaluation, the Final PEIR considered an alternative that eliminated policies associated with installation of solar photovoltaic panels (as this is the basis for significant and unavoidable impacts associated with scenic and historical resources). This alternative was rejected from further consideration because it would fail to meet key project objectives relating to the reduction of energy consumption and meeting compliance with state mandated emission reductions. Additionally, state building code requirements related to installation of renewable technologies supersedes the ability of local government to regulate and avoid impacts related to solar panel or other renewable installations on structures, making avoidance of these impacts through City regulation largely infeasible.

The Final PEIR evaluated the following four alternatives and compared the impacts of each alternative to those of the project:

- Alternative 1 – No Project Alternative
- Alternative 2 – 100% Renewable Energy Procurement Alternative

No Project Alternative (Final PEIR Section 7.2)

Alternative Description/Impacts: Consistent with CEQA Guidelines Section 15126.6(e)(3)(A), the No Project Alternative represents the continued implementation of the adopted General Plan without the addition of the EDE or ECAE and without adoption of a CAP. The existing policy framework relative to GHG emissions, sustainability, and economic development would continue as currently exists and no updated policy documents would be adopted.

Facts in Support of Finding: CEQA requires the analysis of this alternative. As discussed in detail in Final PEIR Section 7.2, should the No Project Alternative be implemented, the project's significant impacts associated with aesthetics and cultural resources would still have the potential to occur. GHG emissions, however, would result in incrementally greater impacts compared to the project. This is because although GHG emissions are expected to gradually decrease from present until the year 2030 as a result of federal and state programs, the overall GHG emissions would not be reduced to the same extent as the project (see Appendix C of the CAP, Oceanside Climate Action Plan Technical Methods). In the absence of the policy framework supported by the ECAE and CAP, GHG emissions in the City would be greater under the No Project Alternative. Additionally, none of the project objectives would be attained.

The City finds that, specific economic, legal, social, technological, or other considerations, including that this alternative would not meet any of the project objectives make the No Project Alternative infeasible, and rejects the No Project Alternative on such grounds.

Alternative 2 – 100% Renewable Energy Procurement Alternative (Section 7.3)

Alternative Description/Impacts: The 100% Renewable Energy Procurement (REP) Alternative represents implementation of the project as presented in the Final PEIR including adoption of the ECAE and EDE elements and the CAP, with the addition of a REP Policy that mandates the City to procure 100 percent of local energy from renewable sources by 2030.

Facts in Support of Finding: As discussed in detail in Final PEIR Section 7.3, the project's significant impacts to aesthetics (scenic resources) and cultural resources (historical resources) would be the same under the 100% REP Alternative. Additionally, the 100% REP Alternative would result in incrementally less GHG emissions when compared to the project. This alternative would meet the project objectives while implementing a renewable energy procurement goal that exceeds the standard established by CAP Measure E1 of a 75 percent REP.

This project alternative affects only one policy in the ECAE and CAP related to renewable energy procurement. While this alternative would not reduce any significant impacts of the project, it would further assist the City in achieving its GHG emission targets. As this alternative would be feasible to adopt, decision makers will have to determine whether the proposed project or the 100% REP Alternative would best achieve the objectives of the project.

V. FINDINGS REGARDING OTHER CEQA CONSIDERATIONS

A. Growth Inducement (Chapter 5.0)

Based on the discussion contained in Chapter 5.0, the City finds that the project would not induce population growth in the City. The City anticipates future growth. The ECAE and EDE are intended to ensure that economic growth occurs in an environmentally sustainable manner. The project does not include any changes to the General Plan land use map. Implementation of the EDE, ECAE, and CAP would present a policy framework to support the economic and climate action goals of the City. This policy framework would not result in any population increases and not would result in greater than projected buildout of local land use plans. While implementation of the EDE, ECAE, and CAP could result in employment increases, the proposed policies are intended to improve the historic jobs-housing imbalance that exists within the City, by increasing economic opportunity for those already residing within the City. The EDE, ECAE, and CAP would support policies that seek to concentrate jobs and housing growth into areas that contain supporting commercial services and transit and therefore, would support anticipated economic growth. Overall, the project would not result in any adverse impacts associated with growth inducement.

B. Significant Irreversible Environmental Changes (Section 8.3)

Section 15126.2(c) of the CEQA Guidelines requires an EIR to address any significant irreversible environmental changes that may occur as a result of project implementation. Consistent with the analysis in Final PEIR Section 8.3, the City finds that implementation of the project would not result in significant irreversible impacts to biological resources,

paleontological resources, mineral resources, and water bodies. Natural resource consumption is typically associated with the use of lumber and other forest products, sand and gravel, asphalt, steel, copper, other metals, and water associated with development; however, the project does not authorize any specific development and does not change the General Plan Land Use Map. Implementation of the ECAE and CAP policy framework would provide policy direction to support conservation of energy and water, serving to conserve non-renewable resources.

VI. Statement of Overriding Consideration

Pursuant to Public Resources Code Section 21081(b) and Section 15093 of the State CEQA Guidelines, when the lead agency approves a project that may result in significant effects that are identified in the Final EIR, but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record.

The City has adopted these Findings for the project, which conclude that the project will have significant effects related to scenic and historic resources due to potential installations of renewable technologies or upgrades (e.g., solar panels, window replacements, small wind turbines, etc.) on potentially historic structures. The City finds that these potential impacts are unavoidable even after incorporation of feasible mitigation measures. The City has balanced the project's benefits against these unavoidable significant effects and determined that they are acceptable due to each of the specific economic, legal, social, technological or other benefits listed below which will result from approval and implementation of the project.

A. Overriding Benefits

The City finds that the project would have the following substantial social, environmental and economic benefits. Any one of the reasons for approval cited below is sufficient to justify approval of the project. The City finds that the proposed project would have the following substantial Overriding Benefits:

Installations of renewable technologies or upgrades (e.g., solar panels, window replacements, small wind turbines, etc.) are key actions that are needed in order for the City to achieve goals in the ECAE and the CAP related to energy efficiency and renewable energy generation. Solar photovoltaic installations on existing residences are now commonplace and adoption of the project would further support these installations in order to achieve the goals and policies of the ECAE, CAP, and EDE.

Implementation of the ECAE and CAP would result in improved energy and water efficiency, less reliance on non-renewable energy, fewer vehicle miles traveled (VMT) and more active transportation, preservation of agriculture and open space, increased sequestration of atmospheric carbon dioxide, and other environmental benefits. Support for renewable technologies or upgrades (e.g., solar panels, window replacements, small wind turbines, etc.) on single-family homes is a key component to achieving the energy efficiency and GHG reduction components of the project. Implementation of the project would result in the City's

consistency with state goals for GHG emission reductions (Executive Order S-3-05, Assembly Bill 32, Executive Order B-30-15, and Senate Bill 32).

The significant and unavoidable impacts identified in the PEIR are no greater than the existing condition as renewable technologies and upgrades (e.g., solar panels, efficiency upgrades, etc.) are becoming more and more widespread among homeowners. Allowance for modifications to structures to allow for energy efficiency upgrades and renewable energy technologies are dictated by state requirements and the City does not have the authority to prohibit such installations. The City also understands that technological advancements with regard to efficiency and renewable technologies are likely to evolve over time, becoming more integrated into structures which may reduce the significant and unavoidable aesthetic and historic resource impacts.

The City finds that the significant and unavoidable impacts of the project are acceptable for these reason described herein.