



2.0 INTRODUCTION AND PURPOSE

2.1 PURPOSE

The City of Duarte (City) is the lead agency under the *California Environmental Quality Act (CEQA)* and has determined that a Subsequent Environmental Impact Report (SEIR) is required for an original certified EIR (State Clearinghouse No. 2013041032) for an amendment to the Duarte Station Specific Plan that was approved by the City Council in 2013. This SEIR has been prepared in conformance with *CEQA (California Public Resources Code [PRC] Section 21000 et seq.)*; *CEQA Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.)*; and the rules, regulations, and procedures for implementation of CEQA, as adopted by the City of Duarte. The principal *CEQA Guidelines* sections governing content of this document are Section 15378 (Definition of a Project), Sections 15120 through 15132 (Contents of Environmental Impact Reports), and Section 15162 (Subsequent EIRs and Negative Declarations).

PURPOSE OF THIS SUBSEQUENT EIR

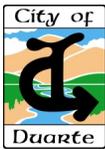
The purpose of this SEIR is to review the existing conditions, analyze potential environmental impacts, and identify feasible mitigation measures to avoid or lessen potentially significant effects of the proposed updated Duarte Station Specific Plan (proposed project, proposed Specific Plan, proposed Specific Plan Amendment).

In accordance with *CEQA Guidelines* Sections 15121 and 15160, the main purposes of this SEIR are to:

- Provide decision-makers and the public with specific information regarding the new environmental effects associated with the revised Duarte Station Specific Plan;
- Identify ways to minimize the new significant effects of the project; and
- Describe reasonable alternatives to the project.

Pursuant to *CEQA Guidelines* Section 15162, a Subsequent EIR must be prepared when an EIR or Negative Declaration has already been adopted for project that has undergone one or more of the following events or changes:

- (1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- (2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
- (3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the ND was adopted, shows any of the following:*



- (4) *The project will have one or more significant effects not discussed in the previous EIR or ND;*
- (5) *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
- (6) *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
- (7) *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

Furthermore, *CEQA Guidelines* Sections 15162 (b-c) state:

If changes to a project or its circumstances occur, or new information becomes available after adoption of a ND, the lead agency shall prepare a subsequent EIR if required under [14 CCR Section 15162(a)]. Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration or an addendum, or no further documentation.

A subsequent EIR or subsequent ND shall be given the same notice and public review as required under CEQA Guidelines Section 15072 or Section 15087. A subsequent EIR or ND shall state where the previous documents are available and may be reviewed.

Mitigation measures are carried forward from the original certified EIR for the Duarte Station Specific Plan that may have been revised based upon the new impact analyses in this Subsequent EIR. In addition, new mitigation measures may have been recommended to address new significant impacts. These mitigation measures may be adopted as conditions of approval to avoid or minimize the significance of impacts resulting from the project. In addition, this EIR is the primary reference document in the formulation and implementation of a final mitigation monitoring program for the proposed Duarte Station Specific Plan.

The City of Duarte (which has the principal responsibility of processing and approving the project) and other public (i.e., responsible and trustee) agencies that may use this SEIR in the decision-making or permit process will consider the information in this SEIR, along with other information that may be presented during the CEQA process. Environmental impacts are not always able to be mitigated to a level considered less than significant; in those cases, impacts are considered significant unavoidable impacts. In accordance with *CEQA Guidelines* Section 15093(b), if a public agency approves a project that has significant impacts that are not substantially mitigated (i.e., significant unavoidable impacts), the agency shall state in writing the specific reasons for approving the project, based on the Final EIR and any other information in the public record for the project. This is termed per *CEQA Guidelines* Section 15093, a “statement of overriding considerations.”

This document analyzes the environmental effects of the project to the degree of specificity appropriate to the current proposed actions, as required by *CEQA Guidelines* Section 15146. The analysis considers the activities associated with the project to determine the short-term and



long-term effects associated with its implementation. This SEIR discusses both the direct and indirect impacts of this project, as well as the cumulative impacts associated with other past, present, and reasonably foreseeable future projects.

PROGRAM EIR

This SEIR continues to be prepared as a Program EIR in accordance with *CEQA Guidelines* Section 15168, which states the following:

- (a) *General. A Program EIR is an EIR, which may be prepared on a series of actions that can be characterized as one large project and are related either:*
 - (1) *Geographically,*
 - (2) *As logical parts in the chain of contemplated actions,*
 - (3) *In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or*
 - (4) *As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.*

- (b) *Advantages. Use of a Program EIR can provide the following advantages. The Program EIR can:*
 - (1) *Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action,*
 - (2) *Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis,*
 - (3) *Avoid duplicative reconsideration of basic policy considerations,*
 - (4) *Allow the Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and*
 - (5) *Allow reduction in paperwork.*

- (c) *Use with Later Activities. Subsequent activities in the program must be examined in the light of the Program EIR to determine whether an additional environmental document must be prepared.*
 - (1) *If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.*
 - (2) *If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.*
 - (3) *An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.*
 - (4) *Where the subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.*



- (5) *A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.*

CEQA Guidelines Section 15168 describes the proper process for Program EIRs, as follows (emphasis added):

Use of the Program EIR also enables the Lead Agency to characterize the overall program as the project being approved at that time. Following this approach when individual activities within the program are proposed, the agency would be required to examine the individual activities within the program to determine whether their effects were fully analyzed in the Program EIR. If the activities would have no effects beyond those analyzed in the Program EIR, the agency could assert that the activities are merely part of the program, which had been approved earlier, and no further CEQA compliance would be required. This approach offers many possibilities for agencies to reduce their costs of CEQA compliance and still achieve high levels of environmental protection.

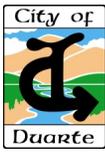
2.2 COMPLIANCE WITH CEQA

2.2.1 EIR SCOPING PROCESS

In compliance with CEQA and the CEQA Guidelines, the City of Duarte has provided opportunities for various agencies and the public to participate in the environmental review process. During preparation of the Draft SEIR, efforts were made to contact various Federal, State, regional, and local government agencies and other interested parties to solicit comments on the proposed project. This included the distribution of a Notice of Preparation (NOP) to various responsible agencies, trustee agencies, and interested parties, in addition to a public scoping meeting held on Monday, March 25, 2019 at the Duarte Community Center located at 1600 Huntington Drive in Duarte. The meeting was held with the specific intent of affording interested individuals, groups, and public agencies a forum in which to provide input pertaining to the environmental effects of the proposed project in an effort to assist in further refining the intended scope and focus of the EIR, as described in the NOP.

Pursuant to CEQA Guidelines Section 15082, the City of Duarte circulated an NOP directly to public agencies (including the Office of Planning and Research's State Clearinghouse), special districts, and members of the public who had requested such notice. The NOP and Initial Study were distributed on March 18, 2019, with the 30-day public review period concluding on April 16, 2019.

The purpose of the NOP was to formally announce the preparation of a Draft SEIR for the proposed project, and as the Lead Agency, the City solicited input regarding the scope and content of the environmental information to be included in the SEIR. The NOP provided preliminary information regarding the anticipated range of impacts to be analyzed within the EIR. The NOP is provided as Appendix A, Notice of Preparation, of this EIR, and NOP comments are provided as Appendix B, Notice of Preparation Comments.



The City of Duarte received nine comment letters from State, regional, and local public agencies and the public:

- State of California, Department of Transportation (Caltrans)
- Gabrieleno Band of Mission Indians - Kizh Nation
- Los Angeles County Metropolitan Transportation Authority (Metro)
- South Coast Air Quality Management District
- Southern California Association of Governments
- County of Los Angeles Fire Department
- County Sanitation Districts of Los Angeles County

The following environmental concerns were raised in response to the NOP (the numerical reference in parenthesis is the EIR section in which the analysis is provided) or the public scoping meeting. The NOP comments are contained in Appendix B. The topics raised during the NOP and scoping meeting process include the following issues.

The NOP comments included, but were not limited to, the following issues of controversy/issues to be resolved:

WRITTEN RESPONSES TO NOTICE OF PREPARATION

County of Los Angeles Fire Department

PLANNING DIVISION

- The Planning Division will reserve comments for the draft SEIR.

LAND DEVELOPMENT UNIT

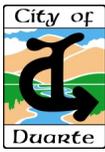
- The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants. These requirements are listed in Appendix B.

FORESTRY DIVISION

- Address potential impacts regarding erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones, archeological and cultural resources, and the County Oak Tree Ordinance.
- If Oak trees are known to exist in the proposed project area, further field studies should be conducted to determine the presence of the species on the project site.

County Sanitation District of Los Angeles County

- The wastewater flow from the proposed project will discharge to a local sewer line, not maintained by the Districts, for conveyance to the Districts' Buena Vista Trunk Sewer, located in Three Ranch Road west of Ducannon Avenue. The Districts' 12-inch diameter trunk sewer has a capacity of 1.7 million gallons per day (mgd) and conveyed a peak flow of 0.6 mgd when last measured in 2015.



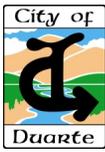
- The wastewater generated by the proposed project will be treated at San Jose Creek Water Reclamation Plan (WRP) located adjacent to the city of Industry, which has a capacity of 100 mgd and currently processes an average flow of 63.9 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the Joint Water Pollution Control Plan in the City of Carson.
- The expected increase in average wastewater flow from the project, described in the notice as 1,400 residential apartments and 112,500 square feet of commercial and office space, is 236,679 gallons per day, after the structure on the project site is demolished.
- The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System for increasing the strength or quantity of wastewater discharged from connected facilities. Payment of a connection fee will be required before a permit to connect to the sewer is issued. Additional information is provided in Appendix B.
- The Districts intend to provide wastewater service up to the levels that are legally permitted.

Gabrieleno Band of Mission Indians – Kizh Nation

- Requested AB 52 consultation.

Los Angeles County Metropolitan Transportation Authority (Metro)

- Include language that requires future development to inform Metro of projects in close proximity to bus stops or other bus facilities that could impact operations. Design outside right lines to be 12 feet wide (or at minimum 11 feet wide) for bus travel.
- Include a provision to require a recorded Noise Easement Deed in favor of Metro prior to completion and/or occupancy of new development along the Gold Line.
- Include a provision to grant Metro review of demolition, development, and construction projects within 100 feet of Metro Gold Line ROW.
- Encourages the City or provide the Metro Adjacent Development Handbook to all development projects adjacent to Metro ROW.
- Use the Transit-Supportive Planning Toolkit as a planning resource.
- Encourages the City to be mindful of the Duarte and City of Hope Station within the plan area and include strategies to orient pedestrian pathways towards the station.
- The Plan should include policies and design standards to accommodate transfer activity between bus and rail customers that will occur along sidewalks and public spaces.
- Encourages installation of wide sidewalks, pedestrian lighting, a continuous canopy of shade trees, enhanced crosswalks with ADA-compliant curb ramps, and other amenities

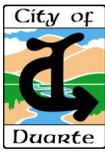


along all public street frontages of the site. Consider requiring the installation of such amenities as part of the conditions of approval of projects within the Plan area.

- Address first-last mile connections to transit, encouraging development that with transit accessible with bicycle and pedestrian-oriented street design connecting transportation with housing and employment centers.
- Consider wayfinding signage as part of the Plan. Any temporary or permanent wayfinding signage with content referencing Metro services or feature the Metro brand and/or associate graphics requires review and approval by Metro Art & Design.
- Metro will need to review any proposals for public art and/or place making facing Metro ROW.
- Encourages analysis of impacts on non-motorized transportation modes and consideration of improved non-motorized access to the Plan area and nearby transit services.
- Incorporate transit-oriented, pedestrian-oriented parking provision strategies.

South Coast Air Quality Management District

- Send SCAQMD a copy of the Draft Subsequent EIR along with all relevant appendices or technical documents upon completion. Additional details are included in Appendix B.
- Recommends using the CEQA Air Quality Handbook as guidance for preparing air quality analysis.
- Recommends that the Lead Agency use the CalEEMod land use emissions software.
- Requests that the Lead Agency quantify pollutant emissions and compare the results to SCAQMD's CEQA regional pollutant emissions significance thresholds to determine air quality impacts.
- Recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs).
- Recommends the Lead Agency perform a localized analysis by either using the LSTs developed by SCAQMD staff or performing dispersion modeling as necessary.
- Identify any potential adverse air quality impacts that could occur from all phases of the proposed project and all air pollutant sources related to the proposed project. Air quality impacts from both construction (including demolition) and operations should be calculated. Air quality impacts from indirect sources should be included in the analysis.
- Recommends, prior to project approval, the Lead Agency consider the impacts of air pollutants on people who will live in a new project and provide mitigation where necessary.



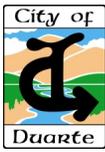
- When specific development is reasonably foreseeable as result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse health risk impacts using its best efforts to find out and a good-faith effort at full disclosure in the CEQA document.
- Because of the proximity to the existing I-210 and a potential source of air pollution, residents at the Proposed Project would be exposed to diesel particulate matter (DPM). Therefore, SCAQMD recommends the Lead Agency conduct a health risk assessment (HRA) to disclose the potential health risks to the residents in the Draft Subsequent EIR.
- Recommends review of the SCAQMD Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning when making local planning and land use decisions.
- In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize these impacts. Any impacts resulting from mitigation measures must also be discussed.
- Recommends building filtration systems as a strategy to reduce exposure. Details about building filtration systems are provided in Appendix B.
- Lists information that should be included, at a minimum, in the Draft Subsequent EIR, provided in Appendix B.
- CEQA requires consideration and discussion of alternatives to the project or its location which are capable of avoiding or substantially lessening any of the significant effects of the project. The Draft Subsequent EIR shall include sufficient information about each alternative, pursuant to CEQA Guidelines Section 15126.6(d).
- In the event that the proposed project requires a permit from SCAQMD, SCAQMD should be identified as a responsible agency for the proposed project.
- SCAQMD provides information and staff to work with the Lead Agency to ensure that project air quality impacts are accurately evaluated, and any significant impacts are mitigated where feasible.

Southern California Association of Governments

- Encourages the use of side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. SCAG goals are provided in Appendix B.
- Recommends reviewing the Final Program Environmental Impact Report (Final PEIR) for the 2016 RTP/SCS for guidance, as appropriate. Additional information about the Final PEIR is included in Appendix B.

State of California, Department of Transportation (Caltrans)

- Requested confirmation of the State Clearinghouse number.



- Senate Bill 743 (2013) has mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects.
- Encouraged the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications.
- Expressed concern about potential traffic conflict at the nearest off-ramps and the weaving areas on I-210 and I-604 in the project vicinity. Traffic analysis should include queuing analysis and weaving analysis.
- When traffic impacts are identified, the Lead Agency may participate in the City of Irwindale traffic impact fee program to mitigate traffic impact on the State facilities.
- Include a discussion of mitigation measures appropriate to alleviate anticipated traffic impacts. Any mitigation involving transit or TDM is encouraged and should be justified to reduce VMT and greenhouse gas emissions.

WRITTEN OR VERBAL COMMENTS FROM SCOPING MEETING

- No written comments were received during the scoping meeting. There were no specific comments about the scope or content of the Draft Subsequent EIR or specific issues that should be included. Most of the discussion and comments from the public centered around the proposed Specific Plan Amendment and the land uses that would be supported by the proposed amendment.

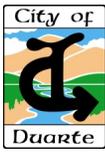
2.2.2 PUBLIC REVIEW OF DRAFT EIR

This Draft EIR is subject to a 45-day review period by responsible and trustee agencies, the public and any interested parties. *CEQA Guidelines* Section 15087 lists optional procedures for noticing, including publication in a newspaper, posting on-site, or mailing to owners of a property or properties contiguous to the site. In accordance with the provisions of *CEQA Guidelines* Sections 15085(a) and 15087(a)(1), the City of Duarte, serving as the Lead Agency shall (1) publish a Notice of Availability (NOA) of a Draft EIR and (2) prepare and transmit a Notice of Completion (NOC) to the State Clearinghouse. Proof of publication is available at the offices of the Lead Agency. Further, an electronic copy of the Draft EIR is available for review on the City's official website (www.accessduarte.com), and printed copies of the Draft EIR are available for review at Duarte City Hall, 1600 Huntington Drive.

Any public agency or members of the public desiring to comment on the Draft EIR must submit their comments in writing to the lead agency indicated on the document's NOC/NOA prior to the end of the public review period. The Lead Agency will evaluate and prepare responses to all relevant written comments received from both citizens and public agencies during the public review period.

2.2.3 FINAL EIR

The Final EIR will consist of the Draft EIR, revisions to the Draft EIR (if any), responses to all written comments, and the mitigation monitoring and reporting program. At least 10 days prior



to the certification hearing, responses to the comments made by public agencies on the Draft EIR will be provided to the commenting agencies.

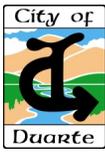
2.3 FORMAT OF THE EIR

The Draft EIR is organized into the following sections and appendices:

- Section 1.0, Executive Summary, provides a brief project description and summary of the environmental impacts and mitigation measures.
- Section 2.0, Introduction and Purpose, provides CEQA compliance information.
- Section 3.0, Project Description, provides a detailed project description indicating project location, background, and history; project characteristics, phasing, and objectives; as well as associated discretionary actions required.
- Section 4.0, Basis for the Cumulative Analysis, describes the approach and methodology for the cumulative analysis.
- Section 5.0, Environmental Analysis, contains a detailed environmental analysis of the existing conditions, potential project impacts, recommended mitigation measures, and possible unavoidable adverse impacts for a number of environmental topic areas.
- Section 6.0, Alternatives to the Proposed Action, describes a reasonable range of alternatives to the project or to the location of the project that could avoid or substantially lessen the significant impact of the project and still feasibly attain the basic project objectives.
- Section 7.0, Other CEQA Considerations, discusses growth-inducing impacts associated with the proposed project; significant environmental changes that would be involved with the proposed project, should it be implemented; significant irreversible environmental changes that would be involved with the proposed project, should it be implemented; and energy efficiency pursuant to CEQA Guidelines Appendix F.
- Section 8.0, Effects Found Not to Be Significant, provides an explanation of potential impacts that have been determined not to be significant.
- Section 9.0, Significant Environmental Effects Which Cannot Be Avoided if the Proposed Action Is Implemented, describes those impacts that remain significant and unavoidable following mitigation.
- Section 10.0, References, identifies the Lead Agency and preparers of the EIR, as well as organizations and individuals consulted.

The following appendices contain technical documentation of the analysis:

- A: Notice of Preparation
- B: Notice of Preparation Comments
- C: Utilities Documentation and Water Supply Assessment
- D: Traffic Impact Analysis



- E: Air Quality/Greenhouse Gas Emissions Data
- F: Noise Data
- G: Hazardous Materials Documentation
- H. Hydrology and Water Quality
- I. Cultural Resources Data
- J. Plan Set for The Residences at Duarte Station
- K. Conceptual Drawings for the Duarte Intergenerational Housing Project

2.4 RESPONSIBLE AND TRUSTEE AGENCIES

Certain projects or actions undertaken by a Lead Agency require subsequent oversight, approvals, or permits from other public agencies in order to be implemented. Such other agencies are referred to as Responsible Agencies and Trustee Agencies, defined the *CEQA Guidelines* Sections 15381 and 15386.

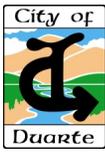
Responsible and Trustee Agencies that may use this EIR in their decision-making process include, but may not be limited to, the following:

- California Department of Toxic Substances Control (DTSC)
- California Department of Transportation (Caltrans)
- County of Los Angeles
- Duarte Unified School District
- Los Angeles County Fire Department
- Los Angeles County Sheriff's Department
- County Sanitation Districts of Los Angeles County (LACSD)
- Los Angeles County Metropolitan Transportation Authority (METRO)
- South Coast Air Quality Management District (SCAQMD)
- Los Angeles Regional Water Quality Control Board (RWQCB)
- California Public Utilities Commission (CPUC)

2.5 INCORPORATION BY REFERENCE

Pertinent documents relating to this EIR have been cited in accordance with *CEQA Guidelines* Section 15150, which encourages incorporation by reference as a means of reducing redundancy and length of environmental reports. The following documents are hereby incorporated by reference into this EIR. Information contained within these documents has been utilized for each section of this EIR. These documents are available for review at the City of Duarte Community Development Department, located at 1600 Community Drive, Duarte, California 91010.

- *City of Duarte Comprehensive General Plan 2005-2020 (General Plan)*, August 14, 2007. The Duarte General Plan assesses and plans future uses for all property within the planning area. The General Plan establishes what the residents and businesses of Duarte want to preserve and achieve. The General Plan includes the following elements:
 - Safety
 - Open Space and Conservation
 - Noise
 - Land Use



- Housing (included the 2008-2014 Housing Element)
 - Historic Preservation
 - Economic Development
 - Circulation
- *Duarte General Plan Update EIR (General Plan EIR)*, August 2007. The EIR for the 2005-2020 General Plan analyzed potential environmental impacts associated with buildout of the City in accordance with the General Plan. The General Plan EIR assumes growth in residential, retail, office, and research and development uses over 2005/2006 conditions, as follows:
- 726 residential dwelling units
 - 248,744 square feet of retail uses
 - 50,000 square feet of office uses
 - 360,000 square feet of research and development uses

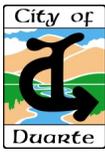
The General Plan EIR concluded that the following impacts could not be feasibly mitigated and would result in a significant unavoidable impact associated with implementation of the General Plan Update:

Air Quality

- Mobile and Stationary Source Emissions (Reactive Organic Gases)
- Short-Term Cumulative Impacts
- General Plan Buildout Cumulative Impacts

The City Council adopted a Statement of Overriding Considerations for these impacts on August 14, 2007. Both the Statement of Overriding Considerations and the Statement of Facts and Findings are referenced in Resolution No. 07-22.

- *City of Duarte Municipal Code* (current through Ordinance 891, passed May 14, 2019) (*Municipal Code*). The Municipal Code consists of regulatory, penal, and administrative ordinances of the City. It is the method the City uses to implement control of land uses, in accordance with General Plan goals and policies. The Development Code (Title 19 of the Municipal Code) identifies land uses permitted and prohibited according to the zoning category of particular parcels and establishes the development standards and regulations for each zone. The Building Laws (Title 16 of the Municipal Code) specify rules and regulations for construction, alteration, and building for uses of human habitation.
- *Housing Element Update 2014-2021*. The City of Duarte *Housing Element Update 2014-2021* was adopted in February 2014. Every jurisdiction in California is required to adopt a long-range General Plan to guide its physical development; the Housing Element is one of the seven mandated elements of the General Plan. Housing Element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. Duarte's *2014-2021 Housing Element* identifies strategies and programs that focus on:
- Preserving and improving housing and neighborhoods;
 - Removing governmental and other constraints to housing investment;
 - Promoting fair and equal housing opportunities;



- Assisting in the provision of affordable housing; and
 - Providing adequate housing sites.
- *Original Duarte Station Specific Plan EIR* amending the General Plan, November 2013. The EIR assumed the following development in the Specific Plan Area:
- 12.06 acres Mixed Use
 - 0.81 acre Station Plaza Mixed Use
 - 2.55 acres High Density Residential
 - 0.80 acre Roads
 - 2.86 acres Recreation/Open Space

With a proposed development scenario of:

- 475 residential dwelling units
- 400,000 square feet of retail uses
- 12,000 square feet of office uses
- 250-room hotel

The EIR concluded that the following impacts could not be feasibly mitigated and would result in a significant unavoidable impact:

Aesthetics

- Long-term visual character/quality

Traffic

- Project-specific and cumulative impacts on Intersections by the year 2020

Air Quality

- Long-term operational emissions due to Reactive Organic Gases (ROGs)
- Consistency with applicable Air Quality Plan for ROGs
- General Plan Buildout Cumulative Impacts for ROGs

Noise

- Short-term construction impacts

The City Council adopted a Statement of Overriding Considerations for these impacts on December 10, 2013.



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