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## 4.10 LAND USE AND PLANNING

Would the Proposed Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) 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, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

### 4.10.0 Introduction

This section describes existing land uses in the vicinity of the San Diego Gas & Electric Company (SDG&E) Tie Line (TL) 649 Wood-to-Steel Replacement Project (Proposed Project) and analyzes potential land use impacts that may result from construction, operation, and maintenance of the Proposed Project. The Proposed Project will not result in any impacts to existing or proposed land uses, nor will the Proposed Project physically divide an established community. Based on SDG&E's current and ongoing coordination efforts with local agencies, the Proposed Project will be compatible with applicable land use plans and policies. Therefore, there will be no impact to land use and planning as a result of the Proposed Project.

### 4.10.1 Methodology

This land use analysis involves a review of various city, county, and regional land use plans, policies, and regulations that are applicable within the Proposed Project area. A review of applicable general plans and specific plans for the County of San Diego, City of San Diego, and City of Chula Vista was conducted. Plans that were developed and are currently implemented by SDG&E—such as the Subregional Natural Community Conservation Plan (NCCP) and the Low-Effect Habitat Conservation Plan (HCP) for the Quino Checkerspot Butterfly (QCB)—were also reviewed, as were the San Diego Multiple Species Conservation Program (MSCP) for the area and the local plans that implement it. Other regional plans considered in the analysis include the San Diego County Regional Comprehensive Plan (RCP) and the Otay Valley Regional Park Concept Plan. Land use-related geographic information system (GIS) data was obtained from the County of San Diego, as well as the City of San Diego and City of Chula Vista.

## 4.10.2 Existing Conditions

### Regulatory Background

The following subsections describe federal, state, and local regulations regarding land use and planning that are relevant to the Proposed Project. Pursuant to Article XII, Section 8 of the California Constitution, the California Public Utilities Commission (CPUC) has exclusive jurisdiction, in relation to local government, to regulate the design, siting, installation, operation, maintenance, and repair of electric power line facilities. Although local governments do not have the power to regulate activities related to electric power line facilities, the CPUC encourages, and SDG&E participates in, cooperative discussions with affected local governments to address their concerns where feasible. As part of the environmental review process, SDG&E has considered relevant land use plans, policies, and issues, and has prepared this evaluation of the Proposed Project's potential impacts to land use and planning.

#### *Federal*

There are no federal lands located within the Proposed Project area or in the vicinity of the Proposed Project; therefore, there are no federal regulations related to land use that are relevant to the Proposed Project.

#### *State*

##### *Natural Community Conservation Plan*

The NCCP Act of 1991 is designed to conserve natural communities at the ecosystem scale while accommodating compatible land uses. The California Department of Fish and Wildlife (CDFW) is the principal state agency implementing the NCCP program. The SDG&E Subregional NCCP developed in 1995 and revised in 2004 and the SDG&E Low-Effect HCP for the QCB are relevant to the Proposed Project and are discussed further in Section 4.4 Biological Resources.

#### *Regional*

##### *Final Multiple Species Conservation Plan*

Under the NCCP Act of 1991, an MSCP has been developed for southwestern San Diego County in order to protect 85 species in the area. The MSCP was approved in 1997 and is the result of a joint planning effort between the County of San Diego and the cities in the southwestern part of the County, including San Diego and Chula Vista. The County of San Diego, City of San Diego, and City of Chula Vista have each adopted subarea plans that conform to and implement the MSCP requirements. The City of San Diego and the City of Chula Vista MSCP subarea plans are further discussed in the sections that follow.

##### *SANDAG Regional Comprehensive Plan*

The San Diego Association of Governments (SANDAG) is a regional planning organization consisting of San Diego County and its 18 cities. Responsible for regional population growth planning as well as transportation planning, SANDAG produced the area's RCP in 2004 to address San Diego's regional growth, while preserving natural resources and limiting urban sprawl. The RCP provides the region's vision for accommodating additional population growth

from 2000 to 2030, establishes a policy framework to address key regional issues, and creates a public investment strategy for regionally significant infrastructure.

#### *Otay Valley Regional Park Concept Plan*

The County of San Diego and the cities of San Diego and Chula Vista adopted the Otay Valley Regional Park Concept Plan after a multi-year planning effort to coordinate an inter-jurisdictional approach to park and recreational planning for the area. The plan calls for a regional park to extend from the salt ponds on the coast, through the Otay River Valley, to Upper and Lower Otay Lakes. The goal of the Otay Valley Regional Park Concept Plan is to provide policy direction to the three jurisdictions for the acquisition of properties and development of a regional park. The plan also provides for a regional trail system to be developed along the river, as well as viewpoints, recreational areas, and two interpretive centers. The plan calls for sensitive areas within the boundaries established by the San Diego MSCP to be designated as Open Space/Core Preserve Areas. Efforts toward implementation of this plan have been made by the cooperating jurisdictions, including the partial development of a trail system and a large acquisition of open space by San Diego County. The portions of the regional trail system that have been developed are outside of the Proposed Project area, but the land acquired for open space by the County is located immediately south and west of the Proposed Project.

#### *Brown Field Municipal Airport Land Use Compatibility Plan*

Adopted in 2010 by the San Diego County Regional Airport Authority, the Brown Field Municipal Airport Land Use Compatibility Plan (ALUCP) addresses land uses in the areas surrounding the airport, including the area in the vicinity of the Proposed Project, which is located approximately 0.8 mile north of Brown Field's runway. The ALUCP defines noise and safety zones around the airport and was established for the purpose of evaluating land use actions that could interfere with air traffic. The Proposed Project is located within Safety Zone 6 – Traffic Pattern Zone, and is also located within the Federal Aviation Authority (FAA) Height Notification Boundary. Per the ALUCP requirements, coordination with the FAA is required prior to construction of the Proposed Project due to its proximity to the Brown Field Municipal Airport. Because some of the steel poles—which will be up to approximately 90 feet tall and are located within one mile from the airport—will exceed the one-to-100 ratio required by Title 14, Section 77.9 of the Code of Federal Regulations for airspace and navigation, SDG&E consulted with the FAA. The FAA conducted an obstruction evaluation and determined that there is no need for lighting or marking on the poles.

#### ***Local***

Because the CPUC has exclusive jurisdiction over the siting, design, and construction of the Proposed Project, the Proposed Project is not subject to local discretionary land use regulations. The following discussion of the local regulations relating to land use and planning is provided for informational purposes. As outlined in the following subsections, the construction and operation of the Proposed Project will not conflict with any environmental plans, policies, or regulations adopted by agencies with jurisdiction over local regulations related to land use and planning.

The Proposed Project travels through three local jurisdictions—the County of San Diego, the City of San Diego, and the City of Chula Vista. Relevant land use plans for the three jurisdictions are described in the following subsections.

### *San Diego County*

#### County of San Diego General Plan

The County of San Diego's General Plan provides a framework for land use planning in the unincorporated areas of the County. The Land Use Element of the General Plan designates land uses and contains policies relevant to the Proposed Project. The intent of the Land Use Element is to provide a framework to guide the location, character and intensity of land uses in the unincorporated areas of the County. The eastern portion of the line between pole locations 79 and 117 is located within unincorporated San Diego County.

General Plan-designated land uses that are crossed by the Proposed Project include Open Space (Conservation), Public/Semi-Public Facilities, and Specific Plan Area (East Otay Mesa Business Park Specific Plan). Open Space (Conservation) areas are large, undeveloped tracts of land that are owned by a public entity or conservation group. This area has been acquired by the County for the purpose of developing the Otay Valley Regional Park, in coordination with the cities of San Diego and Chula Vista. Allowed uses are limited to habitat preservation, passive recreation, and reservoirs. The Public/Semi-Public Facilities designation allows major facilities to be built and maintained for public use, and the East Otay Mesa Business Park Specific Plan specifies uses that are allowed in the Specific Plan Area. The County of San Diego General Plan allows for the development of utility infrastructure, provided that it is compatible with the community's character and minimizes visual and environmental impacts. The relevant General Plan land use policies are listed in Attachment 4.10-A: Policies Consistency Analysis.

#### East Otay Mesa Business Park Specific Plan

The intent of the East Otay Mesa Business Park Specific Plan is to promote the development of large-scale industrial uses and a business district. Within this plan, the land uses surrounding the Proposed Project are designated as Technology Business Park. The purpose of this designation is to encourage the development of manufacturing operations and office space that accommodates research and development related to advanced technologies, such as defense and aerospace, communications, computer technology, and medical research. Relevant goals from this plan are described in Attachment 4.10-A: Policies Consistency Analysis.

#### County of San Diego Multiple Species Conservation Program Subarea Plan

The County of San Diego MSCP Subarea Plan applies to unincorporated lands in the Proposed Project area. The MSCP Subarea Plan designates lands in the vicinity of the Proposed Project as Public Lands and Dedicated Private Open Space. These lands are part of the Otay Valley Regional Park.

#### San Diego County Zoning Ordinance

The County of San Diego's Zoning Ordinance implements the General Plan for parcels located in unincorporated areas. The Proposed Project crosses lands that are zoned by the County of San Diego as Open Space, Holding Area, and Specific Planning Area (East Otay Mesa Business Park

Specific Plan). Electrical power lines and poles are considered Essential Services, and are considered Permitted Uses in all three zones. Figure 4.10-1: Generalized Zoning Categories shows the designated zoning for properties within 1,000 feet of the Proposed Project, which are summarized in Table 4.10-1: Generalized Zoning Categories.

**Table 4.10-1: Generalized Zoning Categories**

<b>General Zoning Categories</b>	<b>Approximate Distance Crossed by Proposed Project (Miles)</b>
Open Space	0.9
Agricultural	0.7
Residential-Agricultural	0.2
Holding Area	0.7
Specific Planning Area	0.7
Planned Community	4.0
<b>Total</b>	<b>7.3</b>

Sources: SanGIS, 2014b

To support the Proposed Project, one of the two temporary construction staging yards will be located on land within the unincorporated County. The Otay Staging Yard will be located on approximately four acres of property currently used as a wrecking yard. This property is located southeast of Otay Mesa Road and Enrico Fermi Drive. The zoning for this property is S88, indicating a Specific Planning Area designation. Within the East Otay Mesa Specific Plan, the land use designation for this area is Technology Business Park.

### *City of San Diego*

#### City of San Diego General Plan

The westernmost portion of the Proposed Project, between pole locations 1 and 8, is located within the City of San Diego's jurisdiction. Land use within the city limits is guided by the General Plan. The Land Use and Community Planning Element of the General Plan provides policy guidance for the development of land uses in the City of San Diego. Land uses crossed by the Proposed Project are designated Residential and Park, Open Space, and Recreation. The General Plan employs a "City of Villages" structure, and land use in the City of San Diego is further broken down into community planning areas, including the Otay Mesa Community Plan area, which is crossed by the western portion of the Proposed Project and is described further in the following subsection.

The City of San Diego General Plan also identifies land use-related policies, which are presented in Attachment 4.10-A: Policies Consistency Analysis.

#### Otay Mesa Community Plan

The City of San Diego's General Plan is complemented by a series of more specific community plans, including the Otay Mesa Community Plan. This plan, originally adopted in 1981, was

updated in March 2014. The plan further divides the Otay Mesa area into districts, and the Proposed Project area is located in the Northwest District. The Otay Mesa Community Plan designates areas crossed by the Proposed Project as Residential – Low (five to nine dwelling units per acre) and Open Space.

The Otay Mesa Community Plan Conservation Element recognizes the sensitivity and habitat value of the canyons that are located in the Proposed Project area, including Dennery Canyon, and designates them as Environmentally Sensitive Lands. Utilities are allowed in the Otay Mesa Community Plan area, provided that they operate in the most cost-effective and environmentally sensitive manner. The policies contained within the Otay Mesa Community Plan are described further in Attachment 4.10-A: Policies Consistency Analysis.

#### City of San Diego Multiple Species Conservation Program Subarea Plan

The City of San Diego has adopted its own MSCP Subarea Plan to implement the regional MSCP. Broken down into priority areas, the MSCP Subarea Plan designates the undeveloped canyons in the Otay Mesa area as protected Coastal Sage Oak. New development must comply with the boundaries established within the plan, and guidelines for development include restoration of coastal sage oak when disturbed. In addition, the MSCP Subarea Plan includes the policies and design guidelines regarding utilities, which are discussed in Attachment 4.10-A: Policies Consistency Analysis.

#### City of San Diego Land Development Code

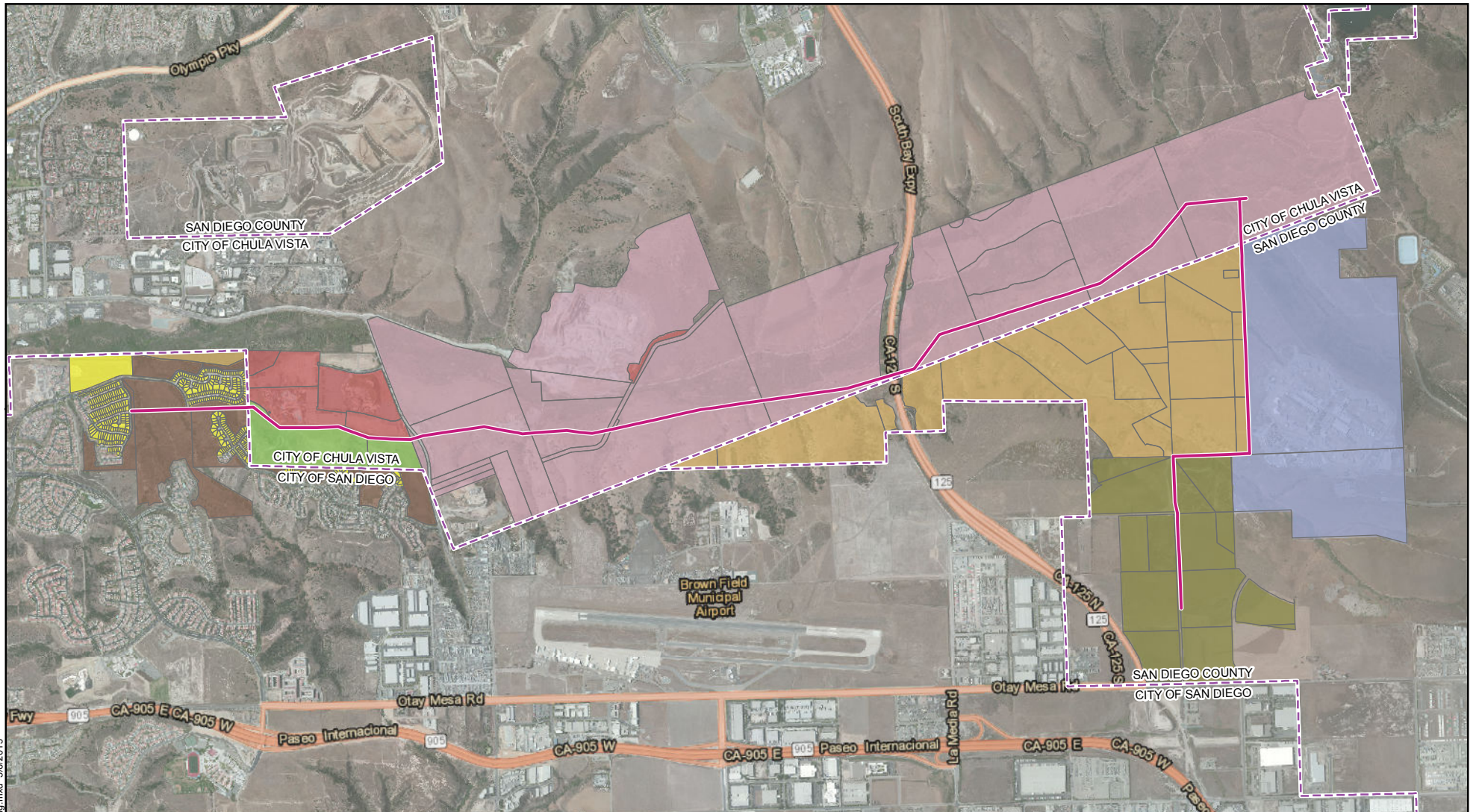
The City of San Diego's Land Development Code is included in the San Diego Municipal Code and regulates land use and development within the city limits. Properties crossed by the Proposed Project are zoned RS 1-14 (single family residential areas with minimum 5,000-square-foot lots). The canyons between the residential areas are zoned AR-1-1 (Agricultural-Residential, minimum 10-acre lots). Figure 4.10-1: Generalized Zoning Categories shows the general zoning designations for properties within 1,000 feet of the Proposed Project.

#### *City of Chula Vista*

#### City of Chula Vista Vision 2020 General Plan

Land use is addressed within the Land Use and Transportation Element of the City of Chula Vista General Plan. The land use designation primarily crossed by the Proposed Project is Open Space Preserve; other designated land uses include Open Space, Open Space – Active Recreation, Limited Industrial, and Mixed Use Commercial. Open Space Preserve is intended for areas designated within the City of Chula Vista MSCP Subarea Plan for the permanent conservation of biological resources and habitat. The City of Chula Vista Vision 2020 General Plan provides policies supporting the development of public utility infrastructure throughout the city. The relevant City of Chula Vista General Plan land use policies are listed in Attachment 4.10-A: Policies Consistency Analysis.

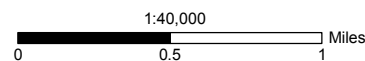




**Figure 4.10-1: Generalized Zoning Categories**

**Tie Line 649 Wood-to-Steel Replacement Project**

- |  |                    |  |              |  |                          |
|--|--------------------|--|--------------|--|--------------------------|
|  | Alignment          |  | Agricultural |  | Planned Community        |
|  | Municipal Boundary |  | Holding Area |  | Residential              |
|  |                    |  | Industrial   |  | Residential-Agricultural |
|  |                    |  | Open Space   |  | Specific Planning Area   |





As a subset of the City of Chula Vista General Plan, the city has adopted the East Area Plan for southeastern Chula Vista. The Planned Community of Otay Ranch, which surrounds the Proposed Project, is included in the East Area Plan. Otay Ranch was jointly planned by the City of Chula Vista and the County of San Diego. The concept for Otay Ranch is to develop several villages surrounded by residential neighborhoods. In the southern part of Otay Ranch, closest to the Proposed Project, the plan calls for recreational uses on three parcels that are adjacent to open space and areas protected by the City of Chula Vista MSCP Subarea Plan.

#### City of Chula Vista Multiple Species Conservation Program Subarea Plan

The City of Chula Vista MSCP Subarea Plan was adopted in 2003 and provides for the conservation of covered species and their associated habitats, consistent with the regional plan. The subarea plan shows land uses in the area of the Proposed Project to be designated as Development, 100 Percent Conservation Areas – Habitat Preserve, and Planned Active Recreation Area.

#### Planning and Zoning Code

Title 19 Planning and Zoning of the City of Chula Vista Municipal Code provides a basis for implementation of the City of Chula Vista General Plan. The Proposed Project crosses the Limited Industrial, Agricultural, and Planned Community zoning districts. The Planned Community designation refers to the East Area Plan and Otay Ranch. Figure 4.10-1: Generalized Zoning Categories shows zoning on properties within 1,000 feet of the Proposed Project. Table 4.10-1: Generalized Zoning Categories includes a summary of zoning designations for lands within the City’s jurisdiction.

To support the Proposed Project, one of the two temporary construction staging yards will be located within the City of Chula Vista. The Main Street Staging Yard will be located on approximately six acres of vacant property south of Main Street. The zoning for this property is Limited Industrial (ILP). The “P” designation indicates that this area is within a Precise Plan Modifying District and subject to the conditions within a Precise Plan for the area. The area is also designated as the Otay Valley Road Redevelopment Area.

### **Environmental Setting**

#### ***Summary of Zoning Designations***

A summary of the generalized zoning categories crossed by the Proposed Project are provided in Table 4.10-1: Generalized Zoning Categories.

#### ***Existing Land Uses***

Existing land uses within the Proposed Project vicinity are shown in Figure 4.10-2: Existing Land Uses. Suburban residential land uses are located predominantly in the western area, within the City of San Diego. East of the residential area (and north of the Proposed Project) are private recreational facilities, including a water park and concert amphitheater. Further to the east and north of the Proposed Project area is the Otay Valley Quarry. The central portion of the Proposed Project runs parallel to the Otay River for several miles, and crosses rural/undeveloped land, indicating the lack of structures on the properties and uses such as grazing and other rural or semi-agricultural uses. At the eastern end of the Proposed Project, the line travels adjacent to

and within the property boundary of the Richard J. Donovan Correctional Facility. Parcels to the west of and adjacent to the correctional facility are open space park land. Parcels at the southwestern end of the Proposed Project are currently undeveloped. Table 4.10-2: Existing Land Uses summarizes the existing land uses crossed by the Proposed Project.

**Table 4.10-2: Existing Land Uses**

<b>Land Use</b>	<b>Approximate Distance Crossed by Proposed Project (Miles)</b>
Open Space	3.1
Public/Institutional	0.4
Utilities	0.3
Rural/Undeveloped	2.7
Undeveloped	0.8
Roadways	0.1
<b>Total Length</b>	<b>7.4<sup>1</sup></b>

Source: SanGIS, 2014a

### 4.10.3 Impacts

The following subsections describe the criteria of significance used to assess potential impacts to land use and planning that may result from implementation of the Proposed Project, and examine those potential impacts.

#### Significance Criteria

The following impact significance criteria were derived from Appendix G of the California Environmental Quality Act Guidelines. Impacts to land use and planning would be considered significant if the Proposed Project:

- physically divides an established community
- conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect
- conflicts with any applicable HCP or NCCP

The following sections describe the potential for the Proposed Project to create significant impacts according to these criteria.

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<sup>1</sup> Note that this total is longer than the length of the alignment due to rounding.

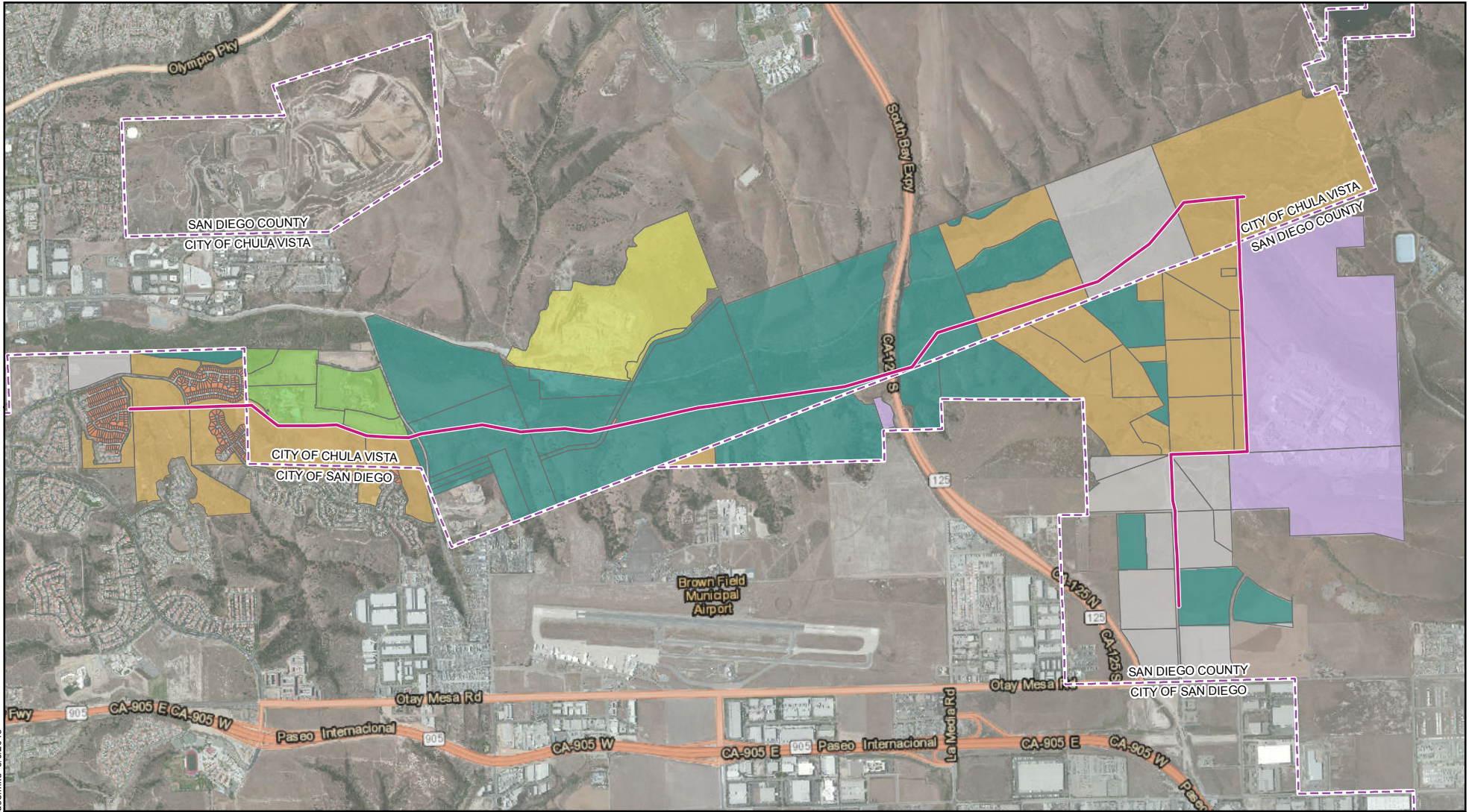
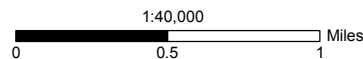


Figure 4.10-2: Existing Land Uses

Tie Line 649 Wood-to-Steel Replacement Project

- |   |                    |   |                      |   |                   |
|---|--------------------|---|----------------------|---|-------------------|
|  | Alignment          |  | Active Recreation    |  | Residential       |
|  | Municipal Boundary |  | Mining               |  | Rural/Undeveloped |
|   |                    |  | Open Space           |  | Utilities         |
|   |                    |  | Public/Institutional |  | Undeveloped       |





**Question 4.10a – Physical Division of an Established Community*****Construction – No Impact***

As described in Chapter 3 – Project Description, Proposed Project construction will consist of replacing the existing wood poles with steel poles. No new lines or facilities will be constructed as part of the Proposed Project. Pole replacement will generally be within 10 feet of the existing poles, except in a few locations where design requirements or site conditions require that replacement poles be located more than 10 feet from the existing pole locations. The Proposed Project will be constructed entirely within existing ROWs. The existing ROW is located in an area dominated by open space and crosses one residential area on the western end of the route within the City of San Diego. Existing poles within the ROW in this area are located at the ends of residential streets and within the open spaces between residential neighborhoods. The corridor will remain as is, and no new facilities that will divide these residential areas will be added. SDG&E maintains a network of unimproved access roads to maintain poles and power lines within the Proposed Project area. These roads and other existing access roads will be utilized to access poles during construction. Because the Proposed Project will be constructed within the existing ROW, will include replacement of existing poles, and does not include the addition of new access roads, construction will not physically divide an established community, and no impact will occur.

***Operation and Maintenance – No Impact***

Operation and maintenance activities for the Proposed Project will be conducted in the same manner as the existing facilities. Operation and maintenance activities are expected to decrease slightly as a result of the Proposed Project due to the lower maintenance requirements of the replacement steel poles relative to the existing wood poles. These activities will be performed at select pole locations and for temporary periods of time, and will not divide an established community. Operation and maintenance activities will not involve the construction of new facilities or roadways that will result in the physical division of established communities, and no impact will occur.

**Question 4.10b – Plans and Policy Conflicts*****Construction – No Impact***

Although local governments do not have the power to regulate activities related to electric power line facilities, SDG&E has considered relevant land use plans, policies, and issues as part of the environmental review process. A discussion of the Proposed Project's consistency with those policies is provided in Attachment 4.10-A: Policies Consistency Analysis. As described in the analysis, the Proposed Project is consistent with relevant land use policies, and there will be no conflict.

The line is existing in this location and the City of San Diego has policies supporting utility infrastructure to serve existing development throughout the city, as described in Attachment 4.10-A: Policies Consistency Analysis. Because the line already exists and the Proposed Project is an allowed use, land use plan or policy conflicts are not anticipated, and no impact will occur.

To support the Proposed Project, temporary construction staging yards will be located in close proximity to the Proposed Project alignment. Within the City of Chula Vista, the staging yard will be located on land adjacent to Main Street. Chula Vista Municipal Code Section 15.06.040 allows for temporary uses, such as staging yards. The other staging yard is within the jurisdiction of the County of San Diego. County Code Section 6110, the County's temporary Use Regulations, allows for construction support areas adjacent to major construction sites.

The Proposed Project is located within the Brown Field Municipal ALUCP Safety Zone 6 – Traffic Pattern Zone and several of the poles triggered the need for an FAA Obstruction Evaluation. The FAA conducted an obstruction evaluation and determined that there is no need for lighting or marking on the poles. Because the Proposed Project will comply with all FAA requirements, no conflict with the ALUCP will occur. Therefore, construction of the Proposed Project will be consistent with existing land use plans, policies, and regulations, and no impact will occur.

#### ***Operation and Maintenance – No Impact***

Operation and maintenance activities for the Proposed Project will be conducted in the same manner as the existing facilities. Operation and maintenance activities are expected to decrease slightly as a result of the Proposed Project due to the lower maintenance requirements of the replacement steel poles relative to the existing wood poles. Therefore, operation and maintenance of the Proposed Project will not conflict with any existing land use plans, policies, or regulations, and no impact will occur.

#### **Question 4.10c – Habitat Conservation Plan or Natural Community Conservation Plan Conflicts – No Impact**

Construction, operation, and maintenance of the Proposed Project will be consistent with the conservation policies established in the regional MSCP and the individual County and cities' MSCP subarea plans that implement it. During construction, operation, and maintenance of the Proposed Project, SDG&E will comply with the biological and habitat-related protocols of SDG&E's existing Subregional NCCP<sup>2</sup> listed in Chapter 3 – Project Description. The Subregional NCCP was developed to be consistent with local HCPs, including the regional MSCP; therefore, the Proposed Project will not conflict with the provisions of any other conservation plan. Furthermore, no intrusion into conservation areas established by the MSCP will occur as part of the Proposed Project. In addition, if QCBs are identified in the vicinity of the proposed work area, SDG&E will mitigate for permanent impacts to the species in accordance with SDG&E's Low-Effect HCP for QCB, as discussed further in Section 4.4 Biological Resources. Therefore, no impact will occur.

#### **4.10.4 Applicant-Proposed Measures**

Because the Proposed Project will not result in any significant impacts to land use or planning, no applicant-proposed measures have been proposed.

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<sup>2</sup> SDG&E will consult with the U.S. Fish and Wildlife Service and the CDFW, as appropriate, for Proposed Project construction compliance with the federal and California endangered species acts, but operation and maintenance will continue to be conducted under the NCCP.



#### 4.10.5 References

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