



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: March 19, 2013

TO: Amanda Lee, Senior Planner, Land Development Code Update Team, Development Services Department

FROM: Jeffrey Szymanski, Senior Planner, Advanced Planning and Engineering Division, Development Services Department

SUBJECT: Amendments to Land Development Code Chapter 13, Article 1 Relating to Microbreweries, California Environmental Quality Act - 15162 Evaluation

---

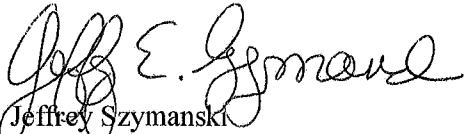
The Development Services Department has completed a California Environmental Quality Act 15162 evaluation for the Amendments to Land Development Code Chapter 13, Article 1 relating to microbreweries. The ordinance would modify the allowable size for development of a restaurant in an industrial zone under specified conditions and would allow manufacturers of malt beverages or distilled spirits to develop an accessory restaurant or tasting room that is greater than 3,000 square feet, but no greater than 25 percent of the total gross floor area dedicated to manufacturing use. The review was limited to the consideration of California Environmental Quality Act issues associated with the amendments. It is the determination of the Development Services Department that no additional impacts are identified beyond those that were analyzed in the original Environmental Impact Report (EIR) No. 96-0333, SCH No. 96081056, certified on November 18, 1997, by the City Council, Resolution No. 98-288. A Mitigation Monitoring and Reporting Program was adopted with original EIR to reduce potentially significant impacts to Land Use, Biological Resources, Historical Resources, Landform Alteration/Neighborhood Character, Paleontological Resources, Natural Resources, and Human Health and Safety. The proposed amendments would not affect any of these issue areas; therefore, no mitigation requirements are required for the proposed project.

Taking into consideration the additional analysis conducted by Development Services Department along with review of the previously certified environmental document, it was concluded that the proposed Amendments would not result in a substantially changed project. The project would not result in new impacts or changed circumstances that would require a new environmental document. Section 15162 of the California Environmental Quality Act Guidelines states that when an Environmental Impact Report has been certified or a Negative Declaration adopted for a project, no subsequent or supplemental Environmental Impact Report or Negative Declaration shall be prepared for that project unless one or more of the following events occur:

1. Substantial changes are proposed to the project
2. Substantial changes occur with respect to circumstances under which the project is being undertaken

3. New information, which was not known or could not have been known at the time the Environmental Impact Report or Negative Declaration was certified as complete, becomes available.

Therefore, because none of the three above criteria have occurred, Development Services Department did not find the need to prepare a subsequent or supplemental environmental document for the Amendments to Land Development Code Chapter 13, Article 1 relating to microbreweries and that the certified EIR No. 96-0333 adequately covers the activity being proposed.

  
Jeffrey Szymanski  
Senior Planner

JS/js