



THE CITY OF SAN DIEGO

ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT

Project No. 597523

Addendum to EIR No. 169653

SCH No. 2010121014

SUBJECT: **TIJUANA CROSS BORDER AMENDMENT:** VACATION OF PUBLIC RIGHT-OF-WAY to change public streets Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive to private drives and changing these drives to one-way counterclockwise directional travel; PUBLIC EASEMENT to establish a storm drain easement within private streets; VESTING TENTATIVE MAP (VTM) to create a new Lot "A" for private drives; PLANNED DEVELOPMENT PERMIT (PDP) AMENDMENT to allow for Retail Sales and Commercial Services uses within specific lots with a deviation to allow a street vacation creating lots without a public street frontage; and COMMUNITY PLAN AMENDMENT (CPA) to remove Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive from the Otay Mesa Community Plan Mobility Element. The site is within the Otay Mesa Community Plan Area/Community Plan Implementation Type "A" Overlay Zone; Airport Compatibility Overlay Zone (Brown Field)/Airport Influence Review Area 1/FAA Part 77 Noticing Area; and Very High Fire Hazard Severity Zone. (LEGAL DESCRIPTION: Lots 1 thru 30 of San Diego—Tijuana Airport Cross Border Facility according to map thereof No. 15940, in the City of San Diego, State of California, filed in the Office of the County Recorder of San Diego County September 20, 2013.) The site is not included on any Government Code listing of hazardous waste sites. Applicant: Otay-Tijuana Venture, LLC.

I. SUMMARY OF ORIGINAL PROJECT

The Otay-Tijuana Cross Border Facility Development Project (Project No. 169653/SCH No. 2010121014) was approved by the San Diego City Council on January 10, 2012, and included an Amendment to the Otay Mesa Community Plan (OMCP), a Planned Development Permit (PDP), a Site Development Permit (SDP), a Vesting Tentative Map (VTM), and a Public Right-of-Way Vacation. The certified Otay-Tijuana Cross Border Facility Development Project EIR (EIR No. 169653, SCH No. 2010121014) evaluated the land use designations and zones to allow for the phased development of a 95,000-square-foot two-level cross border facility, a 772,000-square-foot four-level parking structure to provide approximately 2,239 parking spaces, and up to 402,000 square feet of industrial use, 34,000 square feet of specialty retail use, 340 hotel rooms, a 12-pump gas station with

convenience market and car wash, and 6,000 square feet of restaurant use on the 63.8-acre project site.

PROJECT DESCRIPTION

The Tijuana Cross Border Amendment project (the “project”) site is located in the OMCP area of the City of San Diego. The project proposes changes to public streets and for land uses approved for specific lots located within portions of the 63.8-acre Otay-Tijuana Cross Border Facility Development Project site. The project site is situated south of Siempre Viva Road, west of La Media Road, east of Britannia Boulevard, and just north of the Tijuana Airport in Mexico (see Figure 1, *Location Map*). The project site has been previously graded in accordance with VTM No. 609579 and is currently developed with the Cross Border Xpress Facility (CBX Facility). Surrounding land uses include a mix of industrial and business park uses to the west and north; undeveloped land to the east; and the Tijuana International Airport in Mexico to the south (see Figure 2, *Aerial Photograph*).

a. Roadway Vacations

The project proposes changes to the previously approved Otay-Tijuana Cross Border Facility Development Project. The project proposes to vacate the public rights-of-way for Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive and convert these existing public streets to private drives. Currently, Otay Pacific Drive and Las Californias Drive are classified as two-lane Collector streets, and Otay Pacific Place is a three-lane collector street. With the proposed vacation of public rights-of-way, these roadways would be modified for one-way counterclockwise travel, including reconfiguration of pavement markings, modification of traffic signals for one-way counterclockwise travel, and provision of on-street bicycle facilities. (See Figure 5, *Proposed Street Sections*.) Specifically, the project proposes to modify these roadways as described below:

- **Otay Pacific Drive**

- Otay Pacific Drive would provide for one-way travel southbound.
- A dedicated six-foot Class II bicycle lane with a two-foot buffer would be provided southbound along Otay Pacific Drive between Siempre Viva Road and Otay Pacific Place.

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- **Otay Pacific Place**

- Otay Pacific Place would provide for one-way travel eastbound.
- A shared 16-foot vehicular travel lane and Class III bicycle route would be marked within the eastbound lanes along Otay Pacific Place between Otay Pacific Drive and Las Californias Drive.

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- **Las Californias Drive**

- Las Californias Drive would provide for one-way travel northbound.
- A shared 14-foot vehicular travel lane and a Class III bicycle route would be marked within the northbound lanes along Las California Drive between Otay Pacific Place and Siempre Viva Road.

Because these streets would become private drives, the project would create a public easement for the existing storm drain located within each private drive (see Figure 3, *Proposed Site Circulation and Utility Plan*). The project proposes a deviation in order to allow for these private streets to be exempt from the minimum required street frontage per the Land Development Code. As a requirement of this deviation, a Reciprocal Access Agreement would be recorded to assure vehicular access to all lots with frontage on the three streets proposed for vacation. A Vesting Tentative Map (VTM) is proposed to create a new Lot "A" for the private drives. Figure 4, *Tentative Map*, shows the proposed new lot for the private drives. A Community Plan Amendment (CPA) is proposed to remove Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive from the OMCP Mobility Element's classified roadways network.

b. Amendment to Planned Development Permit

The project proposes to amend the existing PDP (PDP No. 609801) to change two of the six lots where Retail Sales and Commercial Services uses are permitted from Lots 1 and 2 to Lots 17 and 18. (See Figure 5, *Proposed PDP Amendment*). The proposed PDP Amendment would change Condition 52 in the PDP to read: *Uses within the "Retail Sales" and "Commercial Services" categories of the Land Development Code may only be developed on Lots ~~1, 2,~~ 17, 18, 19, 20, 29, and 30; hotel/visitor accommodations may only be developed on Lots 5, 6, 7, 11, 12, 13, 23, 24, 25, and 26.* All other entitlements of the previously approved Otay-Tijuana Cross Border Facility Development Project would remain unchanged.

c. Discretionary Actions

The project includes the following actions:

- Vacation of Public Right-of-Way to vacate existing public streets Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive, all of which currently provide two-way directional travel;
- VTM to create a new Lot "A" for new private drives with one-way counterclockwise travel;
- Public Easement to establish a public storm drain easement within private drives;
- PDP Amendment to allow for Retail Sales and Commercial Services uses within Lots 17 and 18 but not Lots 1 and 2, with a deviation to allow the development of lots without a public street frontage; and
- CPA to remove Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive from the OMCP Mobility Element.

II. ENVIRONMENTAL SETTING

The project site is located in the Otay Mesa community planning area within the City of San Diego. Situated south of Siempre Viva Road, west of La Media Road, east of Britannia Boulevard, and just north of the Tijuana International Airport in Mexico, the project site encompasses approximately 63.8 acres (see Figure 1). The topography of the site is relatively flat. Elevations vary from approximately 471 feet above mean sea level (AMSL) in the southeastern corner to approximately

465 feet AMSL at the center, near Otay Pacific Drive. The project site has been previously graded in accordance with VTM No. 609579 and is currently being developed with the Otay-Tijuana Cross Border Facility Development Project. The Cross Border Xpress (CBX) Facility has been constructed in the southwest corner of the project site on Lot 8. Surface parking to serve the CBX Facility has been constructed north and east of the Facility on Lots 1-7, Lot 9, and Lot 10. A permanent parking lot is constructed on Lot 9 (northeast of the terminal). East and west of the terminal, on Lot 8, is permanent parking. East of Lots 8 and 9 is Lot 10, which is an approved temporary parking lot. North of Lot 8 are temporary parking lots on Lots 1-7. The remainder of the lots have been graded but are not yet developed. Public water mains, sewer mains, and storm drains occur along Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive and currently serve the CBX Facility.

The project site is in the South District of the OMCP and is designated as Institutional land use and zoned IBT-1-1 (International Business and Trade). The IBT-1-1 zone provides for a wide variety of base sector industrial and office uses and is intended to be applied to portions of communities adjacent to the international border, ports of entry, and areas in transition to higher intensity industries. Additionally, the project is located in the Community Plan Implementation Overlay Zone (CPIOZ Type A), Airport Influence Area (AIA) Review Area 1 (Brown Field), Airport Compatibility Overlay Zone (Brown Field), Federal Aviation Administration (FAA) Part 77 Noticing Area (Brown Field), and Very High Fire Hazard Severity Zone. The project site is located in a developing area currently served by existing public services and utilities. Access to the project site is available from Siempre Viva Road to the west. Surrounding land uses include a mix of industrial and business park uses to the west and north; undeveloped land to the east; and the Tijuana Airport in Mexico to the south (see Figure 2).

III. PROJECT BACKGROUND

As stated above, in January 2012, City Council approved the Otay-Tijuana Cross Border Facility Development project. The approval of the Otay-Tijuana Cross Border Facility Development project included a CPA to re-designate the property from "Industrial" to "Institutional" use, reclassify three on-site roads in the Community Plan Circulation Map (Otay Pacific Drive from a local street to a four-lane major, Otay Pacific Place from an industrial collector to a four-lane collector, and Las Californias Drive from an industrial collector to a two-lane collector with a two-way left turn lane), and reclassify three off-site roads (Britannia Boulevard from SR-905 to Airway Road from a four-lane major to a six-lane primary arterial, Britannia Boulevard from Airway Road to Siempre Viva Road from a four-lane major to a six-lane major, and Otay Mesa Road from Piper Ranch Road to SR-125 from a four-lane primary arterial to a six-lane major arterial). The project approval also included Vesting Tentative Map No. 609579 for re-subdivision of the property; a street vacation for portions of Otay Pacific Drive and Las Californias Drive that were south of Otay Pacific Place to accommodate the passenger processing facility; a PDP to allow development of the property for a 95,000 square foot air terminal building, a 772,000 square foot parking structure, a 240-room hotel, 40,000 square feet of visitor-serving commercial uses, and 402,000 square feet of industrial and office/warehouse uses; and an SDP to authorize off-site roadway improvements along segments of Britannia Boulevard, Siempre Viva Road, and Otay Mesa Road.

Subsequent to approval of the Otay-Tijuana Cross Border Facility Development project, an update to the OMCP was adopted on March 11, 2014. The OMCP Update (CPU) retained the 64.3-acre site as "Institutional" and retained the same roadway classifications within the site. The CPU also added specific policies to the OMCP related to the Cross Border Facility. A Program EIR was prepared for the CPU (OMCP Project Program EIR No. 30330/304034, SCH No. 2004651076.) The OMCP Project Program EIR was certified by the San Diego City Council on March 11, 2014. The CPU includes the buildout of the project's remaining vacant parcels per the Otay-Tijuana Cross Border Facility Development Project EIR. The OMCP reflects roadway network classifications approved with the Otay-Tijuana Cross Border Development Project: Otay Pacific Drive is classified as a four-lane Major Arterial, Otay Pacific Place as a four-lane Collector (with left turn lane), and Las Californias Drive as a two-lane Collector (with left-turn lane).

The Tijuana Cross Border Amendment project proposes a Vacation of Public-Right-of-Way to change Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive from public streets to private drives. Because the streets are within the OMCP Mobility Element's classified roadway network, approval of the Vacation of Public Right-of-Way requires a CPA to remove the streets from the network. The proposed CPA would remove Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive from the OMCP Mobility Element's roadway classification network. The CPA does not propose changes to OMCP land uses.

IV. ENVIRONMENTAL DETERMINATION

The City previously prepared and certified the Otay-Tijuana Cross Border Facility Development Project EIR (Project No. 169653/SCH No. 2010121014). Based on all available information, the analysis in this Addendum, and pursuant to Section 15162 of the State CEQA Guidelines, the City has determined the following:

- There are no substantial changes proposed in the project which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- There is no 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 environmental document was certified as complete or was adopted, that shows any of the following:

- a) The project will have one or more significant effects not discussed in the previous environmental document;
- b) Significant effects previously examined will be substantially more severe than shown in the previous environmental document;
- c) 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
- d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Sections 15162 and 15164 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project. Therefore, this Addendum has been prepared in accordance with Section 15164 of the CEQA State Guidelines. Public review of this Addendum is not required per CEQA.

V. IMPACT ANALYSIS

An EIR was prepared for the Otay-Tijuana Cross Border Facility Development Project and certified by the San Diego City Council on January 10, 2012 (EIR). The EIR analyzed the following issue areas:

- Land Use
- Transportation/Circulation
- Noise
- Air Quality
- Greenhouse Gas Emissions
- Energy
- Paleontological Resources
- Public Utilities
- Biological Resources
- Visual Effects and Neighborhood Character

The EIR found that the project would result in significant environmental impacts associated with Transportation/Circulation, Air Quality, Noise, Paleontological Resources, and Biological Resources. With the exception of impacts related to Transportation/Circulation and Air Quality (operational emissions), mitigation measures were proposed that would reduce project impacts to below a level of significance. The EIR determined that significant and unavoidable impacts would be associated with Transportation/Circulation and Air Quality. The project's cumulative Transportation/Circulation impacts would be mitigated to the extent feasible, with one street segment and a number of freeway ramps only partially mitigated. Air Quality impacts are largely connected to long-term operational emissions of reactive organic gases (ROG)/volatile organic compounds (VOC) and carbon monoxide (CO). The OMCP Program EIR concludes that long-term operational emissions cannot be fully mitigated. As presented in the OMCP Program EIR, the primary source of such emissions is vehicles accessing the site, which could not be adequately quantified at the time the analysis for the OMCP was conducted, as future developments and their actual operational emissions were

unknown. A Statement of Overriding Considerations was adopted for the project in concert with certifying the EIR for unavoidable impacts relative to Transportation/Circulation and Air Quality (operational emissions).

This Addendum supplements information provided in the Otay-Tijuana Cross Border Facility Development Project EIR (Project No. 169653 / SCH No. 2010121014) and includes subsequent analysis to demonstrate that any potential environmental impacts associated with the proposed Tijuana Cross Border Amendment project are consistent with or less than the impacts disclosed in the previously certified Otay-Tijuana Cross Border Facility Development Project EIR. The following analysis includes the environmental issues analyzed in detail in the Otay-Tijuana Cross Border Facility Development Project EIR, as well as project-specific analysis pursuant to CEQA. The analysis in this document evaluates the adequacy of the Otay-Tijuana Cross Border Facility Development Project EIR relative to the project, documents that the proposed Tijuana Cross Border Amendment project would not cause new or more severe significant impacts than those identified in the 2012 Otay-Tijuana Cross Border Facility Development Project EIR.

Therefore, no new significant impacts or any increase in the severity of impacts presented in the Otay-Tijuana Cross Border Facility Development Project EIR would result from implementation of the Tijuana Cross Border Amendment project. Furthermore, there is no new information in the record or otherwise available indicating that there are substantial changes in circumstances that would require major changes to the Otay-Tijuana Cross Border Facility Development Project EIR. Table 1, *Impact Assessment Summary*, compares the project with the conclusions for each environmental issue area evaluated in the Otay-Tijuana Cross Border Facility Development Project EIR, and whether new impacts would result from the proposed project.

Table 1. Impact Assessment Summary

Issue Area	Otay-Tijuana Cross Border Facility Development Project EIR Impact	Project	Project Resultant Impact
<i>Land Use</i>	Less than Significant	No New Impacts	Less than Significant
<i>Transportation/ Circulation</i>	Significant and Unavoidable	No New Impacts	Less than Significant
<i>Noise</i>	Less than significant with Mitigation	No New Impacts	Less than Significant
<i>Air Quality</i>	Significant and unavoidable	No New Impacts	Less than Significant
<i>Greenhouse Gas (GHG) Emissions</i>	Less than significant	No New Impacts	Less than Significant
<i>Energy</i>	Less than Significant	No New Impacts	Less than Significant
<i>Paleontological Resources</i>	Less than significant with Mitigation	No New Impacts	Less than Significant
<i>Public Utilities</i>	Less than significant	No New Impacts	Less than Significant
<i>Biological Resources</i>	Less than significant with Mitigation	No New Impacts	Less than Significant
<i>Visual Quality/ Neighborhood Character</i>	Less than significant	No New Impacts	Less than Significant

Land Use

Otay-Tijuana Cross Border Facility Development Project EIR

Community Plan Land Use

The EIR for the Otay-Tijuana Cross Border Facility Development Project analyzed Land Use impacts in Section 5.1. The EIR found the project to be consistent with applicable policies and regulations contained in the General Plan and the OMCP (version prior to the CPU). With approval of the Otay-Tijuana Cross Border Facility Development Project's CPA, PDP, and SDP, the project was determined to be consistent with applicable land use designations and development intensity parameters in the OMCP. In addition, the Otay-Tijuana Cross Border Facility Development Project was found to be compatible with surrounding land uses and would not result in significant secondary land use impacts. No inconsistencies were identified, and, with approval of the proposed CPA, PDP, and SDP associated with the Otay-Tijuana Cross Border Facility Development Project, land use impacts were determined to be less than significant.

The Otay-Tijuana Cross Border Facility Development Project included the construction of the CBX Facility, which provides an additional border crossing and direct access to the Tijuana International Airport (TIJ). The Otay-Tijuana Cross Border Facility Development Project EIR determined industrial uses associated with the CBX Facility to be consistent with the Industrial land use designated for the site and supported the creation of additional jobs in the Otay Mesa area, which was consistent with the OMCP goals in the Community Plan in effect at the time the Otay-Tijuana Cross Border Facility was originally processed.

The Otay-Tijuana Cross Border Facility Development Project EIR also concluded that the project would be consistent with the policies of SANDAG's Resource Conservation Plan (RCP) and would contribute to implementation of the goals presented in the RCP and key policy objectives of both the Transportation and Border Elements. Requirements that the Otay-Tijuana Cross Border Facility Development Project comply with the National Pollutant Discharge Elimination System (NPDES) construction permit and general municipal permit and provide a project-specific Storm Water Pollution Prevention Plan (SWPPP), along with requirements to implement storm water Best Management Practices (BMPs), ensured that no secondary land use impacts to water quality or stormwater control would result. The Otay-Tijuana Cross Border Facility Development Project site and off-site traffic mitigation areas are not located within or adjacent to the Multi-Habitat Planning Area (MHPA) of the Multiple Species Conservation Program (MSCP). The project required compliance with the provisions of the MHPA and MSCP Subarea plans, including provisions related to burrowing owls. The EIR found the Otay-Tijuana Cross Border Facility Development Project to be consistent with the adopted Airport Land Use Compatibility Plan for Brown Field. Therefore, no significant land use consistency impacts would occur.

The Otay-Tijuana Cross Border Facility Development Project EIR concluded that the project could introduce a new significant source of light and noise, or contribute incrementally to those sources, such that a significant conflict with surrounding uses could occur. Development could also result in visual changes in the existing industrial setting. The Otay-Tijuana Cross Border Facility Development Project would be developed in compliance with City regulations and applicable ordinances. Buildings would also be developed to be consistent with applicable zoning regulations and the conditions of the PDP. The proposed parking structure for the development would be larger in scale than other structures in the area, but it would not exceed existing patterns of development in the surrounding area by a significant margin. Therefore, the Otay-Tijuana Cross Border Facility Development Project was determined to be in character and visually compatible with surrounding developments. Thus, associated secondary land use impacts are less than significant.

The Otay-Tijuana Cross Border Facility Development Project would result in a net increase of 16,176 average daily trips (ADT) at the project site. This could potentially result in emissions that could exceed City and State Implementation Plan (SIP) criteria. Additionally, the EIR found that the Otay-Tijuana Cross Border Facility Development Project would not be consistent with the San Diego Association of Governments (SANDAG) projection for emissions due to the intensification of development and increase in ADT. This could cause an obstruction in the implementation of the Regional Air Quality Strategy (RAQS) and result in a potentially significant air quality impact due to inconsistency with the RAQS and SIP. Mitigation was required for implementation of the Otay-

Tijuana Cross Border Facility Development Project. However, air quality impacts remained unmitigated.

Existing Zoning

The analysis provided in the Otay-Tijuana Cross Border Facility Development Project EIR identifies the project site's zoning as IH-2-1 (Heavy Industrial) within the Otay Mesa Development District (OMDD) and the City's LDC. The purpose of the OMDD was to implement the Community Plan and various precise plans adopted for particular neighborhoods. The OMDD has since been replaced by city-wide zones in concert with adoption of the CPU; and the OMCP now identifies existing zoning for the project site as IBT-1-1. The purpose of the International Business and Trade (IBT) zone is to provide for a wide variety of base sector industrial and office uses. It is intended that the IBT zone apply in portions of communities adjacent to the international border, other ports of entry, and areas in transition to higher intensity industries. The previously approved CBX Facility is currently being developed, and it, along with other previously approved uses, is an allowed use within the IBT-1-1 zone.

Planned Development Permit

The Otay-Tijuana Cross Border Facility Development Project's allowed mix of uses (CBX Facility, commercial, and hotel uses) were evaluated as compatible with the General Plan and with the OMCP in effect at the time the Otay-Tijuana Cross Border Facility Development was approved and allowed through the approval of the Otay-Tijuana Cross Border Facility PDP, in accordance with the LDC's PDP regulations. The CPA approved with the Otay-Tijuana Cross Border Facility Development Project changed the land use designation of the site to Institutional, which is the land use designation associated with the East Otay Mesa Port of Entry (POE) and comparable to land uses for the CBX facility. Additionally, conditions were applied to the project as part of the PDP to ensure that potential land use incompatibility impacts between adjacent industrial uses and future hotel uses are avoided. Therefore, no inconsistencies or conflicts with existing or proposed land uses were determined for the Otay-Tijuana Cross Border Facility Development Project. Accordingly, the Otay-Tijuana Cross Border Facility Development Project EIR determined that approval of the CPA and PDP would eliminate the Otay-Tijuana Cross Border Facility Development Project's potential conflicts with applicable environmental goals, objectives, and guidelines of the General Plan and OMCP. Land use policy consistency impacts were determined to be less than significant.

Proposed Project

For the purposes of this Addendum, the project is evaluated under the 2014 CPU (currently adopted OMCP) land use designation of the project site as Institutional and associated policies that address the Cross Border Facility.

The Tijuana Cross Border Amendment project proposes to vacate the existing public rights-of-way for Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive and convert those public streets to private drives, along with restriping them for one-way counterclockwise travel within the project site. An Amendment to the OMCP would be required to remove Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive from the OMCP Mobility Element's classified roadways network. The project also proposes a PDP Amendment to change the lots where Retail Sales and Commercial

Services uses are permitted. Currently, Retail Sales and Commercial Services are allowed uses on six of the northern lots in the development (Lots 1, 2, 19, 20, 29, and 30.) The PDP Amendment would remove Retail Sales and Commercial Services as permitted uses on Lots 1 and 2 and allow for these uses on Lots 17 and 18. The effect would be to swap the locations of the commercial and industrial/office land uses governed by the permit conditions within these four lots. All other entitlements of the previously approved Otay-Tijuana Cross Border Facility Development Project would remain unchanged. As such, the project would be consistent with the General Plan and develop in accordance with the OMCP land use designation and current zoning, as described below.

Development of the Tijuana Cross Border Amendment project would be consistent with the current OMCP Land Use Designation—"Institutional." The OMCP contains several policies that provide for development of a mix of uses that support a Cross Border Facility, supplementing the "Institutional" land use designation. According to the OMCP, Policy 2.4-6 specifically states: "Allow a Cross Border Facility with its supportive commercial uses to locate in Institutional lands within the approximately 63.8-acre site previously known as the Otay Pacific Business Park directly across from the Rodriguez International Airport." Additionally, Policy 2.7-3 states: "Allow a Cross Border Facility and its ancillary uses in the general area south of Siempre Viva Road and east of Britannia Boulevard directly across from the Rodriguez International Airport." The OMCP's Mobility Element further supports the Cross Border Facility, as well as "ancillary uses such as lodging, car rental, commercial parking, and passenger supported commercial uses" that could provide convenient and time-saving access to ticketed passengers while relieving some congestion at the existing vehicular border crossings. Through Policy 3.6.4, the OMCP recommends to "support efforts to construct a cross border facility that would link ticketed passengers to the Rodriguez International Airport in an area adjacent to and just north of the airport." As such, the uses proposed by the project would be in compliance with the OMCP policies related to the Cross Border Facility. No impacts would occur relatively to land use, and no new land use mitigation would be required as a result of the project.

The project site is zoned International Business and Trade (IBT-1-1). A PDP has been approved for the project, which governs development of the site. As stipulated in the existing PDP conditions, unless developed with Retail Sales and Commercial Services, which are subject to the development regulations of the CV-1-1 zone, all lots shall be developed according to the regulations of the IH-2-1 zone. Retail Sales and Commercial Services uses would also be allowed in accordance with the CV-1-1 regulations. No additional new construction or development is proposed by the Tijuana Cross Border Amendment project.

The current PDP allows development of the project site with up to 402,000 square feet of industrial use, 34,000 square feet of specialty retail use, 340 hotel rooms, a 12-pump gas station with convenience market and car wash, and 6,000 square feet of restaurant use. Per Condition 52 of the approved PDP, Retail Sales and Commercial Services are allowed uses on six of the northern lots in the development (Lots 1, 2, 19, 20, 29, and 30). (See Figure 6.)

The project proposes to change the permitted location of Retail Sales and Commercial Services on certain lots because of the conversion of the on-site streets from two-way to one-way traffic. As part of the project's proposed PDP Amendment, Retail Sales and Commercial Services would be removed

as permitted uses on Lots 1 and 2 and would be added as allowed uses on Lots 17 and 18. Allowed uses on Lots 1 and 2 would revert to those described in the previously approved PDP. Retail Sales and Commercial Services uses shall follow the development regulations of the CV-1-1 zone. All of these requirements would be governed by conditions in the PDP. These uses are also consistent with policies and recommendations in the OMCP, as presented above. As such, approval of the PDP Amendment would keep the project and its proposed uses in compliance with the General Plan and OMCP, and no new mitigation would be required as a result of the project.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Otay-Tijuana Cross Border Facility Development Project EIR. The Tijuana Cross Border Amendment project would not result in any new significant land use impacts or a substantial increase in the severity of land use impacts from those described in the Otay-Tijuana Cross Border Facility Development Project EIR. Implementation of the project would be consistent with the EIR's conclusion that land use impacts would be less than significant with no mitigation required because the project is consistent with applicable policies and regulations contained in the General Plan and OMCP. In addition, the project would be compatible with surrounding land uses and would not result in significant secondary land use impacts.

Therefore, the proposed project is consistent with the Otay-Tijuana Cross Border Facility Development Project EIR, and no new mitigation measures would be required.

Transportation/Circulation

Otay-Tijuana Cross Border Facility Development Project EIR

The Otay-Tijuana Cross Border Facility Development Project EIR analyzed Transportation/Circulation impacts in Section 5.2. The EIR presented that at full buildout of the Otay-Tijuana Cross Border Facility Development Project, a total of 24 roadway intersections would be expected to operate at unacceptable level of service (LOS). The Otay-Tijuana Cross Border Facility Development Project was found to have a significant impact at all 24 of these intersections. Additionally, a total of 20 roadway segments were determined to operate at unacceptable levels at full project buildout, and the project was found to have a significant impact at all 20 of these roadway segment locations. The implementation of the Otay-Tijuana Cross Border Facility Development Project resulted in a significant impact at 10 freeway mainline segments and six metered freeway on-ramp locations under full buildout conditions.

The analyzed Congestion Management Program (CMP) Arterial of Otay Mesa Road would operate at a satisfactory LOS under full project buildout; thus, no significant impacts would occur in regard to the CMP Arterial. While construction traffic would contribute to congestion, the impact was not expected to be significant due to the temporary and phased nature of the construction activity, relatively low percentage of construction traffic compared to overall project traffic volumes, and City requirements to implement a traffic control plan, when necessary. Therefore, less than significant impacts were projected as a result of the Otay-Tijuana Cross Border Facility Development Project's construction phases.

Mitigation is included in the Otay-Tijuana Cross Border Facility Development Project EIR to reduce transportation/circulation impacts to less than significant levels to the extent possible. All project-specific mitigation for direct impacts were required to be implemented prior to the issuance of the first building permits for Phase 1 of the Otay-Tijuana Cross Border Facility Development Project's construction to provide mitigation at the time of impact. Pursuant to a Deferred Improvement Agreement (Deferred Development Agreement No. 1048213, approved June 17, 2015), certain mitigation measures from the Otay-Tijuana Border Facility Development Project EIR – specifically, Mitigations Tra-1, Tra-3, Tra-5, Tra-6, and Tra-8 – have been deferred via a City-approved Deferred Improvement Agreement No. 1048213 until prior to issuance of the first building permit for CBX Phase 2 development. All other traffic mitigation required as part of Phase 1 has been implemented.

Proposed Project

The Tijuana Cross Border Amendment project proposes to vacate the existing public rights-of-way for Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive and convert those public streets to private drives, along with reconfiguring them for one-way counterclockwise travel. An Amendment to the OMCP is required to remove Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive from the Community Plan's Mobility Element.

LSA Associates, Inc. prepared the *San Diego-Tijuana Cross Border Facility Project Traffic Impact Study* (2011) for the approved CBX Facility and its associated commercial and industrial uses. The approved TIS (Appendix J of the Otay-Tijuana Cross Border Facility Development Project EIR) evaluated intersections and roadways in the project vicinity and identified transportation mitigation measures for both near-term (2024) and long-term (2035) scenarios across several phases of project construction. The proposed project's land uses would not change with the current circulation proposal. However, the area of the lots proposed for Retail Sales and Commercial Services as part of the project would be slightly less than the approved lot areas for these land uses (approximately 2.7 acres for Lots 1 and 2 compared to approximately 2.2 acres for Lots 17 and 18). Thus, potentially fewer trips for this use would be expected; however, the project would not substantially change the impact analysis results of the previously approved 2011 TIS and Otay-Tijuana Cross Border Facility Development Project EIR.

A *Transportation Impact Study* (TIS) was prepared for the Tijuana Cross Border Amendment project by LSA Associates, Inc. (August 2019) and can be found in Appendix B of this Addendum. The purpose of that TIS is to evaluate the impacts of the project's proposed rights-of-way vacations and conversion to one-way operation. The 2011 TIS previously considered two-way public streets within the project site (Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive). The Tijuana Cross Border Amendment project proposes to convert these streets to private one-way drives as shown in Figure 5 and summarized below:

- **Otay Pacific Drive**
 - Otay Pacific Drive would provide for one-way travel southbound.
 - A dedicated six-foot Class II bicycle lane with a two-foot buffer would be provided southbound along Otay Pacific Drive between Siempre Viva Road and Otay Pacific Place.
- **Otay Pacific Place**
 - Otay Pacific Place would provide for one-way travel eastbound.
 - A shared 16-foot vehicular travel lane and Class III bicycle route would be marked within the eastbound lanes along Otay Pacific Place between Otay Pacific Drive and Las Californias Drive.
- **Las Californias Drive**
 - Las Californias Drive would provide for one-way travel northbound.
 - A shared 14-foot vehicular travel lane and a Class III bicycle route would be marked within the northbound lanes along Las California Drive between Otay Pacific Place and Siempre Viva Road.

As a result, all vehicles would enter the project site at the Siempre Viva Road/Otay Pacific Drive intersection and exit at the Las Californias Drive/Siempre Viva Road intersection.

The project has constructed Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive to the dimensions specified in the approved VTM No. 609579 with the exception of construction of the raised center median on Otay Pacific Drive. Because of the proposed right-of-way vacation and change to one-way counterclockwise circulation travel as described in this project, a center median would no longer be required. The following mitigation measures (Tra-21, Tra-66, Tra-67, and Tra-68) would not apply.

Tra-21 Otay Pacific Drive between Siempre Viva Road and Otay Pacific Place: Prior to issuance of any construction permit for development in excess of 13,683 ADTs, the Owner/Permittee shall assure by permit and bond the widening of the western side of the roadway and construct a raised center median to provide a four lane major arterial, satisfactory to the City Engineer. (Phase 2)

Tra-66 Otay Pacific Drive between Siempre Viva Road and Otay Pacific Place: Prior to issuance of any construction permit for development in excess of 24,652 ADTs, the Owner/Permittee shall widen the west side of Otay Pacific Drive, from 250 feet south of the south curbline of Siempre Viva Road to Otay Pacific Place, as a 4-lane major arterial with 74 feet curb-to-curb within 112 feet of right-of-way and a 14-foot-wide raised center median; and, on the west side of the street, new curb, gutter, and a minimum five-foot wide non-contiguous sidewalk within a 14-foot parkway, satisfactory to the City Engineer. (Phase 3)

Tra-67 Las Californias Drive between Siempre Viva Road and Otay Pacific Place: Prior to issuance of any construction permit for development in excess of 24,652 ADTs, the Owner/Permittee shall restripe Las Californias Drive between Siempre Viva Road and Otay Pacific Place to provide a two-lane collector with a two-way left turn lane, satisfactory to the City Engineer. (Phase 3)

Tra-68 Otay Pacific Place between Otay Pacific Drive and Las Californias Drive: Prior to issuance of any construction permit for development in excess of 24,652 ADTs, the Owner/Permittee shall widen Otay Pacific Place, from Otay Pacific Drive to Las Californias Drive, with 70 feet curb-to-curb within 94 feet of right-of-way; and, on the south side of the street, new curb, gutter, and a minimum 5-foot-wide non-contiguous sidewalk within a 14-foot curb-to-property line distance, satisfactory to the City Engineer. (Phase 3)

The Tijuana Cross Border Amendment project would require the following mitigation measures in place of Tra-21, Tra-66, Tra-67, and Tra-68 to accommodate the proposed one-way travel on Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive:

New Private Drives Layouts (see Figure 5, *Proposed Street Sections*)

ATra-1 Otay Pacific Drive between Siempre Viva Road and Otay Pacific Place: Prior to issuance of any construction permit for development in excess of 13,683 ADT, the Owner/ Permittee shall restripe Otay Pacific Drive, from Siempre Viva Road and Otay Pacific Place with 60 feet curb-to-curb (10-foot parallel parking, two-foot buffer, six-foot Class II bicycle lane, 12-foot southbound travel lane, 12-foot southbound travel lane, 18-foot angled parking) within 80 feet of right-of-way and provide curb, gutter, and a minimum 5.5-foot contiguous sidewalk within a 10-foot curb-to-property line distance on both sides, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy in Phase 2.

ATra-2 Otay Pacific Place: Prior to issuance of any construction permit for development in excess of 13,683 ADT, the Owner/ Permittee shall restripe Otay Pacific Place between Otay Pacific Drive and Las Californias Drive with 70 feet curb-to-curb (20-foot angled parking, 16-foot eastbound travel lane, 16-foot eastbound travel lane with a marked Class III shared bicycle facility, and 20-foot angled parking) within 94 feet of right-of-way and provide curb, gutter, and five-foot non-contiguous sidewalk within a 14-foot curb-to-property line distance on the south side, and a five and a half-foot contiguous sidewalk within a 10-foot curb-to-property distance on the north side, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy in Phase 2.

ATra-3 Las Californias Drive between Otay Pacific Place and Siempre Viva Road: Prior to issuance of any construction permit for development in excess of 13,683 ADT, the Owner/ Permittee shall restripe Las Californias Drive between Otay Pacific Place and Siempre Viva Road with 44 feet curb-to-curb (18-foot angled parking, 12-foot northbound travel lane, 14-foot northbound travel lane with a marked Class III

shared bike facility) within 64 feet of right-of-way and provide curb, gutter, and 5.5-foot contiguous sidewalk within a 10-foot curb-to-property line distance on both sides, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy in Phase 2.

While the proposed Tijuana Cross Border Amendment project would not cause new significant impacts at any new locations, the project would require these additional mitigation associated with the Otay-Tijuana Cross Border Facility Development Project in order to accommodate the proposed one-way travel on Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive. Specifically, the project would require additional turn lanes for two intersections, as well as advancing one mitigation from Phase 3 of the approved project to Phase 2, as described below:

ATra-4 Intersection #1 – Otay Pacific Drive/Siempre Viva Road: Dual westbound left-turn lanes to be added in Phase 3 (2011 TIS required a single westbound left-turn lane).

ATra-5 Intersection #2 – Las Californias Drive/Siempre Viva Road: Installation of a traffic signal in Phase 2 (2011 TIS required a traffic signal in Phase 3).

ATra-6 Intersection #3 – Otay Pacific Drive/Otay Pacific Place: Dual southbound left-turn lanes in Phase 3 (2011 TIS required a single southbound left-turn lane).

The additional mitigation measures are required to reflect the new one-way travel and would not result in any new locations of significant transportation/circulation impacts.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Otay-Tijuana Cross Border Facility Development Project EIR. The project would not result in any new locations of significant transportation/circulation impacts or a substantial increase in the severity of transportation/circulation impacts from those described in the Otay-Tijuana Cross Border Facility Development Project EIR. Furthermore, as presented in Section VI, *Mitigation, Monitoring, and Reporting Program (MMRP) Incorporated into the Project*, the project would be required to implement applicable mitigation measures from the Otay-Tijuana Cross Border Facility Development Project EIR as development continues to occur in addition to the intersection mitigation described above. Therefore, the proposed project is consistent with the Otay-Tijuana Cross Border Facility Development Project EIR.

Noise

Otay-Tijuana Cross Border Facility Development Project EIR

The Otay-Tijuana Cross Border Facility Development Project EIR evaluated impacts to noise in Section 5.3. The EIR determined that while the project would produce construction noise, noise levels resulting from construction activities would be less than significant. The project site has been previously graded, minimizing the need for the use of heavy equipment. In addition, construction activities would be limited to between the hours of 7:00 a.m. and 7:00 p.m. and would not increase

noise levels over 75 A-weighted decibels (dBA) at noise-sensitive receptors, in compliance with the City of San Diego Noise Ordinance. However, noise at the site's property line resulting from operational features of the project could exceed noise limits established in the City of San Diego Noise Ordinance. Mitigation would consist of the incorporation of noise control barriers around operational equipment to reduce property line noise levels to below a level of significance.

The uses adjacent to the project site are industrial in character and would not result in the construction of noise-sensitive uses. The closest residential projects that would result in the construction of sensitive receptors are located over five miles from the project site. The EIR found that no significant cumulative industrial noise impacts were anticipated.

The EIR also found that the project would result in potentially significant impacts from on-site transportation noise as receptors would be exposed to noise levels exceeding the exterior noise level limits defined in General Plan Noise Element. As such, the project was required to conduct noise analyses for affected lots in order to define building-specific noise attenuation measures, which were to be incorporated with the project design to ensure compliance with standards. Implementation of this mitigation would reduce the potential impact from noise to below a level of significance.

Proposed Project

The Tijuana Cross Border Amendment project would not result in any additional traffic beyond what was anticipated in the Otay-Tijuana Cross Border Facility Development Project EIR; therefore, no operational noise would be added. Roadway restriping vehicles and equipment could cause noise but would be done during appropriate hours. No new impacts would result from implementation of the Tijuana Cross Border Amendment project. Nonetheless, the EIR mitigation measures would apply to any portions of the Otay-Tijuana Cross Border Facility Development Project that have not yet been constructed. Therefore, the proposed project is consistent with the Otay-Tijuana Cross Border Facility Development Project EIR, and no new mitigation measures would be required.

Air Quality

Otay-Tijuana Cross Border Facility Development Project EIR

The Otay-Tijuana Cross Border Facility Development Project EIR evaluated impacts to air quality in Section 5.4. The EIR found that construction of the proposed project would result in emissions of criteria pollutants, as well as minor amounts of toxic air contaminant emissions. These emissions would be below applicable thresholds and relatively short-term in duration; therefore, construction of the project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Impacts related to construction of the project were found to be less than significant.

However, the EIR found that the CPA associated with the project would increase trip generation potential from the site and make the project inconsistent with the population and traffic projections

contained in the SIP, which is based on adopted Community Plan traffic assumptions. The project's inconsistency with the SIP could lead to conflicts with the RAQS and obstruct the ability of the San Diego Air Basin (SDAB) to attain and maintain ambient air quality standards. In addition, the project's long-term operational emissions of VOC/ROG, oxides of nitrogen (NOx), and CO would exceed the City Significance Determination Thresholds by project buildout. No mitigation measures were found to be feasible to reduce operational emissions to below a level of significance. Therefore, the EIR found that the project's contribution to a permanent increase of criteria pollutants would be significant and unavoidable.

The EIR also analyzed the exposure of sensitive receptors to pollutant concentrations. While project construction could result in minor amounts of toxic air contaminant (TAC) emissions, including diesel heavy equipment exhaust, project construction would be short-term in nature. Mobile sources of TACs would include land uses that involve the long-term use of heavy-duty diesel trucks. The project would generate some truck traffic from industrial office/warehouse uses. Hotel occupants, which could be considered sensitive receptors, would not be located at the project site for an extended period of time, and would, therefore, not be exposed to TACs associated with the project for an extended period of time. The project would also not result in localized health effects due to CO, or CO hot spots. Therefore, the EIR found that the project would result in less than significant construction-phase and operational TAC emission impacts to sensitive receptors.

Proposed Project

The Tijuana Cross Border Amendment project would not add any additional traffic beyond what was anticipated in the Otay-Tijuana Cross Border Facility Development Project EIR; therefore, no significant increase in operational emissions is anticipated. No new air quality impacts would result from implementation of the Tijuana Cross Border Amendment project. Therefore, the proposed project is consistent with the Otay-Tijuana Cross Border Facility Development Project EIR, and no new mitigation measures would be required.

Greenhouse Gas Emissions

Otay-Tijuana Cross Border Facility Development Project EIR

The Otay-Tijuana Cross Border Facility Development Project EIR evaluated impacts to greenhouse gas emissions in Section 5.5. GHG emissions were quantified for both construction and operation of the proposed project. Construction emissions would be temporary and limited to the construction phases of the project. Amortized over 30 years, construction activities were found to be below the significance threshold of 900 metric tons. GHG impacts resulting from construction activities of the project were less than significant.

Operational GHG emissions related to the project were generated through three sources: energy use, water consumption, and transportation. Long-term operational emissions exceeded Significance Determination Thresholds in the "business as usual" (BAU) condition. In order to avoid a cumulatively considerable GHG emissions impact, the City of San Diego proposed that projects that

exceeded the 900-metric ton threshold must reduce their GHG emissions by more than 28.35 percent over levels that would have been generated in the BAU condition. The project implemented additional design features that further reduced long-term emissions over the life of the project. These measures included:

- Employing sustainable or “green” building techniques.
- Locating glazing primarily on the east and north elevations.
- Installing trees to shade the structure on the west and south sides.
- Utilization of water-efficient landscaping and weather-based irrigation controllers.
- Installation of water-saving irrigation systems and use of drought-tolerant plants and recycled water where feasible.
- Bike racks/parking.
- Bus, van, and taxi drop-off opportunities.
- Utilization of materials that have recycled content, or are derived from sustainable or rapidly renewable sources.
- Installation of cool roofing materials, such as reflective, low-heat retention tiles, membranes and coatings, or vegetated eco-roofs to reduce the heat buildup.

The EIR determined that adherence to State and Federal programs designed to improve energy efficiency, along with implementation of the aforementioned design features, the project would result in a net decrease below BAU emissions. The project would result in a less than significant contribution to statewide emissions and would therefore not obstruct the implementation of statewide GHG reduction programs. Impacts would be less than significant. No mitigation was required.

Proposed Project

The Tijuana Cross Border Amendment project would not add any additional traffic beyond what was anticipated in the Otay-Tijuana Cross Border Facility Development Project EIR; thus, no increase in operational emissions would be added. No new GHG emissions would result from implementation of the Tijuana Cross Border Amendment project.

The project is consistent with existing General Plan and OMCP land use and zoning designations, and is therefore consistent with Step 1, Question A, of the CAP Consistency Checklist. The project site is designated Institutional in the General Plan, Institutional in the OMCP, and zoned IBT-1-1. The project is consistent with the land use designations and underlying zone. No new construction or development is proposed by the Tijuana Cross Border Amendment project. The project would be consistent with the assumptions for the CAP. Therefore, the proposed project is consistent with the Otay-Tijuana Cross Border Facility Development Project EIR, and no new mitigation measures would be required.

Energy

Otay-Tijuana Cross Border Facility Development Project EIR

The Otay-Tijuana Cross Border Facility Development Project EIR evaluated impacts to energy in Section 5.6. The EIR included analysis of both construction and operational energy impacts.

Construction of the project would incorporate on-site energy conservation, in addition to compliance with all applicable local, State, and Federal regulatory requirements regarding energy conservation. Energy consumption as a result of construction activities would also be minimized by the implementation of waste reduction goals established in the project-specific Waste Management Plan. Construction-phase impacts to unnecessary consumption of energy were found to be less than significant.

Natural gas, electricity, water, and vehicle fuel would all be used for the operation of the project. In order to minimize energy impacts related to project operations, energy conservation design features were developed to be consistent with the Conservation Element of the General Plan and Community Plan, and were integrated into the project. In addition, the project was required to comply with all City, State, and Federal energy conservation measures during the operational phase. The project would utilize building materials and insulation in accordance with the California Building Code requirements, reducing the unnecessary loss of energy. The project would include energy-conserving project design features related to transportation and fuel energy efficiency, water and wastewater energy efficiency, solid waste energy efficiency, and energy efficiency through sustainable design.

The EIR found that while the project would result in an incremental increase in the use of non-renewable energy resources, implementation of energy-related project design features would reduce the project's energy demand in compliance with local, State, and Federal regulations. In addition, the project did not conflict with any adopted energy conservation plans or require any new sources of energy. Impacts related to energy conservation were found to be less than significant. No mitigation measures were required.

Proposed Project

The project proposes to vacate the public rights-of-way for Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive and convert these existing public streets to private drives. Because these streets would become private drives, the project would create a public easement for the existing storm drain located within each private drive. A Vesting Tentative Map (VTM) is proposed to create a new Lot "A" for the private drives. A CPA is proposed to remove Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive from the OMCP Mobility Element's classified roadways network. The project also proposes to amend the existing approved PDP (PDP No. 609801) in order to relocate two of the six lots that allow for Retail Sales and Commercial Services uses from Lots 1 and 2 to Lots 17 and 18. All other entitlements of the previously approved Otay-Tijuana Cross Border Facility Development Project would remain unchanged.

The Tijuana Cross Border Amendment project involves vacation of public rights-of-way to allow for privatization of certain streets, establishment of a new public easement for a storm drain within private drives, an Amendment to the approved PDP to allow Retail Sales and Commercial Services within specific lots, and an Amendment to the OMCP to remove certain streets from the Community Plan's Mobility Element. The project does not propose any new construction or development; therefore, no additional energy would be required to conduct the aforementioned map actions. No energy impacts would result from implementation of the Tijuana Cross Border Amendment project. Therefore, the proposed project is consistent with the Otay-Tijuana Cross Border Facility Development Project EIR, and no new mitigation measures would be required.

Paleontological Resources

Otay-Tijuana Cross Border Facility Development Project EIR

The Otay-Tijuana Cross Border Facility Development Project EIR evaluated impacts to paleontological resources in Section 5.7. The EIR found that grading and excavation activities could exceed thresholds for moderate-sensitivity Pleistocene terrace deposits within the project site, resulting in a potentially significant impact. In order to reduce potential impacts to below a level of significance, the project was required to implement mitigation in the form of monitoring of and (if applicable) resource recovery for grading and excavation activities.

The EIR also analyzed the implementation of the project's proposed off-site traffic mitigation, as these measures could potentially result in direct impacts to paleontological resources that occur off-site. However, grading activities associated with these off-site traffic mitigation areas were determined to be minor in nature and extent. As such, these activities were found not to have the potential to exceed City thresholds for moderate or high-sensitivity formations. No significant impacts would result, and no mitigation was required.

Proposed Project

The Tijuana Cross Border Amendment project does not propose any new construction or development. All mitigation presented in the Otay-Tijuana Cross Border Facility Project EIR has been completed; the project site has been completely graded. Therefore, no additional impacts to paleontological resources would result from implementation of the Tijuana Cross Border Amendment project. The proposed project is consistent with the Otay-Tijuana Cross Border Facility Development Project EIR, and no new mitigation measures would be required.

Public Utilities

Otay-Tijuana Cross Border Facility Development Project EIR

The Otay-Tijuana Cross Border Facility Development Project EIR evaluated impacts to utilities in Section 5.8. Utility services that were addressed include water supply and conservation, water infrastructure, wastewater generation, wastewater infrastructure, storm water drainage, and solid waste disposal.

The Otay-Tijuana Cross Border Facility Development Project EIR found the project to be consistent with the Otay Water District (OWD) and San Diego County Water Authority (SDCWA)/Metropolitan Water District (MWD) supply/demand projections, and SANDAG planning updates. The Otay-Tijuana Cross Border Facility Development Project would be required to participate in the OWD Water Supply Development Program. The project also would be designed to include measures that would reduce potable water demand through conservation efforts. The on-site facilities would connect with existing or proposed off-site water lines, and no off-site pipeline upsizing or additional modifications would be required. All on-site water infrastructure modifications are designed in conformance with applicable OWD standards. Based on these conditions, no associated significant impacts related to water supply and demand, water use and conservation, and water infrastructure were found to result from the Otay-Tijuana Cross Border Facility Development Project.

The Otay-Tijuana Cross Border Facility Development Project EIR found that the portion of the project site subject to changes in wastewater flow to be consistent with the previously approved sewer study and all applicable requirements identified in the City Sewer Design Guidelines. In addition, all proposed on-site wastewater infrastructure modifications are designed in conformance with applicable City standards. Project impacts related to wastewater generation and infrastructure were determined to be less than significant.

The Otay-Tijuana Cross Border Facility Development Project would utilize the existing storm drain system that was constructed for the Otay Business Pacific Business Park development, with some minor modifications such as extending pipelines. All modifications implemented to meet proposed project drainage requirements conform with applicable City standards, and no off-site construction of new storm water facilities would be required. Project impacts related to storm water drainage were determined to be less than significant.

A Waste Management Plan (WMP) was prepared for the Otay-Tijuana Cross Border Facility Development Project. Based on the implementation of the approved project-specific WMP as part of, and in conformance with, applicable regulatory requirements such as the San Diego Municipal Code (SDMC) and PDP/SDP conditions, impacts related to solid waste disposal were determined to be less than significant.

Proposed Project

The Tijuana Cross Border Amendment project proposes to vacate the existing public rights-of-way for Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive and convert those public streets to private drives. The project would create a public easement for the storm drain located within what would become the private drives. All other entitlements of the previously approved Otay-Tijuana Cross Border Facility Development Project, with the exception of the PDP Amendment's proposed shift of Retail Sales and Commercial Services uses to be allowed within certain lots, would remain unchanged.

Private utilities are defined by the City as privately maintained systems that solely serve the project sites. Existing sewer and water mains under Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive would be made private in accordance with the rights-of-way vacations, as they would continue to serve only the project site. An easement is a right to use property for a specific purpose. An existing storm drain under Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive continues off-site and would convey runoff to properties outside of the project site. An easement granted to the City of San Diego is required in order to continue public use of the existing storm drain located under Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive. (See Figure 3 for locations of existing utilities.)

No new construction or development would occur as part of the proposed project. No modifications are required to any existing utilities, and the project would not result in an increase in solid waste above that evaluated in the Otay-Tijuana Cross Border Facility Development Project EIR. Therefore, the proposed project would not result in any new impacts to public utilities.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Otay-Tijuana Cross Border Facility Development Project EIR. The project would not result in any new significant public utilities impacts or a substantial increase in the severity of public utilities impacts from those described in the Otay-Tijuana Cross Border Facility Development Project EIR.

Biological Resources

Otay-Tijuana Cross Border Facility Development Project EIR

The Otay-Tijuana Cross Border Facility Development Project EIR evaluated impacts to biological resources in Section 5.9. The EIR found that the project site is not within or adjacent to the MHPA, has been previously graded, and does not contain sensitive habitat of biological value. In addition, the site does not function as a wildlife corridor, and would not conflict with any adopted regional or local conservation plan or local policies or ordinances. No significant impacts to sensitive habitats, including wetlands, would occur.

No Federally-listed, State-listed, or MSCP narrow endemic or covered plant species were observed on the project site, and none were expected to occur due to the site's previously disturbed

condition. No significant direct impact to unique, rare, endangered, sensitive, or fully protected species of plants would occur.

One sensitive animal species covered by the MSCP—the burrowing owl—was observed on site. No other sensitive animal species were observed, although several animal species have the potential to occur on site. Indirect impacts to burrowing owl due to loss of on-site foraging habitat could result through project implementation but would not be significant. A potential significant direct impact to burrowing owl at the project site would occur upon project implementation, and mitigation was required to reduce these impacts to below a level of significance. Proposed mitigation included measures to avoid injuring or killing burrowing owl during final on-site grading; provision of artificial owl burrows; and pre-construction surveys to mitigate for potential direct impacts to the burrowing owl.

The project also included four proposed off-site traffic mitigation measures along portions of Siempre Viva Road, Britannia Boulevard, and Otay Mesa Road. All four off-site areas encompass Environmentally Sensitive Lands (ESL), including non-native grassland and wetland habitats. The identified non-native grassland habitat includes areas occupied by the burrowing owl; therefore, project-related impacts to sensitive habitats and the burrowing owl would be significant, and mitigation was required to reduce these impacts to below a level of significance. Proposed mitigation included habitat preservation; pre-construction surveys within the proposed improvement areas; obtaining approved Wildlife Agency permits and implementing associated habitat creation, restoration, and/or purchase of mitigation credits at appropriate ratios; and the delineation of orange construction fencing or other appropriate barrier under supervision of a qualified biologist to preclude entry into sensitive habitats.

The project's mitigation measures would reduce project-related impacts to sensitive habitats and burrowing owl, as well as direct impacts to off-site sensitive habitats and indirect impacts to the off-site MHPA, to below a level of significance.

Proposed Project

The project proposes to vacate the public rights-of-way for Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive and convert these existing public streets to private drives. Because these streets would become private drives, the project would create a public easement for the existing storm drain located within each private drive. A Vesting Tentative Map (VTM) is proposed to create a new Lot "A" for the private drives. A CPA is proposed to remove Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive from the OMCP Mobility Element's classified roadways network. The project also proposes to amend the existing approved PDP (PDP No. 609801) in order to change where Retail Sales and Commercial Services uses would be allowed from Lots 1 and 2 to Lots 17 and 18. All other entitlements of the previously approved Otay-Tijuana Cross Border Facility Development Project would remain unchanged. These actions would not result in any new or additional direct or indirect impacts to biological resources.

All mitigation presented in the Otay-Tijuana Cross Border Facility Project EIR has been completed during the construction of the CBX Facility; the project site has been completely graded. Therefore, no additional impacts to biological resources would result from implementation of the Tijuana Cross Border Amendment project. The proposed project is consistent with the Otay-Tijuana Cross Border Facility Development Project EIR, and no new mitigation measures would be required.

Visual Quality/Neighborhood Character

Otay-Tijuana Cross Border Facility Development Project EIR

The Otay-Tijuana Cross Border Facility Development Project EIR evaluated impacts to visual quality/neighborhood character in Section 5.10. The EIR found that the project would alter the visual quality of the site by introducing new buildings, features, and uses into the existing visual environment. However, the proposed structures would comply with applicable LDC requirements and PDP design guidelines. The height and bulk of the project would not exceed allowable regulations of the applicable zone. The project would also provide visual relief from the bulk and scale of large structures through structural articulation and landscaping. The project vicinity does not have any designated viewpoints, view corridors, scenic routes, or scenic vistas that would be negatively affected by the proposed changes. Because the topography of Otay Mesa and the immediate vicinity of the project site is relatively flat, no major modifications to natural landforms were anticipated.

The project would also include the addition of new lighting and, therefore, the potential for glare. However, the project would be developed with materials approved through the City of San Diego's planning process, in compliance with applicable development regulations from the LDC. No significant light, glare, or shading impacts would result from the proposed project. No significant visual quality/neighborhood character impacts were found to occur, and no mitigation was required.

Proposed Project

The project proposes to vacate the public rights-of-way for Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive and convert these existing public streets to private drives. Because these streets would become private drives, the project would create a public easement for the existing storm drain located within each private drive. A Vesting Tentative Map (VTM) is proposed to create a new Lot "A" for the private drives. A CPA is proposed to remove Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive from the OMCP Mobility Element's classified roadways network. The project also proposes to amend the existing approved PDP (PDP No. 609801) in order to change where Retail Sales and Commercial Services uses would be allowed from Lots 1 and 2 to Lots 17 and 18. All other entitlements of the previously approved Otay-Tijuana Cross Border Facility Development Project would remain unchanged. These actions would not result in any new or additional direct or indirect impacts to visual quality or neighborhood character.

The Tijuana Cross Border Amendment project does not propose any additional new construction or development. No new buildings, features, or uses would be introduced into the existing

environment, and no adverse light, glare, or shading impacts would result from the project. Therefore, no additional impacts to visual quality or neighborhood character would result from implementation of the Tijuana Cross Border Amendment project. The proposed project is consistent with the Otay-Tijuana Cross Border Facility Development Project EIR, and no new mitigation measures would be required.

VI. MITIGATION, MONITORING, AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE PROJECT

The Tijuana Cross Border Amendment project shall be required to comply with all mitigation measures outlined within the Mitigation, Monitoring and Reporting Program of the previously certified EIR No. 169653/SCH No. 2010121014. The Otay-Tijuana Cross Border Facility Development Project EIR listed mitigation measures required for **Transportation/Circulation, Noise, Paleontological Resources, and Biological Resources**. The project site has been fully graded in accordance with VTM No. 609579. The CBX Facility has been constructed in the southwest corner of the project site; permanent surface parking has been constructed north and east of the CBX Facility on building lots 1-7, 9, and 10; the remainder of the lots have been graded but are not yet developed. Mitigation measures outlined in the MMRP for the Otay-Tijuana Cross Border Facility Development Project EIR relating to **Paleontological Resources** and **Biological Resources** have been fully implemented. **Noise** mitigation measures have been implemented for portions of the Otay-Tijuana Cross Border Facility Development Project that have been constructed. Noise mitigation presented in the Otay-Tijuana Cross Border Facility Development Project EIR would apply to any portions of the Otay-Tijuana Cross Border Facility Development Project which have not yet been constructed. Mitigation measures related to **Transportation/Circulation** outlined in the Otay-Tijuana Cross Border Facility Development Project EIR MMRP for Phase I have also been fully implemented, except for mitigation measures Tra-1, Tra-3, Tra-5, Tra-6, and Tra-8, which have been deferred via a City-approved Deferred Improvement Agreement No. 1048213 until prior to issuance of the first building permit for CBX Facility Phase 2 development.

In addition to deferred mitigation measures Tra-1, Tra-3, Tra-5, Tra-6, and Tra-8, the proposed Tijuana Cross Border Amendment project requires implementation of transportation/circulation mitigation measures associated with Phases 2 and 3 of the Otay-Tijuana Cross Border Facility Development Project. Additionally, as addressed in the 2019 TIS for the Tijuana Cross Border Amendment project, the proposed one-way circulation of the private CBX Facility streets would require installation of a traffic signal during Phase 2 of the project's construction, which is earlier than identified in the previously approved 2011 TIS. Additional turn lanes would be required for two intersections when compared to the 2011 TIS for Phase 3 of project construction. Therefore, the following mitigation measures specifically apply to the Tijuana Cross Border Amendment project.

A summary of Transportation/Circulation mitigation measures included in the Otay-Tijuana Cross Border Facility Development Project EIR and required as part of the proposed Tijuana Cross Border Amendment project is outlined below:

Otay-Tijuana Cross Border Facility Development Project

The Owner/Permittee shall be fully responsible for all mitigation measures under the Phase 2 and any Proposed Project scenario prior to issuance of any building permits beyond Phase 1, in addition to all mitigations required under Phase 1.

Intersections. The owner/permittee shall perform the following mitigation measures to mitigate the project's Phase 2 significant direct impacts to intersections to below a level of significance.

Tra-9 Caliente Avenue/Otay Mesa Road: Prior to issuance of any construction permit for development in excess of 13,683 ADTs, the Owner/Permittee shall assure by permit and bond the widening of the east side of Caliente Avenue to construct an additional northbound exclusive right-turn lane at the intersection of Caliente Avenue/Otay Mesa Road, satisfactory to the City Engineer.

Roadway Segments. The owner/permittee shall perform the following mitigation measures to reduce the project's Phase 2 significant direct traffic impacts to below a level of significance:

Tra-12 Siempre Viva Road between Britannia Boulevard and Las Californias Drive: Prior to issuance of any construction permit for development in excess of 13,683 ADTs, the Owner/Permittee shall assure by permit and bond the widening of Siempre Viva Road between Otay Pacific Drive and Las Californias Drive to provide a four-lane collector without a two-way left turn lane, satisfactory to the City Engineer.

Tra-16 Airway Road between Caliente Avenue and Old Otay Mesa Road: Prior to issuance of any construction permit for development in excess of 13,683 ADTs, the Owner/Permittee shall assure by permit and bond the widening of Airway Road between Caliente Avenue and Old Otay Mesa Road to a four-lane collector arterial, satisfactory to the City Engineer.

Tra-17 Otay Mesa Road between SR-125 southbound ramp and La Media Road: Prior to issuance of any construction permit for development in excess of 13,683 ADTs, the Owner/Permittee shall assure by permit and bond the widening of the south side of Otay Mesa Road between SR-125 southbound ramp and La Media Road to provide a six-lane major arterial, satisfactory to the City Engineer.

The following mitigation measure shall be implemented by the project as each lot of the project builds out.

Tra-86 For each development proposed within the project, the project applicant(s) shall submit to the City a Tracking Table that provides a summary of total ADT generated,

AM peak hour in, AM peak hour out, PM peak hour in, and PM peak hour out to allow for a flexible development program while ensuring that the total ADT and peak hour thresholds for the project are not exceeded. Should the buildout of the project result in an excess of any of the above trip thresholds, an amendment to this permit, or further traffic analysis demonstrating that no new significant traffic impacts would result, shall be completed by the applicant.

The Tijuana Cross Border Amendment project would require the following mitigation measures to accommodate the proposed one-way travel on Otay Pacific Drive, Otay Pacific Place, and Las Californias Drive:

ATra-1 Otay Pacific Drive between Siempre Viva Road and Otay Pacific Place: Prior to issuance of any construction permit for development in excess of 13,683 ADT, the Owner/ Permittee shall restripe Otay Pacific Drive, from Siempre Viva Road and Otay Pacific Place with 60 feet curb-to-curb (10-foot parallel parking, two-foot buffer, six-foot Class II bicycle lane, 12-foot southbound travel lane, 12-foot southbound travel lane, 18-foot angled parking) within 80 feet of right-of-way and provide curb, gutter, and a minimum 5.5-foot contiguous sidewalk within a 10-foot curb-to-property line distance on both sides, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy in Phase 2.

ATra-2 Otay Pacific Place: Prior to issuance of any construction permit for development in excess of 13,683 ADT, the Owner/ Permittee shall restripe Otay Pacific Place between Otay Pacific Drive and Las Californias Drive with 70 feet curb-to-curb (20-foot angled parking, 16-foot eastbound travel lane, 16-foot eastbound travel lane with a marked Class III shared bicycle facility, and 20-foot angled parking) within 94 feet of right-of-way and provide curb, gutter, and five-foot non-contiguous sidewalk within a 14-foot curb-to-property line distance on the south side, and a five and a half-foot contiguous sidewalk within a 10-foot curb-to-property distance on the north side, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy in Phase 2.

ATra-3 Las Californias Drive between Otay Pacific Place and Siempre Viva Road: Prior to issuance of any construction permit for development in excess of 13,683 ADT, the Owner/ Permittee shall restripe Las Californias Drive between Otay Pacific Place and Siempre Viva Road with 44 feet curb-to-curb (18-foot angled parking, 12-foot northbound travel lane, 14-foot northbound travel lane with a marked Class III shared bike facility) within 64 feet of right-of-way and provide curb, gutter, and 5.5-foot contiguous sidewalk within a 10-foot curb-to-property line distance on both sides, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy in Phase 2.

ATra-4 Intersection #1 – Otay Pacific Drive/Siempre Viva Road: Prior to issuance of any construction permit for development in excess of 24,652 ADTs, the Owner/Permittee shall install dual westbound left-turn lanes at the intersection of Otay Pacific Drive/Siempre Viva Road, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy in Phase 3.

ATra-5 Intersection #2 – Las Californias Drive/Siempre Viva Road: Prior to issuance of any construction permit for development in excess of 13,683 ADTs, the Owner/Permittee shall assure by permit and bond the installation of a traffic signal at the intersection of Las Californias Drive/Siempre Viva Road, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy in Phase 2.

Atra-6 Intersection #3 – Otay Pacific Drive/Otay Pacific Place: Prior to issuance of any construction permit for development in excess of 24,652 ADTs, the Owner/Permittee shall install dual southbound left-turn lanes at the intersection of Otay Pacific Drive/Otay Pacific Place, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy in Phase 3.

VII. SIGNIFICANT UNMITIGATED IMPACTS

The **Otay-Tijuana Cross Border Facility Development Project EIR Project No. 169653/SCH No. 2010121014** indicated that direct significant impacts to the following issues would be substantially lessened or avoided if all the proposed mitigation measures recommended in the EIR were implemented: **Transportation/Circulation, Air Quality, Noise, Paleontological Resources, and Biological Resources**. The EIR concluded that significant direct impacts related to **Transportation/Circulation** would not be fully mitigated to below a level of significance. With respect to cumulative impacts, implementation of the Otay-Tijuana Cross Border Facility Development Project would result in significant cumulative **Transportation/Circulation and Air Quality (operational emissions)** impacts, which would remain significant and unmitigated. Because there were significant unmitigated impacts associated with the original project approval, the decision maker was required to make specific and substantiated "CEQA Findings" which stated: (a) specific economic, social, or other considerations which make infeasible the mitigation measures or project alternatives identified in the EIR, and (b) the impacts have been found acceptable because of specific overriding considerations. Given that there are no new or more severe significant impacts that were not already addressed in the previous certified EIR, new CEQA Findings and/or Statement of Overriding Considerations are not required.

The proposed Tijuana Cross Border Amendment project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified EIR.

VIII. CERTIFICATION

Copies of the addendum, the EIR, the Mitigation Monitoring and Reporting Program, and associated project-specific technical appendices, if any, may be reviewed by appointment in the office of the Development Services Department, or purchased for the cost of reproduction.

Sara Osborn

2/18/2021

Sara Osborn, AICP
Senior Planner
Development Services Department

Date of Final Report

Attachments:

List of Acronyms and Abbreviations
References
Figure 1: Location Map
Figure 2: Aerial Photograph
Figure 3: Circulation and Utility Plan
Figure 4: Vesting Tentative Map
Figure 5: Proposed Private Drive Sections
Figure 6: PDP Amendment
Environmental Impact Report No. 169653/SCH No. 2010121014

Appendices:

Appendix A: Traffic Impact Study, San Diego-Tijuana Cross Border Facility Project, June 28, 2011, prepared by LSA Associates, Inc.

Appendix B: Cross Border Facility Street Vacations and One-Way Configuration San Diego, California Transportation Impact Study, August 2019, prepared by LSA Associates, Inc.

Appendix C: Climate Action Plan Consistency Checklist, June 2015, City of San Diego.

LIST OF ACRONYMS AND ABBREVIATIONS

ADT	Average Daily Traffic
ALUCP	Airport Land Use Compatibility Plan
AMSL	above mean sea level
BAU	Business as Usual
BMP(s)	Best Management Practice(s)
CBX	Cross Border Xpress
CMP	Congestion Management Program
CO	carbon monoxide
CPA	Community Plan Amendment
CPIOZ	Community Plan Implementation Overlay Zone
CPU	Community Plan Update
dBA	A-weighted decibel
ESL	Environmentally Sensitive Lands
FAA	Federal Aviation Administration
GHG	greenhouse gas
IBT	International Business and Trade
LDC	Land Development Code
MHPA	Multi Habitat Planning Area
MMRP	Mitigation Monitoring Reporting Program
MSCP	Multiple Species Conservation Program
MWD	Metropolitan Water District
NPDES	National Pollutant Discharge Elimination System
OMCP	Otay Mesa Community Plan (current version or prior to CPU)
OMDD	Otay Mesa Development District
OWD	Otay Water District
PDP	Planned Development Permit
POEs	points of entry
RAQS	Regional Air Quality Strategy
RCP	Regional Comprehensive Plan
ROG	reactive organic gases

SANDAG	San Diego Association of Governments
SDCWA	San Diego County Water Authority
SDMC	San Diego Municipal Code
SDP	Site Development Permit
SIP	State Implementation Plan
SWPPP	Storm Water Pollution Prevention Plan
TIJ	Tijuana Airport
TIS	Transportation Impact Study
VOC	volatile organic compounds
WMP	Waste Management Plan

REFERENCES

LSA Associates, Inc. *Traffic Impact Study, San Diego-Tijuana Cross Border Facility Project* (June 28, 2011)

LSA Associates, Inc. *Transportation Impact Study* (August 2019)

San Diego, City of. *Otay-Tijuana Cross Border Facility Development Project Final Environmental Impact Report* (2012)

San Diego, City of. *Development Services Department, California Environmental Quality Act, Significance Determination Thresholds* (July 2016)

San Diego, City of. *Environmental Impact Report Guidelines* (1992; Revised 2005)

San Diego, City of. *General Plan* (March 2008)

San Diego, City of. *Land Development Code* (2014)

San Diego, City of. *Otay Mesa Community Plan Update Project FEIR* (March 11, 2014)

San Diego County Regional Airport Authority. *Airport Land Use Compatibility Plan for Brown Field* (December 20, 2010)



Figure 1. Location Map



Figure 2. Aerial Photograph

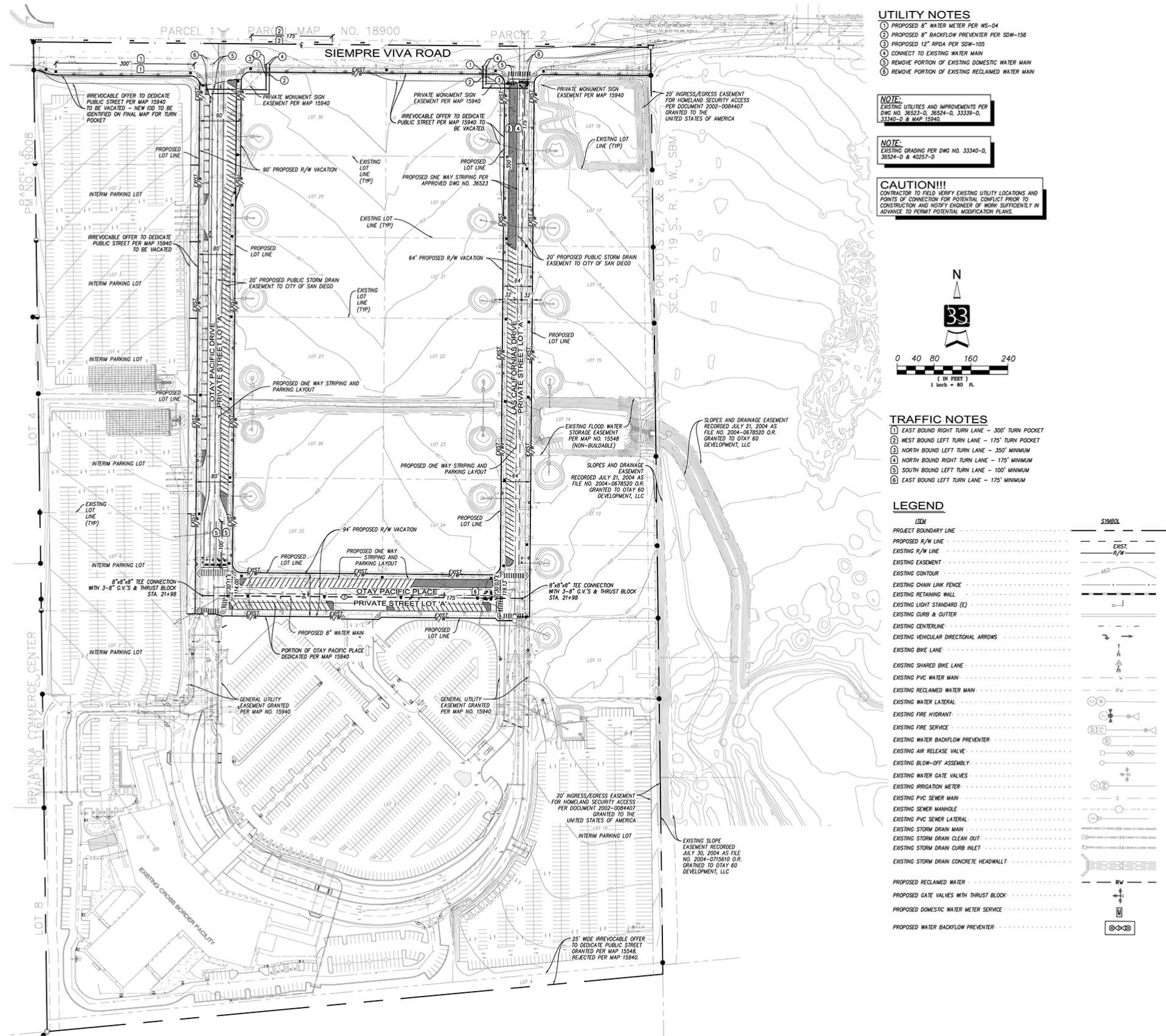


Figure 3. Proposed Utility and Circulation Map

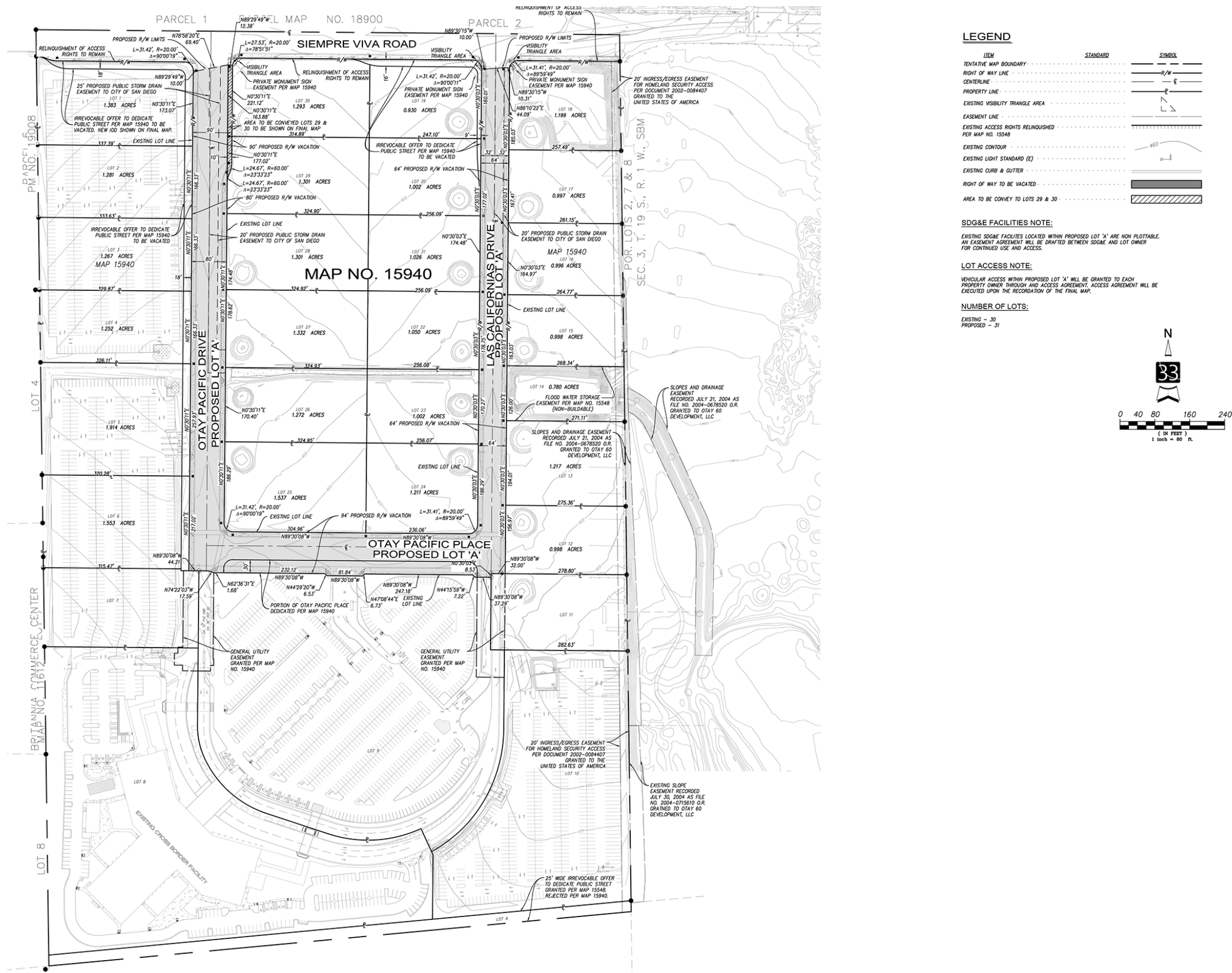


Figure 4. Tentative Map

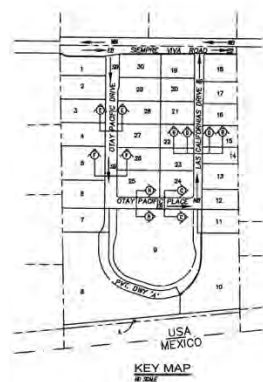
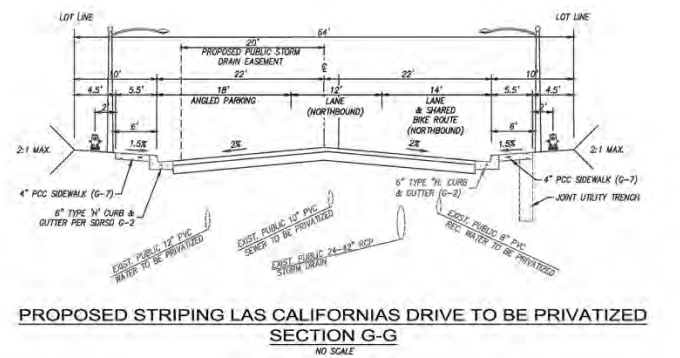
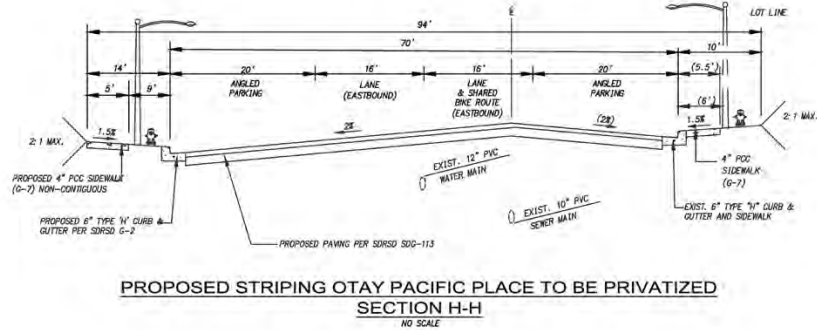
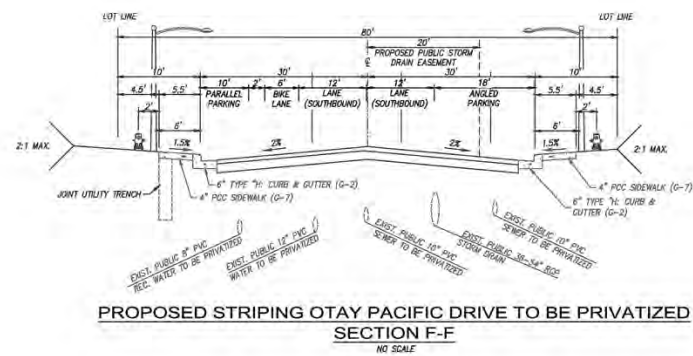
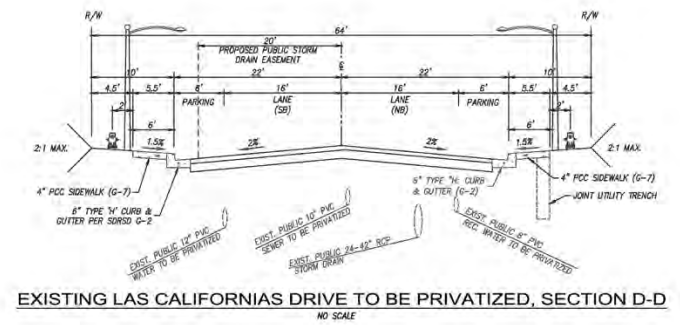
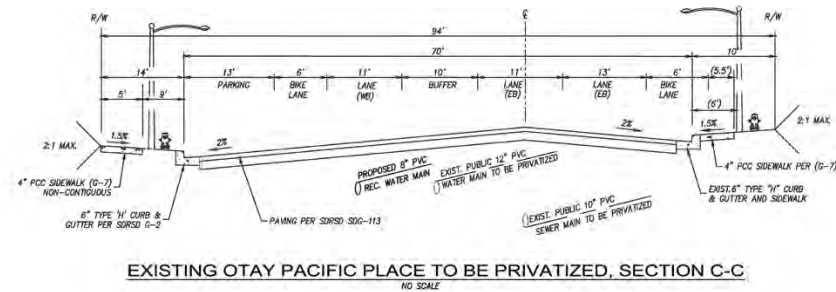
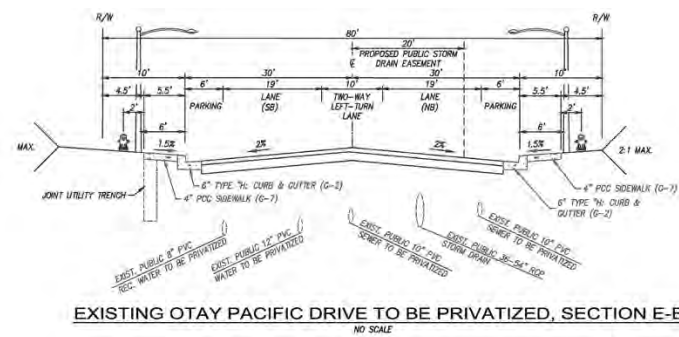


Figure 5. Proposed Private Drive Sections

