



THE CITY OF SAN DIEGO

ADDENDUM TO NEGATIVE DECLARATION

Project No. 527802
Addendum to ND No. 82-0331

SUBJECT: PROJECT NAME: 10715 SORRENTO VALLEY: CONDITIONAL USE PERMIT (CUP) A
Conditional Use Permit (CUP) for the operation a Marijuana Outlet (MO), which was previously a financial institution, within a 3,697-square-foot tenant space in an existing one-story, 5,451-square-foot commercial building on a 0.37-acre site. The project is located within the IL-3-1 Zone at 10715 Sorrento Valley Road within the Torrey Pines Community Plan (TPCP) area, Coastal (Non-appealable) Overlay Zone, and the Coastal Height Limitation Overlay Zone (Attachment 1). Additionally, the site is within the Coastal Parking Impact Overlay Zone, MCAS Miramar Land Use Compatibility Overlay Zone (Airport Influence Area – Review Area 1 and Accident Potential Zone 2), Special Flood Hazard Area (100 Year Floodplain), and Prime Industrial Lands. (LEGAL DESCRIPTION: (EX ST OP) Alley Clsd. Adj. & Lots 13-15, Block 17, Tract 483) APPLICANT: Belinda Smith.

I. SUMMARY OF PROPOSED PROJECT

The project concerns the operation of a Marijuana Outlet which is situated within an existing building and previously developed site. The proposed use at this location is subject to the framework of a CUP with respect to a discretionary review process.

Interior improvements include the division of an existing floor area into a suite for the MO, a suite to be occupied by non-retail commercial service use, and an area that is to remain vacant for the duration of CUP. Specific improvements related to the MO suite include an entry, check-in counter, waiting room, dispensary area, storage room, two office suites, employee lounge and restrooms totaling 3,697 square feet in Gross Floor Area. An additional building floor area of 703 square feet is to be leased and occupied by a non-retail commercial service use that is allowed "by-right" in the IL-3-1 Zone. The remaining 1,051 square feet of floor area is to remain vacant throughout the duration of the CUP. The vacant floor space is not to be used for any purpose, including storage.

All improvements require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards, and will be reviewed for conformance during the construction permit application phase. Public

improvements include the replacement of the existing curb ramp, and driveway to a 24-foot wide driveway consistent with current City Standards.

The project provides 22 off-street parking spaces, which satisfies the 22 space requirement for the site, pursuant to SDMC Section 142.0530(a), and Table 142-05E. All uses on the premises calculated at a rate of 5.0 automobile parking spaces per 1,000 square feet of floor area, and by maintaining 1,051 square feet of building floor area within the building as vacant and unoccupied during the term of the CUP. The project is expected to generate 933 Average Daily Trips (ADT), with 84 AM and 149 PM peak hour trips. An access analysis was prepared to evaluate whether there would be any significant impacts to transportation/circulation in the area due to the project. The access analysis dated March 6, 2018 concludes that the project would not result in any significant traffic impacts and that no mitigation is required.

II. ENVIRONMENTAL SETTING

The 0.37-acre site is addressed at 10715 Sorrento Valley Road, San Diego, California, Assessor Parcel Number 340-120-24-00 and is within the Torrey Pines Community Plan. The project site contains Environmentally Sensitive Lands (ESL) in the form of Special Flood Hazard Area (100 Year Floodplain) and is located within the Coastal Overlay Zone. The site is presently improved with an existing one-story building, an existing paved parking lot, and is currently serviced by existing public services and utilities and within an urbanized setting. The project is adjacent to an existing two-story commercial office building to the east, research and development establishments to the south, an auto body shop to the north, and railroad tracks to the west across Sorrento Valley Road, with a mix of industrial and commercial uses further west.

III. SUMMARY OF ORIGINAL PROJECT

With respect to the original development of the site, it was noted as the Torrey Pines Federal Credit Union, which encompassed a Land Development Permit and Alley Vacation to construct two commercial office buildings over two phases on 1.39 acres of M-1A zoned land. The site was referenced as being located on the northwest side of Arbutus Street, between Sorrento Valley Road and I-5 in the Torrey Pines Community Plan and the site was referenced as being located within the California Coastal Zone (Lots 12-19, Portion of 20, Block 17, Sorrento Lands and Town Site, Map 483).

The project consisted of a Land Development Permit and Alley Vacation to grade a 1.39-acre site with the construction of approximately 28,000 square feet of commercial office floor area within two buildings of one and two stories. Phase I included site grading, construction of the single-story office building (the building associated with this project) encompassing 5,232 square feet floor area, vacation of the alley between Arbutus Street and Begonia Street, and the construction of street improvements to Arbutus Street and Sorrento Valley Road. Landscaping and off-street parking for 24 cars was also provided with this phase. Phase II included the development of a two-story office building encompassing 23,000 square feet floor area, plus additional parking and landscaping. Development was noted as occurring on 1.08 net acres of the 1.39 acre site.

Grading was identified to occur over the entire site, which required 550 cubic yards of cut activities and 10,010 cubic yards of fill (including the importation of 9,460 cubic yards from an off-site location). Site gradients, with horizontal to vertical ratios of 2:1 maximum, included cut slopes up to 19 feet in height and fill slopes of up to eight feet in height.

The project site was noted as being a vacant parcel situated near the junction of Interstate 805 with Interstate 5, adjoined on the northeast by I-805, on an elevated right-of-way. To the southwest of the site, it was referenced that the site borders Sorrento Valley Road. Beyond the road, it was referenced that an elevated road bed contained the tracks of the Atchinson, Topeka and Santa Fe Railway. Just beyond the tracks, and parallel to the tracks, it was referenced that a concrete channelized course for Carroll Creek was located, which flows northwesterly towards Penasquitos Lagoon, approximately two miles away. At the time the environmental document was prepared, it referenced that adjacent properties were vacant; however, it referenced to the southeast, a 78,000-square-foot floor area office complex was proposed and several hundred feet to the northwest a pet cemetery.

The existing topography of the site was referenced as being a relatively flat valley associated with Carroll Creek with southwest facing slopes rising into the I-805 right-of-way. The original description noted a drainage swale collected waters from both the site and from the adjacent parcels. The project site was described as being within the 100-year flood boundaries of Carroll Creek and with project implementation grading fill it would raise elevations above the 100-year flood levels.

The site was described as being covered with a dense mix of introduced and native grasses, forbs and shrubs, and it was determined that the site had been disturbed in the past and concluded that the project site was not identified as within a wildlife corridor.

The project site was considered by the Comprehensive Land Use Plan for NAS Miramar and associated CNEL noise contours. The site was also identified to be within the Aircraft Accident Potential Zone for NAS Miramar and it was determined that professional uses and associated noise levels are compatible with the intended land use.

At the time the environmental document was prepared, the City's Seismic Safety Study indicated that the subject area had a potential for ground failure due to liquefaction and the potential for liquefaction on the site is due to the probable presence of groundwater approximately 25 feet below the existing, natural surface. However, with project implementation, importation and compaction of 10,000 cubic yards of fill would reduce the liquefaction hazard to a less than significant level and no geologic faults or landslides were known in the immediate project area.

IV. ENVIRONMENTAL DETERMINATION

The City previously prepared and adopted the Torrey Pines Federal Credit Union Negative Declaration (ND) No. 82-0311/SCH No. N/A. Based on all available information in light of the entire record, 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, 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

The following includes the project-specific environmental review pursuant to the CEQA. The analysis in this document evaluates the adequacy of the ND relative to the project.

Aesthetics/Visual Quality

Negative Declaration 82-0331 & Proposed Project

Negative Declaration 82-0331, which analyzed the project site and building with respect to this issue area under "Visual Resources" of the Initial Study, noted the following: *1. Project bulk scale, or architectural style will be incompatible with surrounding development, 2. The project will interfere with the view of significant natural features or landmarks. 3. The project will result in an adverse condition open to public views such as glaring lights, refuse areas, etc.*

A *No impact* assessment was determined related to this issue area and remains accurate under the proposed project as the Marijuana Outlet use and non-retail commercial service use suite are fully contained within an existing building which is not modifying an Architectural style, changing the bulk or scale of the site, or would be interfering with views of natural features and refuse areas is limited to an existing developed site footprint with existing lighting and refuse improvements. As such, it would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area.

Agriculture and Forestry Resources

Negative Declaration 82-0331 & Proposed Project

Negative Declaration 82-0331, which analyzed the project site and building with respect to this issue area under the "Land-Related Resources" section of the Initial Study, noted the following: *2. The project will significantly reduce the acreage of land rated for agriculture or currently used for agriculture.* A *No impact* assessment was determined related to this issue area and remains accurate as it relates to the proposed project as the Marijuana Outlet use and non-retail commercial service use suite are fully contained within an existing building and developed site which is not being used for currently for agriculture. Furthermore, the site does not conflict with lands designated for planned Agriculture with respect to identified Prime Farmland, Unique Farmland, or Farmland of Statewide Importance and there are no Williamson Act contract lands on or adjacent to the site. Given the preceding analysis, it would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area.

Negative Declaration 82-0331 evaluated impacts to Forestry Resources under the "Biology" section of the Initial Study and noted the following: *The project will affect a stand of distinctive landmark or mature trees.* A *No impact* assessment was determined related to this issue area. Based on the proposed project scope, as the Marijuana Outlet use and non-retail commercial service use suite are fully contained within an existing building and is located at a developed site, there would be no impacts for current or planned forestry production. No designated forest land or timberland occurs on-site and there are no designated timber or forest lands within the City of San Diego. Given the preceding analysis, the proposed project would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this

issue area. No impacts would result, and no new impacts would result in comparison to the baseline conditions as analyzed by Negative Declaration 82-0331 for the site.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the Negative Declaration. The project would not result in any new significant impacts for this issue area (Agriculture and Forestry Resources), nor would a substantial increase in the severity of impacts result from that described in the Negative Declaration (Land Related Resources and Biology).

Air Quality

Negative Declaration 82-0331 & Proposed Project

Negative Declaration 82-0331 evaluated impacts to Air Quality under the "Air Quality" section of the Initial Study and noted the following: *1. The project will discharge or generate hazardous or objectionable materials (smoke, dust, chemical, odor on a long term basis, 2. The project will generate or result in substantial auto emissions in an area where state or federal ambient air quality standards have been frequently or greatly exceeded.* A No impact analysis was determined in terms of the project for this issue area for both of these screening questions with respect to the original development of the building and site.

In terms of the proposed project conflicting with or obstructing implementation of the applicable air quality plan, the proposed construction related to the tenant improvements could increase the amount of pollutants entering the air basin, but these emissions would be temporary and finite. Construction Best Management Practices (BMPs), such as watering for dust abatement, would reduce construction dust emissions by 75 percent. Therefore, emissions associated with the construction of the project would not be significant.

As a 3,697-square-foot tenant space in an existing one-story, 5,451-square-foot commercial building on a 0.37-acre site, the project does not have the bulk and scale to cause any obstruction in the implementation of the existing air quality plan or otherwise cause any adverse air movement within the area. In accordance with the City's CEQA Significance Thresholds, The San Diego Air Pollution Control District (SDAPCD) and San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the San Diego Air Basin (SDAB). The County Regional Air Quality Strategy (RAQS) was initially adopted in 1991, and is updated on a triennial basis (most recently in 2009). The RAQS outlines the SDAPCD's plans and control measures designed to attain the state air quality standards for ozone (O₃). The RAQS relies on information from the California Air Resources Board (CARB) and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in San Diego County and the cities in the county, to project future emissions and then determine the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by San Diego County and the cities in the county as part of the development of their general plans.

The RAQS relies on SANDAG growth projections based on population, vehicle trends, and land use plans developed by the cities and by the county as part of the development of their general plans. As such, projects that propose development that is consistent with the growth anticipated by local plans would be consistent with the RAQS. However, if a project proposes development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might be in conflict with the RAQS and may contribute to a potentially significant cumulative impact on air quality.

The project is located in a neighborhood of similar industrial and commercial retail/service uses. The project is consistent with the General Plan, community plan, and the underlying zoning for commercial development. Therefore, the project would be consistent at a sub-regional level with the underlying growth forecasts in the RAQS, and would not obstruct implementation of the RAQS. No impacts would result due to implementation of the project.

As it relates to Negative Declaration 82-0331 for this issue area, no new impacts of significance have been identified with respect to Air Quality. Based on the project scope, with respect to the minor improvements, it would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area.

With regards to the proposed project violating any air quality standard or contributing substantially to an existing or projected air quality violation, the project construction activities would potentially generate combustion emissions from on-site heavy duty construction vehicles and motor vehicles transporting the construction crew and necessary construction materials. Exhaust emissions generated by construction activities would generally result from the use of typical construction equipment that may include excavation equipment, forklift, skip loader, and/or dump truck. Variables that factor into the total construction emissions potentially generated include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on or off-site. It is anticipated that construction equipment would be used on-site for four to eight hours a day; however, construction would be short-term and impacts to neighboring uses would be minimal and temporary.

Due to the nature of the proposed project and its location, construction activities are expected to create minimal fugitive dust (with the minor driveway modifications) as a result of the disturbance associated with grading. Construction operations would include standard measures as required by the City of San Diego grading permit to reduce potential air quality impacts to less than significant. Therefore, impacts associated with fugitive dust are considered less than significant, and would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. Impacts related to short term emissions would be less than significant.

Long-term air emission impacts are those associated with stationary sources and mobile sources related to any change caused by a project. The project would produce minimal stationary source emissions. Once construction of the project is complete, long-term air emissions would potentially result from such sources as heating, ventilation, and cooling

(HVAC) systems. The proposed project is compatible with the surrounding development and is permitted by the community plan and zone designation. Based on the industrial land use, project emissions over the long-term are not anticipated to violate any air quality standard or contribute substantially to an existing or projected air quality violation. Impacts would be less than significant.

Overall, the project is not expected to generate substantial emissions that would violate any air quality standard or contribute to an existing or projected air quality violation due to the very minimal amount of construction activities and from an operations perspective; therefore, impacts would be less than significant. The proposed project would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area with respect to the baseline conditions for the site.

In terms of the proposed project resulting in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors), construction operations may temporarily increase the emissions of dust and other pollutants. However, construction emissions would be temporary and short-term in duration. Implementation of Best Management Practices (BMP's) would reduce potential impacts related to construction activities to a less than significant level. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards. Impacts would be less than significant. The proposed project would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area with respect to the baseline conditions for the site.

With the respect to the proposed project creating objectionable odors affecting a substantial number of people, during construction activities, odors would be generated from vehicles and/or equipment exhaust emissions during construction of the project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and architectural coatings. Such odors are temporary and generally occur at magnitudes that would not affect a substantial number of people.

In terms of long-term operational characteristics with regards to odors, the proposed project will be conditioned to provide a sufficient odor absorbing ventilation and exhaust system capable of eliminating excessive or offensive odors causing discomfort or annoyance to any reasonable person of normal sensitivities standing outside of the structural envelope of the permitted facility in compliance with SDMC Section 142.0710. With implementation of short-term and long-term measures for addressing odors, impacts would be less than significant. It would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area with respect to the baseline conditions for the site.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the Negative Declaration. The project would not result in any new significant impacts for this issue area (Air Quality) with the implementation of project design features, nor would a substantial increase in the severity of impacts from that described in the Negative Declaration result.

Biological Resources

Negative Declaration 82-0331 & Proposed Project

Negative Declaration 82-0331, which analyzed the project site and building with respect to this issue area under "Biology" of the Initial Study, noted the following:

1. *The project will significantly alter or eliminate the habitat utilized by a threatened, rare, or endangered plant or animal species as identified by the U.S. Fish and Wildlife Service, or the California Department of Fish and Game.*
2. *The project will significantly alter the habitat utilized by a unique, sensitive, fully protected, or blue list species as identified by the California Native Plant Society, the California Department of Fish and Game, the Audubon Society, or other organizations,*
3. *The project will affect a sensitive habitat, including but not limited to streamside vegetation, oak woodland, vernal pools, coastal salt marsh, lagoon, wetland, or coastal sage or chaparral in the California Coastal Zone,*
4. *The project will affect a stand of distinctive landmark, or mature trees,*
5. *The project will create barrier to migration, movement, or dispersion of a plant or animal species,*
6. *The project will substantially diminish other natural wildlife habitat.*

A *No impact* assessment was determined related to this issue area and remains accurate under the proposed project of a Marijuana Outlet use and non-retail commercial service use suite, which are fully contained within an existing building and site. Given the small scale of the proposed project, with operations contained within an existing building, and the very minor exterior driveway approach and access improvements within an existing disturbed built site, it does not have characteristics to have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Furthermore, the site is not within or adjacent to the MHPA (Multi-Habitat Planning Area).

First, in terms of the proposed project having substantial adverse effects on species protected by the California Department of Fish and Game or U.S. Fish and Wildlife Service, the previous analysis under Negative Declaration 82-0331 determined that the development of the site would not affect or alter habitat on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. As the site was previously disturbed and in consideration of the very minor improvements related to the exterior of the proposed use (i.e. installation of a driveway approach and new sidewalk ramps), it can be determined that the proposed project it would not result in new or

increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area in comparison to the baseline condition for the site.

Second, in terms of the proposed project having a substantial adverse effect on federally protected wetlands, the previous project as analyzed under Negative Declaration 82-0331, determined that it would not affect a sensitive habitat, including but not limited to streamside vegetation, oak woodland, vernal pools, coastal salt marsh, lagoon, wetland, or coastal sage or chaparral in the California Coastal Zone. Given that the site was previously disturbed and in consideration of the very minor improvements related to the exterior of the proposed use (i.e. installation of a driveway approach and new sidewalk ramps), it can be determined that the proposed project would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area in comparison to the baseline condition for the site.

Third, in terms of the proposed project interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, the project was determined under Negative Declaration 82-0331, to not create barrier to migration, movement, or dispersion of a plant or animal species. Given that the site was previously disturbed and in consideration of the very minor improvements related to the exterior of the proposed use (i.e. installation of a driveway approach and new sidewalk ramps), it can be determined that the proposed project would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area in comparison to the baseline condition for the site.

Fourth, in terms of the proposed project conflicting with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, the previous project was determined under Negative Declaration 82-0331, to not affect a stand of distinctive landmark, or mature trees. The proposed project is limited to interior improvements and minor exterior improvements that do not involve removal of trees; therefore, it can be determined that the proposed project would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area in comparison to the baseline condition for the site.

Fifth, in terms of the proposed project conflicting with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, the previous project was determined under Negative Declaration 82-0331, to not affect or alter a wildlife habitat or affect a habitat plan. Given the previously disturbed nature of the site and in consideration of the very minor improvements related to the exterior of the proposed use (i.e. installation of a driveway approach and new sidewalk ramps), it can be determined that the proposed project would not result in new or increased significant impacts or new or modified mitigation measures beyond those

disclosed and analyzed by Negative Declaration 82-0331 for this issue area in comparison to the baseline condition for the site.

Based on the foregoing analysis and information, there is no evidence that the proposed project would require a major change to the Negative Declaration. The proposed project would not result in any new significant impacts for this issue area (Biology), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration result.

Cultural Resources

Negative Declaration 82-0331 & Proposed Project

Negative Declaration 82-0331 evaluated impacts to Cultural Resources under the "Historical and Cultural Resources" section of the Initial Study and noted the following: 1. *The property contains an archaeological/paleontological site or appears to have a high potential for containing cultural resources.* 2. *The project will affect an historical or architecturally significant site.* A No impact assessment was determined related to both issue areas. Furthermore, it was described on Page 3 within the Negative Declaration:

Archaeology:

Consideration was given to the possibility of archaeological resources being located on the site, since a number of significant archaeological sites have been identified throughout Sorrento Valley. Records indicate that the two resource sites located within 2,000 feet of the project site (Sites W-939 and SDi 5443). Consequently, a resource survey was conducted over the site. The survey, conducted by archaeologist Richard L. Carrico, concluded that there were no cultural resources associated with this project site.

Given the prior survey work, previously disturbed nature of the site, and in consideration of the very minor improvements related to the exterior of the proposed use (i.e. installation of a driveway approach and new sidewalk ramps within previously disturbed portions of the site), it can be determined that the proposed project would not result in new or increased significant impacts or new mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for Archaeological Resources. This was confirmed with City cultural resource staff as well.

With respect to the "Built Environment", the City of San Diego reviews projects requiring the demolition of structures 45 years or older for historic significance in compliance with the California Environmental Quality Act (CEQA). CEQA Section 21084.1 states that, "[a] project that may cause a substantial adverse change in the significance of an historical resource is a project that may cause a significant effect on the environment." Historic property (built environment) surveys are required for properties which are 45 years of age or older and which have integrity of setting, location, design, materials, workmanship, feeling, and association.

The property does not meet local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria. In addition, the subject building is less than 45 years of age (built in 1984) and has no historic significance; therefore, no impacts would result.

In terms of the project impacting paleontological resources, monitoring may be required if project grading meets or exceeds the City's Thresholds of 1,000 cubic yards to 10 feet in depth in highly sensitive formations. This proposed project falls below this threshold; therefore, the project does not have the potential to disturb or destroy paleontological resources and does not exceed the threshold for paleontological monitoring. Therefore, no impacts would result in comparison to the baseline condition.

Fourth, in terms of the proposed project disturbing human remains, while there is a very slight possibility of encountering human remains during subsequent project construction activities with the installation of a driveway approach and new sidewalk ramps, protocols are in place if remains are found. If human remains are discovered during construction, work would be required to be halted in that area and no soil would be exported off-site until a determination could be made regarding the presence of human remains via the County Coroner and other authorities as required per CEQA Section 15064.5(e) of the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5). As such, it can be determined that the proposed project would not have a substantial adverse change in the significance of a historical resource beyond what was disclosed and analyzed by Negative Declaration 82-0331 baseline condition.

Based on the foregoing analysis and information, there is no evidence that the proposed project would require a major change to the Negative Declaration. The proposed project would not result in any new significant impacts for this issue area (Cultural Resources), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration (Historical and Cultural Resources) result.

Geology and Soils

Negative Declaration 82-0331 & Proposed Project

Negative Declaration 82-0331, the screening criteria with respect to geology and soils with *Possible impacts* included: 1. *The Seismic Safety Study Geotechnical Land Use Capability Map or other evidence indicates that the project site has unstable geologic or soil conditions. (Rating is AC, BC, C, or D)* and 3. *The project will substantially change topography or ground surface relief features (generally more than 5,000 cubic yards of grading/acre).*

Furthermore, it was described under Negative Declaration 82-0331 for these two issue areas that, *The City's Seismic Safety Study (Geotechnical Land Use Capability Map) indicates that the subject area has a potential for ground failure due to liquefaction. The potential for liquefaction on the site is due to the probable presence of groundwater approximately 25 feet below the existing, natural surface. However, the proposed importation and compaction of 10,000 cubic yards of fill should reduce the liquefaction hazard to a relatively insignificant level. No geologic faults or landslides are known in the immediate project area.*

Per Negative Declaration 82-0331, the screening criterion with respect to "Geology and Soils" with *No impact* assessment included:

2. The project will result in an increase in soil erosion, either on or off the site....4. Proposed or probable grading exceeding 3,000 cubic yards per acre will occur in unique or unusual landforms, such as natural canyons, sandstone bluffs, rock outcrops, or hillsides with a slope in excess of 25 percent. 5. Construction will take place within a 50-foot setback of a coastal bluff or within an area extending inland to a line formed by a 20-degree angle from the base of coastal bluff.

Given the very minor site improvements proposed with implementation of Best Management Practices (BMP's), soil erosion would be contained onsite. In addition, no grading to 3,000 cubic yards per acre would occur in unique or unusual landforms, such as natural canyons, sandstone bluffs, rock outcrops, or hillsides with a slope in excess of 25 percent with this project. Furthermore, the very limited construction activities under this project would not be within a 50-foot setback of a coastal bluff or within an area extending inland to a line formed by a 20-degree angle from the base of coastal bluff; therefore, the preceding conclusions remain accurate under the proposed project.

First, in terms of the proposed project exposing people or structures to potential substantial adverse effects related to seismic-related ground failure, including liquefaction, and landslides, the project is not located within an Alquist-Priolo Fault Zone, and the proposed project would be required to comply with seismic requirements of the California Building Code, utilize proper engineering design and utilize standard construction practices, to be verified at the building permit stage. Therefore, impacts would be less than significant in comparison to the baseline site condition.

Liquefaction occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion. Implementation of the proposed project would not result in an increase in the potential for seismic-related ground failure, including liquefaction. The proposed project would utilize proper engineering design and standard construction practices, to be verified at the building permit stage for tenant improvements. As such, impacts would be less than significant in comparison to the baseline site condition.

The City of San Diego Seismic Safety Study Maps (1995 Edition, Map 25) has designated the geology at the proposed project location as being within the City of San Diego Geologic Hazard Categories 52 (low risk of landslides). The proposed project would utilize proper engineering design and standard construction practices, to be verified at the building permit stage for tenant improvements. As such, impacts would be less than significant in comparison to the baseline site condition.

Second, in terms of the proposed project affecting soil erosion or the loss of topsoil, construction of the project would temporarily disturb onsite soils during the very minor grading activities (with installation of a driveway approach and new sidewalk ramps), thereby increasing the potential for soil erosion to occur. However, the use of standard best management measures during construction would reduce the potential for soil erosion or

loss of topsoil. Impacts would be less than significant in comparison to the baseline site condition.

Third, in terms of the proposed project being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, it was previously determined with the development of the site that importation and compaction of 10,000 cubic yards of fill reduced the liquefaction hazard to a relatively insignificant level. No geologic faults or landslides are known in the immediate project area. Given the limited nature of the project scope, the previously disturbed nature of the site, and in consideration of the very minor improvements related to the exterior of the proposed use (i.e. installation of a driveway approach and new sidewalk ramps), it can be determined that the proposed project would not result in new or increased significant impacts or new mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area.

Fourth, in term of the proposed project being located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property, the project does not propose to introduce new building foundation structures that would affect this criteria.

Fifth, in terms of the proposed project having soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. This project does not propose such structures. As such, there would be no impacts.

Based on the foregoing analysis and information, there is no evidence that the proposed project would require a major change to the Negative Declaration. The proposed project would not result in any new significant impacts for this issue area (Geology and Soils), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration result.

Greenhouse Gas Emissions

Negative Declaration 82-0331 & Proposed Project

First, in terms of the project generating greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment and second, conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases, at the time the project was approved under adopted Negative Declaration 82-0331, the Greenhouse Gas Emissions issue area was not an area of criteria or analysis. However, it should be noted that the proposed project is consistent with Step 1 of the City of San Diego Climate Action Plan Consistency Checklist as the proposed project was found to be consist with the General Plan and Zoning designation for the area. Furthermore, Step 2, "Strategies Consistency", is not applicable since the building operations footprint is not being expanded beyond what was previously approved.

Based on the foregoing analysis and information, there is no evidence that the proposed project would require a major change to the Negative Declaration. The proposed project would not result in any significant impacts for this issue area (Greenhouse Gas Emissions).

Hazards and Hazardous Materials

Negative Declaration 82-0331 & Proposed Project

When the previous project was approved under adopted Negative Declaration 82-0331, the "Hazards and Hazardous Materials" issue area was not an area of criteria or analysis. The proposed project would be required to comply with all local, state and federal hazardous materials regulations. These regulations cover safety protocols for the routine transport, use, accidental release or disposal of hazardous materials. Furthermore, the project site is not within one-quarter mile of a school or proposed school, which is an issue area with respect to transportation of hazardous materials. Compliance with these regulations and protocols would ensure that potential hazards are minimized to below a level of significance.

In terms of the proposed project being located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment, a hazardous waste site records search was completed in February 2016 using the Geotracker database <https://geotracker.waterboards.ca.gov/> and the records search identified that no hazardous waste sites exist onsite. Therefore, no impacts would result.

In terms of the proposed project resulting in a safety hazard as it relates to current or planned public airport related uses to the public, the proposed project is located within MCAS Miramar ALCUZ and Airport Safety Zone - Accident Potential Zone 2. The proposed Marijuana Outlet and non-retail commercial service use suite is exempt from the Airport Land Use Compatibility Overlay Zone regulations pursuant to SDMC Section 132.1505(c)(1) and (2) as: *1) the project is limited to interior modifications and will not increase the density, floor area ratio or height of the existing structure, and 2) the proposed change in non-residential occupancy would not require an increase in the number of parking spaces.* Based on the project scope which is limited to interior improvements and minor exterior improvements, it can be ascertained that the proposed project would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area as it relates to the baseline condition for the site.

Furthermore, the proposed project is not located within the vicinity of a private airstrip, and therefore, would not result in creating a safety hazard for people residing or working in the project area for this issue area. Therefore, no impacts would occur in comparison to the baseline condition for the site.

In terms of the project impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan, this issue area was not an area of criteria or analysis as described within Negative Declaration 82-0331. However the project access configuration is not changing from what currently exists, and the proposed project is

not introducing any new streets or driveways that may affect this issue. As such, the proposed project would not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan in comparison to the current site configuration. No new impacts would occur in comparison to the baseline condition for the site.

With respect to the project exposing people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, this issue area was not an area of criteria or analysis as described within Negative Declaration 82-0331. The site is located within a highly urbanized setting which is not adjacent to a wildland area. As such, impacts associated with the interface to wildland fires would be less than significant. Based on the proposed project scope, which is limited to interior improvements and minor exterior improvements, it can be ascertained that it would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area as it relates to the baseline condition for the site.

Based on the foregoing analysis and information, there is no evidence that the proposed project would require a major change to the Negative Declaration. The proposed project would not result in any significant impacts for this issue area (Hazards and Hazardous Materials).

Hydrology and Water Quality

Negative Declaration 82-0331 & Proposed Project

As analyzed under Negative Declaration 82-0331, this issue area was covered under the "Water" section of the Negative Declaration for review of the following criteria:

- 1. The project will have adverse direct or indirect effects on domestic water supply, lagoon, bay or beach.*
- 2. The project will substantially degrade subsurface water quality.*
- 3. The project will obstruct the flow of water in a floodway or change the course or direction of water movements in either marine or freshwater.*
- 4. The project will alter the landform in a floodplain fringe.*
- 5. The quality of surface waters will be changed by discharges or altered in terms of temperature, dissolved oxygen, turbidity or other factors.*

A *No impact* assessment was determined related to all of these issue areas.

The overall proposed project drainage area, pattern and drainage characteristics would remain similar under this proposed project in comparison to the pre-project conditions, as the exterior site work is minimal and affecting very small areas of existing impervious paved areas. The project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) permit for the City of San Diego, and City drainage and storm water regulations. Potential water quality impacts would be avoided or reduced to less than significant levels through compliance with standards. Based on the project scope, it would

not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area as it relates to the baseline condition for the site.

The Marijuana Outlet and non-retail commercial service use suite is contained within an existing building and site and would not introduce new water intensive activities (cultivation activities) which substantially deplete groundwater supplies or interfere substantially with groundwater recharge, or wells that would substantially deplete groundwater supplies or interfere substantially with groundwater recharge. Based on the project scope, the proposed project would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area as it relates to the baseline condition for the site.

With respect to the project creating or contributing to runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff, it can be determined that since the parking lot was developed under the previous project, the proposed improvements do not introduce additional impervious surfaces that would create or contribute additional runoff water affecting existing or planned storm water drainage systems. Furthermore, the project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) permit for the City of San Diego, and City drainage and storm water regulations which covers water quality compliance. As such, potential water quality impacts would be avoided or reduced to less than significant levels through compliance with standards.

In terms of the proposed project placing housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, this specific issue area was not an area of criteria or analysis under Negative Declaration 82-0331; however, the use does not propose any housing, therefore no impacts would occur.

With regards to the proposed project placing structures within a 100-year flood hazard area, that would impede or redirect flood flows, the proposed project is located within the floodway fringe (Special Flood Hazard Area Zone AE – 100 year) zone. Since the building and site was elevated with respect to the baseline condition, under the previous project, no additional measures were determined to be applicable to the proposed project by Engineering review staff who act as the City's floodplain administrator. In review of the proposed project by engineering staff, a determination was made that the proposed use would not be incompatible with existing site conditions from a flood plain perspective. This was based on the very limited scope of improvements to the exterior of the site and the availability of existing storm-drain infrastructure surrounding the site. As such any impacts would be less than significant for this issue area as it relates to the baseline condition for the site.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the Negative Declaration. The proposed project would not result in any new significant impacts for this issue area (Hydrology and Water Quality), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration result.

Land Use and Planning

Negative Declaration 82-0331 & Proposed Project

In terms of the this project physically dividing an established community, this was evaluated under Negative Declaration 82-0331, which analyzed the project site and building under the "Land Use" section of the Initial Study. That document noted the following: *The project will disrupt or divide the physical arrangement of a community.* A *No impact* assessment was determined related to issue area. Given the small retail scale of the proposed project, and given the fact its operations are to be contained within existing building, it would not introduce new features at a larger scale that could divide an established community. Therefore, it would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area in comparison to the baseline condition for the site.

With regards to the proposed project conflicting with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, Negative Declaration 82-0331, which analyzed the project site and building under "Land Use" section of the Initial Study noted the following: *The project will be inconsistent with adopted environmental goals or land use designations as defined in the general plan, community plan, or precise plan disrupt or divide the physical arrangement of a community.* A *No impact* assessment was determined related to this issue area. The project found to be consistent with the underlying General Plan and Zoning designations by LDR-Planning staff. Based on this background, the proposed project would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area in comparison to the baseline condition for the site.

In the matter of the proposed project conflicting with any applicable habitat conservation plan or natural community conservation plan, the proposed project is not within or adjacent to MHPA (Multi-Habitat Planning Area). Given the small scale of the proposed project and given the fact its operations are to be contained within existing building, it would not introduce new features that conflict with any applicable habitat conservation plan or natural community conservation plan., Therefore, it would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area in comparison to the baseline condition for the site.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the Negative Declaration. The proposed project would not result in any new significant impacts for this issue area (Land Use and Planning), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration (Land Use) result.

Mineral Resources

Negative Declaration 82-0331 & Proposed Project

When the project was approved under adopted Negative Declaration 82-0331, the loss of mineral resources was not an area of criteria or analysis. However, in evaluating the proposed project in terms of resulting in the loss of availability of a known mineral resource, there are no known mineral resources located on the proposed project site. The City of San Diego General Plan (Figure CE-6) designates the project site and the surrounding area as Mineral Resource Zones 3 & 4 (MRZ-3 & 4). MRZ-3 and -4 areas are classified as areas containing mineral deposits, the significance of which cannot be evaluated from available data. The urbanized and developed nature of the site and vicinity would preclude the extraction of any such resources. As such, no impacts would result.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the Negative Declaration. The proposed project would not result in any new significant impacts for this issue area (Mineral Resources), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration result.

Noise

Negative Declaration 82-0331 & Proposed Project

When the building and site improvements were reviewed under Negative Declaration 82-0331, this issue area was covered under the "Noise" section of the Negative Declaration and analyzed the following:

- 1. Current or future noise levels from an external source will exceed standards in the City Noise Element for the proposed use.*
- 2. The project will generate noise incompatible with nearby uses according to the City Noise Element.*

A *No impact* assessment was determined related to both of these issue areas and the proposed project was reviewed and found to be compatible with the policies contained within the Torrey Pines Community Plan with respect to Noise compatibility by LDR-Planning staff.

As the scope of the project is limited to tenant improvements, within the interior of an existing building and associated minor parking lot improvements for accessibility, the proposed use would not result in the generation of additional operational noise levels in excess of existing standards or existing ambient noise levels in the vicinity of the project in comparison to the baseline condition for the site.

Furthermore, as a retail use, the proposed project does not have that characteristics that would result in the generation of operational ground borne vibration or noise levels in excess of existing standards or ambient levels outside of the minor construction phase, which would be temporary in nature, and the project is required to comply with the San

Diego Municipal Code, Chapter 5, Article 9.5, (§59.5.0404 Construction Noise). As such, any impacts would be less than significant in comparison to the baseline condition for the site.

With respect to the proposed project being located within a current or planned airport land use plan which would expose people residing or working in the area to excessive noise levels, the project is located within MCAS Miramar ALCUZ and Airport Safety Zone - Accident Potential Zone 2. The proposed Marijuana Outlet and non-retail commercial service use suite is exempt from the Airport Land Use Compatibility Overlay Zone regulations pursuant to SDMC Section 132.1505(c)(1) and (2) as: *1) the project is limited to interior modifications and will not increase the density, floor area ratio or height of the existing structure, and 2) the proposed change in non-residential occupancy would not require an increase in the number of parking spaces.*

When the project was approved under adopted Negative Declaration 82-0331, the Hazards And Hazardous Materials issue area was not an area of criteria or analysis; however, under the "Land Use" Section which analyzed this issue (*The project is not compatible with noise levels or aircraft accident potential as defined by the CPO Airport Land Use Plan or the Department of Defense "Air Installation Compatible Use Zone*) a *No impact* assessment was determined related to issue area. Based on the project scope, the proposed project would not result in new or increased significant impacts or new or modified mitigation measures beyond those disclosed and analyzed by Negative Declaration 82-0331 for this issue area. Impacts would be less than significant in comparison to the baseline condition for the site.

Furthermore, the proposed project is not within the vicinity of a private airstrip, and therefore the proposed project would not expose people residing or working in the project area to excessive noise levels from private airstrips. No new impacts would occur in comparison to the baseline condition for the site.

Based on the foregoing analysis and information, there is no evidence that the proposed project would require a major change to the Negative Declaration. The proposed project would not result in any new significant impacts for this issue area (Noise), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration (Land Use) result.

Population and Housing

Negative Declaration 82-0331 & Proposed Project

As described under Negative Declaration 82-0331, this issue area was covered under the "Growth Inducement/Services" section of the Negative Declaration and analyzed the following:

- 1. The project will result in a need for new systems, or an expansion of capacity of the following utilities:*
 - a. Power or natural gas*
 - b. Communications systems*
 - c. Water*

- d. *Sewage treatment facilities or septic tank*
- e. *Storm water drainage*
- f. *Solid waste and disposal*

...3. The project will require the construction of new streets which would serve the presently undeveloped or unplanned property.

A *No impact* assessment was determined related to both of these issue areas.

In terms of the proposed project inducing substantial population growth in an area, given the scale of the project, and the fact it will be operating within an existing developed building and site, which was previously analyzed by Negative Declaration 82-0331, it does not have the characteristics to induce substantial population growth through expansion of infrastructure as a retail use and non-retail commercial service use suite. Any impacts would be less than significant in comparison to the baseline condition for the site.

Furthermore, the proposed project would not displace housing or people, necessitating the construction of replacement housing elsewhere. No impacts would occur.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the Negative Declaration. The project would not result in any new significant impacts for this issue area (Population and Housing), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration (Growth Inducement/Services) result.

Public Services

Negative Declaration 82-0331 & Proposed Project

As described under Negative Declaration 82-0331, this issue area was covered under the "Growth Inducement/Services" section of the Negative Declaration and analyzed the following: 2. *The project will result in the need for the need for new or altered government services such as police or fire protection, schools, parks or recreational facilities.* A *No impact* assessment was determined related to this issue area.

Given the limit scope of the proposed project from an operations perspective, as a retail use and non-retail commercial service use suite within an existing building and developed site, it would not result in significant adverse physical impacts to public services or services levels because the project would not introduce any new residents to the project area, which would create a new demand for public services such as schools, parks or recreational facilities, and libraries. Fire and Police currently provide service to the site and it was determined that proposed service levels are consistent with the Torrey Pines Community Plan; otherwise, an amendment to the community plan would be triggered inclusive of this review. As such, any impacts would be less than significant in comparison to the baseline condition for the site.

Based on the foregoing analysis and information, there is no evidence that the proposed project would require a major change to the Negative Declaration. The proposed project

would not result in any new significant impacts for this issue area (Public Services), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration (Growth Inducement/Services).

Recreation

Negative Declaration 82-0331 & Proposed Project

As analyzed under Negative Declaration 82-0331, this issue area was covered under the "Growth Inducement/Services" section of the Negative Declaration and analyzed the following: 2. *The project will result in the need for the need for new or altered government services such as police or fire protection, schools, parks or recreational facilities.* A "No impact" assessment was determined related to this issue area.

In terms of the proposed project increasing the use of existing neighborhood and regional parks or other recreational facilities, given the limit scope/scale of the proposed project from an operations perspective, as a small retail use and non-retail commercial service use suite within an existing building and developed site, the proposed project would not adversely affect the availability of and/or need for new or expanded recreational resources in comparison to the baseline condition for the site. Furthermore, the proposed project is not providing housing, which impacts the need for these types of resources.

Based on the foregoing analysis and information, there is no evidence that the proposed project would require a major change to the Negative Declaration. The proposed project would not result in any new significant impacts for this issue area (Recreation), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration result under (Growth Inducement/Services).

Transportation/Traffic

Negative Declaration 82-0331 & Proposed Project

As analyzed under Negative Declaration 82-0331, this issue area was covered under the "Transportation" section of the Negative Declaration and analyzed the following:

1. *The project will increase motor vehicle traffic through a high accident located as identified by the Engineering and Development Department.*
2. *The project will create or add to significant impacts to traffic circulation.*
3. *The project will increase or create parking congestion.*

A No impact assessment was determined related to these issue areas.

Inclusive of the updated review for the proposed Marijuana Outlet and non-retail commercial service use suite, a technical report was prepared "Access Analysis Study,

Marijuana Outlet Project, 10715 Sorrento Valley Road, City of San Diego Project Number: 527802, Darnell & Associates, Inc., Revised March 6, 2018," which determined at page 25:

- *The project is estimated to generate 933 average daily trips, with 84 AM peak hour trips (split 43 inbound and 41 outbound), and 149 PM peak hour trips (split 74 inbound and 75 outbound).*
- *Based on the City of San Diego guidelines, the traffic study was focused on:*
 - *Sorrento Valley Road between Sorrento Valley Boulevard and Carroll Canyon Road;*
 - *Sorrento Valley Road/ Arbutus Street;*
 - *Sorrento Valley Road/Sorrento Valley Boulevard; and*
 - *Sorrento Valley Road Project Access/Sorrento Valley Road.*
- *The access analysis analyzed roadways and intersections under the following conditions:*
 - *Existing Conditions;*
 - *Existing Plus Project Conditions;*
 - *Near Term (2018) Plus Cumulative Projects; and*
 - *Near Term (2018) Plus Cumulative Projects Plus Project Conditions.*
- *The project analysis does not identify any significant traffic impacts at roadway segments for Existing Conditions and Near Term (2018) Conditions with and without the project. The roadways analyzed will all operate at LOS "C" or better with the development of the project for each condition.*
- *The project analysis does not identify any significant traffic impacts for each intersection analyzed for Existing Conditions and Near Term (2018) Conditions with and without the project. Each of the intersections analyzed will all operate at LOS "D" or better with the development of the project for each condition. Therefore the project is not required to provide any mitigation.*
- *Analysis of project impacts concludes that the project does not exceed City of San Diego significance thresholds, and therefore the project is not required to provide mitigation.*
- *Review of the project on-site circulation found it to be satisfactory.*

As of March 7, 2018, LDR-Transportation staff concurred with the analysis of site with the trip generation rates and conclusions of the Access Analysis Study and concluded that the project did not exceed City of San Diego significance thresholds. Therefore, the project is not required to provide new mitigation.

The proposed project was found not to conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, as the

retail use and non-retail commercial service use suite will occupy an existing building and site where there is existing motorized infrastructure (Sorrento Valley Road and Arbutus Street), and non-motorized means of travel (bicycle lanes exists on Sorrento Valley Road) will continue to be utilized under this proposed project. These facilities are identified within the Torrey Pines Community Plan and the proposed modifications do not propose any new structures (new buildings or roadways) or provide substantial increase in users of these facilities, considering the project proposes a 3,697 square foot retail use and 703 square foot non-retail commercial service use in an existing building. As such, any impacts would remain less than significant in comparison to the baseline condition.

Furthermore, the proposed project Access Analysis technical report concluded that there would not be any significant traffic impacts at nearby roadway segments with respect to the broader Torrey Pines Community Plan. As such, any impacts would remain less-than-significant in comparison to the baseline condition.

In the matter of the proposed project resulting in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks, the proposed project does not propose structures or design features that would affect existing or future air traffic patterns, as such, any impacts would remain less than significant in comparison to the baseline condition.

In terms of the project substantially increasing hazards due to a design features (e.g., sharp curves or dangerous intersections), or incompatible uses (e.g., farm equipment), the proposed project does not introduce new design features to the existing site and the retail use is allowed within the IL-3-1 Zone, subject to a planning distance requirements from sensitive uses and a discretionary review process. As such, any impacts would remain less than significant in comparison to the baseline condition.

The project does not introduce new design features to the existing site that would modify emergency access as existing driveways and road would be used. As such, any impacts would remain less-than-significant in comparison to the baseline condition.

The proposed project does not introduce new design features, as it occupies an existing site, that would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities as described in the Torrey Pines Community Plan. As such, any impacts would remain less-than-significant in comparison to the baseline condition.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the Negative Declaration with respect to transportation and access impacts, and the project does not exceed City of San Diego significance thresholds. Therefore, the project is not required to provide mitigation. The project would not result in any new significant impacts for this issue area (Transportation/Traffic), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration result (Transportation).

Tribal Cultural Resources

Negative Declaration 82-0331 & Proposed Project

This issue was not specifically addressed within the Initial Study for Negative Declaration 82-0331, as it predated this area for analysis. However, it is most closely related to the Historic and Cultural Resources Section, which included *1. The property contains an archaeological/paleontological site or appears to have a high potential for containing cultural resources. 2. The project will affect an historical or architecturally significant site.* A No impact assessment was determined related to both of issue areas.

The project site was determined not to be listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or as a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1 and in applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, to be considered a significant resource to a California Native American tribe. In communications with local Kumeyaay Native American tribes (Santa Ysabel and Jamul) concerning the above criteria, consultation is not desired at sites where there would be above sub-grade disturbance. The minor parking lot access improvements would be above the sub-grade level; therefore the proposed project does not trigger this issue area.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the Negative Declaration. The project would not result in any new significant impacts for this issue area (Tribal Cultural Resources), nor would a substantial increase in the severity of impacts from that described in the Negative Declaration result under Historic and Cultural Resources.

Utilities and Service Systems

Negative Declaration 82-0331 & Proposed Project

This issue area was covered under the "Growth Inducement/Services" section of the Negative Declaration and analyzed the following:

- 1. The project will result in a need for new systems, or an expansion of capacity of the following utilities:*
 - a. Power or natural gas*
 - b. Communications systems*
 - c. Water*
 - d. Sewage treatment facilities or septic tank*
 - e. Storm water drainage*
 - f. Solid waste and disposal*

A No impact assessment was determined for this this issue area.

Provided the scale/scope of the proposed project, as a retail use and non-retail commercial service use suite, and provided operations would be contained within an existing developed building and site with existing utilities and storm-drain facilities, no new impacts are anticipated with respect to the additional impacts to utilities, solid waste use, water supplies, wastewater treatment systems, or additional storm water capacity from this proposed project. Capacity needs from the proposed project are consistent with the Torrey Pines Community Plan and this issue was previously analyzed by Negative Declaration 82-0331. As such, any impacts would remain less-than-significant in comparison to the baseline condition.

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

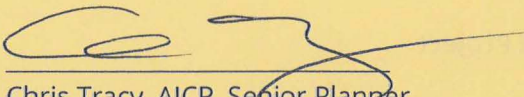
None required.

VII. IMPACT SIGNIFICANCE

Negative Declaration 82-0331 identified that the proposed project would result in less than significant impacts. This Addendum also identifies that all proposed project impacts would remain below a level of significance, consistent with the previously adopted Negative Declaration.

VIII. CERTIFICATION

Copies of the addendum, the adopted ND, and associated project-specific technical appendices, if any, may be reviewed in the office of the Development Services Department, or purchased for the cost of reproduction.

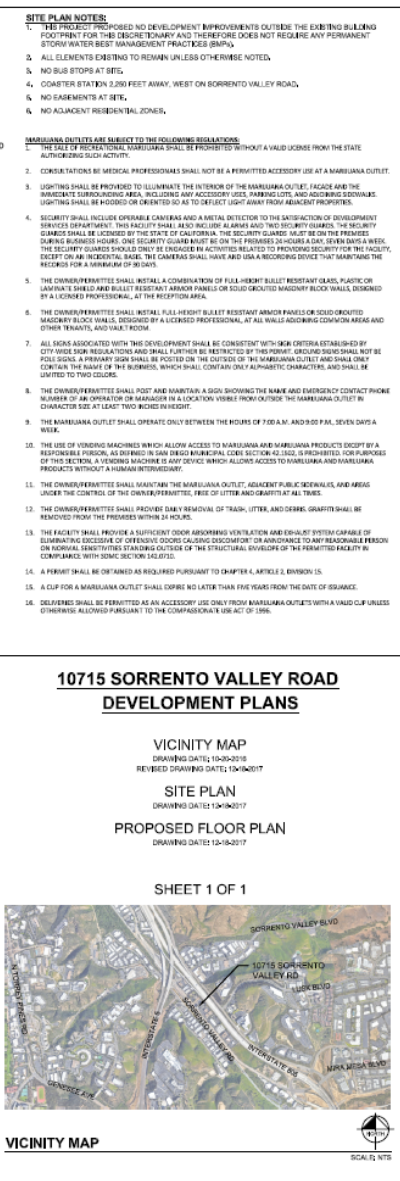

Chris Tracy, AICP, Senior Planner
Land Development Review Division,
Development Services Department

3/29/18
Date of Final Report

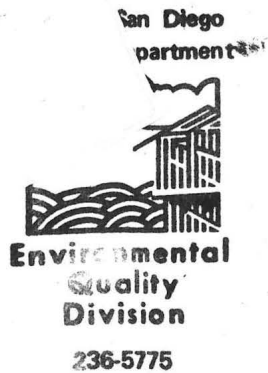
Analyst: Chris Tracy, AICP Senior Planner

Attachments:

Figure 1: Site and Floorplan
Negative Declaration No. 82-0331/SCH No. N/A



City of San Diego – Development Services Department



Negative Declaration

EQD No. 82-0331

SUBJECT: Torrey Pines Federal Credit Union. LAND DEVELOPMENT PERMIT (700056) and ALLEY VACATION (82-513) to construct two commercial office buildings in two phases on 1.39 acres of M-1A zoned land. Located on the northwest side of Arbutus Street between Sorrento Valley Road and I-5 in the Torrey Pines community (Lots 12-19, Portion of 20, Block 17, Sorrento Lands and Town Site, Map 483). Applicant: Torrey Pines Federal Credit Union.

- I. **PROJECT DESCRIPTION:** See attached Initial Study.
- II. **ENVIRONMENTAL SETTING:** See attached Initial Study.
- III. **FINDING:**

The City of San Diego has conducted an Initial Study and determined that the proposed project will not have a significant environmental effect and the preparation of an Environmental Impact Report will not be required.

IV. **DOCUMENTATION:**

The attached Initial Study documents the reasons to support the above Finding.

V. **MITIGATING MEASURES:** None required.

VI. **PUBLIC REVIEW DISTRIBUTION:**

Draft copies or notice of this Negative Declaration were distributed to:

Councilmember Bill Mitchell, District 1
Transportation and Traffic Engineering Division, City of San Diego
San Diego County Archaeological Society, Inc.
Archaeological Resource Management Society
Torrey Pines Protective Association
Torrey Pines Community Planning Group
California Coastal Commission, San Diego District

INITIAL STUDY
EQD No. 82-0331

SUBJECT: Torrey Pines Federal Credit Union. LAND DEVELOPMENT PERMIT (700056) and ALLEY VACATION (82-513) to construct two commercial office buildings in two phases on 1.39 acres of M-1A zoned land. Located on the northwest side of Arbutus Street between Sorrento Valley Road and I-5 in the Torrey Pines community (Lots 12-19, Portion of 20, Block 17, Sorrento Lands and Town Site, Map 483). Applicant: Torrey Pines Federal Credit Union.

I. PURPOSE AND MAIN FEATURES:

The proposed project consists of a Land Development Permit and Alley Vacation to grade a 1.39-acre site and construct approximately 28,000 square feet of commercial office floor area in two buildings of one and two stories. Phase I would include the site grading, construction of the single-story office building (5,232 square feet floor area), vacation of the alley between Arbutus Street and Begonia Street, and the construction of certain street improvements to Arbutus Street and Sorrento Valley Road. Landscaping and off-street parking for 24 cars would also be provided. Phase II would include a two-story office building of approximately 23,000 square feet floor area, plus additional parking and landscaping. Development would occur on 1.08 net acres of the 1.39 acre site (see Figures 1 and 2).

Grading would occur over the entire site and would require 550 cubic yards of cut and 10,010 cubic yards of fill (including the importation of 9,460 cubic yards from off-site). Site gradients, with horizontal to vertical ratios of 2:1 maximum, would include cut slopes up to 19 feet in height and fill slopes of up to eight feet in height.

II. ENVIRONMENTAL SETTING:

The project site is a vacant parcel situated near the junction of I-805 with I-5 in the Sorrento Valley area of the Torrey Pines community. The site is adjoined on the northeast by I-805, on an elevated right-of-way. To the southwest, the site borders Sorrento Valley Road. Beyond the road, on an elevated road bed are the tracks of the Atchinson, Topeka and Santa Fe Railway. Just beyond, and parallel to the tracks, is the concrete channelized course for Carroll Creek, which flows northwesterly towards Penasquitos Lagoon, approximately two miles away. Adjacent properties are vacant. However, immediately to the southeast a 78,000-square-foot floor

area office complex has been proposed. Several hundred feet to the northwest is a pet cemetery.

Both the project site and all lands adjacent are zoned M-1A (light industrial, manufacturing and certain commercial uses). The site is located within the California Coastal Zone. A North City Local Coastal Program Addendum, which includes the Torrey Pines community, has been adopted by City Council, but has not been certified yet by the Coastal Commission. The existing 1975 Torrey Pines Community Plan shows the site as part of the Sorrento Valley Industrial Park, but makes recommendations for rezoning lands from M-1A to M-IP or M-1B, so as to provide for additional design controls.

The existing topography of the site is shown in Figure 2, and consists of a portion of the relatively flat valley associated with Carroll Creek, and the southwest facing slopes rising into the I-805 right-of-way. A drainage swale collects waters from both the site and the adjacent parcels. The project site is within the 100-year flood boundaries of Carroll Creek. Fill proposed with the grading would raise elevations above the 100-year flood levels. Existing elevations range from 36 to 75 feet MSL.

The site is covered with a dense mix of introduced and native grasses, forbs and shrubs. It appears that the site has been disturbed in the past, as large, mature sycamores, which are associated with the drainage swale on the adjacent properties, are absent from the site. Dominant on-site species include mulefat, elderberry, and wild mustard. Due to the urbanization of the area (I-805, Sorrento Valley Road, the railroad, Carroll Creek's concrete channel and other nearby developments), the project site is not expected to serve as a significant wildlife corridor.

The project site is considered by the Comprehensive Land Use Plan for NAS Miramar to be partially within the 65 dB CNEL and partially within the 60 dB CNEL noise contours. The site is also designated to be within the C Aircraft Produced Accident Potential Zone for NAS Miramar. This zone denotes office buildings and professional uses to be normally acceptable and the noise levels are compatible with the intended land use.

The City's Seismic Safety Study (Geotechnical Land Use Capability Map) indicates that the subject area has a potential for ground failure due to liquefaction. The potential for liquefaction on the site is due to the probable presence of groundwater approximately 25 feet below the existing, natural surface. However, the proposed importation and compaction of 10,000 cubic yards of fill should reduce the liquefaction hazard to a relatively insignificant level. No geologic faults or landslides are known in the immediate project area.

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study checklist.

IV. DISCUSSION:

Archaeology:

Consideration was given to the possibility of archaeological resources being located on the site, since a number of significant archaeological sites have been identified throughout Sorrento Valley. Records indicate that two resource sites are located within 2,000 feet of the project site (Sites W-939 and SDi 5443). Consequently, a resources survey was conducted over the site. The survey, conducted by archaeologist Richard L. Carrico, concluded that there were no cultural resources associated with this project site. The findings letter of that survey is attached.

V. RECOMMENDATION:

On the basis of this initial evaluation:

- ☒ The proposed project would not have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
- ☐ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

PROJECT ANALYST: TURNER:hr

Attachments: Figure 1, Location Map
Figure 2, Grading/Site Plan
Archaeology Survey Report



INITIAL STUDY
EQD No. 82-0331

III. Environmental Analysis

This Initial Study is designed to identify the potential for significant environmental impacts which could be associated with a project. All answers of "yes" and "possible" indicate that there is a potential for significant environmental impacts and these answers are explained in an attached discussion section.

Thirteen categories are examined below for potential impacts: Geology and Soils, Water, Land-Related Resources, Biology, Historical and Cultural Resources, Land Use, Visual Quality, Growth Inducement/Services, Transportation, Air Quality, Energy and Water Conservation, Noise, and Cumulative Effects.

Geology and Soils

	<u>Impacts</u>		
	Yes	Possible	No
1. The Seismic Safety Study Geotechnical Land Use Capability Map or other evidence indicates that the project site has unstable geologic or soil conditions. (Rating is AC, BC, C, or D)	—	<u>X</u>	—
2. The project will result in an increase in soil erosion, either on or off the site.	—	—	<u>X</u>
3. The project will substantially change topography or ground surface relief features (generally more than 5,000 cubic yards of grading/acre).	—	<u>X</u>	—
4. Proposed or probable grading exceeding 3,000 cubic yards per acre will occur in unique or unusual landforms, such as natural canyons, sandstone bluffs, rock outcrops, or hillsides with a slope in excess of 25 percent.	—	—	<u>X</u>
5. Construction will take place within a 50-foot setback of a coastal bluff or within an area extending inland to a line formed by a 20-degree angle from the base of the coastal bluff.	—	—	<u>X</u>

Water

	<u>Impacts</u>		
	Yes	Possible	No
1. The project will have adverse direct or indirect effects on a domestic water supply, lagoon, bay, or beach.	—	—	<u>X</u>
2. The project will substantially degrade subsurface water quality.	—	—	<u>X</u>
3. The project will obstruct the flow of water in a floodway or change the course or direction of water movements in either marine or fresh water.	—	—	<u>X</u>
4. The project will alter the landform in a flood-plain fringe.	—	—	<u>X</u>
5. The quality of surface waters will be changed by discharges or altered in terms of temperature, dissolved oxygen, turbidity or other factors.	—	—	<u>X</u>

Land-Related Resources

1. The project will substantially deplete or prevent potential use of any nonrenewable natural resources.	—	—	<u>X</u>
2. The project will significantly reduce the acreage of land rated for agriculture or currently used for agriculture.	—	—	<u>X</u>

Biology

1. The project will significantly alter or eliminate the habitat utilized by a threatened, rare, or endangered plant or animal species as identified by the U.S. Fish and Wildlife Service or the California Department of Fish and Game.	—	—	<u>X</u>
2. The project will significantly alter the habitat utilized by a unique, sensitive, fully protected, or blue list species as identified by the California Native Plant Society, the California Department of Fish and Game, the Audubon Society, or other organizations.	—	—	<u>X</u>
3. The project will affect a sensitive habitat, including but not limited to streamside vegetation, oak woodland, vernal pools, coastal salt marsh, lagoon, wetland, or coastal sage or chaparral in the California Coastal Zone.	—	—	<u>X</u>

Impacts

Yes Possible No

4. The project will affect a stand of distinctive, landmark, or mature trees.

— — X

5. The project will create a barrier to migration, movement, or dispersion of a plant or animal species.

— — X

6. The project will substantially diminish other natural wildlife habitat.

— — X

Historical and Cultural Resources

1. The property contains an archaeological/paleontological site or appears to have a high potential for containing cultural resources.

— — X

2. The project will affect an historical or architecturally significant site.

— — X

Land Use

1. The project will be inconsistent with adopted environmental goals or land use designations as defined in a general plan, community plan, or precise plan.

— — X

2. The project will disrupt or divide the physical arrangement of a community.

— — X

The project will displace a large number of people.

— — X

4. The project will prevent existing public access to beaches, tidelands, parks, or other open space recreation areas.

— — X

5. The project is not compatible with noise levels or aircraft accident potential as defined by CPO Airport Land Use Plan or the Department of Defense Air Installation Compatible Use Zone.

— — X

Visual Quality

1. Project bulk, scale, or architectural style will be incompatible with surrounding development.

— — X

2. The project will interfere with the view of significant natural features or landmarks.

— — X

Impacts

Yes Possible No

3. The project will result in an adverse condition open to public view such as glaring lights, refuse areas, etc.

— — X

Growth Inducement/Services

1. The project will result in a need for new systems, or an expansion of capacity of the following utilities:

- a. power or natural gas
- b. communications systems
- c. water
- d. sewage treatment facilities or septic tank
- e. storm water drainage
- f. solid waste and disposal

— — X

2. The project will result in the need for new or altered governmental services such as police or fire protection, schools, parks or recreational facilities.

— — X

3. The project will require construction of new streets which would serve presently undeveloped or unplanned property.

— — X

Transportation

1. The project will increase motor vehicle traffic through a high accident location as identified by the Engineering and Development Department.

— — X

2. The project will create or add to significant impacts to traffic circulation.

— — X

3. The project will increase or create parking congestion.

— — X

Air Quality

1. The project will discharge or generate hazardous or objectionable materials (smoke, dust, chemical, odor) on a long-term basis.

— — X

2. The project will generate or result in substantial auto emissions in an area where state or federal ambient air quality standards have been frequently or greatly exceeded.

— — X

Impacts

Yes Possible No

3. Residential or institutional projects will be subjected to CO concentrations, vehicle emissions, or other hazardous materials, worse than state of federal standards.

— — X

Energy and Water Conservation

1. The proposed project will result in the use of substantial or excessive amounts of fuel or energy.

— — X

2. The design of the project significantly interferes with natural heating and cooling opportunities either on or off the site.

— — X

3. The project will result in the use of excessive amounts of water.

— — X

4. Less than 1/3 of the landscaped area will contain native or drought resistant vegetation.

— — X

Noise

1. Current or future noise levels from an external source will exceed standards in the City Noise Element for the proposed use.

— — X

2. The project will generate noise incompatible with nearby uses according to the City Noise Element.

— — X

Cumulative Effect

There are special circumstances associated with the project such that when added to past, present, or future projects in the area, the addition of this project would result in a significant cumulative impact for the vicinity.

— — X



Environmental Quality Division

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WESTEC Services, Inc.

3211 Fifth Avenue

San Diego, CA 92103

(714) 294-9770



82-77-E

June 21, 1982

Mr. Phillip Brodie
Clifton West Properties, Inc.
8388 Vickers Street
Suite 111
San Diego, CA 92111

Re: Archaeological Assessment of the Torrey Pines Federal Credit Union Property
(APN - 340-120- 21&24).

Dear Mr. Brodie:

On June 21, 1982 an archaeological survey and assessment was conducted on the Torrey Pines Federal Credit Union Property in Sorrento Valley. The survey was conducted in accordance with verbal stipulations provided by Mr. Dennis Turner of the City of San Diego Environmental Quality Division. Specifically Mr. Turner and I agreed that the archaeological assessment should include: 1) a thorough walkover of the project site, 2) an examination of spoil dirt from soil test borings 3) excavation of postholes to evaluate subsurface soils and 4) examination of cut slopes, erosional rills and other soil exposures.

As per that agreement, the project site was thoroughly examined by myself and Mr. Jay Thesken. Although vegetation obscured some areas, sufficient "bald spots" and cleared areas were present to allow for an adequate spot check of the project. Examination of soil test boring spoils, including screening of select soils, did not reveal any evidence of artifacts or prehistoric debris. Excavation of four postholes to an average depth of almost 3 feet also provided no evidence of buried materials. Thorough investigation of cut slopes, recently graded areas, disturbed areas and highway easement impacts failed to identify any prehistoric artifacts or features.

It is our conclusion that the subject property does not contain surface or subsurface cultural resources. In general, the flat area in and around the project has relatively low archaeological potential. Apparently most prehistoric sites are located on adjacent knolls or on the valley floor to the southwest.

Future development and landform alteration on the Torrey Pines Federal Credit Union property will in no way adversely impact or affect any known archaeological site or feature. It is our recommendation that no archaeological conditions or constraints be

Mr. Phillip Brodie
Page Two
June 21, 1982

imposed upon any future project at this location.

If you have questions or if I can be of further assistance to you on this project please feel free to contract me at your earliest convenience.

Very truly yours,

Richard L. Carrico

Richard L. Carrico
Manager,
Cultural Resources Group

RLC:evn

