



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: October 11, 2016

TO: City of San Diego Planning Commission

FROM: Myra Herrmann, Senior Planner, Planning Department

SUBJECT: Greenwood County Island Annexation California Environmental Quality Act – Section 15162 Evaluation

The Planning Department has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent EIRs and Negative Declaration consistency evaluation for the proposed Greenwood County Island Annexation.

This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed amendments. As outlined in the evaluation below, the Planning Department has determined that the proposed amendment is consistent with the Southeastern San Diego and Encanto Neighborhoods Community Plan Updates Final Environmental Impact Report (FEIR) (Project No. 386029/SCH No. 20144051075) certified by the City Council on November 16, 2015, R-310077; and would not result in new impacts.

BACKGROUND

The previous Southeastern San Diego (SESD) Community Plan was adopted in 1969 and comprehensively updated in 1987. In the update effort, which was initiated in 2012 and completed in 2015, the community plan area was split into two planning areas: the Southeastern San Diego and the Encanto Neighborhoods communities, with separate community plans for each area. The 121-acre Greenwood County Island lies within the SESD community planning area, just west of I-805 between Imperial Avenue and Market Street. The FEIR for Southeastern San Diego and Encanto Neighborhoods Community Plan Updates (CPUs) analyzes and evaluates all relevant environmental issues associated with implementing the CPUs. The FEIR found that implementation of the CPUs would introduce significant and unavoidable impacts to transportation, air quality, and noise. Impacts to land use, biology, hydrology and water quality, historical resources, paleontological resources, and geological resources were determined to be less than significant with mitigation incorporated. The FEIR includes a Mitigation Monitoring and Reporting Program (MMRP) that requires mitigation for the impacts listed above.

CEQA 15162 CONSISTENCY EVALUATION

The Planning Department reviewed the proposed amendments and conducted a 15162 consistency evaluation with the EIR No. 386029/SCH No. 20144051075. The environmental

issue sections below substantiate the conclusion that supports a determination that no subsequent document is required.

Taking into consideration the required technical studies and additional analysis conducted for the previously certified EIR, it was concluded that the proposed annexation complies with all the requirements. A rezone is also proposed for the annexation area in order to better align the zoning designation with the existing uses. The current cemetery and other land uses would remain indefinitely, and there would be no increase in density or intensity within the SESD community planning area as a result of the annexation. The project would not result in new impacts or changed circumstances that would require a new environmental document as described in the following environmental issue sections.

Land Use

The proposed annexation would not change the land use of the Greenwood property. The zone assigned to the annexation area during the comprehensive SESD CPU, RS-1-1 (Residential-Single Unit), which provides regulations for development of single dwelling units that accommodate a variety of lot sizes and residential dwelling types, prohibits cemetery and charitable organization uses. To rectify this unintentionally prohibitive zone assignment, a rezone to AR-1-2 (Agricultural-Residential), which accommodates a wide range of agricultural uses while also permitting development of single dwelling unit homes at a very low intensity, is proposed. This zone would allow existing uses to be modified and/or expanded with a Process 4 Conditional Use Permit. Table 5.1-11 in the FEIR indicates that no land use changes would occur on all cemetery sites in the SESD community plan area; the current uses would remain the same, even with the rezone to AR-1-2. No impacts would occur.

Transportation

Traffic circulation would not change due to the proposed annexation, and no additional transportation improvements would be necessary, therefore there would be no impacts to transportation.

Air Quality

No additional uses would be added that would potentially violate any air quality standards. The annexation area would be in compliance with existing City air quality plans as demonstrated by the adopted SESD EIR.

Noise

There would be no addition of noise-producing activities with implementation of the proposed annexation; no impact would occur.

Biological Resources

No construction or land modification would take place with the proposed annexation, therefore no biological resources would be impacted.

Hydrology and Water Quality

Water use, discharge and drainage from the annexed site would remain the same; use of groundwater supplies would not increase.

Historical Resources

No construction or land modifications would take place with the proposed annexation, therefore historical resources would not be impacted.

Paleontological Resources

No construction or land modifications would take place with the proposed annexation, therefore paleontological resources would not be impacted.

Geology and Seismic Hazards

No geology or seismic hazards would be impacted as a result of the proposed annexation.

Hazardous Materials

There would be no change in activities on the property, including management of hazardous waste and materials. No impact would occur.

Greenhouse Gas Emissions

Land use would remain the same, and greenhouse gas emissions would not increase as a result of the proposed annexation.

Energy

Energy use would not increase as a result of the proposed annexation; no impact would occur.

Public Services and Facilities

The proposed annexation would not result in a need for any new public facilities. The San Diego County Sherriff currently serves the property; with the annexation, police protection would be transferred to the City of San Diego Police Department. There would likely be a cost increase associated with transfer of services, but no environmental impacts would occur. Police response times would improve with the annexation. The City of San Diego Fire Department already provides service to the property. No increase in population would occur which would impact schools, parks or other public facilities. These would all remain consistent with the SESD FEIR analysis.

Public Utilities

The property's sewer and water needs are currently served by the City of San Diego's Public Utilities Department, and would remain as such with the proposed annexation. Impacts to public utilities would remain consistent with the analysis in the SESD FEIR.

Visual Effects and Neighborhood Character

Existing visual character and aesthetics would remain the same; no current views would be obstructed, and no impact would occur.

CONCLUSION

Overall, it is not anticipated that the implementation of the proposed annexation would result in any significant direct, indirect or cumulative impacts over and above those disclosed in the previously certified EIR. The project would not result in new impacts or changed circumstances that would require a new environmental document.

Section 15162 of the CEQA Guidelines states:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (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 EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The Planning Department finds that none of the three criteria listed above has occurred. In addition, this evaluation supports the use of the certified Southeastern San Diego and Encanto Neighborhoods Community Plan Updates FEIR for the proposed project pursuant to CEQA Guidelines Section 15162. Therefore, the certified EIR adequately covers the proposed Greenwood County Island Annexation.

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