

**SUBSEQUENT ACTION NOTICE OF DETERMINATION
(Consistency Determination Pursuant to CEQA Section 15162)**

To: Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

From: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: PRJ-1104710

State Clearinghouse Number: 2015111012

Project Title: 4575 Camino De La Plaza Amendment

Project location: 4575 Camino De La Plaza, San Diego, CA, 92173

City/County: San Diego/San Diego

Description of Previous Action and Project: The San Ysidro Community Plan Update (SYCPU) was approved on November 15, 2016, which established land use designations and policies to guide future development within San Ysidro consistent with the City of San Diego General Plan (City of San Diego 2008). Discretionary actions required to implement the SYCPU, and addressed in the SYCPU Program Environmental Impact Report (PEIR), included the Adoption of the SYCPU; Adoption of the San Ysidro Historic Village Specific Plan (SYHVSP); Creation of a Local Coastal Program (LCP); a General Plan Amendment; Rescission of the San Ysidro Planned District Ordinance (PDO); Amendments to the City's Land Development Code (LDC) for Adoption of a Rezone Ordinance to replace the San Ysidro PDO with citywide zoning; and approval of an Impact Fee Study (IFS).

Subsequently, an Addendum for the Virginia Avenue Parking Garage project (PTS No. 375960) was prepared to the SYCPU PEIR that also included the proposed project site (4575 Camino De La Plaza; Assessor's Parcel Number 666-400-10). The Virginia Avenue Parking Garage project included a Coastal Development Permit to amend CDP 40-0338, a Planned Development Permit and Neighborhood Use Permit to demolish a one-story 2,000 square-foot building (restaurant) and associated parking lot to allow for the construction of a 5-level parking structure with 349 parking stalls and 13,210-square feet of retail and restaurant space at the ground level.

Subsequent to the Virginia Avenue Parking Garage project approval, a CUP for a cannabis outlet at 4575 Camino De La Plaza within the parking garage project site was approved by Hearing Officer on June 21, 2023. The adopted CUP allows for the operation of a cannabis outlet within a 1,381-square-foot retail tenant space as well as tenant improvements. A California Environmental Quality Act (CEQA) Guidelines Section 15162 consistency evaluation determined the scope and impacts of the CUP project were covered in the SYCPU PEIR, as addended.

Description of Current Project: A request for a Conditional Use Permit (CUP) amendment to the Virginia Avenue Parking Garage cannabis outlet CUP PMT-3159485 to allow for the addition of 533 square feet to the originally approved 1,381 square feet tenant space, for a total of 1,934 square feet.

The project would also include minor changes to the floor plan to accommodate the additional square footage.

Project Applicant: Joseph Yousif, Sy Enterprises, 642 Palomar Street, Suites 406/505, San Diego, CA, 91911, (619) 241-6561

Determination: Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, the City has determined that: (1) there is substantial evidence that none of the conditions requiring preparation of a subsequent or supplemental EIR exist, and (2) the City will rely on the previous environmental document, which adequately addresses this project.

This is to advise that the City of San Diego Staff on May 21, 2024 approved the above-described project and made the following determinations:

- (1) No Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
- (2) No Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR 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, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR;
 - 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.

Furthermore, the City has made the following determinations:

1. The project in its approved form would, or would not have a significant effect on the environment.
2. The proposed project would, or would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in the EIR.
3. Mitigation measures were, were not, made a condition of the approval of the project;

4. New Findings were, were not, required pursuant to CEQA Guidelines Section 15091.

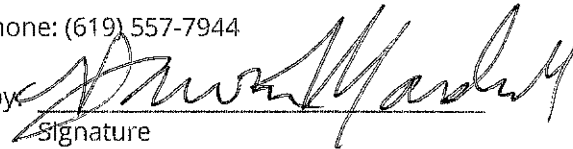
5. New Statement of Overriding Considerations were, were not, required.

It is hereby certified that the CEQA 15162 Consistency Analysis Memorandum and final environmental document(s) are available to the public at the office of the City's Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: M. Mariscal

Telephone: (619) 557-7944

Filed by


Signature

Senior Planner

Title

[Attach Copy of Check, Proof of CDFG Payment, or No Effect Form]

Reference: California Public Resources Code, Section 15162/63.

NOTICE OF DETERMINATION

TO: X RECORDER/COUNTY CLERK
P.O. BOX 1750, MS A33
1600 PACIFIC HWY, ROOM 260
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
PLANNING DEPARTMENT
1010 SECOND AVENUE, MS 413
SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

160238

FILED
Ernest J. Dronenburg, Jr., Recorder County Clerk

DEC 16 2016

BY [Signature]
DEPUTY

PROJECT NUMBER: 310690 STATE CLEARINGHOUSE NUMBER: 2015111012

PROJECT TITLE: SAN YSIDRO COMMUNITY PLAN UPDATE AND SAN YSIDRO HISTORIC VILLAGE SPECIFIC PLAN

PROJECT LOCATION: The San Ysidro Community Planning Area encompasses a total of 1,863 acres in the southernmost part of the City. The San Ysidro community lies south of State Route 905 (SR-905) and north of the international border with Mexico, primarily between Interstate 5 (I-5) and Interstate 805 (I-805), with some portions east of I-805 near Otay Mesa, and some west of I-5 adjacent to the Tijuana River Valley.

DESCRIPTION OF ACTION: CITY COUNCIL APPROVAL for the adoption of the San Ysidro Community Plan Update (SYCPU). In addition to adoption of the SYCPU, the project includes: Amendments to the General Plan to incorporate the updated community plan; Amendment to the Local Coastal Program and creation of a Land Use Plan; Provision of site-specific policies; Amendments to the Land Development Code for adoption of a rezone; Rescission of the San Ysidro Planned District Ordinance (SY PDO) and Southeastern San Diego Planned District Ordinance (SESD PDO); and Comprehensive updates to the existing Public Facilities Financing Plan resulting in a new Impact Fee Study (IFS) for the plan area.

PROJECT APPLICANT: City of San Diego Planning Department, Contact: Sara Osborn, 1010 Second Avenue, San Diego, CA 92101, (619) 236-6368

This is to advise that the City of San Diego City Council on December 6, 2016 approved the above described project and made the following determinations: R-310803

- 1. The project in its approved form x will, ___ will not, have a significant effect on the environment.
- 2. x An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.

___ A (Mitigated) Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

___ An Addendum to Negative Declaration / Mitigated Negative Declaration / Environmental Impact Report No. _____ was prepared for this project pursuant to the provisions of CEQA.

Record of project approval may be examined at the address above.

- 3. Mitigation measures x were, ___ were not, made a condition of the approval of the project; and a mitigation, monitoring and reporting program ___ was, ___ was not, adopted for the project.
- 4. Findings x were, ___ were not, made pursuant to CEQA Guidelines Section 15091.
- 5. A Statement of Overriding Considerations x was, ___ was not, adopted for this project.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Planning Department, 1010 Second Avenue, San Diego, CA 92101.

Analyst: R. Malone

Telephone: (619) 446-5371

Filed by: [Signature]
Signature

Deputy City Clerk
Title



State of California—Natural Resources Agency
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
2016 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT# SD2016 1259
STATE CLEARING HOUSE # (If applicable) 2015111012

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY CITY OF SAN DIEGO			DATE 12/16/2016
COUNTY/STATE AGENCY OF FILING San Diego			DOCUMENT NUMBER *20160238*
PROJECT TITLE SAN YSIDRO COMMUNITY PLAN UPDATE AND SAN YSIDRO HISTORIC VILLAGE SPECIFIC PLAN			
PROJECT APPLICANT NAME CITY OF SAN DIEGO PLANNING DEPARTMENT			PHONE NUMBER 619-236-6368
PROJECT APPLICANT ADDRESS 1010 SECOND AVENUE	CITY SAN DIEGO	STATE CA	ZIP CODE 92101

PROJECT APPLICANT (Check appropriate box):

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

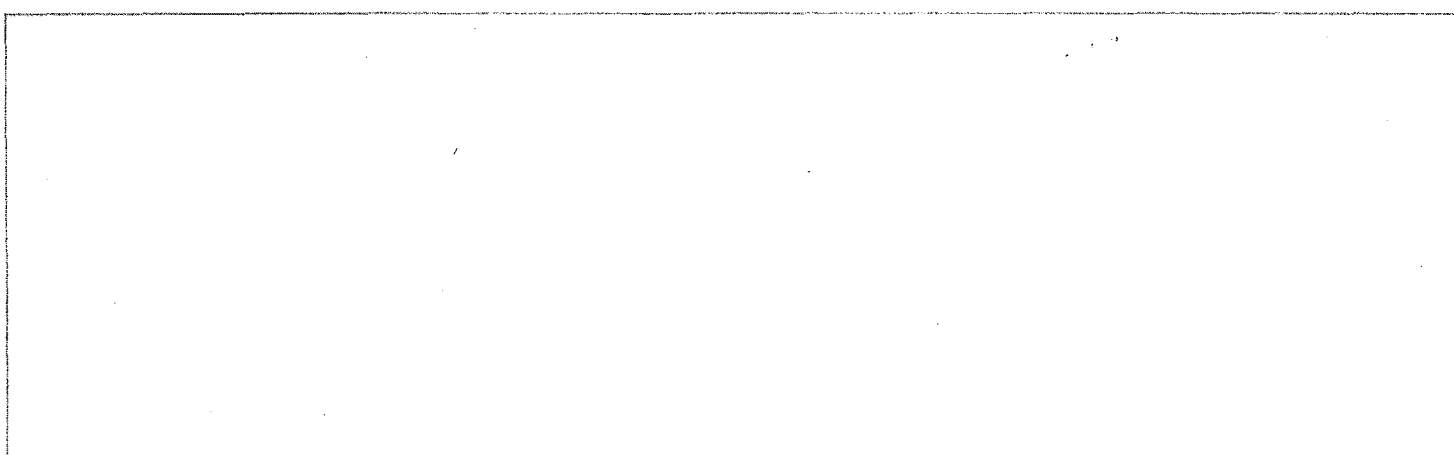
<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	160238	\$3,070.00	\$	\$3,070.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)		\$2,210.25	\$	_____
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board only)		\$850.00	\$	_____
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)		\$1,043.75	\$	_____
<input checked="" type="checkbox"/> County Administrative Fee		\$50.00	\$	\$50.00
<input type="checkbox"/> Project that is exempt from fees				
<input type="checkbox"/> Notice of Exemption (attach)				
<input type="checkbox"/> CDFW No Effect Determination (attach)				
<input type="checkbox"/> Other _____			\$	_____

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other 1530993

TOTAL RECEIVED \$ \$3,120.00

SIGNATURE X	PRINTED NAME AND TITLE CARLOS B ARGANDONA Deputy
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FILED IN THE OFFICE OF THE COUNTY CLERK

San Diego County on DEC 16 2016
Posted DEC 16 2016 Removed
Returned to agency on
Deputy *CL*



Ernest J. Dronenburg, Jr.

COUNTY OF SAN DIEGO ASSESSOR/RECORDER/COUNTY CLERK



ASSESSOR'S OFFICE

1600 Pacific Highway, Suite 103
San Diego, CA 92101-2480
Tel. (619) 236-3771 * Fax (619) 557-4056

www.sdarcc.com

RECORDER/COUNTY CLERK'S OFFICE

1600 Pacific Highway, Suite 260
P.O. Box 121750 * San Diego, CA 92112-1750
Tel. (619)237-0502 * Fax (619)557-4155

Transaction #: 375677620161216

Deputy: CARGANDO

Location: COUNTY ADMINISTRATION BUILDING

16-Dec-2016 13:55

FEES:

3,070.00	Qty of 1 Fish & Game Env Impact (2500) for Ref# 20160238
50.00	Qty of 1 Fish and Game Filing Fee for Ref# SD2016 1259
<hr/>	
3,120.00	TOTAL DUE

PAYMENTS:

3,120.00	Check
<hr/>	
3,120.00	TENDERED

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- * Property Values
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