

Project Description

PD-S-2022-0002 (PD-S-1060, TE#1) TT-2022-0001 (TT6018 TE#1)

Administrative Action for a Three-year Time Extension to approved Planned Development Permit No.PD-S-1060 to construct six industrial buildings and Tentative Tract Map TT6018 to subdivide a 35.6-acre site into five parcels.

Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, an Initial Study for PD-S-1060/TT6018 was conducted in 2019 to determine if the proposal for a six (6) building industrial complex, located east of Madera Road on the north side of Easy Street, would have a significant impact on the environment. Based on the conclusions of the Initial Study, it was found that, with the inclusion of mitigation measures, the project did not have the potential for a significant impact on the environment, and on March 13, 2019, the Mitigated Negative Declaration and Mitigation Monitoring Plan were adopted by the Planning Commission as part of the project approval.

**The Administrative Action is a request is for a Time Extension of the approved Planned Development Permit and Tentative Tract Map, with no proposed changes to the approved project. Therefore, there are no potential impacts from the project that were excluded from the original Initial Study and MND, and no new mitigation measures that are required for this Time Extension request.** Section 15162 of the State CEQA Guidelines states that when a negative declaration has been adopted for a project, no subsequent negative declaration shall be prepared for that project when the lead agency can make certain findings based on substantial evidence. Therefore, based on the criteria contained in Section 15162(a) of the State CEQA Guidelines, it is found:

1. *That there have been no substantial changes proposed in the project which will require major revisions to 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.* The proposed project includes a Time Extension for the project that was approved March 13, 2019, with no changes to the site plan, scope of work, or location of the project. Therefore, the proposed project does not involve substantial changes in the approved project which will require major revisions to the adopted MND due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. That there have been no substantial changes proposed in the project which would require major revisions to the Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. *That no substantial changes have occurred 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.* The existing land uses in the surrounding vicinity and

within the project area have not undergone any substantial changes since they were described and analyzed in the project Initial Study and MND, so there is no substantial increase in the severity of any previously identified environmental effects that would require major revisions of the MND. There are no new development projects in the vicinity of the project that have been approved since the MND was adopted, so there are no new, significant environmental effects that would require major revisions in the MND. The General Plan land use designations for the area have not changed, and the MND anticipates buildout of the project vicinity in accordance with these General Plan land use designations in the analysis of cumulative land use impacts and project circumstances. Therefore, the circumstances under which the project is undertaken have not changed substantially, and no major revisions to the previously adopted MND are required.

3. *That 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 EIR was certified as complete or the Negative Declaration was adopted, has become available.* The application for a Time Extension of the approved PD-S-1060/TT6018 does not include any new information of substantial importance regarding significant effects from development of the project which were not previously discussed, identified and analyzed in the previously adopted MND. There has been no new information submitted that demonstrates that one or more significant effects would occur that were not discussed in the MND. There has been no new information submitted to demonstrate that previously identified significant effects will be substantially more severe than shown in the previous MND. The existing mitigation measures were found to be effective and feasible at the time of adoption of the MND, and there have been no substantial changes to the project or project circumstances that would change the status of the mitigation measures. There are no new mitigation measures or alternatives that are considerably different from those analyzed in the MND that would substantially reduce any significant effects beyond the mitigation measures already in place. Therefore, no new information that contradicts the analysis in the Initial Study and MND has become available since the MND was adopted by the Planning Commission on March 13, 2019.

Therefore, in accordance with Section 15162 of the CEQA Guidelines, the adopted MND and Mitigation Monitoring Plan (Exhibit 1) still applies to the project, and there is no substantial evidence that the project as modified could have a potentially significant effect on the environment beyond what was previously analyzed. In that the adopted Initial Study and Mitigated Negative Declaration, continue to reflect the independent judgment and analysis of the City.