San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

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AGENDA REPORT
Public Hearing

December 2, 2019

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Robert Barry, Chief Policy Analyst

SUBJECT: **Proposed "Sweetwater Road Reorganization" | Annexation to the City of National City and Concurrent Detachments from County Service Area No. 135, Lower Sweetwater Fire Protection District, San Diego County Sanitation District, and South Bay Irrigation District (RO19-16)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a reorganization proposal initiated by an interested landowner with the principal action to annex 0.23 acres within the unincorporated Lincoln Acres community to the City of National City. Additional boundary changes are also proposed and involve concurrent detachments from four special districts – County Service Area (CSA) No. 135 – Regional Communications, Lower Sweetwater Fire Protection District (FPD), San Diego County Sanitation District (SD), and South Bay Irrigation District (ID) – in consolidating local municipal services within National City. The proposal purpose is to facilitate development of the affected territory as part of a 5,500 square foot commercia retail project tentatively approved by National City. Staff recommends approval of the proposal with a discretionary modification to add approximately 50.5 acres of adjacent unincorporated land that comprises public right-of-ways and includes the Interstate 805/State Route 54 interchange. Standard terms are also recommended along with waiving protest. No sphere of influence amendments are needed to the subject agencies to accommodate the proposed reorganization and modification.

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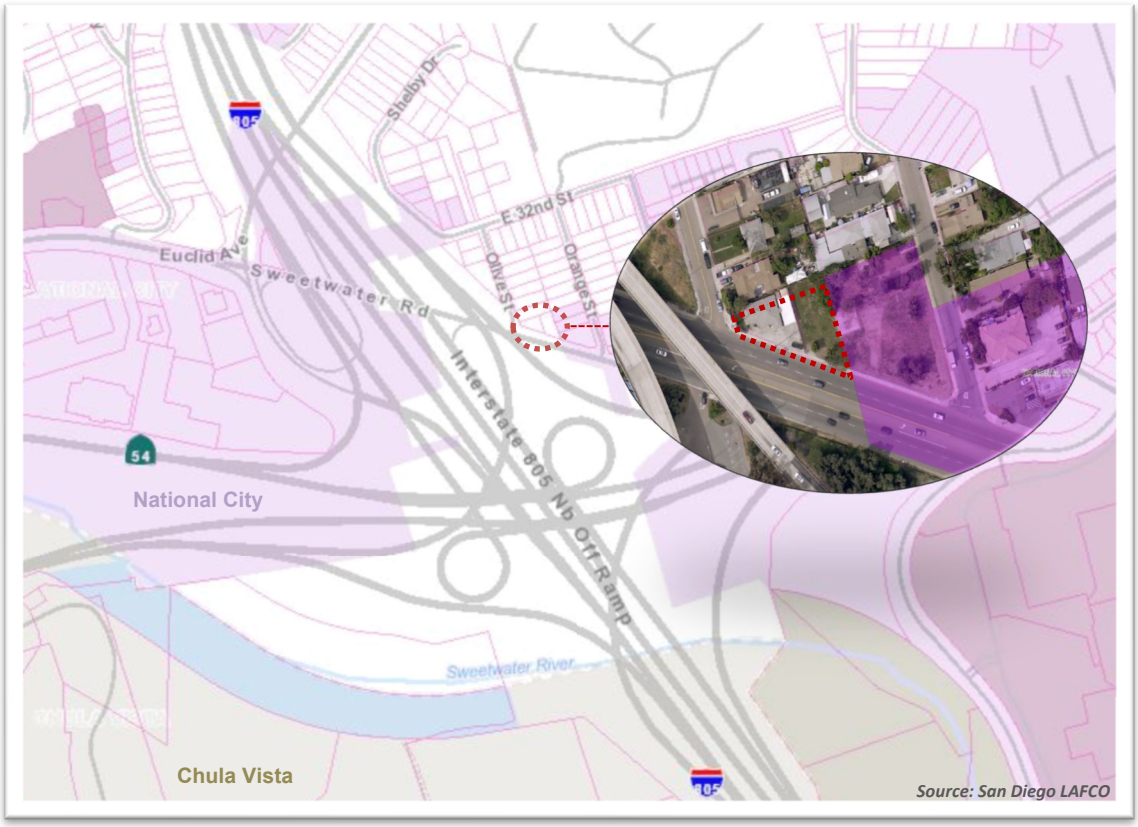
BACKGROUND

Applicant Request

San Diego LAFCO has received an application from a landowner – Roy Muraoka – requesting approval to reorganize approximately 0.23 acres of unincorporated territory consisting of two vacant parcels along Sweetwater Road in the Lincoln Acres community.[1] The affected territory – notably – is part of an existing approximate 284-acre "unincorporated island" substantially surrounded by the City of National City. The principal request involves annexation of all of the affected territory to National City. Concurrent and secondary boundary changes to detach the affected territory from CSA 135 – Regional Communications, Lower Sweetwater FPD, San Diego County SD, and South Bay ID are also proposed. The County of San Diego Assessor's Office identifies the two subject parcels comprising the affected territory as 563-252-23 and 563-252-28 with situs addresses of 2311 and 2305 Sweetwater Road, respectively.

Affected Territory

The following map shows the approximate location of the affected territory in context to the greater National City region. Attachment One shows the affected territory relative to the proposed boundary changes involving the subject agencies.



[1] Both subject parcels comprising the affected territory in the applicant's proposal were previously developed with one single-family residence that have been subsequently demolished and are now vacant.

Subject Agencies

The proposed reorganization filed with San Diego LAFCO involves five subject agencies: City of National City; CSA No. 135 – Regional Communications; Lower Sweetwater FPD; San Diego County SD; and South Bay ID. Summaries of all five subject agencies in terms of resident population, municipal service functions, and financial standing follows.

- National City was incorporated in 1887 and spans 9.2 square miles or 5,888 acres in southwest San Diego County.[2] National City is generally bounded by the City of San Diego to the north and east, the unincorporated community of Bonita to the southeast, the City of Chula Vista to the south, and the City of Coronado and the San Diego Bay to the west. It also substantially surrounds the unincorporated island community of Lincoln Acres. National City is governed by a five-member city council consisting of a directly elected mayor and four councilmembers elected by district and oversee the City's six primary municipal service functions: community planning; fire protection; parks and recreation; police protection; public works; and wastewater. LAFCO estimates the current resident population is 62,257 with an average annual growth rate of 0.8% since 2010. LAFCO established a sphere of influence for National City in 1985, which was last updated in 2014 with a larger-than-agency designation to include approximately 284 non-jurisdictional acres and equal to 4.6% of the City. National City's audited net position is $146.9 million as of June 30, 2018 with ($33.6) million designated as unrestricted.[3] The net position overall has increased by 16.3% over the prior three fiscal years.

- CSA No. 135 is a dependent special district formed in 1994 and spans 3,740 square miles or 2,393,600 acres and includes all unincorporated lands and 10 of the 18 local cities in San Diego County. The County of San Diego Board of Supervisors serves as the Board of Directors and oversees CSA No. 135's two municipal service functions: (a) regional communications and (b) fire protection and emergency medical with the latter confined to an internal latent power zone.[4] LAFCO estimates the current resident population within CSA No. 135 is 1,065,313 with an average annual growth rate of 0.77% since 2010. LAFCO established a sphere of influence for CSA No. 135 in 1994 to be coterminous with the San Diego County boundary. The sphere was last reviewed and affirmed in 2007. The audited net position of the County is $2.9 billion as of July 30, 2018 with ($1.19) billion designated as unrestricted.[5] The net position overall has increased by 0.3% over the prior three fiscal years.

[2] Approximately 20% of National City are submerged San Diego Bay lands.
[3] The negative unrestricted portion of National City's net position is attributed to accrued pension liabilities.
[4] CSA No. 135's regional communication services involve funding an 800 MHz public safety radio system and includes the affected territory. The affected territory lies outside CSA No. 135's latent fire protection service area.
[5] The negative unrestricted portion of the County of San Diego's net position is attributed to accrued pension liabilities.

- Lower Sweetwater FPD is an independent special district formed in 1944 and spans 0.44 square miles or 280 acres and primarily overlaps with the unincorporated community of Lincoln Acres in southwest San Diego County. The jurisdictional boundary – notably – is surrounded by the City of National City. An elected three-member Board of Directors oversees Sweetwater FPD's lone integrated municipal service function – fire protection and emergency medical – and contracted out to National City. LAFCO estimates the current resident population is 2,170 with an average annual growth rate of (2.0%) since 2010. LAFCO established a transitional (zero) sphere of influence for Lower Sweetwater FPD in 1985, which was last updated and affirmed in 2013 and reflects a standing policy expectation that the FPD ultimately dissolve. Lower Sweetwater FPD's last published audited net position tallied $1.310 million as of July 30, 2017 with ($0.240) million designated as unrestricted.

- San Diego County SD is a dependent special district governed by the County of San Diego and spans 46 square miles or 29,571 acres. The lone active municipal service function is wastewater. The jurisdictional boundary is divided between seven distinct service areas located throughout southcentral and east unincorporated San Diego County with a combined LAFCO estimated resident service population of 149,798. The affected territory lies in the Spring Valley service area. This is the largest service area with an estimated resident service population of 92,717 and an accompanying average annual growth rate of 0.63% since 2010.[6] LAFCO established a sphere of influence for San Diego County SD at the time of its formation in 2011 with a smaller-than-agency designation to exclude approximately 9,141 jurisdictional acres and equals 30.9% of the District boundary. This includes excluding jurisdictional lands in the Spring Valley service area that concurrently lie in the spheres of influence for the Cities of Chula Vista and National City. The audited net position of the County is $2.9 billion as of July 30, 2018 with ($1.19) billion designated as unrestricted. The net position overall has increased by 0.3% over the prior three fiscal years.

- South Bay ID is an independent special district formed in 1951 and spans 32 square miles or 20,558 acres in southwest San Diego County and overlaps the western portion of the City of Chula Vista and the unincorporated communities of Bonita and Lincoln Acres. An elected five-member Board oversees South Bay ID's lone municipal service function – water – and operated through the Sweetwater Authority; a joint-powers entity of the District and Cities of Chula Vista and National City. LAFCO estimates the current resident population is 135,646 with an average annual growth rate of 1.0% since 2010. LAFCO established a sphere of influence for South Bay ID in 1985, which was last updated in 2007 with a larger-than-agency designation to include approximately 945 non-jurisdictional acres and equals 4.4% of the jurisdictional boundary. South Bay ID's last published audited net position tallied $0.813 million as of June 30, 2017 with all $0.813 million designated as unrestricted.[7]

[6] San Diego County SD utilizes approximately 266 miles of collection lines in the Spring Valley service area to convey flows into the City of San Diego's adjacent collection system and thereafter to the Point Loma Treatment Facility; the latter operated by the Metro Wastewater Joint Powers Authority with the District as one of the signatories.

[7] The District does not have operating revenues and relies on cash reserves and interest income for operating expenses.

Affected Local Agencies

The affected territory lies within the jurisdictional boundaries and/or spheres of influence of 10 local agencies directly subject to San Diego LAFCO. These agencies qualify as "affected agencies" under statute relative to the proposed reorganization and listed below.[8]

- City of National City (sphere only)
- CSA No. 135 - Regional Communications
- Lower Sweetwater FPD
- Metropolitan Water District of Southern California
- Resource Conservation District of Greater San Diego County (sphere only)
- San Diego County Flood Control District
- San Diego County Sanitation District
- San Diego County Street Lighting District
- San Diego County Water Authority
- South Bay ID

DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications – the reorganization proposal and the principal action to annex the affected territory to the City of National City. Associated boundary changes to detach from CSA No. 135, Lower Sweetwater FPD, San Diego County SD, and South Bay ID are also part of the requested reorganization. The Commission may also consider applying conditions of approval so long as it does not directly regulate land use, property development, or subdivision requirements. Additional discussion with respect to proposal purpose, associated development potential, and Commission focus follows.

Proposal Purpose

The purpose of the proposed reorganization before San Diego LAFCO is to facilitate the development of the affected territory as part of a 5,500 square foot commercial retail project. This planned development extends into three additional and adjacent parcels that are presently within National City and collectively produce an approximate 0.8-acre "project site."[9] The reorganization – pertinently – is necessary to capture all of the subject parcels included in the project site under National City's land use authority. Concurrent boundary changes to detach the affected territory from four special districts are also proposed to consolidate fire protection, regional communications, wastewater, and water services through National City.

[8] State law defines "affected local agency" as any entity that contains, or would contain, or whose sphere contains or would contain, any territory for which a change of organization is proposed or ordered. Notice of the proposal and hearing were provided to the agencies.

[9] The other three parcels comprising the project site are located at 3320, 3330, and 3336 Orange Street.

Development Potential

The affected territory was previously planned for residential uses under both the County of San Diego and City of National City's General Plans, albeit to different density uses. National City has recently adopted an amendment to its General Plan to transition the affected territory from Low-Medium Density Residential to Major Mixed-Use. National City has similarly changed the prezoning from Small Lot Residential to Major Mixed Uses in conjunction with tentatively approving an application to develop the affected territory as part of a 5,500 square foot commercial retail center to include a drive-through business (Starbucks). No further density/intensity would be allowed within the affected territory at buildout under prezoning.

Commission Focus

San Diego LAFCO's current sphere of influence designation for the City of National City includes the affected territory and can readily accommodate the proposed reorganization without amendment. No sphere amendments involving the other four subject agencies are similarly necessitated to accommodate the reorganization.[10] These existing sphere determinations narrows the Commission's consideration of the reorganization to two central and sequential policy items. These policy items take the form of determinations and serve to orient the Commission to consider the stand-alone merits of the (a) timing of the reorganization and (b) whether discretionary boundary modifications or approval terms are appropriate. The Commission must also consider other relevant statutes in and outside LAFCO law as detailed.

ANALYSIS

The analysis of the reorganization is organized into two subsections. The first subsection pertains to evaluating the central issues referenced in the preceding section and specifically analyzing the merits of reorganization and associated boundary changes as well as whether modifications and/or terms are appropriate in further addressing Commission goals and policies. The second subsection considers other germane issues required under LAFCO law or other applicable State statutes and marked by making findings under the California Environmental Quality Act (CEQA).

(continued)

[10] The reorganization proposal affects four other subject agencies. The existing sphere designations for two of these other four subject agencies – CSA No. 135 and South Bay ID – include the affected territory as part of larger regional designations and do not require amendments to reflect parcel-specific changes other than perimeter adjustments. The existing sphere designations for the other two subject agencies – San Diego County SD and Lower Sweetwater FPD – already excludes the affected territory.

Central Policy Items

Item No. 1 | Reorganization Timing

The timing of the reorganization – and specifically the primary action to annex the affected territory to National City coupled with secondary actions to detach from several special districts – appears appropriate. This conclusion draws from the analysis of the factors required for consideration under statute anytime jurisdictional changes are proposed along with locally adopted Commission policies. Most of the prescribed factors under statute focus on the impacts on the service and financial capacities of the *receiving* agency: National City (emphasis added). No single factor is determinative. A summary of the key conclusions generated in review of these items follows with additional analysis provided in Appendix A.

- Service Needs
  The affected territory's planned land uses would be appropriately aided by the reorganization and annexation to National City given its ability to provide a range of urban-supporting services to the subject lands. Additional details follow.

  - The Commission has previously designated the City of National City as the ultimate land use authority and primary service provider for the affected territory through the standing inclusion in the City sphere. Annexation to National City memorializes this standing expectation and accommodates the expressed interest of the affected landowner as evident by their initiation of the reorganization proceedings.

  - The landowner's intention to develop a commercial project covering three incorporated parcels and the affected territory helps to quantify the timing of the reorganization and annexation to the City of National City is appropriate by synching the boundary changes with a known development action.

- Service Capacities and Levels
  The City of National City would directly assume central municipal service responsibilities for the affected territory upon reorganization and this includes most notably community planning, fire protection, police protection, and wastewater. A review of existing capacities for these central municipal service functions indicates National City has sufficient controls and resources to readily accommodate demands in the affected territory at its planned and maximum uses. Additional details follow.

  - With respect to community planning, National City contemplates the development and use of the affected territory for mixed urban uses consistent with other adjacent uses along Sweetwater Road. National City has similarly prezoned the affected territory as part of a tentatively approved development application that includes three adjacent parcels to utilize the site as part of a 5,500 square foot commercial strip mall to include a retail drive-through. Should the Commission approve the reorganization, National City is prohibited from changing the zoning

for the affected territory for a period of no less than two years unless special findings are made at a public hearing.[11]

- With respect to fire protection services, the present service provider – Lower Sweetwater FPD – contracts with the City of National City. Accordingly, should the Commission approve the reorganization, there would be no substantive change in fire protection coverage for the affected territory other than eliminating the current contract administrator role of Sweetwater FPD. National City would continue to provide first responder service to the affected territory out of Station No. 31 located at 2333 Euclid Avenue. This is one of two National City Fire Department stations and houses one paramedic engine company and one paramedic ambulance and staffed 24 hours. The station is approximately 1.0 miles from the affected territory. Travel times from Station 31 to the affected territory are expected to meet the 7-minute standard (dispatch to scene) in the National City General Plan's Safety Element.

- With respect to police protection services, the affected territory is currently served by the County Sherriff with regular patrol services operated out of the Lemon Grove substation located at 3240 Main Street in Lemon Grove. This substation is approximately 10.1 miles to the affected territory and as such first responses for all high-emergency calls would be most likely provided by National City through an existing mutual aid arrangement. Should the Commission approve the reorganization, National City would directly assume police protection for the affected territory out of its police station at 1200 National City Boulevard, which is 2.7 miles away in distance. Travel times from the police station to the affected territory are expected to meet the 7-minute standard (dispatch to scene) in the National City General Plan's Safety Element.

- With respect to water services, the affected territory currently lies within South Bay ID and has established connections to the District' water system through the site's previous development and use as single-family residences. South Bay ID water system is operated by the Sweetwater Authority, which is a joint-powers authority that includes South Bay ID and the Cities of Chula Vista and National City as member agencies. Accordingly, should the Commission approve the reorganization, no substantive change would result with Sweetwater Authority continuing to be responsible for the delivery of water service to the affected territory through existing infrastructure and supplies with the latter generated through a combination of local and imported sources. Further, demands within the affected territory are expected to align with previous usage generated and can be readily accommodated without expansions or impacts.

[11] Reference to Government Code Section 56375(e).

- With respect to wastewater services, the affected territory is currently within the San Diego County SD with both subject parcels having previously established connections to the SD main located along Sweetwater Road.[12] Should the Commission approve the reorganization, National City would assume wastewater responsibilities and this includes overseeing connection of the parcels to the City's own main also located within the Sweetwater Road. The City provides wastewater service citywide and receives inflows from the City of San Diego and the United States Navy in route to the regional South Metro Interceptor (SMI). National City has approximately 97 miles of wastewater collection pipes that drain westerly to the SMI, and ultimately convey to the Point Loma Wastewater Treatment Plant for treatment and disposal. The City's development approvals indicate adequate wastewater capacity exists for servicing the affected territory and proposed commercial development.

- Service Funding and Costs
  The City of National City has adequate financial resources to provide an appropriate level of municipal services to the affected territory in support of the planned commercial development. This comment is drawn from the staff analyses of National City's recent audited statements and reflected by the City experiencing an overall increase of 16.3% in its net position over the last three audited fiscal years coupled with an average total margin of 5.4%.

Conclusion | Merits of Reorganization Timing

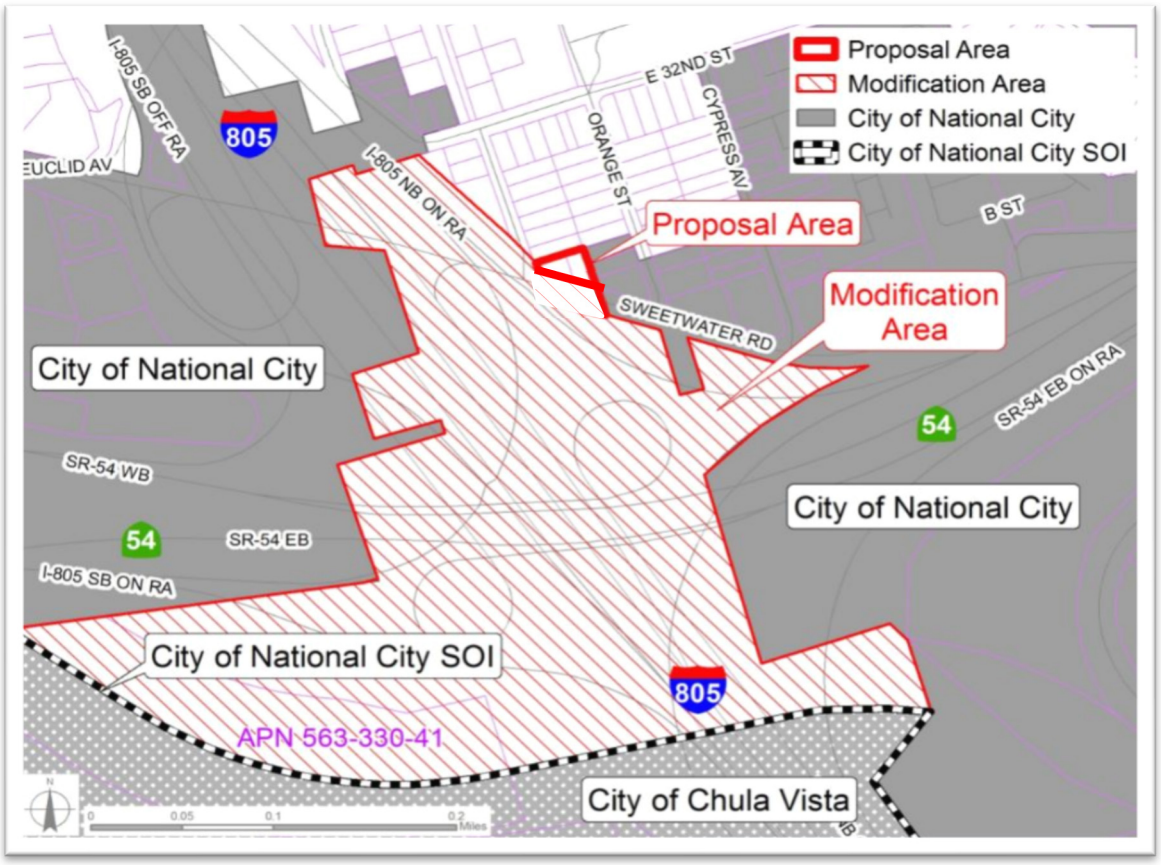
The timing of the reorganization and related transfer of land use authority and other specified services to the City of National City is sufficiently warranted. Justification is marked by synching a known development project with the Commission's designated long-term land use authority's jurisdiction in National City in step with attesting all accommodating urban-supporting services – including fire and police protection, wastewater, and water – can be provided without expansion of public facilities or adverse impacts to existing City constituents. Additional analysis supporting the conclusion – including the factors required under statute – is provided in Appendix A.

Item No. 2 | Modifications and Terms

One discretionary modification to the proposed reorganization proposal has been identified by staff during the analysis phase and merits consideration by San Diego LAFCO at this time. The modification involves expanding the affected territory – i.e., the area to be annexed to the City of National City and concurrently detached from CSA No. 135, San Diego County SD, South Bay ID, and Sweetwater FPD – to include an additional 50.5 acres of adjacent unincorporated

[12] Close to two-fifths of the recommended addition to the affected territory – or 20.2 acres – that make up the adjacent public right-of-ways and I-805/SR-54 interchange is also within San Diego County SD.

and uninhabited territory. This expansion involves the adjacent public right-of-way on Sweetwater Road as well as the State's I-805/SR-54 interchange. The modification is consistent with all subject agencies' spheres of influence and – markedly – substantively reduces an existing unincorporated island and provides more orderly jurisdictional boundaries in the region going forward. The recommended modification area is shown below and does not trigger protest hearings given all of the land is publicly owned and used for public purposes.



A larger modification to the proposed reorganization also has been identified by staff given prompt under statute and adopted policy but is not recommended. The larger modification would involve expanding the affected territory to include all approximate 280 acres of the unincorporated Lincoln Acres area and its 2,409 estimated residents and in doing so eliminate an entire existing unincorporated island and its associated service inefficiencies. Modification to include all of Lincoln Acres would separately and advantageously eliminate a "disadvantaged unincorporated community" or DUC. Staff believes proceeding with this larger modification, however, is not sufficiently merited given local conditions. This includes recognition and deference to historical interest among Lincoln Acres' residents to retain unincorporated community identify and parallel disinterest in annexing to the City of National City. It is similarly reasonable to assume – and in the absence of a successful outreach effort to address community concerns – adding the area to the reorganization would terminate any approval due to protest proceedings.[13] Alternatively, staff believes it would be appropriate

[13] It is also noted the addition of the entire Lincoln Acres island to the reorganization would likely require a stand-alone property tax negotiation between the County of San Diego and City of National City with no statutory timeline to complete.

and timely to consider performing outreach within Lincoln Acres in consultation with the County and National City to gauge interest in future annexation as part of the scheduled municipal service review for the region in 2020-2021.

Conclusion | Modifications and Terms

One discretionary modification to the affected reorganization territory appears merited at this time to provide more orderly and enhanced governmental boundaries going forward in the region. This modification adds approximately 50.5 unincorporated acres of adjacent and uninhabited land entirely owned and used for public purposes – including the I-805/SR-54 interchange – and measurably reduces the size of an existing unincorporated island and the associated service inefficiencies.

Other Statutory Considerations

Exchange of Property Tax Revenues

California Revenue and Taxation Code (RTC) Section 99(b)(6) requires the adoption of a property tax exchange agreement by the subject local agencies before LAFCOs can consider proposed jurisdictional changes. Subsection (d) also allows a master property tax exchange agreement to govern the exchange of property tax revenues between the county and an annexing city. To this end, San Diego LAFCO has confirmed an existing master property tax agreement between the County of San Diego and National City applies to the reorganization and all associated boundary changes. The substantive result means 46% of the combined revenue presently allocated to the County and the detaching special districts as part of the 1% property tax would be transferred to National City if the reorganization is approved.

Environmental Review

CEQA requires San Diego LAFCO to assess whether impacts would result from activities approved under the Commission's statutory authority. Accordingly, San Diego LAFCO is tasked with making two distinct determinations as responsible and lead agency under CEQA in considering the proposed reorganization. Staff's analysis and recommendations follow.

- The City of National City serves as lead agency under CEQA for the reorganization proposal submitted by the applicant and boundary changes to annex the affected territory to National City along with concurrent detachments from CSA No. 135 - Regional Communications, Lower Sweetwater FPD, San Diego County SD, and South Bay ID. National City has determined this activity and underlying development entitlements is a project under CEQA and prepared and certified a Negative Declaration (ND) as part of a noticed hearing held on June 18, 2019. The ND attests the project will not have a significant and adverse impact on the environment. Staff believes this finding is appropriate and merits incorporation into the Commission's findings as the responsible agency under CEQA.

- The Commission serves as lead agency under CEQA should it proceed with the recommended discretionary modification of the reorganization proposal to include adjacent uninhabited public lands used as public rights-of-way. The Commission finds this activity is a project under CEQA but is exempt from further environmental review under State CEQA Guidelines Section 15320. This exemption appropriately applies given the modification involves changes in the organization of local agencies' boundaries with no growth accommodation therein and does not alter the geographic area in which existing powers are exercised.

Protest Proceedings

Protest proceeding for the reorganization may be waived by San Diego LAFCO should the Commission proceed with an approval under statute.[14] The waiver appropriately applies under this statute given the affected territory is uninhabited as defined under LAFCO law, the subject agencies have not filed objections, and the landowner has consented to the underlying actions as the petitioner.[15] It is further noted the recommended modification to the applicant proposal to include 50.5 acres of adjacent uninhabited unincorporated lands is entirely owned and used for public purposes and does not qualify as "landowner" under LAFCO statute.

RECOMMENDATION

Staff recommends approval of the applicant's reorganization proposal with a discretionary modification to add 50.5 acres of adjacent uninhabited unincorporated land entirely comprising publicly owned and used lands – including the I-805/SR-54 interchange – along with standard terms. This recommendation is consistent with Alternative One in the proceeding section and would generate the following jurisdictional changes in San Diego County:

- Annexation of approximately 50.75 acres (0.23 acres proposed by applicant and 50.5 acres added by the Commission) to National City.

- Concurrent detachment of approximately 50.75 acres (0.23 acres proposed by the applicant and 50.5 acres added by the Commission) from CSA No. 135, Lower Sweetwater FPD, and South Bay ID.

- Concurrent detachment of approximately 20.44 acres (0.23 acres proposed by the applicant and 20.2 acres added by the Commission) from the San Diego County SD.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO and can be accomplished with a single motion:

[14] Reference to Government Code Section 56662.
[15] LAFCO law defines uninhabited as territory in which 11 or less registered voters reside.

Alternative One (recommended):
Adopt the attached draft resolution approving the reorganization proposal with one discretionary modification as recommended along with standard terms.

Alternative Two:
Continue consideration to the next regular meeting and provide direction to staff with respect to providing additional information as specified.

Alternative Three:
Disapprove the proposal with direction to staff to return at the next regular meeting with a conforming resolution for adoption.

PROCEDURES FOR CONSIDERATION

This item has been placed on the agenda as part of the regular business calendar. The following procedures, accordingly, are suggested in the consideration of this item:

1) Receive verbal presentation from staff unless waived;
2) Invite comments from the applicant and subject agencies; and
3) Discuss item and consider action on recommendation.

On behalf of the Executive Officer,



Robert Barry, AICP
Chief Policy Analyst

Appendices:

A) Analysis of Boundary Change Factors

Attachments:

1) Vicinity Map of Affected Territory with Recommended Modification
2) Draft Resolution of Approval
3) Landowner Petition
4) ND by National City (online only)

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APPENDIX A
Government Code Section 56668
Proposal Review Factors

a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in next 10 years.

The affected territory as proposed by the applicant totals approximately 0.23 acres and part of the unincorporated island community of Lincoln Acres. It includes two vacant parcels owned by the applicant and previously developed with single-family residences. These parcels are located at 2311 (563-252-23) and 2305 Sweetwater Road (563-252-28) and are approximately 0.13 and 0.10 acres, respectively, and subject to a tentatively approved commercial retail project consistent with National City prezoning. Topography is flat and surrounded by low to moderate urban residential and commercial development. The Sweetwater River channel is adjacent to the south. The current assessed value of the two subject parcels is $431,479 with corresponding annual property tax revenue of $4,315. No significant new growth is expected in the area over the next 10 years. Staff is recommending a discretionary modification to add approximately 50.5 acres of adjacent and uninhabited land that is entirely owned and used for public purposes with the majority tied to the I-805/SR-54 interchange. The addition of the modification area would reduce an existing unincorporated island and provide connectivity with the adjacent I-805 and SR-54 segments presently located within National City. None of the recommended modification area has assessed value. [16]

b) The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls.

The affected territory is part of the existing approximate 280-acre unincorporated island community of Lincoln Acres surrounded by the National City jurisdictional boundary. Central urban-supporting municipal services to be provided by National City following annexation involve community planning, fire protection, police protection, and wastewater. A review of existing capacities for these central municipal services indicates National City has sufficient controls and resources to readily accommodate demands in the affected territory with or without the recommended modification as further detailed below.

- With respect to community planning, National City contemplates the development and use of the affected territory for mixed urban uses consistent with other adjacent uses along Sweetwater Road. National City has similarly prezoned the affected territory as part of a tentatively approved development application that includes three adjacent parcels to utilize the site as part of a 5,500 square foot commercial strip mall to include

[16] The discretionary modification also includes a State owned parcel beneath the interchange and used as a waterway improvement for the Sweetwater River channel. The County of San Diego Assessor's Office identifies the State-owned parcel as 563-330-41.

a retail drive-through (Starbucks). Should the Commission approve the reorganization National City is prohibited from changing the zoning for the affected territory for a period of no less than two years unless special findings are made at a public hearing.[17]

- With respect to fire protection services, the present service provider – Lower Sweetwater FPD – contracts its services with the City of National City. Accordingly, should the Commission approve the reorganization, there would be no substantive change in fire protection coverage for the affected territory other than eliminating the current contract administrator role of Sweetwater FPD. National City would continue to provide first responder service to the affected territory out of Station No. 31 located at 2333 Euclid Avenue. This is one of two National City Fire Department stations and houses one paramedic engine company and one paramedic ambulance and staffed 24 hours. The station is approximately 1.0 miles from the affected territory. Travel times from Station 31 to the affected territory are expected to meet the 7-minute standard (dispatch to scene) in the National City General Plan's Safety Element.

- With respect to police protection services, the affected territory is currently served by the County Sherriff with regular patrol services operated out of the Lemon Grove substation located at 3240 Main Street in Lemon Grove. This substation is approximately 10.1 miles to the affected territory and as such first responses for all high-emergency calls would be most likely provided by National City through an existing mutual aid arrangement. Should the Commission approve the reorganization, National City would directly assume police protection for the affected territory out of its police station at 1200 National City Boulevard, which is approximately 2.7 miles away in distance. Travel times from the police station to the affected territory are expected to meet the 7-minute standard (dispatch to scene) in the National City General Plan's Safety Element.

- With respect to water services, the affected territory currently lies within South Bay ID and will be detached from the ID as part of the reorganization with National City. The South Bay ID water system is operated by the Sweetwater Authority, which is a joint-powers authority that includes South Bay ID and the Cities of Chula Vista and National City as member agencies. The affected territory has established connections to the Sweetwater Authority's water system through the site's previous development and use as single-family residences. Accordingly, should the Commission approve the reorganization, no substantive change would result with Sweetwater Authority continuing to be responsible for the delivery of water service to the affected territory through existing infrastructure and supplies with the latter generated through a combination of location and imported sources. Further, demands within the affected territory are expected to align with previous usage generated and can be readily accommodated without expansions or impacts.

[17] Reference to Government Code Section 56375(e).

- With respect to wastewater services, the portion of the affected territory as submitted by the applicant is currently within the San Diego County SD with both subject parcels having previously established connections to the SD main located along Sweetwater Road.[18] Should the Commission approve the reorganization National City would assume wastewater responsibilities and this includes overseeing connection of the parcels to the City's own main also located within the Sweetwater Road. The City provides wastewater service city-wide and receives inflows from the City of San Diego and the United States Navy in route to the regional South Metro Interceptor (SMI). National City has approximately 97 miles of wastewater collection pipes that drain westerly to the SMI, and ultimately convey to the Point Loma Wastewater Treatment Plant for treatment and disposal. The City's development approvals indicate adequate capacity exists for servicing the affected territory and proposed commercial development.

c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on local governmental structure.

Approval of the reorganization as submitted by the applicant would recognize existing and expanding economic and social ties between the affected territory as proposed and National City. The Commission has previously designated National City as the future and long-term land use authority and primary service provider for the affected territory through the standing inclusion in the City's sphere of influence. Annexation now to National City memorializes this standing expectation and accommodates the expressed interest of the affected landowner as evident by their initiation of the reorganization proceedings. Further, modifying the affected territory as recommended by including approximately 50.5 acres of adjacent public rights-of-way and the I-805/SR-54 interchanges measurably enhances the reorganization and provides more orderly boundaries for all subject agencies while concurrently reducing the size of an existing island without affecting residents within Lincoln Acres. Additional modifications beyond the adjacent public rights-of-way and interchange, however, are not recommended without sufficient community outreach and consent given – among other factors – the residents' known interest to remain unincorporated.

d) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies/priorities set forth in G.C. Section 56377.

Approval of the reorganization proposal as submitted by the applicant provides for orderly boundary changes that appropriately consolidates core municipal service provision for the affected territory with the City of National City in step with facilitating a commercial development in an urbanizing area. The recommended modification to include approximately 50.5 unincorporated acres within the National City sphere of influence consisting of adjacent public rights-of-way and the I-805/SR-54 interchange measurably enhances the reorganization by reducing an existing unincorporated island and eliminating potential jurisdictional confusion regarding maintenance and emergency service provision. None of the affected

[18] Close to two-fifths of the recommended addition to the affected territory – or 20.2 acres – that make up the adjacent public right-of-ways and I-805/SR-54 interchange is also within San Diego County SD.

territory as submitted or as modified contains open-space lands per LAFCO law and therefore does not conflict with the policies and priorities prescribed under Government Code Section 56377. Additional analysis concerning three Commission policies – L-102, L-105, and L-107 – applicable to the reorganization follow.[19]

- L-102 provides prescription to San Diego LAFCO in establishing and updating spheres of influence for all local agencies and relatedly encourages cities to reconcile land use conflicts with the County when proposing annexations. A land use discrepancy underlies the reorganization and sourced to the County contemplating residential uses for the two privately-owned parcels comprising the affected territory compared to commercial uses by National City. This discrepancy is recent and attributed to National City approving a General Plan amendment to redesignate the subject lands from residential uses to commercial and reflects the evolution of retail uses along Sweetwater Road. The General Plan amendment followed noticed public hearing and did not generate written objections from the County.

- L-105 addresses San Diego LAFCO's task under statute to avoid the creation of new unincorporated islands entirely or substantially surrounded by cities as well as reduce/eliminate existing unincorporated islands. The proposed reorganization as submitted involves a modest reduction of the existing Lincoln Acres island and in-and-of-itself complies with the policy. The policy is further effectuated with the staff recommendation to increase the reduction to approximately 18% of the Lincoln Acres island by adding all adjacent public right-of-ways and the I-805/SR-54 interchange. Further reduction of the island – importantly – is not recommended at this time given the standing preference of the inhabited portion of the island to remain "county" and the reasonable assumption therein of triggering successful protest proceedings.

- L-107 requires all applicants to disclose and address potential jurisdictional issues associated with their proposals and if applicable require a consultation process with the affected agencies, interested parties, or organizations to help remedy concerns unless waived. No jurisdictional disputes or related concerns were disclosed by the applicant or identified by subject and affected agencies in the review of the proposal.

e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

The affected territory as submitted by the applicant does not qualify as "prime agricultural land" under LAFCO law. Specifically, the lands are not currently used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program. The recommended

[19] One other policy – L-111 – merits acknowledgment but does not apply to the proposed reorganization. This policy directs San Diego LAFCO to identify disadvantaged unincorporated communities (DUCs) and includes procedures in implementing statute to include adjacent DUCs in considering city annexation proposals of more than 10 acres. While adjacent to a DUC (Lincoln Acres), this policy does not apply to the reorganization given the requested city annexation is less than 10 acres as submitted. The Commission separately retains discretion under Government Code 56375(a)(1) to approve proposals with modifications. The recommended modification to the reorganization, further, comprises uninhabited public agency lands consisting of public right-of-ways that on its own does not qualify as a DUC.

modification area including approximately 50.5 acres of adjacent public rights-of-way and the I-805/SR-54 interchange also does not qualify as prime agricultural land. Accordingly, approval of the reorganization with or without the recommended modification would have no effect on maintaining the physical and economic integrity of agricultural lands in San Diego County.

f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment, the creation of islands or corridors of unincorporated territory, and other similar matters.

San Diego LAFCO is in receipt of draft maps and geographic legal descriptions of the affected territory as submitted by the applicant that details metes and bounds covering all of the proposed boundary changes consistent with the standard of the State Board of Equalization. Approval would be conditioned on final maps and descriptions conforming to the referenced standards as well as reflecting any modifications approved by the Commission. This includes potentially addressing the recommended modification by staff to expand the affected territory for addition of approximately 50.52 acres of the adjacent unincorporated public rights-of-way for Sweetwater Road and the I-805/SR-54 interchange. The proposed modification would provide continuity and consistency with the adjacent Sweetwater Road and I-805/SR-54 rights-of-way presently located within National City to the immediate east and west of the affected territory and – significantly – reduce an existing unincorporated island.

g) A regional transportation plan adopted pursuant to Section 65080.

The reorganization proposal as submitted by the applicant is intended to facilitate the development of the two subject parcels as part of a tentatively approved commercial retail project within an urban area and immediately adjacent to major transportation corridors. It is recommended to modify the proposal to include approximately 50.5 acres of adjacent unincorporated land that includes some of these corridors and marked by the I-805/SR-54 interchange. Accordingly, approval of the reorganization with or without the recommended modification would not conflict with the regional transportation plan prepared and adopted by San Diego Association of Governments or SANDAG.[20] The affected territory lies within an existing urban area and immediately adjacent to major transportation corridors.

h) Consistency with the city or county general and specific plans.

The two private parcels within the affected territory are currently planned for residential use under the County of San Diego General Plan with a maximum of 4.3 dwelling units per acre and a minimum lot size of 10,000 square feet. National City recently approved an amendment to its General Plan to redesignate the subject parcels from Low-Medium Density Residential to Major Mixed-Use in conjunction with approving an application to develop a 5,500 square-foot commercial retail project. (An associated prezoning change has also been approved by National City.) The recommended modification to include the adjacent public right-of-way on Sweetwater Road and the I-805/SR-54 interchange does not conflict with the General Plans.

[20] SANDAG was provided notice of the reorganization proposal and did not provide any written comments during interagency review period.

i) The sphere of influence of any local agency affected by the proposal.

The affected territory as proposed is entirely located within the National City sphere of influence and no amendments would be necessary to facilitate and/or otherwise accommodate annexation to the City. Similarly, no sphere of influence amendments would be needed to accommodate the associated detachments from the other subject agencies. The recommended modification to include the adjacent public right-of-way on Sweetwater Road and the I-805/SR-54 interchange similarly does not require sphere amendments.

j) The comments of any affected local agency or other public agency.

Staff provided notice of the proposed reorganization to all subject and affected agencies as required under statute. The notice included identifying the staff recommendation to expand the affected territory to include the adjacent public right-of-way on Sweetwater Road and the I-805/SR-54 interchange. No written comments were received ahead of preparing this agenda report and its posting date of November 22, 2019.

k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

Information collected and reviewed as part of this reorganization proposal indicates the City of National City – as the receiving entity – has established sufficient financial resources to extend municipal services to the affected territory – with or without the recommended modification – without adversely impacting current constituents. This comment draws from staff analysis of National City's recent audited statements through 2017-2018 and supported by the following factors.

- National City's last audit (2017-218) showed the District's net position at $146.9 million with ($33.6) million categorized as unrestricted. The negative unrestricted figure is attributed the City's net pension liability. Overall, National City has increased its net position by 16.3% over the prior three fiscal years.

- National City's has achieved a positive average total margin over the last three audit years of 5.4%.

l) Timely availability of adequate water supplies for projected needs as specified in G.C. Section 65352.5.

The reorganization would transfer direct water service responsibility for the affected territory from South Bay ID to National City; however, National City is a partner agency with South Bay ID and the City of Chula Vista as the Sweetwater Authority. Therefore, the transfer of service responsibility will not change the delivery of water service from the Sweetwater Authority to the affected territory. The transfer – pertinently – also retains the San Diego County Water

Authority as the principal wholesale provider for the affected territory. The Water Authority's most recently adopted urban water management plan attests it has sufficient water supplies to meet its member agencies needs through the planning horizon of 2035 under normal and single-dry year conditions. Conservation measures, however, would likely be needed during severe and multiple dry-year conditions. To this end, National City, through the Sweetwater Authority, has established a contingency plan to reduce water demands in the event of supply shortages consistent with recommendations from the Water Authority.

m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.

The proposed reorganization – with or without the recommended modification – is intended to facilitate a commercial development and would not affect any local agencies in accommodating their regional housing needs assigned by the region's council of governments, SANDAG.

n) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

The affected territory – with or without the recommended modification – is uninhabited as defined under LAFCO statute. The landowner supports the proposed reorganization and has provided their written consent to the proceedings.

o) Any information relating to existing land use designations.

See above analysis for (h).

p) The extent to which the proposal will promote environmental justice.

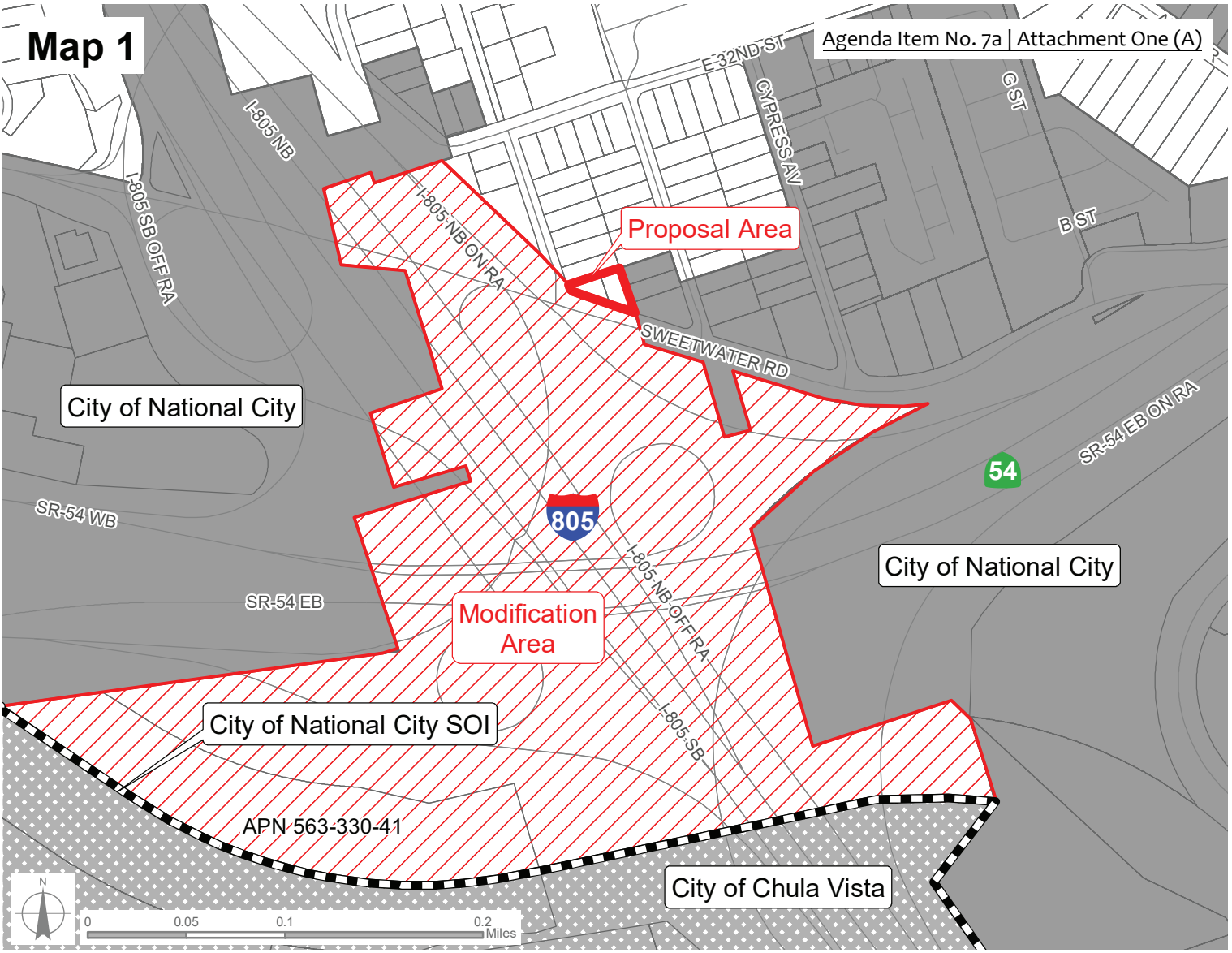
As used in this review factor, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The reorganization – with or without the recommended modification – does not include locating any new public facilities. Approval is not anticipated to directly influence the promotion of environmental justice within the affected territory.

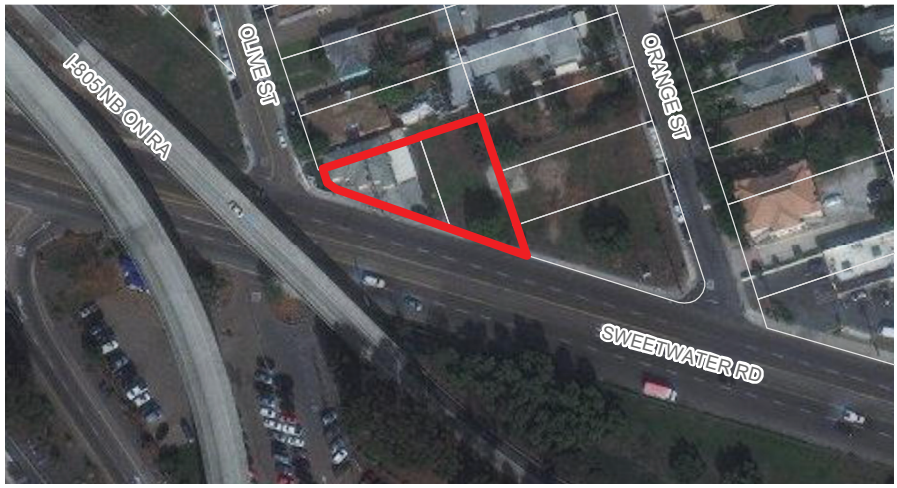
q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area, if it is determined that such information is relevant to the affected territory.

The affected territory – with or without the recommended modification – is not presently identified as part of a State Responsibility Area (SRA) or mapped within a high fire hazard zone by the County of San Diego or City of National City.

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Map 1







RO19-16

PROPOSED "SWEETWATER ROAD REORGANIZATION"
ANNEXATION TO CITY OF NATIONAL CITY

SOI = Sphere of Influence

- Proposal Area
- Modification Area
- City of National City
- City of National City SOI

San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

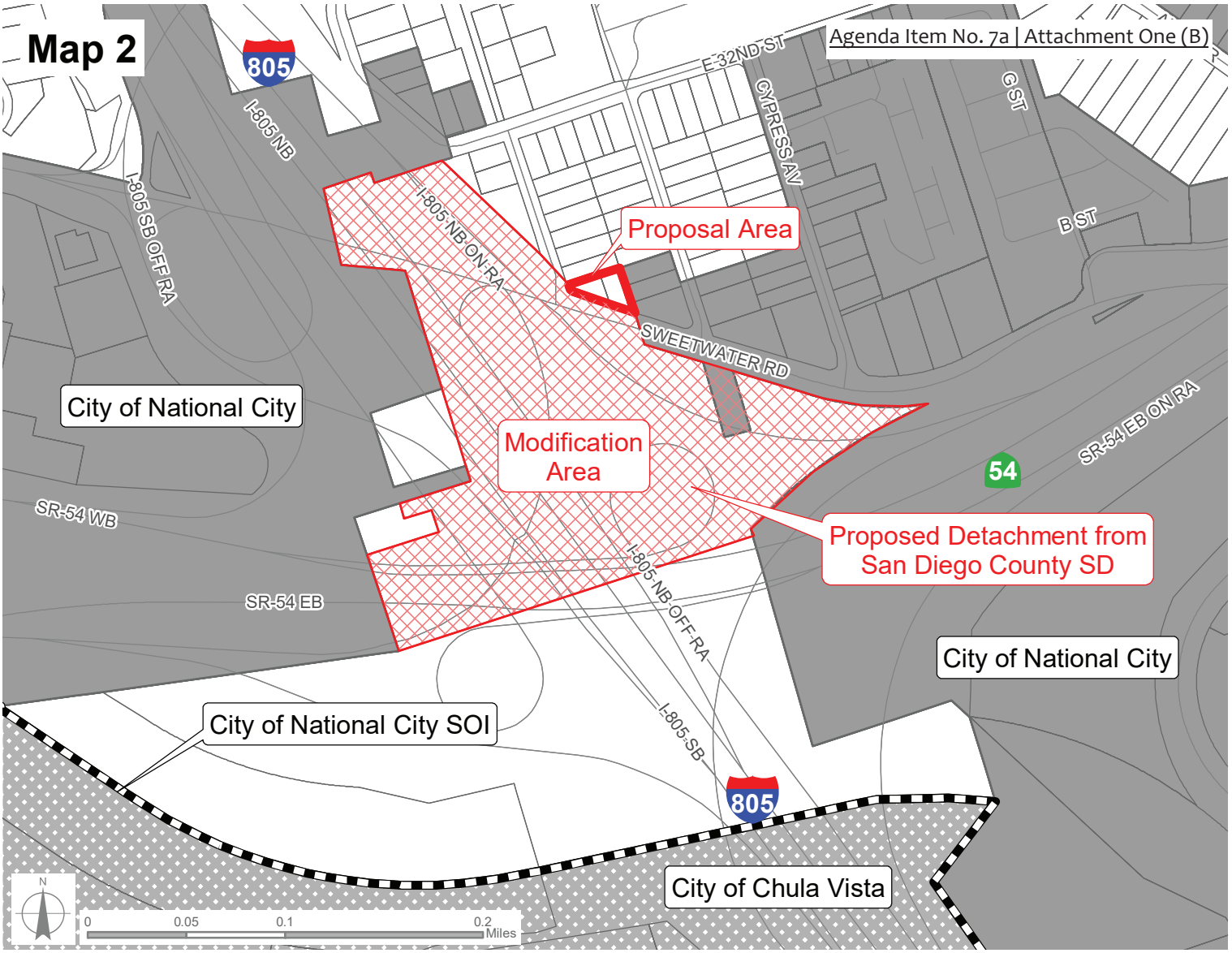
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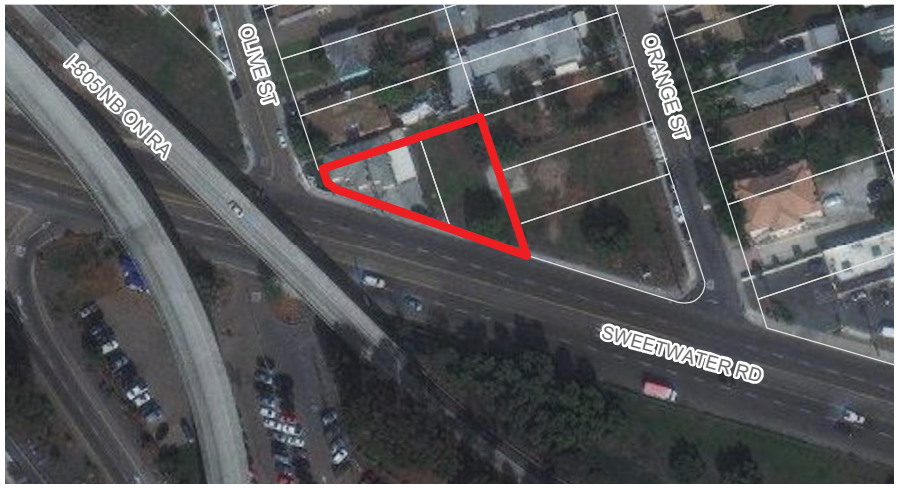
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Map 2







RO19-16 PROPOSED "SWEETWATER ROAD REORGANIZATION" ANNEXATION TO CITY OF NATIONAL CITY

MAP 2 PROPOSED DETACHMENT FROM SAN DIEGO COUNTY SD

Proposal Area
Proposed Detachment

San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

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RESOLUTION NO. _____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MAKING DETERMINATIONS, APPROVING AND ORDERING A REORGANIZATION

"SWEETWATER ROAD REORGANIZATION"
CONCURRENT ANNEXATION TO THE CITY OF NATIONAL CITY AND DETACHMENTS FROM COUNTY SERVICE AREA NO. 135 – REGIONAL COMMUNICATIONS, LOWER SWEETWATER FIRE PROTECTION DISTRICT, SAN DIEGO COUNTY SANITATION DISTRICT, AND SOUTH BAY IRRIGATION DISTRICT
LAFCO FILE NO. RO19-16

WHEREAS, on August 20, 2019, the landowner, Roy Murakoa, filed a petition to initiate proceedings and an application with the San Diego County Local Agency Formation Commission, hereinafter referred to as "Commission," pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 56000, et seq.); and

WHEREAS, the application seeks approval for reorganization of approximately 0.23 acres of unincorporated territory and includes the principal action to annex all of the affected territory to the City of National City; and

WHEREAS, the reorganization application also seeks concurrent actions to detach the affected territory from County Service Area No. 135 - Regional Communications, Lower Sweetwater Fire Protection District, San Diego County Sanitation District, and South Bay Irrigation District; and

WHEREAS, the affected territory is located within the National City sphere of influence and no conforming sphere of influence amendments are necessary for the concurrent detachments of the affected territory from County Service Area No. 135 - Regional Communications, Lower Sweetwater Fire Protection District, San Diego County Sanitation District, and South Bay Irrigation District; and

WHEREAS, an applicable master property tax transfer agreement dated December 14, 1982 between the County of San Diego and the City of National City applies to the proposed reorganization; and

WHEREAS, the Commission's Executive Officer has reviewed the proposed reorganization and prepared a report with recommendations; and

WHEREAS, the Executive Officer's report and recommendations on the proposed reorganization has been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a noticed meeting on December 2, 2019

NOW, THEREFORE, BE IT RESOLVED, the Commission hereby finds, determines, and orders the following:

1. The public meeting was held on the date set therefore, and due notice of said meeting was given in the manner required by law.

2. At the meeting, the Commission called for, heard, and considered all public comments by interested parties and read and considered the Executive Officer's report.

3. The Commission serves as both responsible and lead agency under the California Environmental Quality Act (CEQA) in considering two distinct "projects" associated with the reorganization proposal and as detailed in the Executive Officer's report. The Commission's independent findings follow.

    a) The City of National City serves as lead agency under CEQA for the reorganization proposal submitted by the applicant and boundary changes to annex the affected territory to National City along with concurrent detachments from County Service Area No. 135 (Regional Communications), Lower Sweetwater Fire Protection District, San Diego County Sanitation District, and South Bay Irrigation District. National City has determined this activity and underlying development entitlements is a project under CEQA and prepared and certified a Negative Declaration (ND) as part of a noticed hearing held on June 18, 2019. The ND attests the project will not have a significant and adverse impact on the environment. The Commission has independently reviewed the ND and concurs and incorporates herein National City's findings as a responsible agency.

    b) The Commission serves as lead agency under CEQA for the discretionary modification of the reorganization proposal submitted by the applicant to amend the affected territory to include adjacent uninhabited public lands used as public rights-of-way. The Commission finds this activity is a project under CEQA but is exempt from further environmental review under State CEQA Guidelines Section 15320. This exemption appropriately applies given the modification involves changes in the organization of local agencies' boundaries with no growth accommodation therein and does not alter the geographic area in which existing powers are exercised.

4. The Commission APPROVES the proposed reorganization with a discretionary modification as described below and subject to conditions as provided. Approval involves all of the following:

    a) The affected territory is modified to include the adjacent unincorporated public rights-of-way for Sweetwater Road and the I-805/SR-54 interchange including APN 563-330-41-00.

    b) Annexation of all 50.75 acres of the affected territory as modified to the City of National City as shown in "Exhibit A-1" and described in "Exhibit A-2."

    c) Detachment of all 50.75 acres of the affected territory as modified from County Service Area No. 135 - Regional Communications, Lower Sweetwater Fire Protection District, and South Bay Irrigation District as shown in "Exhibit A-1" and described in "Exhibit A-2."

    d) Detachment of 20.44 acres of the affected territory as modified from the San Diego County Sanitation District as described in "Exhibit B-1" and described in "Exhibit B-2."

5. The Commission CONDITIONS the approvals on the following terms being satisfied by December 2, 2020 unless an extension is requested and approved by the Executive Officer:

    a) Completion of the 30-day reconsideration period provided under Government Code § 56895.

    b) Submittal to the Commission of final maps and geographic descriptions of the affected territory and the associated boundary changes as approved by the Commission conforming to the requirements of the State Board of Equalization – Tax Services Division.

c) Submittal to the Commission of the following payments:

- A check made payable to LAFCO in the amount of $100.00 to reimburse for filing notices with the County-Clerk Recorder's Office consistent with the findings in this resolution.

- A check made payable to the State Board of Equalization for processing fees in the amount of $1,200.00.

6. The proposal is assigned the following distinctive short-term designation:

   "Sweetwater Road Reorganization" to the City of National City

7. The affected territory shall not be re-zoned by the City of National City for a period of no less than two years following the recordation of a Certificate of Completion unless exempting procedures are satisfied under Government Code § 56375(e).

8. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56046. All subject landowners have provided written consent to the proposal and no subject has submitted written opposition to a waiver of protest proceedings.

9. The Commission waives conducting authority proceeding requirements under Government Code § 56662 and consistent with policy.

10. County Service Area No. 135 - Regional Communications, Lower Sweetwater Fire Protection District, San Diego County Sanitation District, and South Bay Irrigation District are registered-voter districts.

11. City of National City, County Service Area No. 135 - Regional Communications, Lower Sweetwater Fire Protection District, San Diego County Sanitation District, and South Bay Irrigation District all utilize the regular assessment roll of the County of San Diego.

12. The affected territory will be liable for any existing bonds, contracts, and/or obligations of the City of National City as provided under Government Code § 57328, and will be subject to any previously authorized taxes, benefit assessments, fees, or charges of the City of National City as provided under Government Code Section 57330.

13. The effective date of the proposal shall be the date of recordation of the Certificate of Completion following completion of all terms.

14. As allowed under Government Code § 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.

15. All general terms governing annexations and detachments authorized under Government Code Section 57300-57354 apply to this reorganization.

**

PASSED AND ADOPTED by the Commission on 2nd of December 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**

Approve to Form:

_____
Holly Whatley,
Commission Counsel

Attest:

_____
Keene Simonds
Executive Officer

EXHIBIT A-1

Placeholder for Recordation

Map of Affected Territory, as Modified
and Annexation to City of National City with Concurrent Detachment from
County Service Area No. 135 - Regional Communications,
Lower Sweetwater Fire Protection District, and South Bay Irrigation District

EXHIBIT A-2

Placeholder for Recordation

Description of Affected Territory, as Modified
and Annexation to City of National City with Concurrent Detachment from
County Service Area No. 135 - Regional Communications,
Lower Sweetwater Fire Protection District, and South Bay Irrigation District

EXHIBIT B-1

Placeholder for Recordation
Map of Affected Territory, as Modified
and Detachment from San Diego County Sanitation District

EXHIBIT B-2

Placeholder for Recordation
Description of Affected Territory, as Modified
and Detachment from San Diego County Sanitation District

PETITION FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

Part I: NOTICE OF INTENT TO CIRCULATE PETITION

Proponents are required to file a NOTICE OF INTENT TO CIRCULATE PETITION with the Executive Officer of the San Diego Local Agency Formation Commission before a petition to initiate a change of organization or reorganization can be circulated (Govt. Code § 56700.4).

1. Notice is hereby given to circulate a petition proposing to: Annex the two single family residential parcels known as assessor parcels #563-252-23-00 & 563-252-28-00, street addresses 2305 and 2311 Sweetwater Rd., National City, annex to the City of National City.

2. The reason(s) for the proposal are: These two parcels are to be combined with three existing parcels currently within the City of National City to provide the land area for a 5,500 square foot commercial retail development, previously approved by the National City City Council.

Muraoka Enterprises, Inc. & Mr. Roy Muraoka	corp. secretary
Proponent's Name (print)	Signature of proponent or representative
1425 2nd Avenue Office	Chula Vista, CA 91911
Proponent's Address	City, State, Zip

Pursuant to Section 56700.4 of the California Government Code, this NOTICE OF INTENT TO CIRCULATE PETITION was filed with me on _____

Date

_____

Executive Officer (Print and Sign)

PART II: DISCLOSURE REQUIREMENTS

The Political Reform Act prohibits a person appointed to the Local Agency Formation Commission from soliciting or accepting campaign contributions of more than $250 within the preceding 12 months from parties, participants, or their agents while a proceeding is pending before LAFCO and for three months following the decision. LAFCO commissioners who receive such contributions are required to disqualify themselves from participating in the proceedings. Both commissioners and contributors who are parties to the proceeding are required to disclose the contributions received or made. Names of current LAFCO commissioners and LAFCO disclosure forms are available at HTTP://WWW.SDLAFCO.ORG or by calling 858/614-7755.

Pursuant to Government Code Section 56700.1, any person or combination of persons who, for political purposes, directly or indirectly contributes $1,000 or more, or expend $1,000 or more in support of, or in opposition to a proposal for a change of organization or reorganization that will be submitted to the Commission, shall disclose and report to the Commission to the same extent and subject to the same requirements of the Political Reform Act (Title 9 [commencing with Section 81000]) as provided for local initiative measures.

Pursuant to Government Code Section 57009, any person or combination of persons who directly or indirectly contributes $1,000 or more, or expends $1,000 or in support of, or in opposition to, the conducting authority proceedings for a change of organization or reorganization, must comply with the disclosure requirements of the Political Reform Act of 1974, (Government Code section 81000 et seq.). Applicable reports must be submitted to the Secretary of State and the appropriate city or county clerk. Copies of the reports must also be filed with the Executive Officer of San Diego LAFCO.

Part III: PETITION FOR CHANGE OF ORGANIZATION OR REORGANIZATION

This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code, Section 56000 et seq. of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

(a) The specific change(s) of organization proposed is/are: from the County of San Diego to the City of National City

(b) The boundary of the territory included in the proposal is as described in the attached legal description and map and is by this reference incorporated herein.

(c) The proposed action(s) will be subject to the following terms and conditions: to be determined

(d) The reason(s) for the proposal is/are: for the development of the commercial retail project described in paragraph 2 above.

(e) Signers of this petition have signed as (select one): ☑ landowner; ☐ registered voter.

(f) The name(s) and mailing address(s) of the chief petitioner(s) (not to exceed three) is/are:

1. Muraoka Enterprises, Inc. 1425 2nd Avenue, Chula Vista, CA 91911
   Name of chief proponent (print) mailing address
2. Mr. Roy Muraoka 1425 2nd Avenue, Chula Vista, CA 91911
   Name of chief proponent (print) mailing address
3. _____
   Name of chief proponent (print) mailing address

(g) It is requested that proceedings for this proposal be taken in accordance with Section 56000 et seq. of the Government Code.

(h) This proposed change of organization (select one) ☑ is ☐ is not consistent with the sphere-of-influence of any affected city or district.

(i) The territory included in the proposal is (select one) ☐ inhabited (12 or more registered voters) ☑ uninhabited (11 or less registered voters).

(j) If the formation of a new district(s) is included in the proposal:

1. The principal act under which said district(s) is/are proposed to be formed is/are: _____
2. The proposed name(s) of the new district(s) is/are: _____

3. The boundary(ies) of the proposed new district(s) is/are described in the attached legal description and map and are by this reference incorporated herein.

(k) If an incorporation is included in the proposal:

1. The name of the proposed city is: _____
2. Provisions are requested for appointment of: ☐ city manager ☐ city clerk ☐ city treasurer

(l) If the proposal includes a consolidation of special districts, the proposed name of the consolidated district is: _____

Part IVb: LANDOWNER PETITION

Petitions must meet minimum signature requirements (see Part V). Signatures must be secured within six months of the date on which the first signature was affixed. Petitions must be submitted to the LAFCO Executive Officer within 60 days after the last signature is affixed (Govt. Code § 56705).

Each of the undersigned states:

- I personally signed this petition.
- I am a landowner of the affected territory.
- I personally affixed hereto the date of my signing this petition and the Assessor's Parcel Number(s), or a description sufficient to identify the location of my land.

Name of Signer	Assessor's Parcel Number(s)	Date Signed	Official Use
Sign [signature] corp. secretary Print Muraoka Enterprises, Inc.	563-252-23-00	10-29-19	
Sign [signature] Print Roy Muraoka	563-252-28-00	10-30-19	
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

Part V: MINIMUM SIGNATURE REQUIREMENT FOR A SUFFICIENT PETITION UNDER THE PROVISIONS OF THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

Reorganization—Signatures must comply with the applicable signature requirements for each of the changes proposed (Govt. Code § 56864.1).

District Formation—Signatures as required by the principal act under which the new district is proposed to be formed (Govt. Code § 56860).

Dissolution of a District—For registered voter district: signatures by (a) not less than 10% of the registered voters within the district; or (b) not less than 10% of the number of landowners within the district who also own not less than 10% of the assessed value of land within the district.
—For landowner-voter districts: signatures by not less than 10% of the number of landowners within the district who also own not less than 10% of the assessed value of land within the district.
—If dissolution is for inactivity, the petition must be signed by three or more registered voters or landowners within the subject district and include statement and recitations as required by Govt. Code 56871 (Govt. Code § 56870).

Consolidation of Districts—For registered voter districts: signatures by not less than 5% of the registered voters within each of the districts.
—For landowner-voter districts: signatures by landowners-voters constituting not less than 5% of the number of landowner-voters owning land within each of the several districts who also own not less than 5% of the assessed value of land within each of the districts (Govt. Code § 56865).

Merger of District with City or Establishment of a Subsidiary District—For a registered voter district: signatures by (a) 5% of the registered voters of the district; or (b) 5% of the registered voters residing within the territory of the city outside the boundaries of the district.
—For a landowner-voter district: signatures by (a) 5% of the number of landowner-voters within the district; or (b) 5% of the registered voters residing within the territory of the city outside the boundaries of the district (Govt. Code § 56866).

District Annexation or Detachment—For a registered voter district: signatures by (a) not less than 25% of the number of registered voters within the territory proposed to be annexed or detached; or (b) not less than 25% of the number of landowners within the territory proposed to be annexed or detached who also own not less than 25% of the assessed value of land within the territory.
—For a landowner-voter district: signatures by not less than 25% of the number of landowners owning land within the territory proposed to be annexed or detached who also own not less than 25% of the assessed value of land within the territory (Govt. Code § 56864).

Incorporation of a City—Signatures by: (a) not less than 25% of the registered voters residing in the area to be incorporated; or (b) not less than 25% of the number of owners of land within the territory proposed to be incorporated who also own not less than 25% of the assessed value of land within the territory proposed to be incorporated (Govt. Code § 56764).

Disincorporation of a City—Signatures by not less than 25% of the registered voters residing in the city proposed to be disincorporated (Govt. Code § 56766).

Consolidation of Cities—Signatures by not less than 5% of the registered voters of each affected city (Govt. Code § 56766).

Annexation to a City—Signatures by: (a) not less than 5% of the number of registered voters residing within the territory proposed to be annexed; or (b) not less than 5% of the number of owners of land within the territory proposed to be annexed who also own 5% of the assessed value of land within the territory (Govt. Code § 56767).

Detachment from a City—Signatures by: (a) not less than 25% of the number of registered voters residing within the territory proposed to be detached; or (b) not less than 25% of the number of owners of land within the territory proposed to be detached who also own 25% of the assessed value of land within the territory (Govt. Code § 56768).

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) INITIAL STUDY CHECKLIST

CITY OF NATIONAL CITY
Planning Department
1243 National City Boulevard
National City, CA 91950

1. **PROJECT TITLE/PROJECT #:** 2017-13 GPA, ZC, CUP, ANNEX - General Plan Amendment and Zone Change for the rezoning of property at located at 3320, 3330, 3336 Orange Street (City of National City) and 2311 and 2305 Sweetwater Road.(County of San Diego), annexation for the properties at 2311 and 2305 Sweetwater Road into the City, in order to construct a 5,500 square-foot commercial strip center, and Conditional Use Permit for a drive-through coffee shop.

2. **LEAD AGENCY:** City of National City
Planning Department
1243 National City Boulevard
National City, CA 91950

Contact: Martin Reeder, AICP – Principal Planner
Phone: (619) 336-4313

3. **PROJECT LOCATION:** North side of Sweetwater Road between Orange Street and Olive Street, National City, CA 91950

4. **PROJECT PROPONENT:** Muraoka Enterprises, Inc.t

5. **ZONING DESIGNATION:** Small Lot Residential (RS-2) – City of National City and pre-zone (RS-2) – County of San Diego properties

6. **PROJECT DESCRIPTION:** The applicant wishes to amend the General Plan land use designation to change the subject property from Low-Medium Density Residential (and pre-zone for the County of San Diego properties) to Major Mixed-Use, and to change the zoning designation from RS-2 (Small Lot Residential) and pre-zone RS-2 to MXD-2 (Major Mixed-Use District) and pre-zone (MXD-2) in order to develop a 5,500 square-foot commercial strip center including a drive-through coffee shop. The coffee shop would be 1,500 square feet in size with the remaining 4,000 square feet being specialty retail. Once the rezoning is in place, the two properties at 2311 and 2305 Sweetwater Road are proposed to be annexed into the City of National City. In addition, the National City Municipal Code requires a Condition Use Permit (CUP) for drive-through businesses. Local Agency Formation Commission (LAFCO) approval will be required for the proposed annexation to the City.

7. **SURROUNDING LAND USES AND SETTING:** The project site is comprised of five separate parcels located at 3320, 3330, and 3336 Orange Street in National City, along with 2311 and 2305 Sweetwater Road, which are located in the County of San Diego. The parcels are contiguous to one

another and form the end of the block fronting on Sweetwater Road between Olive Street and Orange Street. The affected territory is within the National City sphere of influence.

The City properties are zoned Small Lot Residential (RS-2) and the County properties are pre-zoned as RS-2. All of the properties are considered *Low-Medium Density Residential* on the General Plan Land Use map. The whole project area is approximately 34,000 square feet in size, or roughly 0.8 acres, and is undeveloped, with the exception of 2305 Sweetwater Road, which is developed with a single-family residence. The lots located at 3320 Orange Street and 2311 Sweetwater Road were previously developed with single-family residences since demolished.

8. **OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED (AND PERMITS NEEDED):** San Diego Local Agency Formation Committee (LAFCO), County of San Diego.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology / Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☐ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation / Traffic	☐ Utilities / Service Systems	☐ Mandatory Findings of Significance

DETERMINATION:

(To be completed by the Lead Agency)
On the basis of this Initial Evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☒

I find that 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 on an attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared. ☐

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☐

I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or is "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effect that remains to be addressed. ☐

Signature	Date
	May 22, 2019
Printed Name: Martin Reeder, AICP	Title: Principal Planner

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.

2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence than an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less than Significant w/ Mitigation Incorporated" applied where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less then Significant Impact". The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D).

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This in only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.

9. The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluate each question; and

b) The mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES with Supporting Documentation & Sources

I – AESTHETICS - Would the project:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista? (Sources: 1, 2, 3)	☐	☐	☐	X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources: 1, 2, 3)	☐	☐	☐	X
c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Sources: 1, 2, 3)	☐	☐	☐	X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime Views in the area? (Sources: 1, 2, 3)	☐	☐	☐	X

The project site is a flat vacant lot in a disturbed state. One lot is developed with a single-family residence, with two lots having had previous single-family residences since demolished. The pad foundations for the two previous homes are still located on site. The remaining lots have historically been unpaved and used for recreation and personal vehicle parking. The property is surrounded by existing urban development, including single-family residences, a duplex, a six-unit apartment, and a 7-Eleven respectively. Uses beyond the 7-Eleven to the east along Sweetwater Road are also commercial in nature. There are no land uses to the west and south except for mostly landscaped areas around the Interstate 805/State Route 54 interchange, which is higher than the project site. There are no scenic vistas or resources in the area that would be affected by the project. The existing visual character is low due to the existing mixed residential and commercial development uses nearby, as well as the freeway interchange. The design of the development would include compliance with all lighting design standards in the Municipal Code, which will ensure no light or glare impacts on adjacent properties.

II – AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation & Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Sources: 1, 2, 3, 7)	☐	☐	☐	X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: 1, 2, 3, 7)	☐	☐	☐	X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Sources: 1, 2, 3, 7)	☐	☐	☐	X
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Sources: 1, 2, 3, 7)	☐	☐	☐	X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Sources: 1, 2, 3, 7)	☐	☐	☐	X

The City of National City does not contain farmland or agricultural resources, forest land, nor any land zoned for agricultural use. In addition, the properties in the County of San Diego are not designated for farming, agriculture, or forestry. Although the County RU (Residential Urban) zoning designation does allow such uses with the issuance of a Minor Use Permit, no such uses or permits are in place, or Williamson Act contracts entered into, for the two County of San Diego properties. As such, approval of this project will have no impact on such lands or resources.

III – AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Sources: 1, 2, 3)	☐	☐	☐	X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Sources: 1, 2, 3)	☐	☐	☐	X
c) Result 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)? (Sources: 1, 2, 3, 4,7)	☐	☐	☐	X
d) Expose sensitive receptors to substantial pollutant concentrations? (Sources: 1, 2, 3)	☐	☐	☐	X
e) Create objectionable odors affecting a substantial number of people? (Sources: 1, 2, 3)	☐	☐	☐	X

The City does not have any applicable air quality plan or standards that would apply in this case. Air quality is under the purview of the San Diego County Air Pollution Control District. The County of San Diego and National City are in attainment for all California Clean Air Act (CCAA) pollutants with the exception of ozone. Approval of this project will not conflict with or obstruct the implementation of the San Diego County Regional Air Quality Strategy (RAQS) to manage air quality in our region. The existing density in the area would allow up to 13 residential units (including accessory dwelling units), which could be expected to generate 130 average daily trips (ADT). The project, as proposed, would generate approximately 1,390 ADT, 639 of which would be pass-by trips. The project would therefore could be reasonably expected to generate 621 additional ADT. This amount does not trigger any threshold for a focused traffic study or traffic impact analysis. As such, overall, approval of this project will have a less than significant impact on air quality.

IV – BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, 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? (Sources: 5)	☐	☐	☐	X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Sources: 6)	☐	☐	☐	X

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Sources: 6)	☐	☐	☐	X
d) Interfere 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? (Sources: 5)	☐	☐	☐	X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: 1)	☐	☐	☐	X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Sources: 1)	☐	☐	☐	X

The project site is in a previously disturbed state. One lot is developed with a single-family residence, with two lots having had previous single-family residences since demolished. The pad foundations for the two previous homes are still located on site. The remaining lots have historically been unpaved and used for recreation and personal vehicle parking. The site contains no native or non-native vegetation. Also, no jurisdictional wetlands, other sensitive habitat, or sensitive species are located on the property; and data provided by the U.S. Fish & Wildlife Service indicate the proposed project site contains no jurisdictional wetlands or jurisdictional waters of U.S. or state-defined streambeds.

The project site is located completely within an urbanized area, surrounded by development and contains no sensitive habitats or biological resources that are protected by local policies or ordinances. There are also no adopted habitat conservation plans within the City of National City.; therefore, the proposed development would have no impact on biological resources.

V – CULTURAL RESOURCES Would the project:	**Potentially Significant Impact**	**Less Than Significant w/ Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? (Sources: 3)	☐	☐	☐	X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Sources: 3)	☐	☐	☐	X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Sources: 3)	☐	☐	☐	X
d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: 3)	☐	☐	☐	X

No historical or archaeological resources as defined in Section 15064.5 are known to exist on the proposed project site. The whole project site is previously developed or otherwise disturbed and no land in its natural state remains.

State and federal law requires that if any cultural resources are found during construction, work is to stop and the lead agency and a qualified archaeologist be consulted to determine the importance of the find and its

appropriate management. In the event of the accidental discovery or recognition of any human remains during construction, the applicant is required take all appropriate steps as required by relevant federal, state, and local laws. Therefore, the proposed project would not result in a significant impact to cultural resources.

VI – GEOLOGY AND SOILS Would the project:	**Potentially Significant Impact**	**Less Than Significant w/ Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Sources: 9)	☐	☐	☐	X
ii) Strong seismic ground shaking? (Sources: 9)	☐	☐	☐	X
iii) Seismic-related ground failure, including liquefaction? (Sources: 9)	☐	☐	☐	X
iv) Landslides? (Sources: 9)	☐	☐	☐	X
b) Result in substantial soil erosion or the loss of topsoil? (Sources: 2, 9)	☐	☐	☐	X
c) Be 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? (Sources: 9)	☐	☐	☐	X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Sources: 9)	☐	☐	☐	X
e) Have 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? (Sources: 9)	☐	☐	☐	X

California Geological Survey information indicates the site is not located within an Alquist-Priolo Special Studies Zone, and there are no known active or potentially active faults that intercept the project site; therefore, the potential for ground rupture at this site is considered low. The nearest active fault to the site is the La Nacion Fault, located approximately a mile to the northeast. Accordingly, the site is not considered to possess a significantly greater seismic risk than that of the surrounding area in general. The site is not within an area susceptible to landslides and not within a fault zone, slide prone area or an area susceptible to liquefaction; therefore there is no impact or increased exposure to landslides due to the proposed project.

It should be recognized that Southern California is an area that is subject to some degree of seismic risk and that it is generally not considered economically feasible nor technologically practical to build structures that are totally resistant to earthquake-related hazards. Construction in accordance with the minimum requirements of the Uniform Building Code should minimize damage due to seismic events. Due to the number and nature of the active and non-active fault lines within the southern California region, it cannot be known when earthquakes will occur; therefore, there is a less than significant impact.

The property is flat in nature and all design and construction will require conformance with City's stormwater ordinance and grading regulations. Therefore, there is no impact or increased substantial erosion due to the proposed project.

The proposed project site would have traditional sewer laterals, which will connect with the existing sewer system that serves the City. There would be no use of septic tanks or alternative waste water disposal systems; therefore, no impact.

VII – GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Sources: 1, 7, 10, 11)	☐	☐	X	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Sources: 1,10, 11)	☐	☐	☐	X

GHG emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects contributes substantially to the phenomenon of global climate change and its associated environmental impacts and as such is addressed only as a cumulative impact. The project's GHG emissions would occur over the short construction duration, and would consist primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related new vehicular trips and indirect source emissions, such as energy usage. The existing density in the area would allow up to 13 residential units (including accessory dwelling units), which could be expected to generate 130 average daily trips (ADT). The project, as proposed, would generate approximately 1,390 ADT, 639 of which would be pass-by trips. The project would therefore could be reasonably expected to generate 621 additional ADT. This amount does not trigger any threshold for a focused traffic study or traffic impact analysis. As such, overall, approval of this project will have a less than significant impact on air quality. As such, although the project would contribute to airborne pollutants, this project will have a less than significant impact on air quality.

California has adopted several policies and regulations for the purpose of reducing GHG emissions. On December 11, 2008, CARB adopted the AB 32 Scoping Plan to achieve the goals of AB 32 that establishes an overall framework for the measures that will be adopted to reduce California's GHG emissions. The proposed project is subject to compliance with AB 32, which is designed to reduce statewide GHG emissions to 1990 levels by 2020.

In addition, in 2012 the City of National City adopted its Climate Action Plan and associated targets to reduce GHG emissions by 15 percent below 2005/2006 levels by 2020, with additional reductions by 2030. Some of the primary provisions of the Climate Action Plan are to promote greater density and infill development, water conservation, energy efficiency, and waste reduction strategies. The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG emissions, as contained in the Climate Action Plan. Based on the above, therefore no impact.

VIII – HAZARDS & HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources: 1)	☐	☐	☐	X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Sources: 1)	☐	☐	☐	X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Sources: 1)	☐	☐	☐	X
d) Be 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? (Sources: 1)	☐	☐	☐	X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Sources: 1)	☐	☐	☐	X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Sources: 1)	☐	☐	☐	X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: 1)	☐	☐	☐	X
h) Expose 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? (Sources: 1)	☐	☐	☐	X

The proposed project is a 5,500 square-foot commercial strip center located completely within an urbanized area, surrounded by a mix of residential and commercial development near a freeway interchange. No transport, use, or disposal of hazardous materials is expected. A commercial strip center with specialty retail and a drive-through coffee shop will likewise not cause any reasonably foreseeable upset or accident condition involving the release of hazardous materials into the environment.

The project is not expected to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste in general, and is not within one-quarter mile of an existing or proposed school. The site is mostly vacant and has previously been developed. Furthermore, it is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As a result the project would not create a significant hazard to the public or the environment. Therefore, there would be no impact.

There is no adopted emergency response plan or emergency evacuation plan in the City, although there are local considerations that are included as appendices to the Unified San Diego County Emergency Services Organization approved Annex Q of the Operational Area Emergency Plan. The project does not conflict with any of the considerations or plans in the Area Emergency Plan, thus no conflict.

The site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; There are no airports or airstrips in the vicinity; the project would not interfere with an adopted emergency response plan or emergency evacuation plan; and the project is not adjacent to any wildlands or land subject to wildland fires; therefore there would not be any significant risk of loss, injury or death involving wildfires. Therefore, there is no impact.

IX – HYDROLOGY / WATER QUALITY

Would the project:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Sources: 1)	☐	☐	☐	X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Sources: 1)	☐	☐	☐	X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Sources: 1, 3, 6)	☐	☐	☐	X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Sources: 1, 3)	☐	☐	☐	X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Sources: 1)	☐	☐	☐	X
f) Otherwise substantially degrade water quality? (Sources: 1)	☐	☐	☐	X
g) Place 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? (Sources: 1)	☐	☐	☐	X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Sources: 1)	☐	☐	☐	X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Sources: 1)	☐	☐	☐	X
j) Inundation by seiche, tsunami, or mudflow? (Sources: 1)	☐	☐	☐	X

The project will be subject to water quality and discharge requirements through the City's Jurisdictional Runoff Management Plan (JRMP). Design of the project will require compliance with all storm water handling, storage, drainage, and hydromodification regulations. The property is not located within a 100-year flood hazard area or an area influenced by any levee or dam failure, seiche, tsunami, or mudflow; therefore, no impact.

X – LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact

a) Physically divide an established community? (Sources: 1, 2, 3, 8)	☐	☐	☐	X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Sources: 1, 2, 6, 15)	☐	☐	☐	X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Sources: 1, 2, 8)	☐	☐	☐	X

The surrounding area is varied in nature. The two properties adjacent to the north of the project site are low-density in nature. 3255 Olive Street is developed with a single-family residence and 3312 Orange Street is developed with a duplex. Directly opposite the project site, the four properties on the east side of Orange Street are developed with two single-family residences, a six-unit apartment, and a 7-Eleven respectively (from north to south). Uses beyond the 7-Eleven along Sweetwater Road are also commercial in nature. There are no land uses to the west and south except for mostly landscaped areas around the Interstate 805/State Route 54 interchange. Lincoln Acres, located to the north, is an unincorporated community of San Diego County and is zoned as RU or Residential Urban. The area between the project area to the south and La Vista Cemetery to the north is predominantly single-family in nature. There is no connection between the developments and development of the site would not physically impact the existing community due to being at the periphery of the community to the north. Therefore, there would be no impact to established communities.

While the request includes a zone change and general plan amendment, the project would be a commercial use in an area of other commercial uses. The zone change and amendment would allow for a resident and visitor-serving commercial strip center on the perimeter of a residential area near a freeway interchange. Zoning to the east of the property is also commercial (mixed-use) in nature. The use would be allowed (conditionally-allowed in the case of the drive-through business) in the MXD-2 zone and consistent with both the General Plan and the Land Use Code; therefore, there would be no conflict with said plans. The Local Coastal Plan is not applicable to this area.

The proposed project includes approximately 0.22 acres of unincorporated territory located on the North side of Sweetwater Road between Orange Street and Olive Street (2311 and 2305 Sweetwater Road), within the National City sphere of influence. Annexation of the affected territory would involve concurrent detachments from County Service Area No. 135 (Regional Communications) and the Lower Sweetwater Fire Protection District, as the City of National City would assume responsibility for those services following annexation.

The Local Agency Formation Commission (LAFCO) is enumerated with the authority over the establishment of spheres of influence and changes of organization for cities and special districts. As such, LAFCO approval would be required for annexation to the City of National City. With the understanding that National City would be proposing to adopt a Negative Declaration regarding the project's environmental review, LAFCO would assume the role of responsible agency under CEQA for the associated reorganization with National City.

The two unincorporated properties have a County of San Diego zoning designation of *Urban Residential* (RU). This designation is applied to areas where adequate levels of public services are available. The existing residential use is a conforming use. The properties are pre-zoned as *Small Lot Residential* (RS-2) on the City's Zoning Map. 2305 Sweetwater Road is currently developed with a single-family residence. 2311 Sweetwater Road was previously developed with a single-family residence, but it has since been demolished. The lot remains vacant.

There are no applicable habitat conservation plan or natural community conservation plans in the City or County in this location, therefore no impact.

XI – MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Sources: 1)	☐	☐	☐	X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Sources: 1)	☐	☐	☐	X

The project site is located completely within an urbanized area and surrounded by development. The site contains no known mineral resources on the proposed project site or delineated on a local plan for the site; therefore, there is no impact to mineral resources.

XII – NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources: 1, 2, 3)	☐	☐	☐	X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Sources: 1, 2, 3)	☐	☐	☐	X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1)	☐	☐	☐	X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1, 2, 3)	☐	☐	☐	X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 2, 3)	☐	☐	☐	X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 2, 3)	☐	☐	☐	X

The proposed project area is in an urbanized area and is a residential use in an area of mixed residential and commercial development. The use is not expected to exceed the ambient noise in this area. Sweetwater Road in this location is a four-lane arterial street with a current ADT of 27,000. In addition, the area is immediately adjacent to the interchange of Interstate 805 and State Route 54. The General Plan Noise Element current noise levels are at least 65 decibels. The drive-through portion of the project would be subject to a Conditional Use Permit (CUP), which would have conditions for noise-attenuating speakers at the ordering window. This type of speaker automatically adjusts its volume to compensate for ambient noise (streets, vehicles, etc.). Therefore, the volume is lower during quieter periods, such as at night. This has been a standard condition on this type of CUP and would be case should an application be processed. Furthermore, the location of the proposed

ordering area is on the property line opposite of the nearest residential property. Finally, the project is subject to the limitations contained in the City's Noise Ordinance; therefore, no impacts are expected.

The associated construction on the project site would create temporary noise impacts. Modern construction equipment, properly used and maintained, should not exceed the noise limits contained in the City's Noise Ordinance. All noise generated by the project would be required to comply with the City's Noise Ordinance and be limited to specific hours of operation. No significant impact from the project would occur.

The proposed project site is not located within an airport land use plan or within two miles of a public use airport or private airstrip; therefore, there is no impact to those people working on the project site.

XIII – POPULATION AND HOUSING Would the project:	**Potentially Significant Impact**	**Less Than Significant w/ Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Sources: 1, 2, 3)	☐	☐	☐	X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Sources: 1, 2, 3)	☐	☐	☐	X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Sources: 1, 2, 3)	☐	☐	☐	X

The property is currently developed with one single-family residence, which is unoccupied. While the residence is likely able to be occupied, the demolition of the home would not displace a substantial amount of housing or people. The proposed commercial use would cater equally to visitors and area residents, thus not inducing a substantial population increase. Therefore, there will be no impact.

XIV – PUBLIC SERVICES	**Potentially Significant Impact**	**Less Than Significant w/ Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection? (Sources: 1, 3, 15)	☐	☐	☐	X
Police protection? (Sources: 1, 3)	☐	☐	☐	X
Schools? (Sources: 1, 3)	☐	☐	☐	X

Parks? (Sources: 1, 3)	☐	☐	☐	X
Other public facilities? (Sources: 1, 3)	☐	☐	☐	X

The proposed project would not result in adverse impacts to public services. The affected territory is within Lower Sweetwater Fire Protection District (FPD) for fire protection services and a concurrent detachment from the FPD is required with annexation to the City. The Lower Sweetwater FPD contracts with National City for fire protection services, therefore detachment from the FPD will not affect the fire service arrangement to the affected territory. The project area will be served by the National City Fire and Police Department. The closest Fire Station is approximately a one mile away on Euclid Avenue, and the Police Station at 12th Street and National City Boulevard is three miles away. Typical response time for this area would not be adversely impacted, as plans do not involve changes to public streets adjacent to the site and since plans include retaining emergency access throughout the project area. Also, the development will generate impact fees specifically slated for public services that will supplement any additional requirements brought about by the development; therefore, there is no significant impact. Park and school fees will also be paid as part of the development to offset any increase in need generated by the project, thus no impact.

XV – RECREATION

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Sources: 1, 2, 3)	☐	☐	☐	X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Sources: 1, 2, 3)	☐	☐	☐	X

Parks and schools would not be impacted, as there are none in the area and no increase in population that would add to school attendance or park use would occur, thus no impact.

XVI – TRANSPORTATION AND TRAFFIC

Would the project:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Sources: 1, 2, 3, 4)	☐	☐	☐	X
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or	☐	☐	☐	X

highways? (Sources: 1, 2, 3)

c) Result 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? (Sources: 1, 2, 3, 7)	☐	☐	☐	X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Sources: 1, 2, 3, 7)	☐	☐	☐	X
e) Result in inadequate emergency access? (Sources: 1, 2, 3, 7)	☐	☐	☐	X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Sources: 1, 2, 3, 7)	☐	☐	☐	X

There are no plans, ordinances, or policies that measure circulation system current effectiveness or performance, thus no impact. There is also no congestion management program that the project would conflict with. Lastly, there are no established air traffic patterns in the area that would be affected by the project; there is no restricted airspace over National City. Therefore there is no impact.

This segment of Sweetwater Road (I-805/Euclid Avenue to Valley Road) currently has an ADT rate 27,000 and a capacity of 40,000 ADT. The segment operates at a current Level of Service (LOS) of C and is expected to operate at an LOS of D in 2030. According to trip generation rates published by the San Diego Association of Governments (SANDAG), a commercial strip of this size with a drive-through component would generate approximately 1,390 ADT, 639 of which would be pass-by trips. The project could therefore be reasonably expected to generate 621 additional ADT. This amount would not normally trigger any threshold for a focused traffic study or traffic impact analysis. The traffic analysis summarized as follows:

> *Per the applied regional significance thresholds and the analysis methodology presented in this report, the addition of project related traffic to the street system* ***would not result significant direct or cumulative impacts*** *to study area intersections and street segments.*
> *Site access is satisfactory with two driveways, and enhanced by the existing two-way left-turn lane on Sweetwater Road that provides a refuge lane for turning vehicles… no issues with on-site circulation/queuing are expected given the [nine]-position queuing drive-thru lane, and the average customer load anticipated given the proximity to five other Starbucks stores. Based on the above findings, no mitigation measures are required or proposed.*

A queuing study was performed for two local area Starbucks locations (24th Street and Hoover Avenue, and "L" Avenue and Plaza Blvd. The maximum queuing, which was during the morning peak hour, was 15 vehicles. The driveway, as proposed, can accommodate approximately 11 vehicles. The design of the drive-through entrance is such that vehicles may only enter westbound from within the parking lot (via the eastern driveway, which is approximately 250 feet from Orange Street). Therefore, there would be room on site to accommodate vehicle queuing, which would ensure no impact to adjacent City streets.

No change in road design is proposed which would cause a safety risk or hinder emergency access. The project would not 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 there are no such activities existing or planned in this area, thus no impact.

XVII – UTILITIES AND SERVICE SYSTEMS	**Potentially**	**Less Than**	**Less Than**	**No**

Would the project:	Significant Impact	Significant w/ Mitigation Incorporation	Significant Impact	Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Sources: 1, 12)	☐	☐	☐	X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources: 1, 12)	☐	☐	☐	X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources: 1, 12)	☐	☐	☐	X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Sources: 1, 12, 15)	☐	☐	☐	X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Sources: 1, 12)	☐	☐	☐	X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Sources: 1, 13, 14)	☐	☐	☐	X
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources: 1, 13, 14)	☐	☐	☐	X

The proposed project would be designed and constructed using Best Management Practices (BMPs) to appropriately handle wastewater and not exceed wastewater treatment requirements of the San Diego Regional Water Quality Control Board; therefore, there is no impact.

The affected territory is located within the Sweetwater Authority for water service. The Sweetwater Authority is a Joint Powers Authority (JPA) of the City of National City and the South Bay Irrigation District; therefore, annexation to National City will not require a concurrent detachment from the Sweetwater Authority

As part of their annexation, the properties at 2305 and 2311 Sweetwater Road will not be required to detach from the water district currently serving the area, as both the City of National City and the unincorporated properties in this area are served by the same water service provider (Sweetwater Authority). Thus, annexation from San Diego County to National City will not significantly affect the existing utility networks. Also, all necessary improvements will be included with the project approval and construction will be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations; therefore, there would not be a significant effect on existing utility networks.

The proposed project site would be served by EDCO, the local waste collection and recycle company. EDCO has a contract with the City to handle City residents' waste disposal and recycling needs. According to EDCO staff, the company utilizes several landfill sites for the disposal of waste collected in National City, with the most common being Otay Mesa, Sycamore, and Miramar Landfills, with an additional 12, 26 and 9 years of capacity remaining respectively; therefore, there is a less than significant impact. There are two other landfill sites in San Diego County – the Ramona landfill, which is full, and Borrego Springs landfill, which has an

additional 30 years capacity remaining. In addition, the proposed project would comply with all federal, state, and local statues and regulations related to solid waste.

XVIII – MANDATORY FINDINGS of SIGNIFICANCE	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources: 1)	☐	☐	☐	X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Sources: 1)	☐	☐	☐	X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1)	☐	☐	☐	X

Discussion: No significant impacts to the environment as a result of this project have been identified. There is no habitat on site or nearby and there is no established neighborhood that would be affected. The property is changing from a mostly vacant and previously disturbed area, surrounded by a mix of residential and commercial development near a freeway interchange, to a small commercial strip center. Approval of the project is not expected to have any significant impacts, either long-term or short-term, nor will it cause substantial adverse effect on human beings, either directly or indirectly.

REFERENCE SOURCES:

Reference #	Document Title	Available for Review at:
1	National City General Plan	National City Planning Department 1243 National City Boulevard National City, CA 91950 http://www.nationalcityca.gov/
2	City of National City Municipal Code	National City Planning Department
3	Case File 2017-13 GPA, ZC, ANNEX	National City Planning Department
4	SANDAG trip generation by land use	www.sandag.org
5	US Fish and Wildlife Service	https://www.fws.gov/
6	US Fish and Wildlife Wetland Mapper System	https://www.fws.gov/wetlands/data/mapper.html
7	Transportation Impact Analysis for Sweetwater Road Commercial project (Linscott Law & Greenspan engineers)	National City Planning Department
8	County of San Diego Zoning Ordinance	https://www.sandiegocounty.gov/pds/zoning/index.html
9	California Department of Conservation	http://maps.conservation.ca.gov/cgs/fam/
10	City of National City Final Climate Action Plan	National City Planning Department
11	Environmental Protection Agency	https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator
12	California Integrated Waste Management Board	http://www.ciwmb.ca.gov/
13	EDCO Disposal website	https://www.edcodisposal.com/corporate/
14	Landfill Management – County of San Diego	https://www.sandiegocounty.gov/content/sdc/dpw/inactvlandfill.html
15	Local Agency Formation Commission (LAFCO) response to Legal Notice of Intent and Availability For Environmental Review and Comment, dated May 20, 2019	National City Planning Department

Print Form

Notice of Determination

Appendix D

To:

☐ Office of Planning and Research

U.S. Mail: P.O. Box 3044, Sacramento, CA 95812-3044

Street Address: 1400 Tenth St., Rm 113, Sacramento, CA 95814

☒ County Clerk
County of: San Diego-Attn: Fish & Wildlife Notices
Address: 1600 Pacific Highway, suite 260
San Diego, CA 92101 MS: A-33

From:

Public Agency: City of National City
Address: 1243 National City Blvd.
National City, CA 91950
Contact: Martin Reeder, AICP
Phone: 619-336-4313

Lead Agency (if different from above):

Address:

Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): n/a

Project Title: Sweetwater Annexation (2017-13 GPA, ZC, CUP, IS)

Project Applicant: Muraoka Enterprises, Inc. 1425 2nd Ave., Chula Vista, CA 91911 (619) 422-0272

Project Location (include county): 2305, 2311 Sweetwater Rd, & 3320, 3330, 3336 Orange St. (San Diego)

Project Description:

The applicant wishes to change the zoning designation from RS-2 (Small Lot Residential) to MXD-2 (Major Mixed-Use District) in order to develop a 5,500 sq. ft. commercial strip center including a 1,500 sq. ft. drive-through coffee shop. The two properties at 2311 and 2305 Sweetwater Road are proposed to be annexed into the City of National City. The City requires a Conditional Use Permit (CUP) for drive-through businesses. Local Agency Formation Commission (LAFCO) approval will be required for the proposed annexation to the City.

This is to advise that the City of National City (☒ Lead Agency or ☐ Responsible Agency) has approved the above described project on 6/18/2019 (date) and has made the following determinations regarding the above described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☒ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☒ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Planning Division - City of National City, 1243 National City Blvd., National City, CA 91950

Signature (Public Agency): _____ Title: Principal Planner

Date: 6/19/19 Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011

State of California - Department of Fish and Wildlife

2019 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 2/7/19) Previously DFG 753.5a

RECEIPT NUMBER: 37-2019- 0451

STATE CLEARINGHOUSE NUMBER *(If applicable)*: --

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
CITY OF NATIONAL CITY	--	06/19/2019

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
San Diego County	2019 - 0084

PROJECT TITLE: SWEETWATER ANNEXATION (2017-13 GPA, ZC, CUP, IS)

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
MURAOKA ENTERPRISES INC	--	619-422-0272

PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
1425 2ND AVE	CHULA VISTA	CA	91911

PROJECT APPLICANT *(Check appropriate box)*

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)		$3,271.00	$
☑ Mitigated/Negative Declaration (MND)(ND)	190084	$2,354.75	$ $2,354.75
☐ Certified Regulatory Program document (CRP)		$1,112.00	$

☐ Exempt from fee

- ☐ Notice of Exemption (attach)
- ☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	$850.00	$
☑ County documentary handling fee		$ $50.00
☐ Other		$

PAYMENT METHOD:

☐ Cash ☐ Credit ☑ Check ☐ Other 1348

TOTAL RECEIVED $ $2,404.75

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X	San Diego County A. C. TORRES , Deputy

ORIGINAL - PROJECT APPLICANT | COPY - CDFW/ASB | COPY - LEAD AGENCY | COPY - COUNTY CLERK | DFW 753.5a (Rev. 20190207)

FILED
Ernest J Dronenburg, Jr. Recorder County Clerk

JUN 19 2019

BY _____ DEPUTY

Print Form

Notice of Determination

Appendix D

To:

☐ Office of Planning and Research

U.S. Mail: P.O. Box 3044, Sacramento, CA 95812-3044

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Address: 1600 Pacific Highway, suite 260
San Diego, CA 92101 MS: A-33

190084

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Address: 1243 National City Blvd.
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Contact: Martin Reeder, AICP
Phone: 619-336-4313

Lead Agency (if different from above):
Address:
Contact:
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SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): n/a

Project Title: Sweetwater Annexation (2017-13 GPA, ZC, CUP, IS)

Project Applicant: Muraoka Enterprises, Inc. 1425 2nd Ave., Chula Vista, CA 91911 (619) 422-0272

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Project Description:

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   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
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6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
Planning Division - City of National City, 1243 National City Blvd., National City, CA 91950

Signature (Public Agency): _____ Title: Principal Planner

Date: 6/19/19 Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011

San Diego County

Transaction #: 3835932
Receipt #: 2019271294

Ernest J. Dronenburg, Jr.
Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 06/19/2019
Cashier Location: SD

Print Date: 06/19/2019 2:51 pm

Payment Summary

Total Fees:	$2,404.75
Total Payments:	$2,404.75
Balance:	$0.00

Payment

CHECK PAYMENT	$2,404.75
Total Payments	$2,404.75

Miscellaneous Item

FISH & WILDLIFE FEES

Fees:	Fish & Wildlife County Administrative Fee	$50.00
Fees:	Fish & Wildlife Mitigated/Negative Declaration	$2,354.75
Total Fees Due:		$2,404.75

Grand Total - All Documents: $2,404.75

1348

MURAOKA ENTERPRISES INC.
1425 2ND AVENUE
CHULA VISTA, CA 91911
PH. (619) 422-0272

UnionBank
(800) 238-4486
unionbank.com
16-49/1220

06/19/19

PAY TO THE ORDER OF County Clerk

$ **2,404.75

Two Thousand Four Hundred Four and 75/100********** DOLLARS

County Clerk

Security features. Details on back.

MEMO

AUTHORIZED SIGNATURE

⑈001348⑈ ⑆122000496⑆ 040004934 3⑈