



AGENDA

Regular Planning Commission Meeting

Monday, August 18, 2025 at 6:00 P.M.

Council Chamber, City Hall

1243 National City Boulevard, National City CA 91950

Richard Martin Miller, Chair

Randi Marie Castle, Vice-Chair

Claudia E. Valenzuela, Commissioner

Ricardo Sanchez, Commissioner

Liliana Armenta, Commissioner

Pearl Quinones, Commissioner

Kristen S. Steinke, Legal Counsel

David Welch, Associate Planner

Sophia Depew, Assistant Planner

Sarah Esendencia, Executive Secretary

Thank you for participating in local government and the City of National Planning Commission Meetings.

Meetings: Regular Planning Commission Meetings are held on the first and third Mondays of the month at 6:00 p.m. Special Closed Session Meeting and Workshops may be same day, the start time is based on needs. Check Special Agendas for times.

Location: Regular Planning Commission Meetings are held in the Council Chamber located at City Hall, 1243 National City Boulevard, National City, CA 91950, the meetings are open to the public.

Agendas and Material: [Agendas and Agenda Packet](#) for items listed are available on the City website, and distributed to the Planning Commission no less than 72 hours prior to the Planning Commission Meeting. Sign up for [E-Notifications](#) to receive alerts when items are posted.

Public Participation: Encouraged in a number of ways as described below. Members of the public may attend the Planning Commission Meeting in person, watch the Planning Commission Meeting via [live](#) web stream, or participate remotely via Zoom. [Recording of Meetings](#) are archived and available for viewing on the City's website.

Public Comment: Persons wishing to address the Planning Commission on matters not on the agenda may do so under Public Comments. Those wishing to speak on items on the agenda may do so when the item is being considered. Please submit a Speaker's Slip to the Executive Secretary prior to the meeting or immediately following the announcement of the item. All comments will be limited up to three (3) minutes. The Presiding Officer shall have the authority to reduce the time allotted to accommodate for a large number of speakers. *(City Council Policy 104)*

If you wish to submit written comment [email](#) to the Planning Commission Secretary at least 4 hours prior to the Planning Commission Meeting to allow time for distribution to the Planning Commission.

American Disabilities Act Title II: In compliance with the American Disabilities Act (ADA) of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Title II. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the Planning Department, Sarah Esendencia (619) 336-4227 at least 24 hours in advance of the meeting.

Gracias por participar en las reuniones del gobierno local y del Consejo de la Ciudad de National City.



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Reuniones: Las reuniones regulares del Comisión de Planificación se llevan a cabo el primer y tercer martes del mes a las 6:00 p.m. La reunión especial de sesión privada y los talleres pueden ser el mismo día, la hora de inicio se basa en las necesidades. Consulte las agendas especiales para conocer los horarios.

Ubicación: Las reuniones regulares del Comisión de Planificación se llevan a cabo en la Cámara del Consejo ubicada en el Ayuntamiento, 1243 National City Boulevard, National City, CA 91950, las reuniones están abiertas al público.

Agendas y Material: Las Agendas y el Paquete de Agenda para los temas enumerados están disponibles en el sitio web de la Ciudad y se distribuyen al Comisión de Planificación no menos de 72 horas antes de la Reunión del Concejo Municipal. Regístrese para recibir notificaciones electrónicas cuando se publiquen artículos.

Participación pública: Se fomenta de varias maneras como se describe a continuación. Los miembros del público pueden asistir a la Reunión del Comisión de Planificación en persona, ver la Reunión del Concejo Municipal a través de la transmisión web en vivo o participar de forma remota a través de Zoom. Las grabaciones de las reuniones están archivadas y disponibles para su visualización en el sitio web de la Ciudad.

Comentario Público: Las personas que deseen dirigirse al Comisión de Planificación sobre asuntos que no están en la agenda pueden hacerlo bajo Comentarios públicos. Quienes deseen hacer uso de la palabra sobre los temas del programa podrán hacerlo cuando se esté examinando el tema. Por favor, envíe una solicitud del orador al Secretario de la Ciudad antes de la reunión o inmediatamente después del anuncio del artículo. Todos los comentarios estarán limitados a tres (3) minutos. El Presidente tendrá la autoridad para reducir el tiempo asignado para dar cabida a un gran número de oradores. (Política del Concejo Municipal 104)

Si desea enviar comentarios por escrito, envíe un correo electrónico a la Oficina del Secretario de la Ciudad al menos 2 horas antes de la Reunión del Comisión de Planificación para dar tiempo a la distribución al Consejo Municipal.

Servicios de interpretación en español: Los servicios de interpretación en español están disponibles, comuníquese con el Secretario de la Ciudad antes del inicio de la reunión para obtener ayuda.

Título II de la Ley de Discapacidades Americanas: En cumplimiento con la Ley de Discapacidades Americanas de 1990, las personas con discapacidad pueden solicitar una agenda en formatos alternativos apropiados según lo requerido por el Título II. Cualquier persona con una discapacidad que requiera un modificación o adaptación para participar en una reunión debe dirigir dicha solicitud a la Oficina del Secretario de la Ciudad (619) 336-4228 al menos 24 horas antes de la reunión.



AGENDA

Regular Planning Commission Meeting

Monday, August 18, 2025 at 6:00 P.M.

Council Chamber, City Hall

1243 National City Boulevard, National City CA 91950

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

1. Approval of the Agenda for the Meeting on August 18, 2025

APPROVAL OF MINUTES

2. Approval of Minutes from the Meeting of July 21, 2025

PUBLIC COMMENT (Limited up to three (3) minutes)

In accordance with State law, an item not scheduled on the agenda may be brought forward by the general public for comment; however, the Planning Commissioners will not be able to discuss or take action on any issue not included on the agenda. Speakers will have up to three (3) minutes.

PUBLIC HEARING

3. Consideration of Certification of a Negative Declaration for a General Plan Amendment and Zone Change to Change the Zoning from RS-2 (Small Lot Residential) to MXC-1 (Minor Mixed-Use Corridor) for Properties Located at 3040, 3042-3046, 3102-3104, & 3106-3108 East 16th Street and 1540 South Harbison Avenue and Determination that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) Under Class 32 of the CEQA Guideline Section 15332 (In-Fill Development) for a Zone Variance Request for Less than Required Street Wall for a Property Located at 3040 East 16th Street. Case File No.: 2025-02 GPA, ZC APNs: 558-162-18, 558-220-06, 558-220-07, 558-220-35, 558-220-42, 558-220-11.
4. Determination that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) Under Class 1 of the CEQA Guidelines Section 15301 (Existing Facilities) and Conditional Use Permit for the Sale of Beer, Wine, and Distilled Spirits (ABC Type-21) at an Existing Target Located at 3060 Plaza Bonita Road. Case File No.: 2025-14 CUP APN: 554-472-09.
5. Determination that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) Under Class 1 of the CEQA Guidelines Section 15301 (Existing Facilities) and Conditional Use Permit for Beer and Wine Sales (ABC Type-41) at a New Restaurant (Zhangliang Malatang Spicy Hotpot) to be Located at 1430 East Plaza Boulevard Suite E20. Case File No.: 2025-17 CUP APN: 557-322-14.
6. Amendment to Title 18 (Zoning) of the National City Municipal Code Amending Table 18.24.040A and Table 18.24.040D Related to Height and Number of Stories in the MXC-1 and MXD-1 Zones. Case File No.: 2025-25 A.

STAFF REPORTS

ADJOURNMENT

Adjournment to the regularly scheduled meeting on September 15, 2025 at 6:00 p.m.



AGENDA

Regular Planning Commission Meeting

Monday, August 18, 2025 at 6:00 P.M.

Council Chamber, City Hall

1243 National City Boulevard, National City CA 91950

AFFIDAVIT OF POSTING MEETING AGENDA

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS
CITY OF NATIONAL CITY)

I, Sarah Esendencia, Executive Secretary of the City of National City, hereby declare under penalty of perjury that a copy of the above Agenda of the Regular Meeting of the Planning Commission of the City of national City, California, was delivered and/or notice by email no less than 72 hours, before the hour of 6:00 p.m. on August 18, 2025, to the members of the Planning Commission, and caused the agenda to be posted on the City's website at www.nationalcityca.gov and at National City Hall, 1243 National City Blvd., National City, California 91950.

/s/: Sarah Esendencia

Sarah Esendencia, Executive Secretary



Planning Commission Minutes

Regular Planning Commission
Meeting of July 21, 2025

IN PERSON AND ONLINE MEETING

<https://www.nationalcityca.gov/webcast>

LIVE WEBCAST

Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

These minutes have been abbreviated. Video recordings of the full proceedings are on file and available to the public.

CALL TO ORDER

A Regular Meeting of the Planning Commission of the City of National City was called to order at 6:00 p.m. via teleconference and in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

ROLL CALL

Commissioners Present: Quinones, Sanchez, Miller, Castle, Armenta.

Commissioners Absent: Valenzuela.

Staff Also Present: Acting Director of Community Development Martin Reeder, Legal Counsel Kristen S. Steinke, Assistant Planner Sophia Depew, and Executive Secretary Sarah Esendencia.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Commissioner Sanchez.

PUBLIC COMMENTS

Ted Godshalk made a public comment.

Cynthia Fuller Quinones made a public comment.

APPROVAL OF AGENDA

1. Approval of Agenda for the Regular Planning Commission Meeting on July 21, 2025.

Motion by Castle, second by Armenta, to approve the agenda.

Motion carried by the following vote:

Ayes: Quinones, Sanchez, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: Valenzuela.

Motion approved.

APPROVAL OF MINUTES

2. Approval of Minutes for the Regular Planning Commission Meeting of June 2, 2024.

Motion by Castle, second by Sanchez, to approve the minutes.

Motion carried by the following vote:

Ayes: Quinones, Sanchez, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: Valenzuela.

Motion approved.

PUBLIC HEARING

3. Consideration of Certification of a Negative Declaration for a General Plan Amendment and Zone Change to Change the Zoning from RS-2 (Small Lot Residential) to MXC-1 (Minor Mixed-Use Corridor) for Properties Located at 3040, 3042-3046, 3102-3104, & 3106-3108 East 16th Street and 1540 South Harbison Avenue. Case File No.: 2025-02 GPA, ZC APN: 558-162-18, 558-220-06, 558-220-07, 558-220-35, 558-220-42, 558-220-11.

Chair Miller stated that he was informed that Item 3 required additional noticing before commission consideration; therefore, the item was not heard, but was postponed to future date to be properly noticed.

4. Determination that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) under Class 1 of the CEQA Guidelines Section 15301 (Existing Facilities) and Conditional Use Permit for the Sale of Beer and Wine for On-Site Consumption (ABC Type-41 License) and Live Entertainment at an Existing Restaurant (Sushi N' Gone) Located at East 8th Street. Case File No.: 2025-11 CUP APN: 557-102-19.

Assistant Planner Sophia Depew made a PowerPoint presentation.

Representative, Marco Polo Cortes and applicant of Sushi N' Gone were present and answered questions the Commissioners and public had.

Commissioner Armenta disclosed that she was at this establishment when it was KeBurros and went by the past weekend to speak with Mr. Paolo, talked with his family, and conducted a survey.

Vice-Chair Castle disclosed that she has eaten at Sushi N' Gone and when it was KeBurros

Commissioner Quinones disclosed she passes by establishment often.

Commissioner Sanchez disclosed he has eaten there when it was KeBurros and passes by the establishment often.

Motion by Castle, second by Armenta to close the Public Hearing.

Motion carried by the following vote:

Ayes: Quinones, Sanchez, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: Valenzuela.

Motion approved.

Vice Chair Castle made a motion to amend Resolution with the following hours: Monday–Friday 12 p.m.–10 p.m. Saturday–Sunday 8 a.m.–11 p.m. with live entertainment as written.

Motion failed.

Motion by Castle, second by Quinones to adopt Resolution No. 2025-06, a Resolution of the Planning Commission of the City of National City determining that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 of the CEQA Guidelines Section 15301 (Existing Facilities) and Conditional Use Permit for Beer and Wine Sales (ABC Type-41) and Live Entertainment at an Existing Restaurant (Sushi N' Gone) Located at 1539 East 8th Street. Case File No.: 2025-11 CUP APN: 557-102-19 as amended.

Motion carried by the following vote:

Ayes: Quinones, Sanchez, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: Valenzuela.

Motion approved.

5. Determination that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) under Class 1 of the CEQA Guidelines Section 15301 (Existing Facilities) and Conditional Use Permit for the Sale of Beer and Wine for On-Site Consumption (ABC Type-41 License) and Live Entertainment at an Existing Restaurant (La Malquerida by Dolche) Located at 1524 McKinley Avenue in the Coastal Zone. Case File No.: 2025-12 CUP CPD APN: 557-055-08.

Assistant Planner Sophia Depew made a PowerPoint presentation.

Ted Godshalk made a public comment in opposition of the item.

Representative, Marco Polo Cortes and applicant Elena Gallardo were present and answered questions the Commissioners and public had.

Commissioner Sanchez disclosed that he has eaten at the establishment.

Commissioner Armenta disclosed that she has eaten at the establishment and has stopped by to speak to with Elena Gallardo

Commissioner Quinones disclosed she has passed by the establishment.

Motion by Castle, second by Sanchez to close the Public Hearing.

Motion carried by the following vote:

Ayes: Quinones, Sanchez, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: Valenzuela.

Motion approved.

7:22 p.m. Chair Miller re-opened the Public Hearing.

Ted Godshalk made a public comment in opposition of the item.

7:26 p.m. Chair Miller closed the Public Hearing.

Motion by Castle, second by Quinones to adopt Resolution No. 2025-07, a Resolution of the Planning Commission of the City of National City determining that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 of the CEQA Guidelines Section 15301 (Existing Facilities) and Conditional Use Permit for Beer and Wine Sales (ABC Type-41) and Live Entertainment at an Existing Restaurant (La Malquerida by Dolche) Located at 1524 McKinley Avenue in the Coastal Zone. Case File No.: 2025-12 CUP CDP APN: 557-055-08 as amended.

Motion carried by the following vote:

Ayes: Quinones, Sanchez, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: Valenzuela.

Motion approved.

OTHER BUSINESS

6. Request to Initiate an Amendment to Title 18 (Zoning) of the National City Municipal Code Amending Table 18.24.040A Related to Height and Number of Stories in the MXC-1 Zone.

Assistant Planner Sophia Depew made a PowerPoint presentation.

Property owner Chris Dallo and applicant Andrew Regenberg were present and answered questions the Commissioners and public had.

Motion by Castle, second by Sanchez to approve the initiation amending Tile 18 (Zoning) of the National City Municipal Code Amending Table 18.24.040A related to height and number of stories in the MXC-1 Zone.

Motion carried by the following vote:

Ayes: Quinones, Sanchez, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: Valenzuela.

Motion approved.

STAFF REPORTS:

Legal Counsel: Stated she is happy to be there for a temporary period and stated that she was told Ashlin had her baby and everything is going well.

Acting Director of Community Development: Announced retirement of Director Aguirre and that [Martin Reeder] has taken over as the Acting Director for now; Any questions related to Community Development can go straight to him; Commissioner Forman resigned and the Council will be appointing a new Commissioner shortly; Acknowledged the questions regarding Union Tower project, which is over at the National City Park Apartments, a new segment of that development, which will be a hundred percent affordable, and stated that there is an interest list for Wakeland Housing, which can be found online; stated that the August 4th meeting may not happen due to lack of agenda items, but does states that August 18th may be a heavy meeting – hopes the USD Clean Fuels project will be ready and asked the Commissioners to let the secretary know if they will be in attendance for that meeting.

Vice-Chair Castle: Requested Acting Director Reeder to elaborate what the requirements are for notifying the public hearing. Acting Director Reeder stated that these are State Rules. Chair Miller stated that it is found in Planning and Land Use Law. Vice-Chair Castle asked if there is a way to decipher between resident or non-resident. Legal Counsel stated that on the speaker slips voluntary information such as a box to check whether a person is a resident or non-resident as well as mailing address is on the slips but not required.

Commissioner Valenzuela: Absent.

Commissioner Sanchez: Welcomed himself back and stated that there has been a lot of change and is trying to come up to speed with everything.

Commissioner Armenta: Asked to know when a constituent requests a community meeting with the staff. Gives a shout out to the volunteers who were part of the community cleanup at Kimball Park. Thanks Damon Dong for all he has done and wishes him well.

Commissioner Quinones: None.

Chair Miller: Stated that the noticing concerns are in a document called Planning and Land Use Law that is put out by the State of California-that all municipalities and counties within the state of California have to follow in order to be uniform throughout.

ADJOURNMENT

Chair Miller adjourned to the Regular Meeting of the Planning Commission of the City of National City, Monday, August 4, 2025, at 6:00 p.m. in the Council Chambers, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 8:10 p.m.

Sarah Esendencia, Executive Secretary

The foregoing minutes were approved at the Regular Meeting of August 18, 2025.

Martin Miller, Chair



Item no. **3**
August 18, 2025

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONSIDERATION OF CERTIFICATION OF A NEGATIVE DECLARATION AND APPROVAL OF A GENERAL PLAN AMENDMENT AND ZONE CHANGE TO CHANGE THE ZONING FROM RS-2 (SMALL LOT RESIDENTIAL) TO MXC-1 (MINOR MIXED-USE CORRIDOR) FOR PROPERTIES LOCATED AT 3040, 3042-3046, 3102-3104, & 3106-3108 EAST 16TH STREET AND 1540 SOUTH HARBISON AVENUE AND CONSIDERATION OF A DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 32 OF THE CEQA GUIDELINES SECTION 15332 (IN-FILL DEVELOPMENT) FOR A ZONE VARIANCE REQUEST FOR LESS THAN REQUIRED STREET WALL FOR A PROPERTY LOCATED AT 3040 EAST 16TH STREET

Case File No.: 2025-02 GPA, ZC, ZV, IS

Location: 3040 East 16th Street, et al.

Assessor's Parcel Nos.: 558-162-18, 558-220-06, 558-220-07, 558-220-35, 558-220-42, 558-220-11

Staff report by: David Welch, Associate Planner

Applicant: Sushmitha Kudari

Zoning designation: Small Lot Residential (RS-2)

Adjacent use and zoning:

North: Single-Family Residential (RS-2)

East: Single-Family Residential and Office (RS-2)

South: Single and Multi-Family Residential in Minor Mixed-Use Corridor (MXC-1)

West: Single-Family Residential (RS-2)

Environmental review: The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and an Initial Study checklist and determination of a Negative Declaration (ND) pursuant to Section 15070 of the CEQA Guidelines were completed for the General Plan Amendment and Zone Change. Staff is also recommending that the Zone Variance be determined categorically exempt from environmental review pursuant to Class 32, Section 15332 (In-Fill Development Projects) for which a Notice of Exemption will be filed subsequent to approval of the Zone Variance.

Staff recommendation: Certify the Negative Declaration, determine that the Zone Variance request is categorically exempt from CEQA, and approve the General Plan Amendment, Zone Change, and Zone Variance based on the attached findings and subject to the attached Conditions of Approval.

Staff Recommendation

Staff recommends approval of the proposed General Plan Amendment (GPA) to change the subject properties from Low-Medium Density Residential to the Medium, Mixed-Use land use designation, a Zone Change (ZC) from the RS-2 zone to the MXC-1 zone, and a Zone Variance (ZV) request for less than the required street wall to allow for the development of a medium-density, multi-family residential project. The proposal meets General Plan policies related to Housing and Land Use and the proposed development is consistent with the General Plan with the approval of the requested GPA, ZC, and ZV.

Executive Summary

The applicant is proposing to develop the property at 3040 East 16th Street with a five-unit multi-family residential building. The proposed development requires the existing single-family zoning to be changed to a zone that permits multi-family dwellings and a variance to allow for a reduced street wall to accommodate a two-way driveway on the property. For consistency with the existing development pattern and zoning in the area, the applicant has included neighboring properties with this request. This type of change requires a GPA and ZC. The developer has applied for and has requested the changes. The amendment and zone change were initiated together by the Planning Commission last year.

Site Characteristics

The applicant intends to develop a 0.45-acre property located in the Small Lot Residential (RS-2) zone at 3040 East 16th Street. The block of East 16th Street, between South Lanoitan Avenue and Rachael Avenue, is unique in that it is bounded to the south by an undeveloped or “paper” street – East 17th Street. The applicant’s property is 66 feet wide and 295 feet deep, but has no useable right-of-way access at the rear. Most of the properties with frontage along East 17th Street have not made the necessary dedications for the right-of-way to be improved making it infeasible to utilize this frontage. In addition, the applicant’s property and the surrounding area generally slopes up to the east and down toward East 17th Street. The front of the applicant’s property is also a few feet higher than East 16th Street.

In addition to the applicant’s property, four neighboring properties in the RS-2 zone are included in the request for the ZC. All four additional property owners provided support for the request. The purpose for the inclusion is for consistency with the requested zone, Minor, Mixed-Use Corridor (MXC-1), and the creation of a cohesive district. All properties are also in close proximity to MTS bus stops at

East 16th and South Harbison Avenue, which contribute to potential corridor development. Each property is currently occupied by a use that would currently be considered non-conforming in the RS-2 zone. These four additional properties were zoned Limited Commercial and RS-3 under the previous code. The additional properties are as follows:

- 3042-3046 East 16th Street
- 3102-3104 East 16th Street
- 3106-3108 East 16th Street
- 1540 South Harbison Avenue

3042-3046 East 16th Street and the adjacent 3102-3104 East 16th Street are currently occupied by multi-family residential buildings, which are not permitted within the RS-2 zone. The structures are considered legal, non-conforming. The applicant's property is adjacent to 3042-3046 East 16th Street and is proposed to have a similar development. 3102-3104 East 16th Street is also occupied by a legal, non-conforming multi-family residential use, which takes up the majority of the lot; 3106-3108 East 16th Street is a mixed-use property with a legal, non-conforming liquor store and attached housing unit; 1540 South Harbison Avenue is across East 16th Street from the other properties and is occupied by a legal, non-conforming preschool. The applicant's proposal for a zone change would expand an existing MXC-1 district to the south of the aforementioned properties across the undeveloped East 17th Street right-of-way. The current boundaries of this district are East 17th Street to the north, Rachael Avenue to the east, East 19th Street to the south, and Interstate 805 to the west.

Proposed Use

The applicant intends to construct a five-unit, multi-family dwelling on the property located at 3040 East 16th Street. Multi-unit dwellings are not permitted in the RS-2 zone and the applicant is requesting a General Plan Amendment to the Medium, Mixed-Use designation and a Zone Change to the MXC-1 zone, which would permit the use. Should the property be re-zoned, the development would need to conform to all applicable standards of the zone as well as other applicable codes. The applicant is also requesting a variance for less than the required street wall to accommodate a two-way driveway along East 16th Street. Also of note, the Fire Department has identified requirements related to fire access that would restrict the location and height of proposed structure on the site. The applicant is only proposing a two-story building with five units to comply with comments provided by the Fire Department. No additional development is

proposed for the other four properties in this request. However, the change in zoning could potentially allow for additional land uses or future development proposals in conformance with the standards of the proposed zone.

Analysis

When considering a General Plan Amendment and Zone Change, the Planning Commission must take into account the surrounding land uses and neighborhood makeup, as well as consistency with the General Plan and other governing documents.

To describe the neighborhood makeup, it would be helpful to look at the densities of the properties within their existing use categories starting with the predominant land use: single-family residential. Staff examined several blocks including and adjacent to the project area and had the following findings:

- The south side of East 16th Street, between South Lanoitan Avenue and Rachael Avenue, has an average lot size of 14,003 square feet resulting in a density of 3.1 dwelling units per acre. The block face is currently zoned RS-2.
- The north side of East 18th Street, between South Lanoitan Avenue and Rachael Avenue, has an average lot size of 13,607 square feet resulting in a density of 3.2 dwelling units per acre. The block face is currently zoned MXC-1.
- The north side of East 16th Street, between South Lanoitan Avenue and Rachael Avenue, has an average lot size of 8,471 square feet resulting in a density of 5.3 dwelling units per acre.
- The block comprised of the east side of Earle Drive and the west side of Harbison Avenue has an average lot size of 8,921 square feet resulting in a density of 5 dwelling units per acre.
- The east side of Harbison Avenue, between East Plaza Boulevard and East 16th Street has an average lot size of 17,368 square feet resulting in a density of 2.5 dwelling units per acre.

The land use designation Low-Medium Density Residential allows for residential development of up to nine dwelling units per acre. The current development pattern in the area, excluding multi-family and commercial uses, conforms with, and is below the prescribed density of this General Plan designation as well as the standards of the RS-2 zone. The RS-2 zone generally allows one single-

family residence per lot, although State law provides for opportunities to add up to three additional units.

There are relatively few properties occupied by commercial uses within the area. These include the liquor store and preschool within the area proposed for the Zone Change, a small office property located at the corner of East 16th Street and Rachael Avenue, and another liquor store and SDG&E substation located on South Lanoitan Avenue, between East 17th Street and East 18th Street. Most commercial land uses in the area are located half a mile to the north along East Plaza Boulevard. It is notable that the applicant's proposal would incorporate two of the three commercial properties within the RS-2 zone within the proposed Zone Change. Should this area be rezoned, they would also comply with the maximum floor area ratio requirement.

Finally, the area also has a few properties that are currently occupied by multi-unit residential properties. The only existing multi-family properties in the RS-2 zone with three or more units are included in the proposed area for the Zone Change. Approximately seven properties along East 18th Street in the MXC-1 zone have at least three units. The General Plan land use designation for this area, Medium-Mixed Use, as well as the zone district allow for up to 48 dwelling units per acre. The site with the most units and the highest density in the area is located at 3103-3107 East 18th Street with 24 units and a density of 29 dwelling units per acre. This development is within the existing MXC-1 zone and below the permitted density. The two multi-family properties proposed within the zone change area have six and seven units and range from 14 to 15 dwelling units per acre. The applicant's proposed project would have a density of approximately 11 dwelling units per acre.

While the existing density of the surrounding blocks is much lower than most of National City, the applicant's proposal is unique in that it intends to incorporate properties that are inconsistent with their current zone district, the RS-2 zone. The City has already, through the General Plan and Zoning Map, established a Minor, Mixed-Use Corridor district in the area that is heavily under-utilized from a development perspective. By adding five properties to this zone, there will be relatively little change to the overall character and makeup of the neighborhood.

General Plan

There are several General Plan Policies within the Housing and Land Use Elements that are pertinent to this proposal, specifically:

Policy H-1.1: Provide an adequate supply of land zoned for residential development to meet the projected housing need.

Policy H-2.1: Promote residential development on underutilized land and remove barriers to infill development.

Policy LU-2.1: Facilitate the development of a variety of housing types to meet the Regional Housing Needs Assessment allocations while enhancing the City's community character.

Policy LU-3.1: Support the creation and expansion of mixed-use, commercial, and higher density residential development in transit priority areas and along mixed-use corridors.

The applicant's property is currently vacant and lacks the street frontage that would be required for a subdivision consisting of multiple lots. The proposed Zone Change would allow for a medium density infill project on a property that would otherwise be undeveloped or underutilized and increase the amount of land in the City zoned for this type of housing. The area already has some diversity with regard to residential housing types as well as commercial buildings – there are apartment buildings, businesses, and single-family residences that comprise the area in which the project is located. Adjacent to the site to the east and south are medium density apartments. The proposed expansion of the MXC-1 district will help promote the viability of this district as well as allow for more development in close proximity to public transit.

Land Use Code

The conceptual site plan provided by the applicant lacks the information needed to review for conformance with all aspects of Land Use Code. However, the proposed project does conform with most of the development standards related to a multi-unit development within the MXC-1 zone. The one exception to this is the street wall requirement for new development, which is 75%. The applicant would not be able to meet this requirement while providing access to the property with a two-way driveway and has requested a Zone Variance to accommodate a driveway for the proposed development.

Mailing

All property owners and occupants within a distance of 300 feet of the property are required to be notified of a public hearing for GPA, ZC, and ZVs. Notice of this public hearing was sent to 145 occupants and owners. Notices for the GPA and ZC were sent in advance of the notice for the ZV to accommodate a required 20-day noticing period for zone changes. As of the writing of this staff report, one public comment was received with concerns related to parking and privacy.

Findings for Approval

1. The following finding is recommended for the General Plan Amendment and Zone Change:

The proposal is consistent with General Plan Policies H-1.1, H-2.1, LU-2.1 and LU-3.1 because the proposed General Plan Amendment and Zone Change would allow for an undeveloped and underutilized site to be developed with a residential infill project. The change would also promote the viability of the expanded MXC-1 zoning district.

2. In addition, the Municipal Code contains three required findings for Zone Variances as follows:

Variances from the terms of Title 18 shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of Title 18 deprives such property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.

- a. The property is less than 66 feet wide, which would not allow for a standard two-way driveway providing access to a parking area on site if it was developed in compliance with the street wall requirement. Most existing commercial, mixed-use, or multi-family residential development in the MXC-1 zone was developed prior to the street wall requirement and includes both driveways and off-street parking. A reduced street wall would allow for a new development on site to include a driveway and off-street parking.

Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges

inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

- b. The proposed development includes a primary structure at the front of the property and parking in the back where it can be adequately screened, thereby following the intent of the street wall requirement. The reduction would only allow for the practical inclusion of a two-way driveway. Most existing development on other properties in the zone have existing driveways and minimal street wall presence.

A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

- c. The applicant proposed to construct a multi-family residential structure on the subject property. Multi-family residential development is a permitted use in the zone.

Finding for Denial

The following finding is recommended by staff should the Planning Commission deny the application:

The proposed development is not consistent with the General Plan, because the proposed use and expansion of the MXC-1 zone would be out of character with that of the surrounding area.

California Environmental Quality Act (CEQA)

Considerations related to conversion of single-family residential to mixed-use zoning as well as infill development of vacant lots include potential impacts to the natural environment and the existing surrounding urban development. In order to analyze any potential impacts resulting from the Zone Change and proposed development, a CEQA checklist (Initial Study) was prepared. Of note, the checklist addressed air quality and GHG from the potential for new development, possible impacts to biological resources, noise, and traffic. Findings of no impact for these areas of concern were largely due to the lack of any natural habitat within the subject properties and the limits on new development in the area. The only vacant property in the area is constrained by access issues and can only

support five new units. Thus, additional air quality, noise, and traffic issues are not anticipated.

Based on the analyses presented in the attached CEQA checklist, it is concluded that the project: (a) would not have the potential to degrade the quality of the environment, impact the habitat of a fish or wildlife species, cause 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; (b) would not have impacts that are individually limited, but cumulatively considerable; and, (c) would not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. No significant impacts to the environment have been identified as a result of this project. Approval of the project is not expected to have any significant impacts, either long-term or short-term, nor will it cause substantial adverse effects on human beings, either directly or indirectly. As such, it is expected that project implementation would have no impact with respect to these mandatory findings of significance. Because no mitigation is required, the CEQA document converts to a Negative Declaration (ND).

The City established a 20-day public review and comment period from May 16, 2025 to June 15, 2025. During this period, the CEQA checklist (Initial Study or "IS") was available for review. A Notice of Intent (NOI) for the ND was posted at City Hall.

The ZV request was not evaluated with the Initial Study and staff is recommending a separate determination that the ZV is exempt from CEQA review.

Negative Declaration Analysis

In the CEQA checklist, there are four possible impacts: "Potentially Significant Impact", "Less Than Significant w/ Mitigation Incorporation", "Less Than Significant Impact", and "No Impact." Almost all sections on the checklist had checkmarks for "No Impact." The remaining two sections were related to general earthquake hazards in the City and had a checkmark for "Less Than Significant Impact."

The following are recommended findings for the certification of the Negative Declaration:

1. That the project does not 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, because the properties are mostly developed and/or disturbed and there is no sensitive habitat on site. The vacant lot is currently devoid of permanent vegetation, save for a handful of mature invasive pepper trees.
2. That the project does not have impacts that are individually limited but cumulatively considerable, because the project includes both existing development that would have been evaluated for impacts at the time of development and an infill development site on a historically disturbed property. The area is surrounded by urban development. The existing improvements and development pattern can accommodate the project without causing any impacts to the environment or to existing services.
3. That the project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly, because the project includes both existing development and a proposed medium-density residential development comprised of only five units. Should the subject properties be fully redeveloped, the properties would generate less traffic than what exists currently. Therefore, there would be no impact on air quality either short- or long-term.
4. The proposed project has been reviewed in compliance with CEQA for which a Negative Declaration (ND) has been prepared. The ND has determined that, the proposed project would not have a significant effect on the environment and that no mitigation is required.

Comments

The project was routed to the Engineering and Fire Departments at the time of the submittal for the initiation of the GPA and ZC requests. Comments were provided by the Fire Department. The applicant revised plans for the proposed multi-family development in accordance with the Fire comments. These comments are also included as conditions of approval for the ZV.

Conditions of Approval

Standard conditions of approval for development projects and Fire Department comments are included in the draft approval resolution for the ZV. GPA and ZC requests are generally passed by resolution without conditions.

Summary

The applicant's property is currently vacant and suitable for infill development. While the property could potentially be subdivided under the current zoning designation, the requested General Plan Amendment and Zone Change would allow for a multi-unit residential development on the property that is consistent with General Plan policies related to infill development and expanding housing opportunities. While the surrounding area is predominantly low density, single-family residential in character, the properties in close proximity to the applicant's property are consistent with the Minor Mixed-Use Corridor zone district. The inclusion of the four neighboring properties with this request expands this district in a logical manner and provides for corridor development in close proximity to an existing transit route.

Options

1. Certify the Negative Declaration, determine that the Zone Variance request is categorically exempt from CEQA, and recommend the approval of 2025-02 GPA, ZC, ZV, IS, subject to the conditions included in the Resolution, or other conditions, and based on the attached findings included in the Resolution, or other findings to be determined by the Planning Commission; or,
2. Find that the Negative Declaration for the Proposed Project is not in compliance with the requirements of CEQA, based on findings to be determined by the Planning Commission, and/or find the project proposing a Zone Variance to not be categorically exempt from CEQA based on findings determined by the Planning Commission, and/or deny 2025-02 GPA, ZC, ZV, IS based on the attached finding, or findings determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Draft Resolutions for ND, GPA, ZC
2. Draft Resolution for ZV
3. Overhead
4. Site Photos
5. Map of Proposed Zone Change
6. Conceptual Site Plan
7. Public Notice
8. CEQA Checklist
9. Public Comment

RESOLUTION NO. 2025-08

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA MAKING A FINDING OF NO
SIGNIFICANT ENVIRONMENTAL EFFECT AND RECOMMENDING APPROVAL OF
A GENERAL PLAN AMENDMENT AND ZONE CHANGE TO CHANGE THE ZONING
FROM RS-2 (SMALL LOT RESIDENTIAL) TO MXC-1 (MINOR MIXED-USE
CORRIDOR) FOR PROPERTIES LOCATED AT 3040, 3042-3046, & 3106-3108 EAST
16TH STREET AND 1540 SOUTH HARBISON AVENUE
CASE FILE NO. 2025-02 GPA, ZC, IS
APNS: 558-162-18, 558-220-06, 558-220-07, 558-220-35,
558-220-42, 558-220-11

WHEREAS, application was made for approval of a General Plan Amendment and Zone Change for the rezoning of properties located at 3040, 3042-3046, 3102-3104, & 3106-3108 East 16th Street and 1540 South Harbison Avenue from small lot residential (RS-2) to minor mixed-use corridor (MXC-1); and

WHEREAS, the Planning Commission of the City of National City, California, initiated said applications at a duly advertised public hearing held on November, 18 2024, at which time the Planning Commission considered oral and documentary evidence; and,

WHEREAS, the Planning Commission of the City of National City considered said applications and certification of a Negative Declaration at a duly advertised public hearing held on August 18, 2025, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearing, the Planning Commission considered the staff report contained in Case File No. 2025-02 GPA, ZC, IS maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning

Commission at the public hearing held on August 18, 2025, support the following findings:

FINDINGS FOR CERTIFICATION OF THE NEGATIVE DECLARATION

1. That the project does not 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, because the properties are mostly developed and/or disturbed and there is no sensitive habitat on site. The vacant lot is currently devoid of permanent vegetation, save for a handful of mature invasive pepper trees.
2. That the project does not have impacts that are individually limited but cumulatively considerable, because the project includes both existing development that would have been evaluated for impacts at the time of development and an infill development site on a historically disturbed property. The area is surrounded by urban development. The existing improvements and development pattern can accommodate the project without causing any impacts to the environment or to existing services.
3. That the project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly, because the project includes both existing development and a proposed medium-density residential development comprised of only five units. Should the subject properties be fully redeveloped, the properties would generate less traffic than what exists currently. Therefore, there would be no impact on air quality either short- or long-term.
4. That proposed project has been reviewed in compliance with CEQA for which a Negative Declaration (ND) has been prepared. The ND has determined that, the proposed project would not have a significant effect on the environment and that no mitigation is required.

FINDING FOR APPROVAL OF THE GENERAL PLAN AMENDMENT AND ZONE CHANGE

1. The proposal is consistent with General Plan Policies H-1.1, H-2.1, LU-2.1 and LU-3.1 because the proposed General Plan Amendment and Zone Change would allow for an undeveloped and underutilized site to be developed with a residential

infill project. The change would also promote the viability of the expanded MXC-1 zoning district.

BE IT FURTHER RESOLVED that the Planning Commission has considered the proposed Negative Declaration No. 2025-02 IS, together with any comments received during the public review process, and finds on the basis of the whole record (including the Initial Study and any comments received) that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the City's independent judgment and analysis, and hereby approves the Negative Declaration and authorizes the filing of a Notice of Determination.

BE IT FURTHER RESOLVED that based on the findings herein before stated, the Planning Commission hereby recommends approval of said *General Plan Amendment* and *Zone Change* for the rezoning of the aforementioned properties from Small Lot Residential (RS-2) to Minor Mixed-Use Corridor (MXC-1), subject to the following condition:

General

1. *Within four (4) days* of approval of this *General Plan Amendment* and *Zone Change*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.

Indemnification Agreement

The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by the Applicant.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 18, 2025, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION NO. 2025-08

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA DENYING A GENERAL PLAN
AMENDMENT AND ZONE CHANGE TO CHANGE THE ZONING FROM RS-2 (SMALL
LOT RESIDENTIAL) TO MXC-1 (MINOR MIXED-USE CORRIDOR) FOR
PROPERTIES LOCATED AT 3040, 3042-3046, 3102-3104, & 3106-3108 EAST 16TH
STREET AND 1540 SOUTH HARBISON AVENUE AND A ZONE VARIANCE
REQUEST FOR LESS THAN REQUIRED STREET WALL FOR A PROPERTY
LOCATED AT 3040 EAST 16TH STREET
CASE FILE NO. 2025-02 GPA, ZC, IS
APNS: 558-162-18, 558-220-06, 558-220-07, 558-220-35,
558-220-42, 558-220-11

WHEREAS, application was made for approval of a General Plan Amendment and Zone Change for the rezoning of properties located at 3040, 3042-3046, 3102-3104, & 3106-3108 East 16th Street and 1540 South Harbison Avenue from small lot residential (RS-2) to minor mixed-use corridor (MXC-1); and

WHEREAS, the Planning Commission of the City of National City, California, initiated said applications at a duly advertised public hearing held on November, 18 2024, at which time the Planning Commission considered oral and documentary evidence; and,

WHEREAS, the Planning Commission of the City of National City considered said applications at a duly advertised public hearing held on August 18, 2025, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearing, the Planning Commission considered the staff report contained in Case File No. 2025-02 GPA, ZC, IS maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 18, 2025, support the following findings:

FINDING FOR DENIAL OF THE GENERAL PLAN AMENDMENT, ZONE
CHANGE, AND ZONE VARIANCE

1. The proposed development is not consistent with the General Plan, because the proposed use and expansion of the MXC-1 zone would be out of character with that of the surrounding area.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 18, 2025, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION NO. 2025-09

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA DETERMINING THAT THE
PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 32 OF THE CEQA
GUIDELINES SECTION 15332 (IN-FILL DEVELOPMENT) AND APPROVAL OF A
ZONE VARIANCE REQUEST FOR LESS THAN REQUIRED STREET WALL FOR A
PROPERTY LOCATED AT 3040 EAST 16TH STREET
CASE FILE NO. 2025-02 ZV
APN: 558-220-35

WHEREAS, application was made for approval of a Zone Variance for a property located at 3040 East 16th Street requesting a less than required street wall; and

WHEREAS, the Planning Commission of the City of National City considered said application at a duly advertised public hearing held on August 18, 2025, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearing, the Planning Commission considered the staff report contained in Case File No. 2025-02 ZV maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 18, 2025, support the following findings:

FINDINGS FOR APPROVAL OF A ZONE VARIANCE

1. The property is less than 66 feet wide, which would not allow for a standard two-way driveway providing access to a parking area on site if it was developed in compliance with the street wall requirement. Most existing commercial, mixed-use, or multi-family residential development in the MXC-1 zone was developed prior to the street wall requirement and includes both driveways and off-street parking. A reduced street wall would allow for a new development on site to include a driveway and off-street parking.

2. The proposed development includes a primary structure at the front of the property and parking in the back where it can be adequately screened, thereby following the intent of the street wall requirement. The reduction would only allow for the practical inclusion of a two-way driveway. Most existing development on other properties in the zone have existing driveways and minimal street wall presence.
3. The applicant proposed to construct a multi-family residential structure on the subject property. Multi-family residential development is a permitted use in the zone.
4. The proposed *Zone Variance* request has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 32, Section 15332 (In-Fill Development) for which a Notice of Exemption will be filed subsequent to approval of the *Zone Variance*. The reason for the exemption is that the request for a variance to allow for the construction of a five-unit apartment building with two-way driveway access would not result in any significant impacts. The site is less than five acres in size and located within a completely urbanized area and subject to performance standards related to nuisance noises and water quality. No traffic or air quality impacts are anticipated. The site is vacant with minimal vegetation of no value as habitat for any endangered, rare or threatened species. The site can be adequately served by all required utilities and public services.

BE IT FURTHER RESOLVED that based on the findings herein before stated, the Planning Commission hereby recommends approval of said *Zone Variance*, subject to the following conditions:

General

1. This *Zone Variance* authorizes a reduced street wall requirement for 3040 East 16th Street. All plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2025-02 ZV dated 2/4/2025.
2. Before this *Zone Variance* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Zone Variance*. The applicant or owner shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant or owner shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Zone Variance* are

binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.

3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.

Fire

4. Plans are to be designed, fabricated and installed to code.
5. Project shall be in compliance with the current editions of NFPA, CFC, Title 19 and local City of National City Municipal Codes.
6. Fire Sprinkler, Fire Alarm, Fire Protection Systems and Fire Underground plans are to be directly submitted to the National City Fire Department under separate permit for review and permitting. Fees along with 3 sets of plans including all “Cut Sheets and Calculations” shall be included upon submittal. Plan review shall be a 30-day plan review process or 21 working days. No over the counter plan reviews accomplished/no exceptions. It shall be unlawful to occupy any portion of the building or structure until the required fire detection, alarm and suppression system have been tested and approved.
7. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2022) and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. This comment shall apply to new residential structures.
8. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road; the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire department access roads shall be painted and signed to prevent parking in these required designated emergency areas.
9. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department’s apparatus.
10. Buildings or portions of buildings or facilities exceeding 30 feet in height measured vertically from the centerline of the street adjacent to the project above the lowest

level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus.

11. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with approval of the fire code official.
12. One or more of the required access routes meeting this condition shall be located not less than 15 feet and not greater than 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
13. Aerial fire apparatus roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
14. The fire code official is authorized to require more than one fire apparatus road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions other factors that could limit access. This may be required based on building design and where the structures are being placed.
15. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between access.
16. Fire hydrants to be located throughout the project as not to have a separation distance greater than 300 feet. Fire hydrants to be located within 300 feet of all locations which are roadway accessible. (Measurement starts from nearest existing fire hydrant to project).
17. The following items pertain to fire hydrants:
 - a. Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
 - b. Fire hydrant to be of three outlet design.
18. Provide calculation confirming flow availability to meet fire flow demands and supply large diameter hose (4 inch).
19. Fire hydrants to be marked by use of blue reflective marker in the roadway.
20. Upon submittal for an underground permit, the following shall be included:
 - a. Data sheet for back-flows
 - b. Data sheets for private and commercial hydrants
 - c. Data sheets for post indicator valves

Information on required fire hydrants, back-flow devices, etc. can be acquired from Sweetwater Authority. All pipe and their appliances, shall meet industry/code standards for underground use.

Planning

21. All plans submitted for the development of this project shall comply with the applicable requirements of the Land Use Code including Division 4 – General Design and Development Requirements.
22. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process. Installed landscaping items required by the Land Use Code, including adequate landscaped area, street trees, and shrubs shall be maintained for the life of the project.
23. Building plans associated with the proposed multi-family residential structure shall comply with the current editions of the California Building, Electrical, Plumbing, Mechanical and Fire Codes.

Indemnification Agreement

The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by the Applicant.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 18, 2025, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

2025-02 GPA, ZC, ZV – 3040 East 16th Street, et al. – Overhead



Site Photos



Image 1: Aerial View of site and neighboring properties that would be affected by re-zone.

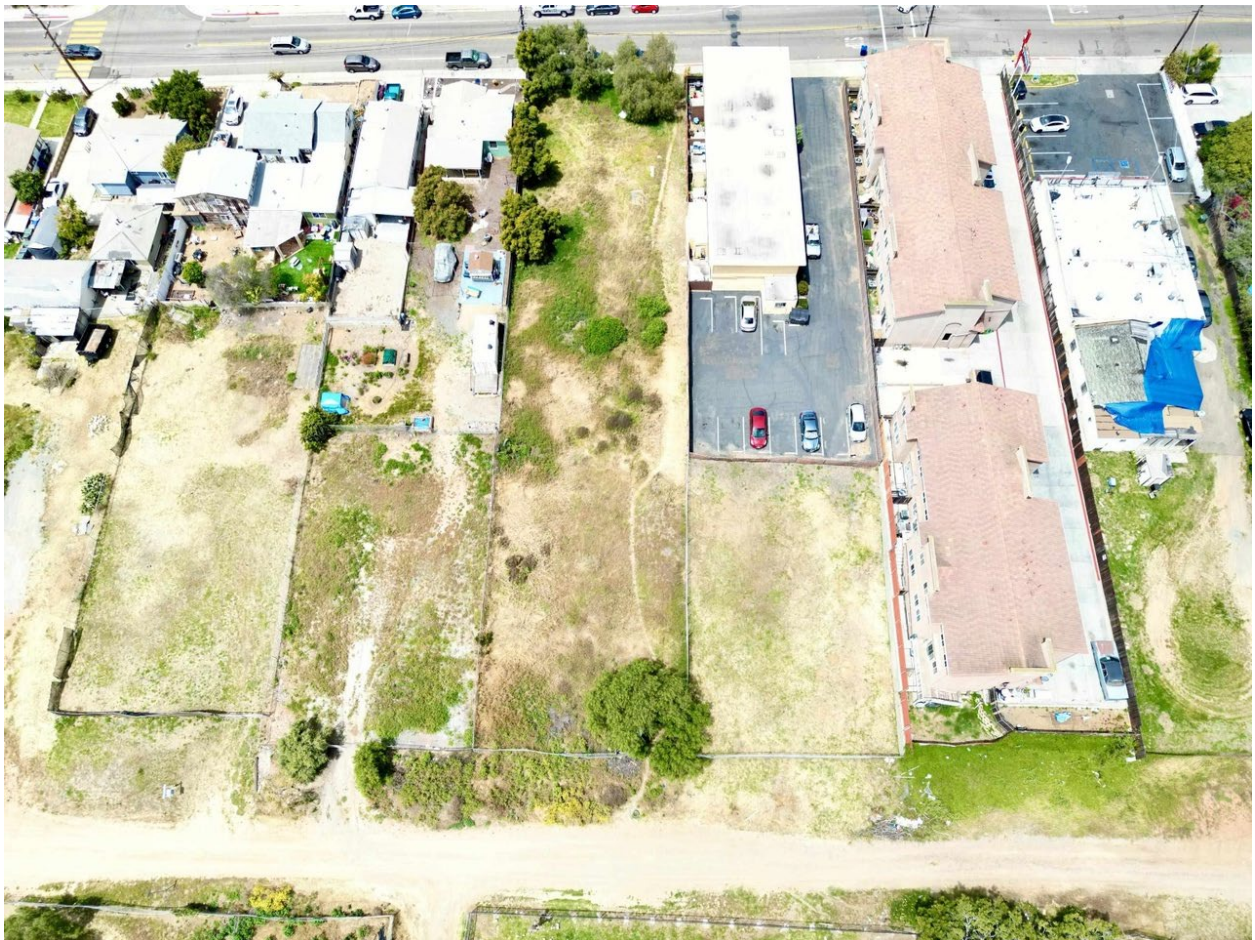


Image 2: Aerial View of site and neighboring properties that would be affected by re-zone.

Image 3: Aerial View of site and neighboring properties that would be affected by re-zone.



Image 4: 3D view of site and neighboring properties that would be affected by re-zone.





Image 5: 3D view of site and neighboring properties that would be affected by re-zone.



Image 6 (top) and 7 (bottom): Top -- Front view of H & H Townhomes and Imperial Liquor

currently legally non-conforming in RS-2 zoning. *Bottom* -- H and H townhomes and other multi-unit complexes next to 3040 E 16th.

Image 8: Front view of 3040 E 16th Street with RS-2 zoned neighbor.

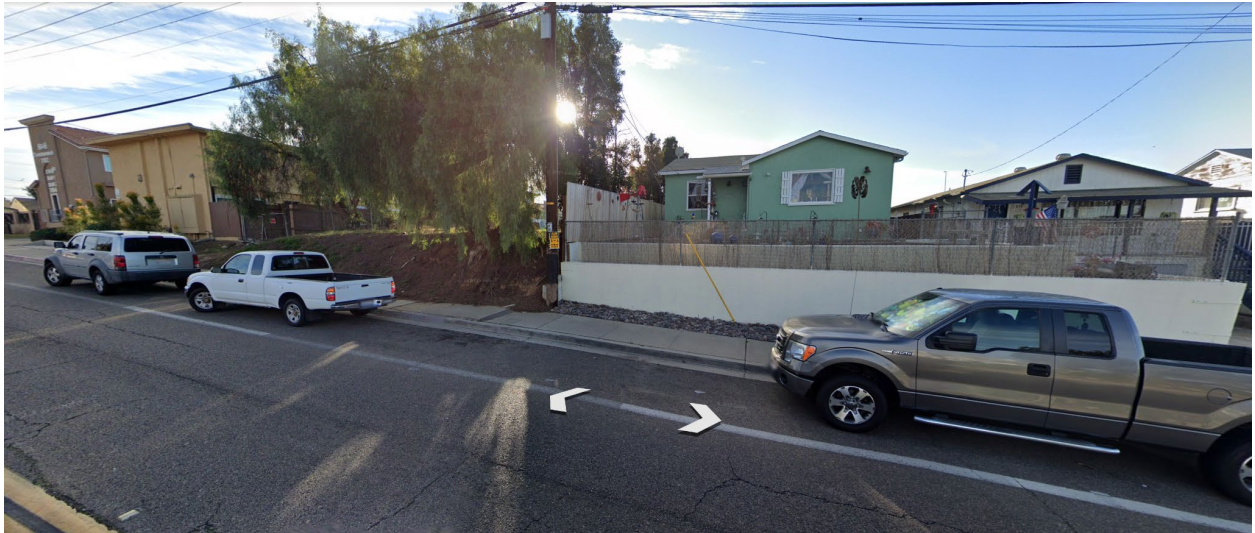


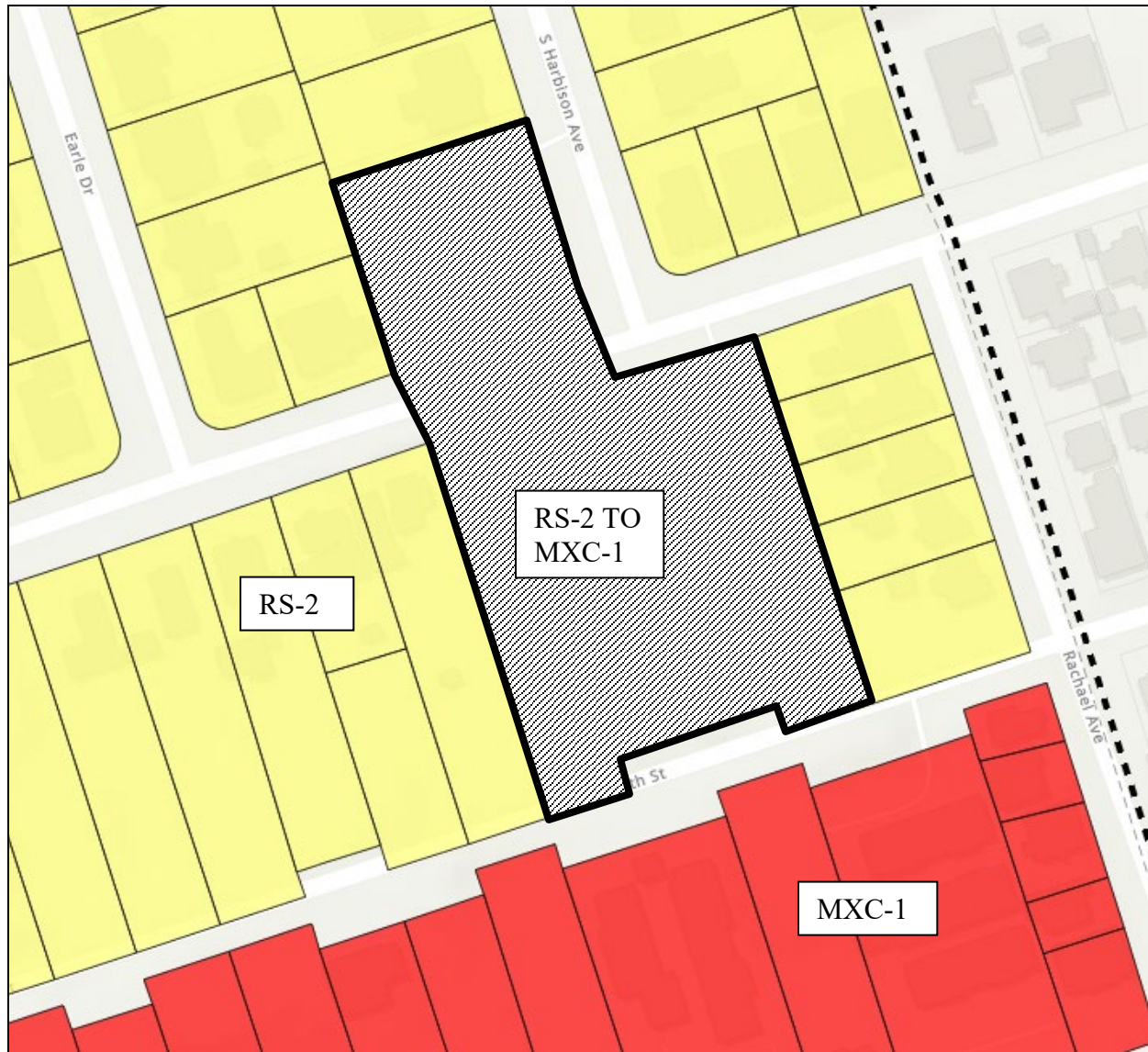
Image 9: ECS HARBISON HEAD START Preschool across the street from the proposed site.



Image 10: Parcel Map of 3040 E 16th and neighbors.



2025-02 GPA, ZC – 3040 East 16th Street, et al. – Map of Zone Districts





COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONSIDERATION OF CERTIFICATION OF A NEGATIVE DECLARATION FOR A GENERAL PLAN AMENDMENT AND ZONE CHANGE TO CHANGE THE ZONING FROM RS-2 (SMALL LOT RESIDENTIAL) TO MXC-1 (MINOR MIXED-USE CORRIDOR) FOR PROPERTIES LOCATED AT 3040, 3042-3046, 3102-3104, & 3106-3108 EAST 16TH STREET AND 1540 SOUTH HARBISON AVENUE AND DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 32 OF THE CEQA GUIDELINES SECTION 15332 (IN-FILL DEVELOPMENT) FOR A ZONE VARIANCE REQUEST FOR LESS THAN REQUIRED STREET WALL FOR A PROPERTY LOCATED AT 3040 EAST 16TH STREET

CASE FILE NO. 2025-02 GPA, ZC

APNs: 558-162-18, 558-220-06, 558-220-07, 558-220-35, 558-220-42, 558-220-11

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, August 18, 2025**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request (Applicant: Sushmitha Kudari).

The applicant is proposing to develop the property at 3040 East 16th Street with a five-unit multi-family residential building. The proposed development requires the existing single-family zoning to be changed to a zone that permits multi-family dwellings. In addition, a variance is requested to deviate from the minimum street wall requirement to accommodate a driveway. For consistency with the existing development pattern and zoning in the area, the applicant has included five neighboring properties with this request. This type of change also requires a General Plan Amendment to change the Land Use from Low-Medium Density Residential to Medium Mixed-Use. The City conducted an Environmental Initial Study that determined the proposed project would not have a potentially significant environmental impact and qualifies for a Negative Declaration per Section 15071 of the CEQA Guidelines. A staff determination that the variance request project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Class 32, Section 15332 (In-Fill Development Projects) will also be considered.

Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment orally at the hearing or in writing. Written comments should be received by the Planning Division on or before 2:00 p.m., **August 18, 2025** by submitting it to PlcPubComment@nationalcityca.gov. Planning staff can be contacted at 619-336-4310 or planning@nationalcityca.gov.

Under California Government Code section 65009, if you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Please refer to the official posted agenda on the City's website (<https://www.nationalcityca.gov/>) prior to the meeting for the staff report for this item and/or changes to the agenda.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) INITIAL STUDY CHECKLIST

CITY OF NATIONAL CITY
Community Development Department – Planning Division
1243 National City Boulevard
National City, CA 91950

1. **PROJECT TITLE/PROJECT #:** 2025-02 GPA, ZC, ZV – General Plan Amendment and Zone Change for a property located at 3040 East 16th Street and neighboring parcels to change the zoning from RS-2 (Small Lot Residential) to MXC-1 (Minor Mixed Use Corridor).

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

Contact: Martin Reeder, AICP –Asst. Director of Community Development
Phone: (619) 336-4313

3. **PROJECT LOCATION:** 3040, 3042, 3102, and 3106 East 16th Street and 1540 Harbison Avenue, National City, CA 91950

4. **PROJECT PROPONENT:** Sushmitha Kudari

ZONING DESIGNATION: Small Lot Residential (RS-2)

5. **PROJECT DESCRIPTION:** The applicant is proposing to develop the property at 3040 East 16th Street with a five-unit multi-family residential building. The proposed development requires the existing single-family zoning to be changed to a zone that permits multi-family dwellings. This requires a General Plan land use designation change from Low Density Residential to Low Mixed-Use and a zone change from RS-2 (Small Lot Residential) to MXC-1 (Minor Mixed Use Corridor). Medium consistency with the existing development pattern and zoning in the area, the applicant has included five neighboring properties with this request. While not affecting the content of this Initial Study, the applicant is also applying for a Zone Variance for less than required street frontage. The MXC-1 zone requires a minimum of 75 percent of the building frontage be constructed within 10 feet of the front property line. However, due to the narrow width of the property (66 feet) and the requirement for a 20-foot driveway width, this would not be possible; therefore the applicant is requesting the variance. The current residential density in the area proposed to be rezoned is six units per acre. There are 14 existing units on the subject properties where 21 would be allowed under the current RS-2 zoning (not including additional or bonus units permitted by state code). With the expected additional five units, the expected short term residential density would be eight units per acre, which is still less than what the area is currently zoned for. All of the subject properties were previously zoned Limited Commercial (CL). This zoning allowed up to 22.7 units per acre, but was supplanted by the RS-2 zone in 2011 as part of a General Plan and Land Use Code update at that time.

The southern half of the East 16th Street properties are adjacent to East 17th Street, which is a paper street and

not improved (it appears as a dirt road). Therefore, no emergency access is available from East 17th Street. As a result, any development on the 16th Street properties located more than 150 feet from the street would require a Fire Department turnaround. This necessitates a minimum lot width of 70 feet, where all the lots on 16th Street are no wider than 66 feet. As such, only the front 150 feet of each property is developable without combining lots and redeveloping existing structures, effectively halving the allowable density of the lots.

Due to topography, cost, and intervening structures, the likelihood of East 17th Street being improved is next to zero. The only caveat would be as part of a community or specific plan being created that would allow for reconfiguration of the properties abutting East 17th Street and a wholistic development plan being implemented.

This Initial Study is related to the General Plan Land Use designation and Zone change portion of the project only.

7. SURROUNDING LAND USES AND SETTING: The project site is mostly surrounded by low-medium density residential uses at approximately half the allowable density in the RS-2 zone (9 units per acre). There are a handful of properties occupied by commercial uses within the area, including a liquor store, a preschool, a small office building, and a utility substation. Three of the noted commercial properties are in the RS-2 zone and are considered legal nonconforming. If the zone is changed, these properties would be considered conforming and would also comply with the maximum floor area ratio requirement of the MXC-1 zone.

8. OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED (AND PERMITS NEEDED): N/A

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 15, 2025
Printed Name: Martin Reeder, AICP	Title: Asst. Director of Community Development

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 that 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 than 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 is 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 area is comprised of six properties, four of which are developed. The six properties are surrounded by other existing urban development. There are no scenic vistas or resources in the area that would be affected by the project. The vacant property has a handful of mature invasive pepper trees, which are required to be preserved and, if removed, replaced by equal size and quality trees; therefore, no impact.

II – AGRICULTURE AND FORESTRY RESOURCES

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:

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
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)	☐	☐	☐	X

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|----------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: 1, 2, 3) | ☐ | ☐ | ☐ | 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) | ☐ | ☐ | ☐ | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? (Sources: 1, 2, 3) | ☐ | ☐ | ☐ | 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) | ☐ | ☐ | ☐ | X |

The City of National City does not contain farmland or agricultural resources, forest land, nor any land zoned for agricultural use. 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) | ☐ | ☐ | ☐ | 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 prescribed density of the project area (all six parcels) would allow up to 112 residential units if completely redeveloped. The two

vacant parcels total approximately 0.7 acres, which would allow up to 32 units. With the development limitations on the properties, only five units are expected to be constructed in the short term, which would not trigger any threshold for a focused traffic study or traffic impact analysis. Additionally, the potential traffic generated by the maximum residential development on these six properties (112) would generate less traffic than what is on the properties currently; therefore no impact.

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: 5, 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

Four of the six properties are developed and disturbed residential or commercial properties, which do not have habitat of any kind. The vacant lot (3040 East 16th Street) is currently devoid of permanent vegetation, save for a handful of mature invasive pepper trees, which will be preserved or replaced by equal quality specimens.

There are no adopted habitat conservation plans within the City of National City and no riparian or wetland habitats identified; therefore, no impact.

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, 7)	☐	☐	☐	X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Sources: 3, 7)	☐	☐	☐	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. However, there is one previously recorded cultural resource within a half-mile radius of the project area and two previously recorded historical structures within a half-mile radius of the project area. Even with the number of cultural resources recorded within a half-mile radius of the project area, there is a very low likelihood of encountering unrecorded cultural resources within the project area at such time as any construction takes place. Four of the six properties are developed and disturbed residential or commercial properties. The vacant lot (3040 East 16th Street) was previously developed with a single-family residence, which was demolished in 1977; therefore, no impact.

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: 8)	☐	☐	X	☐
ii) Strong seismic ground shaking? (Sources: 8)	☐	☐	X	☐
iii) Seismic-related ground failure, including liquefaction? (Sources: 8)	☐	☐	☐	X
iv) Landslides? (Sources: 8)	☐	☐	☐	X
b) Result in substantial soil erosion or the loss of topsoil? (Sources: 2, 8)	☐	☐	☐	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: 8)	☐	☐	☐	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: 8) | ☐ | ☐ | ☐ | 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: 8) | ☐ | ☐ | ☐ | X |

California Geological Survey information indicates that, while within a half-mile of a quaternary fault (part of La Nacion Fault Zone), 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.

Any future design and construction would 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 existing developed parcels are connected to traditional sewer laterals, which connect with the existing sewer system that serves the City. Any future design and construction would connect to the same system. 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, 9, 10) | ☐ | ☐ | ☐ | X |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?
(Sources: 1,9, 10) | ☐ | ☐ | ☐ | 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. With the development limitations on the properties, only five units are expected to be constructed in the short term; therefore no impact. However, any future construction of the density likely in a currently developed area, and with six individually small properties, would occur over a 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 construction of five units in the short term would not create noticeable GHG emissions (30 ADT increase). Additionally, the potential traffic generated by the maximum residential development on these six properties (112) would generate less traffic than what is on the properties currently; therefore no impact.

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 April 2015, Executive Order B-30-15 was signed, which established a new GHG emissions reduction target of 40% below 1990 levels by 2030.

In addition, in 2024 the City of National City adopted its Climate Action Plan and associated targets to reduce GHG emissions by 40 percent below 2018 levels by 2030 and 80 percent of 2018 levels by 2050. 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 existing project area is developed with 14 residential units on six properties, as well as a liquor store and a preschool. No transport, use, or disposal of hazardous materials is expected, due to no additional construction at this time other than five residential units on a currently vacant property. At such time as the vacant lot is developed, the five additional residences would still be consistent with the currently prescribed density of the RS-2 zone, although more density would be permitted through changing to the MXC-1 zone. However, with the limitations on density due to Fire Department access, no additional units are realistically expected. Therefore, there will not be 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 already mostly developed and future development would be residential in nature. The site 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, 7)	☐	☐	☐	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 area is comprised of six properties, four of which are developed, and one previously disturbed/developed. At such time as the five-unit apartment project is proposed, the project will be subject to water quality and discharge requirements through the City's Jurisdictional Runoff Management Plan (JRMP). Future design of the potential five-unit apartment project, and any other future development, 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)	☐	☐	☐	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)	☐	☐	☐	X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Sources: 1, 2)	☐	☐	☐	X

The site is surrounded by existing mixed density residential development, including apartment buildings as dense or denser than what would be permitted by any potential rezoning. The existing density already allows for up to 21 units and only five would be constructed under potential short term future conditions. This is less than what the area is currently zoned for. In the event that the properties to be rezoned are all developed at their maximum allowable density, this would result in 112 units (98 new units). Given that the back halves of the 16th Street properties (five of the six properties) are practically undevelopable, the expected maximum density would be in the neighborhood of 30 units, which is less than the average density of the area (there are six apartment buildings located to the south and east of the project area. Because of the mixed and multi-family nature of the area, there would be no impact to an established community.

There are no applicable habitat conservation plan or natural community conservation plans in the City, 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 mostly residential development. No construction is proposed at this time, although rezoning of the property will likely lead to the construction of five new residences in the near future. Any new units themselves are not expected to generate any additional ambient noise in this area. Furthermore, any development is subject to the limitations contained in the City's Noise Ordinance; therefore, no impacts are expected.

Any associated construction in the future 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, 14)	☐	☐	☐	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 zoned for a residential density of nine units per acre. The current actual residential density is six units per acre. There are 14 existing units on the subject properties where 21 would be allowed (not including additional or bonus units permitted by state code). With the expected additional five units, the expected short term residential density would be eight units per acre, which is still less than what the area is currently zoned for.

Because the southern half of the East 16th Street properties are not developable without providing Fire Department turnaround (which is not feasible under the current scenario) or improving East 17th Street (which is also unlikely due to the reasons outlined in the project description), the maximum density would not result in substantial population growth. In the event that the properties to be rezoned are all developed at their maximum allowable density, which would result in 112 units (98 new units), this would not be considered to be substantial population growth, in that the average people per household in the City is 3.122, more than County average of 2.74. Extrapolated to account for up to 98 additional units, this would be a potential total of 306 additional residents (assuming these would be new residents moving in to the City), an increase of a half percent of today's current population of approximately 55,236; therefore no impact.

In the unlikely event that all residential properties rezoned are converted to purely commercial land use, the total number of units removed would be 14. This would equate to a potential displacement of 44 residents, which would not be considered a substantial number (0.8% of the current population); therefore 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)	☐	☐	☐	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 any impacts to public services, as no construction is proposed beyond the existing City limits and within an established neighborhood. Additionally, only two lots are vacant, with one being currently developable. Any redevelopment would replace existing uses and not have a significant effect on existing volumes of calls for service. The project site is currently and will continue to be served by the National City Fire and Police Departments. The closest Fire Station is approximately one-and-a-half miles away on East 4th Street, and the Police Station at 12th Street and National City Boulevard is approximately two 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. Any potential development of new residential or commercial uses will generate impact fees specifically slated for public services that will supplement any additional requirements brought about by said development; therefore, there is no impact. Park and school fees will also be paid as part of potential 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

There are two parks (El Toyon and Las Palmas) within a mile of the project, which are currently underutilized and able to accommodate potential use by the potential addition of five new families that could be expected in the near term. Any future development would be subject to park fees to offset any increase in need generated by the project. Therefore, there would be 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, 15)	☐	☐	☐	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 highways? (Sources: 1, 2, 3)	☐	☐	☐	X
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, 15)	☐	☐	☐	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)	☐	☐	☐	X
e) Result in inadequate emergency access? (Sources: 1, 2, 3)	☐	☐	☐	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)	☐	☐	☐	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.

This segment of East 16th Street (Euclid Avenue to Harbison Avenue) has a project 2030 ADT (Average Daily Trip) rate of 8,300 and a capacity of 10,000 ADT. In 2030, the segment is expected to operate at a Level of Service (LOS) of D. According to trip generation rates published by the San Diego Association of Governments (SANDAG), five new units could be expected to generate another 30 vehicle trips per day, which would not exceed the proposed (2030) maximum capacity; therefore, no impact.

No change in road design is proposed which would cause a safety risk or hinder emergency access. Potential development 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; therefore, no impact.

With regard to Vehicle Miles Traveled (VMT), the project would screen out of VMT analysis related to CEQA, as the potential traffic generated by the maximum residential development on these six properties (112) would generate less traffic than what is on the properties currently. This is due to a preschool/childcare and liquor store on two of the properties. The liquor store (neighborhood market) in particular generates a

significant amount of traffic. Redevelopment to a mixed use style of development would also screen out, as the minimum project size would need to be five acres, where the total of all six properties in this case is 2.3 acres.

XVII – UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Sources: 1, 11)	☐	☐	☐	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)	☐	☐	☐	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, 12)	☐	☐	☐	X
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources: 1, 12)	☐	☐	☐	X

Any potential 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 existing property is located within an urbanized area and served by existing water facilities. There is an existing 16-inch PVC water main in the East 16th Street right-of-way that services the property. Also, all necessary improvements would be included with potential development and project approval and construction would be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations; therefore, there would be no impact.

The existing area is 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, potential development be required to comply with all

federal, state, and local statutes 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. 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:

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	National City General Plan	National City Planning Division 1243 National City Boulevard National City, CA 91950
2	City of National City Municipal Code	https://library.municode.com/ca/national_city/codes/code_of_ordinances?nodeId=CD_ORD_TIT18ZO
3	Case File 2024-18 GPA, ZC, ZV	National City Planning Division
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	South Coastal Information Center (SCIC) cultural resources records search	National City Planning Division
8	California Department of Conservation	http://maps.conservation.ca.gov/cgs/fam/
9	City of National City Climate Action Plan	National City Planning Division
10	Environmental Protection Agency	https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator
11	Comments received from National City Fire Department	National City Planning Division
12	California Integrated Waste Management Board	http://www.ciwmb.ca.gov/
13	Environmental Protection Agency	https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator
14	San Diego Association of Governments	https://www.sandag.org
15	DATA USA (National City)	https://datausa.io/

From: [Ema Letuli](#)
To: [Planning Commission](#)
Subject: Public Hearing for 3040 East 16th St building
Date: Monday, June 30, 2025 3:06:15 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom it May Concern:

I live at 2945 E. 16th St and we already have an issue with parking. A lot of times people from the condos or the apartments park on Earle Dr or here on 16th St.

With 5 units going in, that will possibility require at least 10 parking spots, 2 per unit.

I hope that will be provided on their property.

If these are 2 story units, the neighbor stands to lose **all** of their privacy.

Thanks,

Ema Letuli



Item no. **4**
August 18, 2025

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND CONDITIONAL USE PERMIT FOR THE SALE OF BEER, WINE, AND DISTILLED SPIRITS (ABC TYPE-21) AT AN EXISTING TARGET LOCATED AT 3060 PLAZA BONITA ROAD.

Case File No.: 2025-14 CUP

Location: 3060 Plaza Bonita Road

Assessor's Parcel No.: 564-472-09

Staff report by: Erin Reim, Planning Technician

Applicant: Target Corporation

Zoning designation: Major Mixed-Use District (MXD-2)

Adjacent use and zoning:

North: Single-Family Residential (RS-2)

East: Medium-Low Density Residential (RS-3), County of San Diego

South: Open Space (OS), City of Chula Vista

West: Open Space (OS), Caltrans Right of Way (805), City of Chula Vista

Environmental review: Categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities)

Staff recommendation: Approve

Staff Recommendation

Staff recommends approval of the addition of distilled spirits to the existing sale of off-sale beer and wine, subject to the recommended conditions in the attached resolution and a determination that the project is exempt from CEQA. The sale of alcohol is a conditionally-allowed use in the Major Mixed-Use District zone and would continue to be accessory to the retail and grocery sales at the existing Target.

Executive Summary

The operator of Target has applied to upgrade their existing California Department of Alcoholic Beverage Control (ABC) Type 20 license for off-sale beer and wine to an ABC Type 21 for off-sale beer, wine, and distilled spirits with an ancillary ABC Type 86 instructional tasting license. Existing and proposed hours of alcohol sales are 7:00 a.m. to 12:00 a.m. daily, consistent with their expected hours of operation. Target's store hours are from 8:00 a.m. to 10:00 p.m. daily with extended hours during holidays.

Site Characteristics

Target is an existing 127,000 square-foot anchor store located on the south side of Sweetwater Road and the east side of Plaza Bonita Road in the Major Mixed-Use District (MXD-2) zone. Target is located in the Plaza Bonita Shopping Center. The site is surrounded by various open space and residential uses. No other locations with off-sale alcohol are in the vicinity.

The location was previously approved for the sale of beer and wine for off-site consumption within the Target in 2006 through CUP-2005-23. Per the applicant's floor plan, the area dedicated to alcohol sales consists of an aisle and back shelf for a total 156 linear feet which is a 56-foot increase from the existing 100 linear feet of display area for beer and wine. This represents a small portion of Target's floor area.

Proposed Use

The applicant is proposing to sell distilled spirits with ancillary instructional alcohol tastings (ABC Type-21 with a Type-86 alcohol license) in addition to the currently-licensed beer and wine for off-site consumption (ABC Type-20). The applicant is proposing to add distilled spirits in a section of the Target that has been previously designated for alcohol. Staff is recommending that the shelving occupied by distilled spirits be locked up as a condition of approval.

The location currently has an approved Conditional Use Permit (CUP) and ABC license for the sale of beer and wine. The previously approved hours for alcohol sales were 7:00 a.m. to 12:00 a.m. daily. The applicant's request for the proposed hours of 7:00 a.m. to 12:00 a.m. daily reflect the current hours of operation with extended hours for holidays.

The ancillary alcohol tastings will take place on occasion from Friday to Sunday from 11:00 a.m. to 7:00 p.m. The tasting area will be in close proximity to the alcohol section of the store. Tasting events will be cordoned off by a temporary barrier and no one under 21 will be permitted to enter the designated area. Customers tasting alcohol will not be permitted to leave the tasting area with any open containers of alcohol. ABC Type 86 Instructional tastings are regulated by the State including hours of operation and the amount of alcohol provided.

Analysis

Section 18.30.050 of the Land Use Code allows for alcohol sales for off-site consumption with an approved Conditional Use Permit (CUP). Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements. City Council Policy 707 also regulates alcohol sales in the city. As an ancillary use, the tasting activity is not subject to a CUP, as no alcohol is being sold. However, the ABC Type 86 license requires that the licensee maintain a Type 21 license. In other words, no tasting is permitted unless there is a retail license at the premises.

Hours of Operation

Conditions of approval for alcohol sales reflect what the applicant has requested, 7:00 a.m. to 12:00 a.m. daily. No change in the previously approved hours for alcohol sales were requested.

Mailing - All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 246 occupants and owners. No public comment has been received as of the writing of this report.

Community Meeting - Pursuant to Section 18.30.050 (C) of the Land Use Code, a community meeting was held on Wednesday, May 28, 2025 at 9:30 a.m. at the conference room in Target. The meeting advertisement is attached (Attachment 8); no community members attended the meeting.

Distance Requirements - Chapter 18.030.050 (D) of the National City Zoning Code has no minimum distance requirements from schools or other uses for grocery stores, convenience stores or other retail establishments involving the sale of alcohol for off-site consumption as an accessory use.

Alcohol Sales Concentration/Location

According to the California Department of Alcoholic Beverage Control (ABC), there is currently one off-sale license in Census Tract 32.04, where a maximum of two are recommended. The applicant holds the one existing license. The Census Tract is not considered over concentrated with off-site alcohol sales outlets by ABC. No increase in the number of licenses would occur.

Many of the issues related to off-sale licenses are related to the availability of smaller quantities and cheaper products, most of which are related to businesses not originally subject to a CUP (legal nonconforming). However, businesses with CUPs are limited to the quantity and size of beer bottles (e.g., no sale of single cans or bottles) and the size of wine bottles and their alcoholic content (e.g., containers less than 750 milliliters nor greater than 15% content by volume). Because the subject business has an existing CUP, it is already subject to standard conditions related to alcohol.

Police Department (PD)

The ABC Risk Assessment provided by PD allocated a total of 15 points, which places it in the Medium Risk category (Medium Risk is considered 13 to 18 points). Of note, the area has both a high crime rate and number of calls for service. A large percentage of calls for service in this area are related to petty theft/shoplifting at the shopping center. Therefore, the crime rate is higher than it would otherwise be. As such, staff recommends a locked display area for distilled spirits as an additional deterrent for theft. The risk assessment is included as Attachment 6.

Institute for Public Strategies (IPS)

Comments were received from IPS with the following considerations:

1. Require that staff and management attend an in-person LEAD training or an in-person RBS training from an ABC-authorized training provider. In-person trainings offer interactive and hands-on learning which are recommended over online trainings.
2. Keep all distilled spirits in a locked storage container.

3. Require positioning of a tasting area in a location not visible from juice, soda, or other youth-friendly snacks.

Standard conditions of approval are included in the report in compliance with City Council Policy 707. IPS comments are included as Attachment 7. Conditions of approval are included that restrict the display of distilled spirits to locked areas. The tasting area will be located in close proximity to the location of the alcohol shelves, which will not change from the previous approval.

Findings for Approval

The following are the required findings in the attached draft resolution:

1. Allowable Use: Alcohol sales in conjunction with a retail and grocery store are allowable within the Major Mixed-Use District zone, pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report. The use is incidental to the existing Target in a mixed-use area.
2. General Plan Consistency: Alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. In addition, a store with alcohol sales is consistent with the Major Mixed-Use District zone land use designation contained in the Land Use Code and Land Use Element of the General Plan.
3. Compatibility, LUC, and Traffic: No expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints. The proposed uses would be incidental to the primary use of a retail and grocery store.
4. No Nuisance: The proposed use will be subject to conditions that limit hours and the manner in which alcohol is sold. In addition, all staff members involved in the sale of alcohol are required to receive RBSS training.
5. California Environmental Quality Act (CEQA): The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from

environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that the use is proposed within an existing commercial building, and the use is similar to other commercial uses in the area, which are permitted in the Major Mixed-Use District zone.

6. Public Convenience and Necessity: The retail and grocery store, a permitted use in the Major Mixed-Use District zone, will benefit from the sale of alcohol. The sale of beer, wine, and distilled spirits will contribute to a diversity of local commercial offerings in the area.

Findings for Denial

The following are findings for denial:

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the addition of off-site alcohol sales may increase the propensity for over-consumption of alcohol and increase the potential for impacts to the surrounding area.
2. Based on the above finding, public convenience and necessity will not be served by a proposed use of the property for the off-site sale of alcoholic beverages pursuant to law.

Conditions of Approval

Standard Conditions of Approval have been included with this permit as well as conditions specific to off-site alcohol sales per Council Policy 707 (hours of operation, employee training, and accessory sales, etc.).

Summary

The proposed use is consistent with the General Plan due to alcohol sales for off-site consumption being a conditionally-allowed use in the Major Mixed-Use District zone; the addition of distilled spirits to the sale of beer and wine at an existing Target will be accessory to the retail and grocery store use in an established mixed-use area; the Census Tract in which Target is located is not considered over-concentrated with regard to off-sale alcohol licenses; and the Police Department has classified the establishment as Medium Risk.

Options

1. Find the project exempt from CEQA under Class 1 of the CEQA Guidelines Section 15301 or other exemption and approve 2025-14 CUP subject to the conditions included in the Resolution, or other conditions, and based on the findings included in the Resolution, or other findings to be determined by the Planning Commission; or,
2. Find the project not exempt from CEQA and/or deny 2025-14 CUP based on the attached findings, or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Draft Resolutions
2. Overhead
3. Applicant's Plans (Exhibit A, Case File No. 2025-14 CUP, dated 06/05/2025)
4. Public Hearing Notice (Sent to 246 property owners & occupants)
5. Census Tract & Police Beat Maps
6. Police Department Comments
7. IPS Comments
8. Community Meeting Information

RESOLUTION NO. 2025-10

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA DETERMINING THAT THE
PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA
GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND CONDITIONAL USE
PERMIT FOR THE SALE OF BEER, WINE, AND DISTILLED SPIRITS (ABC TYPE-21)
AT AN EXISTING TARGET LOCATED AT 3060 PLAZA BONITA ROAD.
CASE FILE NO. 2025-14 CUP
APN: 564-472-09

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for off-site sale of beer, wine, and distilled spirits at an existing Target located at 3060 Plaza Bonita Road. At a duly advertised public hearing held on August 18, 2025, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearing, the Planning Commission considered the staff report contained in Case File No. 2025-14 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 18, 2025, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code because alcohol sales are allowable within the Major Mixed-Use District zone, pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report. Sales will be incidental to the existing Target in a commercial area. Furthermore, alcohol sales (beer and wine) have been approved for sale on site since 2006.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because the Land Use Code permits alcohol sales, subject to a CUP, which is consistent with the General Plan. In addition, a retail and grocery store with

alcohol sales is consistent with the Major Mixed-Use District zone land use designation contained in the Land Use Code and General Plan.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because no expansion of the building is proposed. The proposed uses would be incidental to the primary use of retail and grocery sales.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be subject to conditions that limit hours and the manner in which alcohol is sold. In addition, all staff members involved in the sale of alcohol are required to receive RBSS training.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that the use is proposed within an existing commercial building and the use is similar to other commercial uses in the area, which are permitted in the Major Mixed-Use District zone.
7. The proposed use is deemed essential and desirable to the public convenience or necessity, because the retail and grocery store, a permitted use in the Major Mixed-Use District zone, will benefit from the sale of alcohol. The sale of beer, wine, and distilled spirits will contribute to a diversity of local community offerings in the area.
8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the off-site sales of alcoholic beverages in accordance with applicable law and the recommended conditions. The use, as proposed and conditioned, will operate in harmony with surrounding uses, will not cause a nuisance, and will benefit the community with a more diverse selection of goods to purchase from the grocer.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the sale of beer, wine, and distilled spirits for off-site consumption at an existing Target located at 3060 Plaza Bonita Road. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2025-14 CUP, dated 06/05/2025.
2. Unless specifically modified by this resolution, all Conditions of Approval of Planning Commission Resolution No. 3-2006 shall remain in full force and effect.
3. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant or owner shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant or owner shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
4. This permit shall become null and void at such time as there is no longer a Type 21 California Department of Alcoholic Beverage Control license associated with the property.
5. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
6. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
7. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval or applicable law.
8. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be

made payable to the County Clerk and submitted to the National City Planning Department.

Planning

9. No sales of distilled spirits shall be permitted until the applicant has been issued a Type 21 license from the California Department of Alcoholic Beverage Control.
10. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
11. Distilled spirits shall be stored on lockable shelves accessible only to properly trained employees.
12. All required signage related to the sale of alcohol shall be written in both English and Spanish translation.
13. The premises shall be kept free of graffiti and litter in conformance with the National City Municipal Code. The operator or property manager shall take responsive action within a 24-hour period upon receipt of any notice provided by Code Enforcement pertaining to graffiti or litter.
14. Containers of alcoholic beverages may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
15. Instructional tastings shall be conducted as an accessory use to off-sale beer, wine, and distilled spirits for customers. This use is only permitted with the issuance of a Type 86 license from the California Department of Alcoholic Beverage Control.
16. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.

Police

17. The permittee shall comply with all applicable law, including, but not limited to the regulatory provisions of the Business and Professions Code that pertain to the sale, serving, and consumption of alcoholic beverages.

Indemnification Agreement

The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to

attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by the Applicant.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 18, 2025, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION NO. 2025-10

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
DENYING A CONDITIONAL USE PERMIT FOR THE SALE OF BEER, WINE, AND
DISTILLED SPIRITS (ABC TYPE-21) AT AN EXISTING TARGET LOCATED AT 3060
PLAZA BONITA ROAD.
CASE FILE NO. 2025-14 CUP
APN: 564-472-09

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for off-site sale of beer, wine, and distilled spirits at an existing Target located at 3060 Plaza Bonita Road. At a duly advertised public hearing held on August 18, 2025, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearing, the Planning Commission considered the staff report contained in Case File No. 2025-14 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 18, 2025, support the following findings:

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the addition of off-site alcohol sales may increase the propensity for over-consumption of alcohol and increase the potential for impacts to the surrounding area.
2. Based on the above finding, public convenience and necessity will not be served by a proposed use of the property for the off-site sale of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

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NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

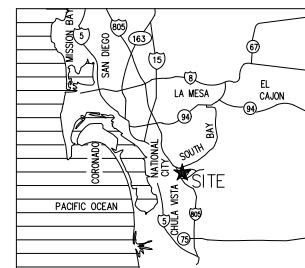
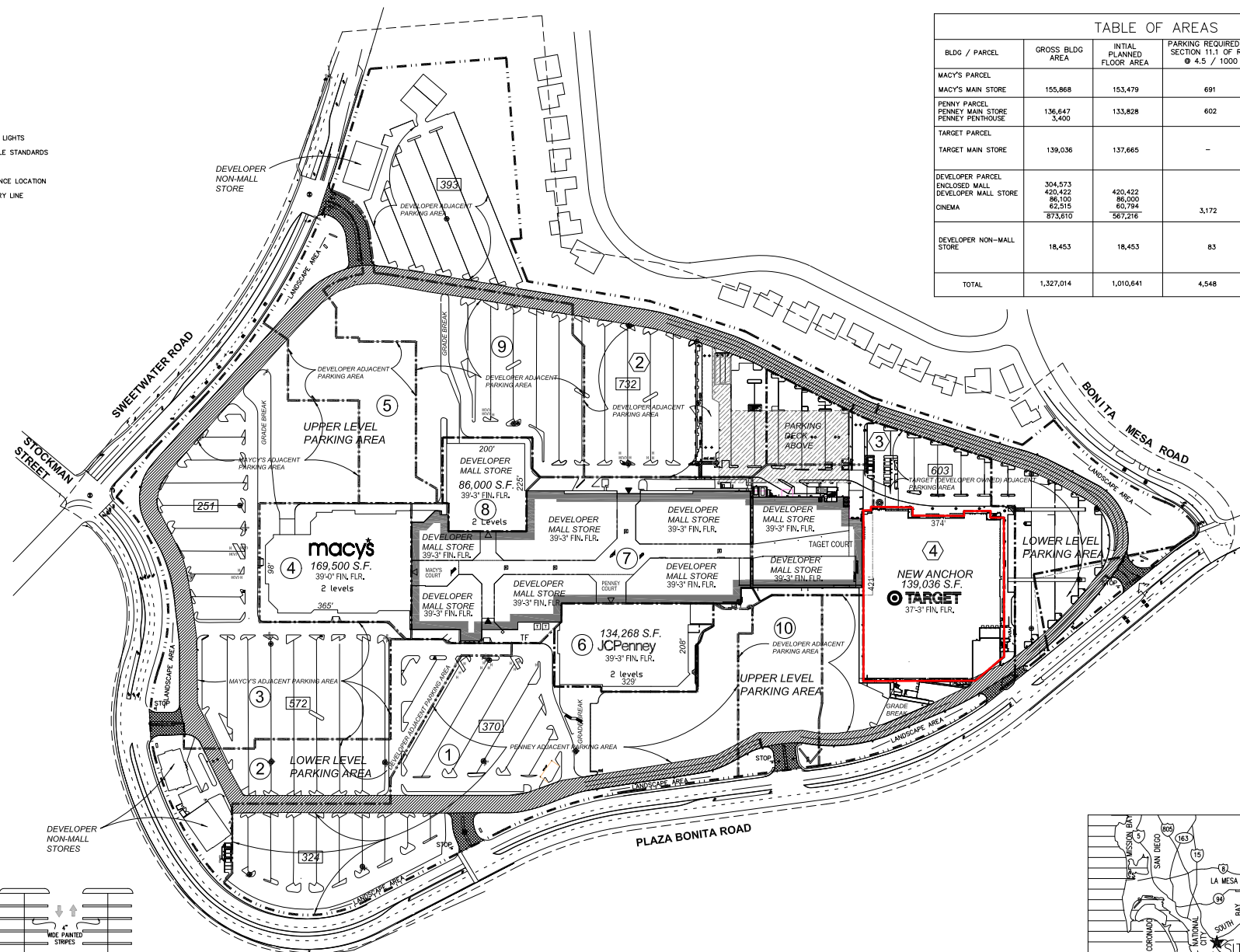
2025-14 CUP – 3060 Plaza Bonita Road – Overhead



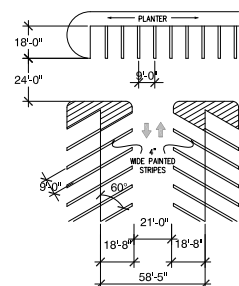
ATTACHMENT 2

U.L.	UPPER LEVEL
L.L.	LOWER LEVEL
T.F.	TRUCK FACILITY
XXX	NUMBER OF PARKING SPACES
K	APPROVED KIOSK AREA
▼	MALL ENTRANCE LOCATION
●	TRAFFIC SIGNAL
●	APPROX. LOCATION OF SECURITY LIGHTS
●	APPROX. LOCATION OF LIGHT POLE STANDARDS
T	TRANSFORMER
▽	MAJOR'S ENCLOSED MALL ENTRANCE LOCATION
---	SHOPPING CENTER SITE BOUNDARY LINE
---	ADJACENT PARKING AREA
■	HANDICAP PARKING
▨	ACCESS ROAD
▩	RINGROAD
□	PYLON SIGN
○	STOP SIGN
□	ENCLOSED MALL
○	PARCEL MAP
○	PARCEL MAP # 10337

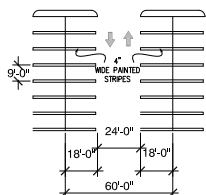
BLDG / PARCEL	GROSS BLDG AREA	INITIAL PLANNED FLOOR AREA	PARKING REQUIRED BY SECTION 11.1 OF REA @ 4.5 / 1000	ACTUAL PARKING	ACRES
MACY'S PARCEL					
MACY'S MAIN STORE	155,868	153,479	691	767	12.54
PENNY PARCEL					
PENNEY MAIN STORE	136,647	133,828	602	726	11.77
PENNEY PENTHOUSE	3,400				
TARGET PARCEL					
TARGET MAIN STORE	139,036	137,665	-	-	3.52
DEVELOPER PARCEL					
ENCLOSED MALL	304,573	420,422			
DEVELOPER MALL STORE	420,422	86,100			
CINEMA	62,515	60,794	3,172	2,991	42.58
	873,510	567,216			
DEVELOPER NON-MALL STORE	18,453	18,453	83	83	-
TOTAL	1,327,014	1,010,641	4,548	4,567	70.41



VICINITY MAP



TYPICAL 60° ANGLE PARKING
N.T.S.



TYPICAL 90° ANGLE PARKING
N.T.S.

EXHIBIT B TO REA AMENDMENT No. 1

78

EXHIBIT LEVEL 1

SCALE: 1"=100'

DATE: 22 JAN. 2008



1
SHEET

TARGET CORPORATION

TARGET CORPORATION, PROPERTY DEVELOPMENT
1000 NICOLLET MALL
MINNEAPOLIS, MINNESOTA 55403

NOTICE
-VERIFY ALL DIMENSIONS AND CONDITIONS
-NOTIFY THIS OFFICE OF ANY VARIATIONS
-ALTERNATE USE OF THIS DRAWING MUST
BE APPROVED BY THIS OFFICE

*This document is the exclusive property
of the Target Corporation and contains
proprietary information of Target Corp.
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not convey any rights to reproduce,
disclose its contents or to produce, use
or sell anything it may describe.
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Target Corporation is strictly forbidden.*

CEILING HEIGHT

A & A: 14'-0"
Hardlines: 14'-0"
Stockroom: 15'-8"

*USE HEIGHT TO BOTTOM OF STRUCTURE

AS BUILT
PUBLICATION

TARGET

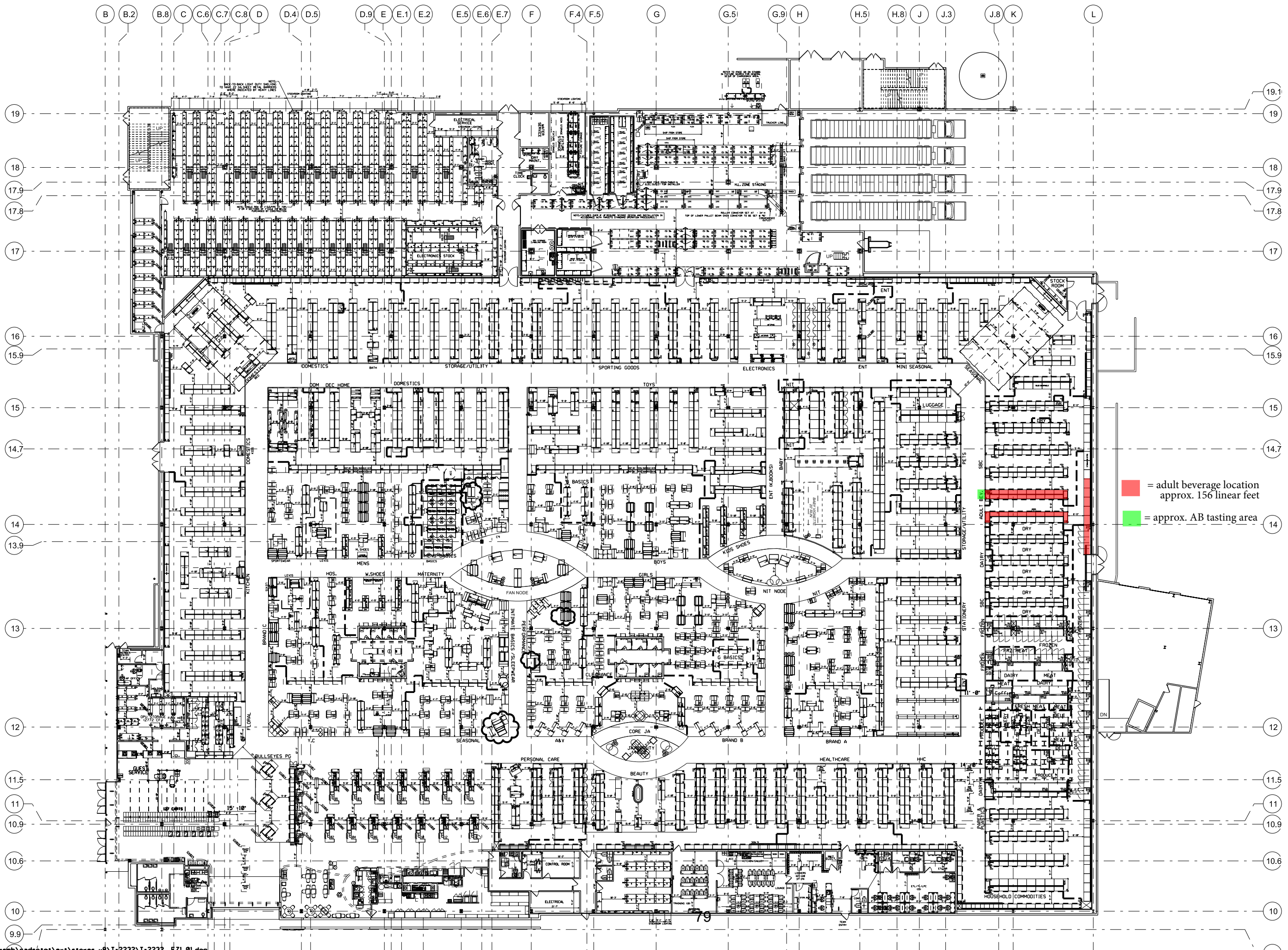
ISSUE DATE:
PLOT DATE: 09-SEP-2024 17:13
PLANNER: John O'Day
SCALE: 1/40"=1'-0"
PROJECT

NAME: Notl City Pl Bonito
National City, CA
STORE NO.: T-2232
TITLE: FIXTURE PLAN

PLAN TYPE SHEET NO.

P04
P18

FZ1





NOTICE OF PUBLIC HEARING

DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND CONDITIONAL USE PERMIT FOR THE SALE OF BEER, WINE, AND DISTILLED SPIRITS (ABC TYPE-21) AT AN EXISTING TARGET LOCATED AT 3060 PLAZA BONITA ROAD.

CASE FILE NO.: 2025-14 CUP

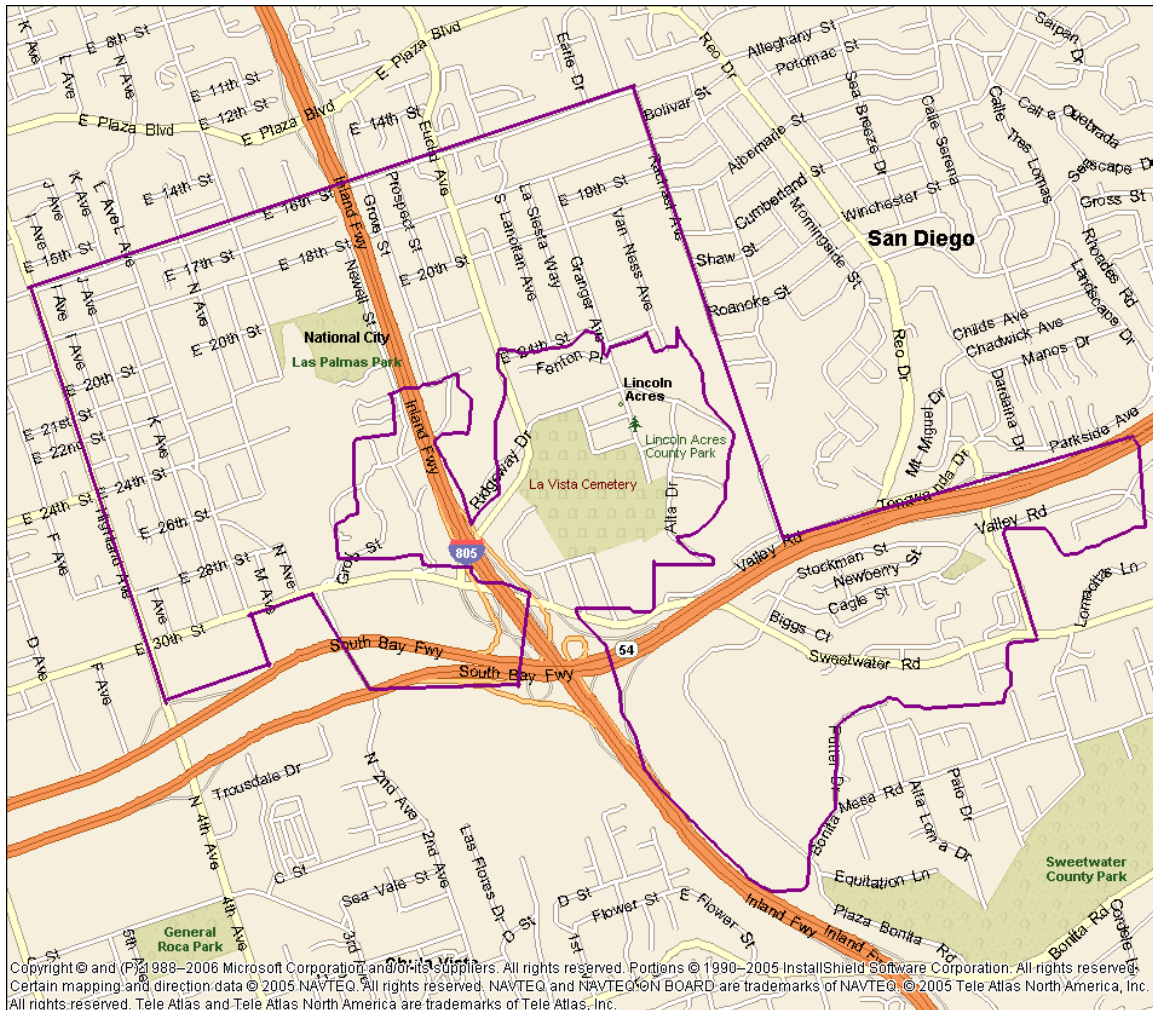
APN: 554-472-09

NOTICE IS HEREBY GIVEN that the National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, August 18, 2025**, in the City Council Chambers, located at the Civic Center, 1243 National City Boulevard, National City, California, on the following item:

The applicant (Applicant: Target Corporation) is proposing to upgrade their existing ABC Type-20 license (off-sale beer and wine) to an ABC Type-21 license (off-sale beer, wine, and distilled spirits). Existing and proposed hours of alcohol sales are from 7:00 a.m. to 12:00 a.m. daily. Planning Commission will also consider the staff determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301 (Existing Facilities).

Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment orally at the hearing or in writing. Written comments should be received by the Planning Division on or before 2:00 p.m., **August 18, 2025** by submitting it to PlcPubComment@nationalcityca.gov. Planning staff can be contacted at 619-336-4310 or planning@nationalcityca.gov.

Under California Government Code section 65009, if you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.



City of National City Beat 23

Source: Microsoft Mappoint
NCPD CAU, 4/18/07



NATIONAL CITY POLICE DEPARTMENT
ALCOHOL BEVERAGE CONTROL
RISK ASSESSMENT

DATE: 04/22/25

BUSINESS NAME: Target

ADDRESS: 3060 Plaza Bonita Road

OWNER NAME: Target Corporation DOB: N/A

OWNER ADDRESS: 1000 Nicollet Mall CC-1128, Minneapolis, MN 55403

(add additional owners on page 2)

I. Type of Business

- ☐ Restaurant (1 pt)
☒ Market (2 pts)
☐ Bar/Night Club (3 pts)
☐ Tasting Room (1pt)

II. Hours of Operation

- ☐ Daytime hours (1 pt)
☒ Close by 11pm (2 pts)
☐ Close after 11pm (3 pts)

III. Entertainment

- ☐ Music (1 pt)
☐ Live Music (2 pts)
☐ Dancing/Live Music (3 pts)
☒ No Entertainment (0 pts)

IV. Crime Rate

- ☐ Low (1 pt)
☐ Medium (2 pts)
☒ High (3 pts)

V. Alcohol Businesses per Census Tract

- ☐ Below (1 pt)
☐ Average (2 pts)
☒ Above (3 pts)

Notes:

Census Tract #32.04

There are (5) on sale licenses authorized in tract 32.04

There is (9) active on sale licenses in tract 32.04

There are (2) off sale licenses authorized in tract 32.04

There are (1) active off sale licenses in tract 32.04

VI. Calls for Service at Location (for previous 6 months)

- ☐ Below (1 pt)
☐ Average (2 pts)
☒ Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

- ☐ Mostly commercial businesses (1 pt)
☒ Some businesses, some residential (2 pts)
☐ Mostly residential (3 pts)

Low Risk (12pts or less)
Medium Risk (13 – 18pts)
High Risk (19 – 24pts)

Total Points 15

VIII. Owner(s) records check

- ☒ No criminal incidents (0 pts)
☐ Minor criminal incidents (2 pts)
☐ Multiple/Major criminal incidents (3 pts)

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

Recommendation:

This business assess at a medium risk and is deserving of such a rating.

This tract is over saturated with alcohol related businesses per its tract authorization

The crime rate at the mall is high and the business has several theft related calls for service in the past 6 months

This business has its own Loss Prevention officers, camera system, and follows ABC laws and CPTED - Crime Prevention Through Environmental Design guidelines

Completed by: Camacho Badge ID: 449

Environmental Scan for
Proposed Upgrade of Existing Type 20 to Type 21
and addition of Type 86 Alcohol CUP

Target
 3060 Plaza Bonita Road, National City, CA 91950
 Conducted: April 29, 2025



Photo of the proposed location

An environmental scan was conducted on Tuesday, April 29, 2025, for a proposed upgrade of an existing Type 20 (beer and wine) off-sale alcohol license to a Type 21 (beer, wine and distilled spirits) with the addition of a Type 86 (instructional alcohol tasting) at the Target store located at 3060 Plaza Bonita Road. The proposed location is within the shopping mall Westfield Plaza Bonita with entrance access from both inside and outside of the mall. There is a Starbucks and a Pizza Hut located inside the store near the cash registers. A Crab Pub seafood restaurant is approximately 50 feet away.

Funded by the San Diego County Health and Human Services Agency
 8885 Rio San Diego Drive #117 • San Diego, California, 92108 • Phone: 619.476-9100 • Fax: 619.476-9104

www.publicstrategies.org

Proposed hours

Alcohol Sales: 8 a.m. to 10 p.m. daily with extended hours during the holidays from 7 a.m. to 12 a.m.

Instructional Alcohol Tasting: 11 a.m. to 7 p.m. Friday through Sunday.

During a scan of the business and premises, the following was noted:

- There is one narrow aisle dedicated to wine sales on either side.
- The beer selection is located along the back wall and is approximately the same length as the wine aisle.
- An employee on duty explained that the instructional alcohol tasting would occur at the end of the wine aisle and a table would be set up in a similar to fashion to the food/candy samplings that are sometimes offered currently.

Crime Rate

A request for crime-related information from personnel within the City of National City Police Department should determine whether existing violations against the property or Applicant have occurred that would discourage the upgrade to a Type 21 alcohol license or the issuance of a Type 86 license.

Outlet Density

Based on Centers for Disease Control guidelines, alcohol density is defined as the average distance between a person and their closest alcohol retailer. In the map below, the darker the census tract, the less distance a person has to travel to their closest alcohol retailer.

IPS has begun utilizing the following scale to more clearly define outlet density.

Least Dense (lightest color)

Somewhat Dense

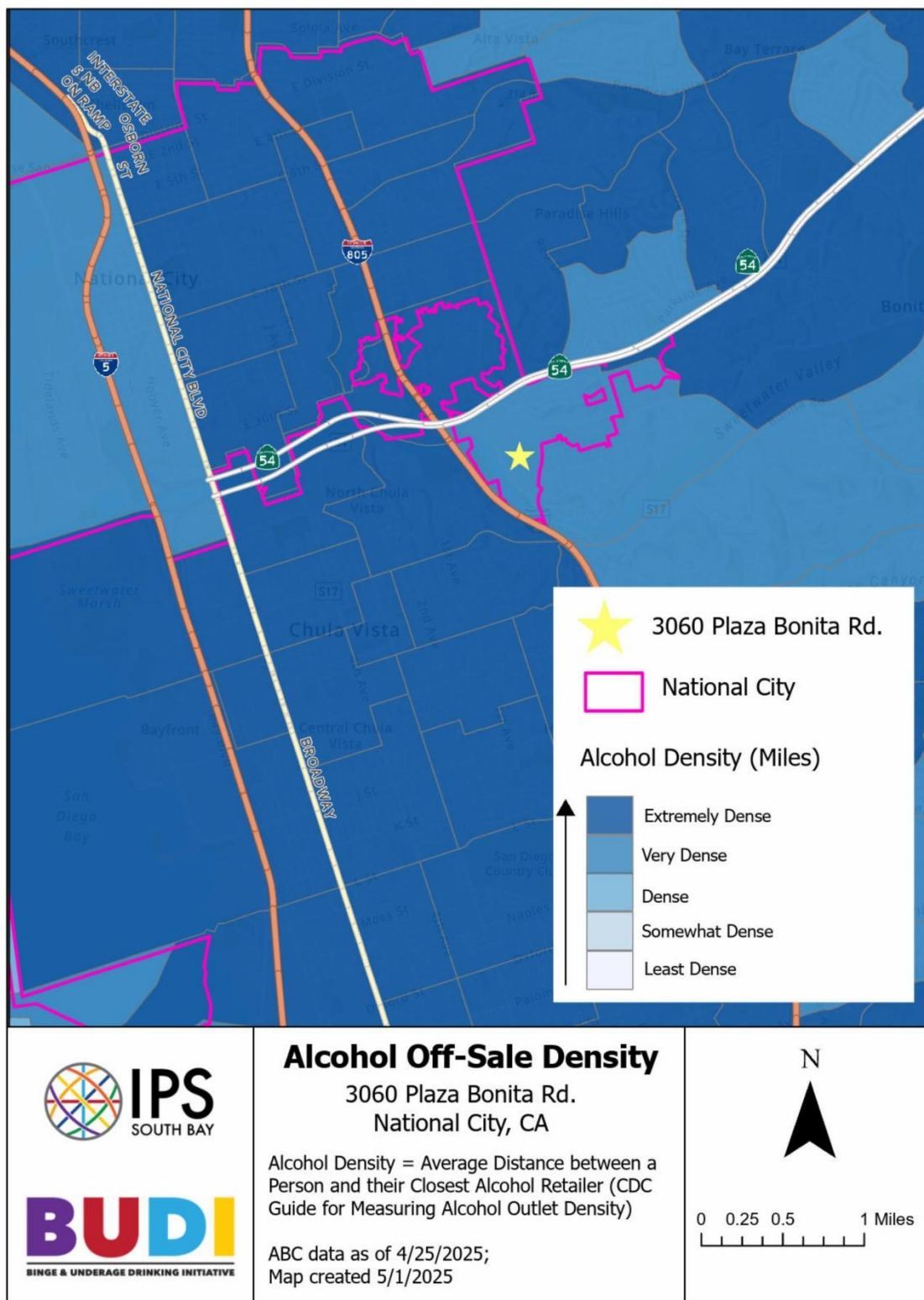
Dense

Very Dense

Extremely Dense (darkest color)

The proposed location is defined as “Very Dense.” The mean distance of a person to their average off-sale license in National City is 0.25 miles.

Within the census tract that 3060 Plaza Bonita Rd. is in, the off-sale density is 0.62 miles, which is less dense than the average for National City.



Youth Sensitive Areas

Sweetwater Secondary School (528 feet away within the same mall)

Gladys' Family Child Care (approximately 1,000 feet away)

Sweetwater Heights Park (approximately 2,790 feet away)

Churches

Bonita Road Baptist (approximately 2,000 feet away) is the closest one to this location.

Online Reviews

They've started locking up everything. Can't even get moisturizer because it's behind a cabinet (4 months ago)

Very small narrow aisles (1 year ago)

Store is dirty. Bathrooms are gross. Most of the carts have trash in them (4 months ago)

This Target is always filthy. Employees avoid customers like the plague. (10 months ago)

Only 1 out of 14 registers were open. Not enough workers (1 year ago).

Community Input from Local Residents who Shop Here

"I feel safe dropping my kids off at that mall. It's a family setting. This would lower my comfort."

"I'm OK with selling liquor but only if they keep it locked up. Tastings are not OK. I'm still against that even if it's just periodical."

"I grew up shopping here. I can tell you that teens would try to find a way to take advantage. I'm also concerned about how dirty the store has gotten."

"Parents tasting alcohol when their kids are anywhere in the store is not a good idea. And I have zero tolerance for drinking and driving, especially if there are kids in the vehicle."

"I recently saw someone running out of this store after stealing something. Selling liquor and doing alcohol tasting is a big responsibility. They need to fix their existing issues first."

Considerations

The following are considerations if a CUP is issued:

1. Require that staff and management attend an in-person LEAD training or an in-person RBS training from an ABC-authorized training provider. In-person trainings offer interactive and hands-on learning which are recommended over online trainings.
2. Keep all distilled spirits in a locked storage container.
3. Require positioning of a tasting area in a location not visible from juice, soda and other youth friendly snacks.

NOTICE OF COMMUNITY MEETING

DATE/TIME: WEDNESDAY, MAY 28, 2025, 9:30 a.m.

LOCATION: Target, 3060 Plaza Bonita Rd., National City 91950

This is to advise you of a community meeting for City of National City, Community Development Department, Case File No. 2025-14 regarding the sale of alcoholic beverages at Target at 3060 Plaza Bonita Rd., National City 91950. The meeting will be held in the Conference Room at Target, 3060 Plaza Bonita Rd., National City 91950.

STATEMENT RE COMMUNITY MEETING

A Community Meeting was noticed for May 28, 2025 in regard to Case File No. 2025-14. Both myself and the Target Store Director were present at the meeting location at the date and time specified in the Notice. No community members attended the meeting.


Beth Aboulafia, Partner
Hinman & Carmichael LLP

6/2/2025
Date



Item no. **5**
August 18, 2025

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND CONDITIONAL USE PERMIT FOR BEER AND WINE SALES (ABC TYPE-41) AT A NEW RESTAURANT (ZHANGLIANG MALATANG SPICY HOTPOT) TO BE LOCATED AT 1430 EAST PLAZA BOULEVARD, SUITE E20.

Case File No.: 2025-17 CUP

Location: Southeast corner of East Plaza Boulevard and N Avenue

Assessor's Parcel No: 557-322-14

Staff report by: Erin Reim, Planning Technician

Applicant: Shuang Zheng

Zoning designation: Major Mixed-Use District (MXD-2)

Adjacent use and zoning:

North: Shopping Center and Restaurants / MXD-2

East: Residential / RS-2 (Small Lot Residential)

South: National School District Administrative Center / I (Institutional)

West: South Bay Plaza and Residential / MXD-2 and RS-2

Environmental review: Categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities)

Staff recommendation: Approve

Staff Recommendation

Staff recommends approval of the request for on-site beer and wine sales, subject to the recommended conditions in the attached resolution and a determination that the project is exempt from CEQA. The sale of alcohol is a conditionally-allowed use in the Major Mixed-Use District zone and would be accessory to food sales at the restaurant.

Executive Summary

The operator of Zhangliang Malatang Spicy Hotpot restaurant has applied for a California Department of Alcoholic Beverage Control (ABC) Type 41 license to offer on-site beer and wine sales. The applicant is proposing alcohol sales from 11:00 a.m. to 11:00 p.m. daily.

Site Characteristics

Zhangliang Malatang Spicy Hotpot is a new restaurant in an existing suite in Bay Plaza Shopping Center within the Major Mixed-Use District (MXD-2) zone. The existing suite is 2,540 square feet in size, approximately 1,300 square feet will be dedicated to dining for the restaurant. The dining room will have 72 seats. Surrounding the restaurant is a mix of commercial and residential uses. The properties directly abutting the restaurant are service and retail suites. The closest single-family homes are located east of the property, but are separated by a significant grade change.

The property is located in Census Tract 117, which covers the area between National City Boulevard and N Avenue, and between East 8th Street and East 18th Street. The area encompasses a range of residential, institutional, and commercial uses, including a variety of restaurants that serve alcohol. The restaurant is located on the southeast corner of East Plaza Boulevard and N Avenue.

Proposed Use

The applicant is proposing beer and wine sales (ABC Type-41) in conjunction with food sales at the restaurant. Restaurant hours will be 11:00 a.m. to 11:00 p.m. daily. Proposed hours for alcohol sales are the same as the restaurant. No live entertainment is proposed.

Analysis

Section 18.30.050 of the Land Use Code (LUC) allows for on-site alcohol sales with an approved Conditional Use Permit (CUP). Additional requirements for

alcohol CUPs include expanded notification, a community meeting, and distance requirements. City Council Policy 707 also regulates alcohol sales in the city.

Hours of Operation

Restaurants with on-site alcohol sales have been approved with varying hours throughout the city. Most recently, three restaurants in 2024 were approved for on-site alcohol sales of beer and wine (ABC Type-41). For reference, the recent restaurants are:

Name	Address	License Type*	Approved Hours
La Malcriada Birrieria	1604 E 18 th St.	41	8:00 a.m. - 10:00 p.m. inside 8:00 a.m. - 9:00 p.m. outside
Tacos El Franc	3030 Plaza Bonita Rd.	41	10:00 a.m. - 10:00 p.m. daily
Mariscos La Capital	801 National City Blvd.	41	8:00 a.m. - 11:30 p.m. daily

*Type 41 – On-Sale Beer and Wine

Based on the recently approved hours for restaurants with alcohol sales, staff is amenable to the hours proposed by the applicant. Proposed hours for alcohol sales are from 11:00 a.m. to 11:00 p.m. daily. These hours are consistent with previous approvals and the surrounding major commercial area. It should be noted that a Type 41 ABC license (On Sale Beer & Wine – Eating Place) requires that alcohol sales not exceed food sales. In addition, City Council 707 requires that alcohol must be purchased with food.

Mailing – All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 520 occupants and owners. No public comment has been received as of the writing of this report.

Community Meeting - Pursuant to Section 18.30.050 (C) of the LUC, a community meeting was held Monday, July 14, 2025 at 10:00 a.m. at the subject restaurant. The meeting advertisement is attached (Attachment 8); there were no community members in attendance.

Distance Requirements - Section 18.030.050 (D) of the LUC requires a 660-foot distance from any public school; there are no schools within 660 feet of the site. In addition, restaurants with greater than 30% of their area devoted to seating are exempt from this distance requirement. The property in question has approximately 51% of its floor area devoted to seating.

Alcohol Sales Concentration/Location

According to the California Department of Alcoholic Beverage Control (ABC), there are currently 18 on-site licenses in Census Tract 117, where a maximum of ten are recommended. However, of those 18, two are catering licenses and one is a VFW hall. The Census Tract is considered over concentrated by ABC with regard to on-site alcohol sale outlets. Concentration of on-site licenses is higher in this area due to more commercial businesses operating in Census Tract 117, which includes a portion of downtown and a major commercial area along East Plaza Boulevard.

Police Department (PD)

The ABC Risk Assessment provided by PD allocated a total of 12 points, which places it in the Low Risk category (Low Risk is considered 12 points or less). The Risk Assessment is included as Attachment 6. No additional recommendations were provided by PD.

Institute for Public Strategies

Comments were received from IPS with the following considerations:

1. Require that staff and management attend an in-person Responsible Beverage Sales and Service training.
2. Require signage posted that open containers of alcoholic beverages must remain inside the restaurant and may not be consumed at the tables outside.

Standard conditions of approval are included in the report in compliance with City Council Policy 707. IPS comments are included as Attachment 7. Conditions of approval are included that restrict the hours of alcohol sales and off-site alcohol consumption.

Findings for Approval

The following are the required findings in the attached draft resolution:

1. Allowable Use: Alcohol sales are allowable within Major Mixed-Use District zone, pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report. The use is incidental to a restaurant use in a mixed-use area.

2. General Plan Consistency: Alcohol sales are a permitted use, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. In addition, a restaurant with alcohol sales is consistent with the Major Mixed-Use District zone land use designation and the Land Use Element of the General Plan.
3. Compatibility, LUC, and Traffic: No expansion of the building is proposed, minor interior improvements through a Building permit have been completed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints. The proposed uses would be incidental to the primary use of food service.
4. No Nuisance: The proposed use will be subject to conditions that limits the sale of beer and wine as well as the hours that it will be available. Beer and wine will only be available with the sale of food. In addition, all staff members serving alcohol are required to receive RBSS training. There is no live entertainment proposed on site.
5. California Environmental Quality Act (CEQA): The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that the use is proposed within an existing commercial building suite, interior alterations are allowed under the exemption, and the use is similar to other commercial uses in the area, which are permitted in the Major Mixed-Use District zone.
6. Public Convenience and Necessity: The restaurant, a permitted use in the Major Mixed-Use District zone, will benefit from the sale of alcohol by providing for a wider diversity of businesses that add to the character and vibrancy of the area.

Findings for Denial

The following are findings for denial:

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the addition of on-site alcohol sales may increase the propensity for over-consumption of alcohol and increase the potential for impacts to the surrounding area.
2. The proposed use is not deemed essential to the public necessity, as there are already fifteen restaurants in the same Census Tract that serve alcohol.
3. Based on the above findings, public convenience and necessity will not be served by a proposed use of the property for the on-site sale of alcoholic beverages pursuant to law.

Conditions of Approval

Standard Conditions of Approval have been included with this permit as well as conditions specific to on-site alcohol sales per Council Policy 707 (hours of operation, employee training, and accessory sales, etc.).

Summary

The proposed use is consistent with the General Plan due to alcohol sales for on-site consumption being a conditionally-allowed use in Major Mixed-Use District zone; alcohol sales will be accessory to a restaurant use in an established commercial area; beer and wine will only be available with the sale of food; the Census Tract in which the restaurant is located is over-concentrated with regard to on-sale alcohol licenses; and the Police Department has classified the establishment as Low Risk.

Options

1. Find the project exempt from CEQA under Class 1 of the CEQA Guidelines Section 15301 or other exemption and approve 2025-17 CUP, subject to the conditions included in the Resolution, or other conditions, and based on the findings included in the Resolution, or other findings to be determined by the Planning Commission; or,
2. Find the project not exempt from CEQA and/or deny 2025-17 CUP based on the attached findings or findings to be determined by the Planning Commission; or,

3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Draft Resolutions
2. Overhead
3. Applicant's Plans (Exhibit A, Case File No. 2025-17 CUP, dated 7/22/2025)
4. Public Hearing Notice (Sent to 520 property owners & occupants)
5. Census Tract & Police Beat Maps
6. Police Department Comments
7. Institute for Public Strategies Comments
8. Community Meeting Information

RESOLUTION NO. 2025-11

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA DETERMINING THAT THE
PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA
GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND CONDITIONAL USE
PERMIT FOR BEER AND WINE SALES (ABC TYPE-41) AT A NEW RESTAURANT
(ZHANGLIANG MALATANG SPICY HOTPOT) TO BE LOCATED AT 1430 EAST
PLAZA BOULEVARD, SUITE E20.

CASE FILE NO. 2025-17 CUP

APN: 557-322-14

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for beer and wine sales at a new restaurant (Zhangliang Malatang Spicy Hotpot) located at 1430 East Plaza Boulevard Suite E20. At a duly advertised public hearing held on August 18, 2025, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2025-17 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 18, 2025, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales are allowable within the Major Mixed-Use District zone, pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report. It is incidental to a new restaurant use in a mixed-use area.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because the Land Use Code permits alcohol sales, subject to a CUP, which is consistent with the General Plan. In addition, a restaurant with alcohol sales is

consistent with the Major Mixed-Use District zone land use designation contained in the Land Use Code and General Plan.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because no expansion of the building is proposed. The proposed alcohol sales would be incidental to the primary use of food sales.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be subject to conditions that limit the sale of beer and wine as well as the hours that it will be available. Beer and wine will only be available with the sale of food. In addition, all staff members serving alcohol are required to receive RBSS training.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that the use is proposed within an existing commercial building suite, interior alterations are allowed under the exemption, and the use is similar to other commercial uses in the area, which are permitted in the Major Mixed-Use District zone.
7. The proposed use is deemed essential and desirable to the public convenience or necessity, because the restaurant, a permitted use in the Major Mixed-Use District zone, will benefit from the sale of alcohol by providing for a wider diversity of businesses that add charm and vibrancy to the area.
8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sales of alcoholic beverages in accordance with applicable law and the recommended conditions. The use, as proposed and conditioned, will operate in harmony with surrounding

uses, will not cause a nuisance, and will benefit the community looking for a quality restaurant experience.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the sale of beer and wine for on-site consumption at a new restaurant (Zhangliang Malatang Spicy Hotpot) located at 1430 East Plaza Boulevard Suite E20. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2025-17 CUP, dated 7/22/2025.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant or owner shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant or owner shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
3. This permit shall become null and void at such time as there is no longer a Type 41 California Department of Alcoholic Beverage Control license associated with the property.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval or applicable law.
7. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be

made payable to the San Diego County Clerk and submitted to the National City Planning Department.

Planning

8. No alcohol sales or consumption shall be permitted until the applicant has been issued a Type 41 license from the California Department of Alcoholic Beverage Control.
9. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
10. The sale of alcoholic beverages shall only be permitted between the hours of 11:00 a.m. to 11:00 p.m. daily.
11. The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by the Planning Manager or designee or other employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgment to verify that the sale of alcohol does not exceed the sale of food. All information obtained by an investigation of records shall remain confidential.
12. Alcohol shall be available only in conjunction with the purchase of food.
13. The sale of alcoholic beverages for off-site consumption is not permitted at this location.
14. Signs shall be posted in the restaurant, including on all exits to outdoor seating areas, indicating that alcoholic beverages must be consumed inside the restaurant and may not be taken off-premises.
15. No live entertainment is permitted without modification of this CUP or issuance of a Temporary Use Permit.
16. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.

Police

17. The permittee shall comply with all applicable law, including, but not limited to the regulatory provisions of the Business and Professions Code that pertain to the sale, serving, and consumption of alcoholic beverages.

Indemnification Agreement

The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by the Applicant.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 18, 2025, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION NO. 2025-11

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
DENYING A CONDITIONAL USE PERMIT FOR BEER AND WINE SALES (ABC
TYPE-41) AT A NEW RESTAURANT (ZHANGLIANG MALATANG SPICY HOTPOT)
TO BE LOCATED AT 1430 EAST PLAZA BOULEVARD SUITE E20.
CASE FILE NO. 2025-17 CUP
APN: 557-322-14

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for on-site beer and wine sales at a new restaurant (Zhangliang Malatang Spicy Hotpot) located at 1430 East Plaza Boulevard Suite E20. At a duly advertised public hearing held on August 18, 2025, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2025-17 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 18, 2025 support the following findings:

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the addition of on-site alcohol sales may increase the propensity for over-consumption of alcohol and increase the potential for impacts to the surrounding area.
2. The proposed use is not deemed essential to the public necessity, as there are already fifteen restaurants in the same census tract that serve alcohol.
3. Based on the above findings, public convenience and necessity will not be served by a proposed use of the property for the on-site sale of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

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AYES:

NAYS:

ABSENT:

ABSTAIN:

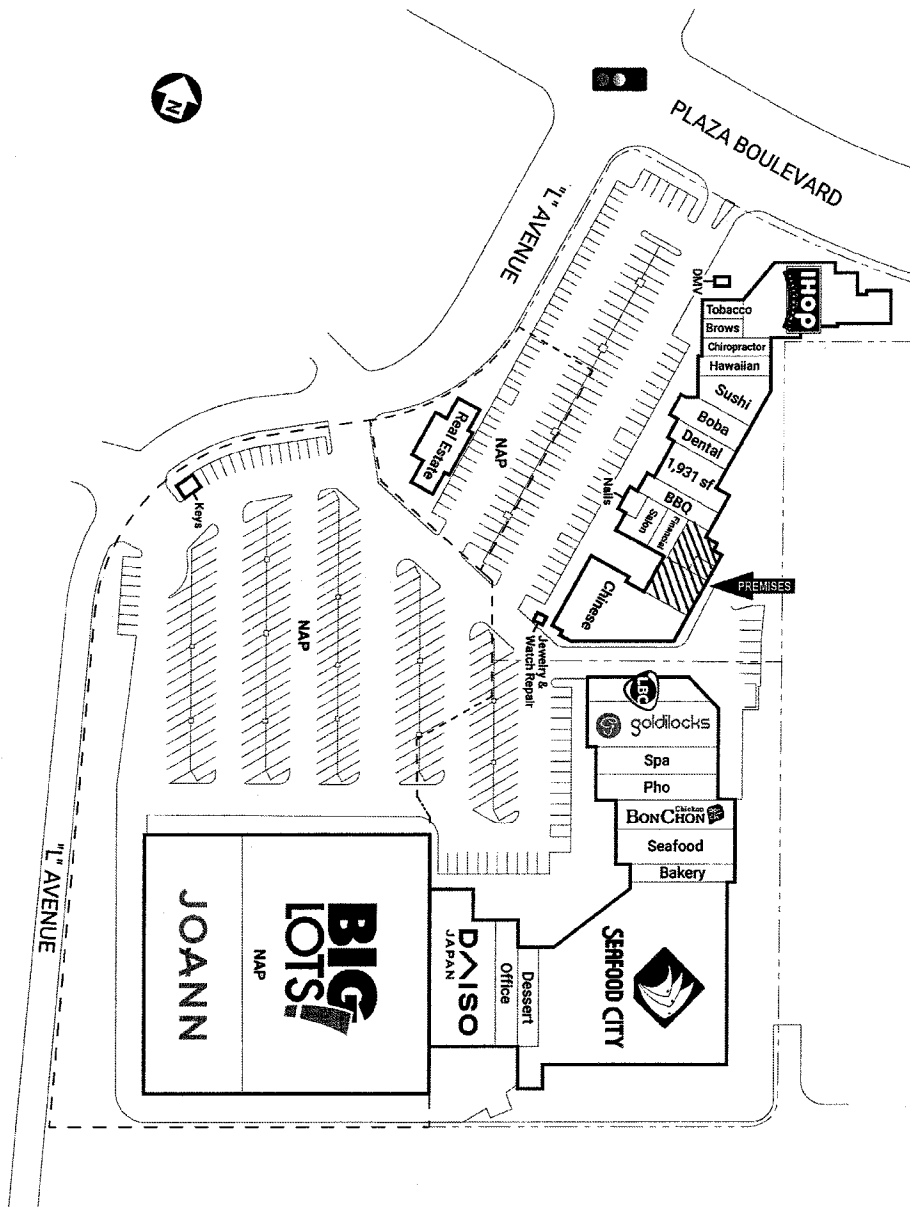
CHAIRPERSON

2025-17 CUP – 1430 E Plaza Boulevard Suite E20 – Overhead

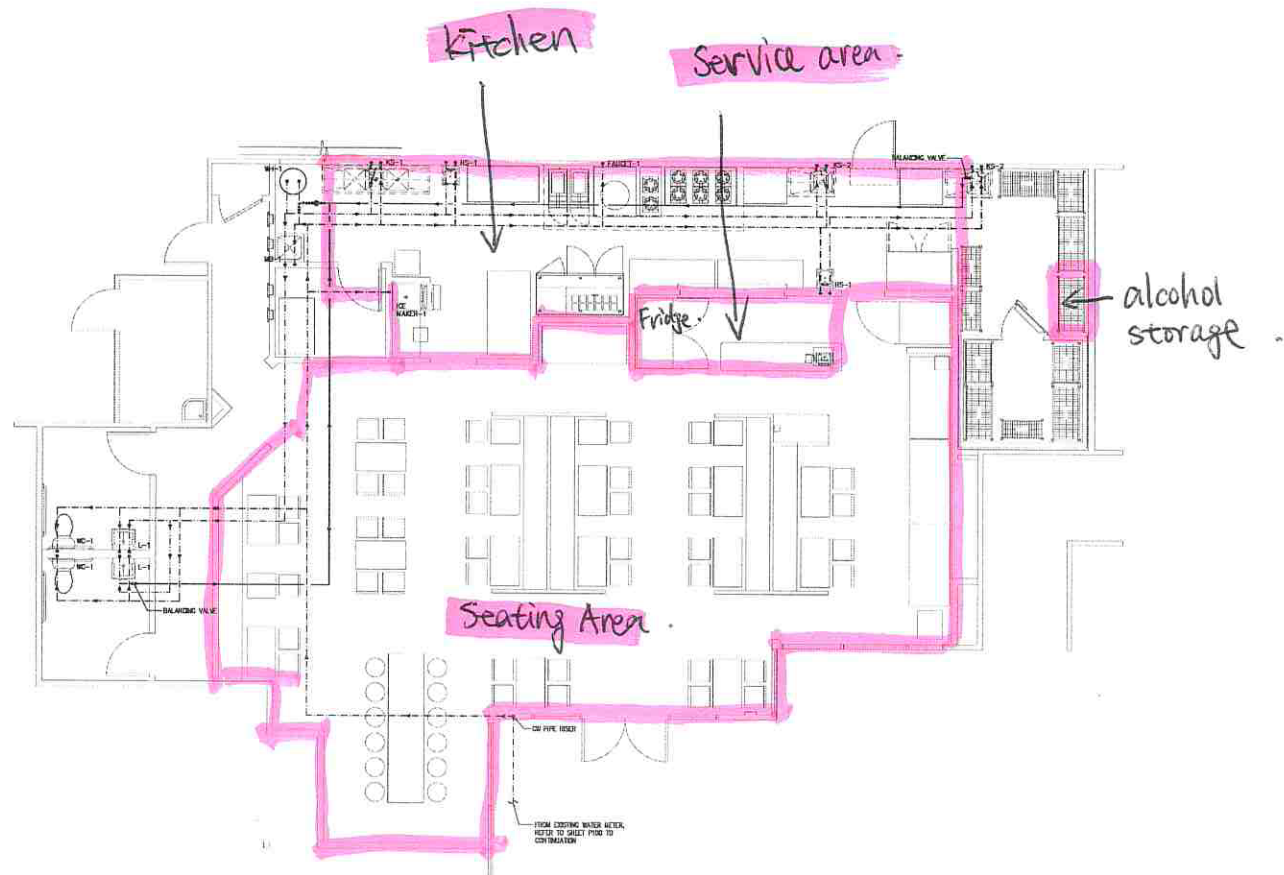


ATTACHMENT 2

EXHIBIT A
BAY PLAZA
SITE PLAN



THE SITE PLAN, ATTACHED AND INCORPORATED HEREIN, IS INTENDED TO BE AN APPROXIMATE DEPICTION OF THE PRESENT CONCEPT OF THE CENTER AND THE IMPROVEMENTS THEREOF. NO REPRESENTATION OR WARRANTY IS MADE WITH RESPECT TO THE ACTUAL LOCATION OR NUMBER OF THE RETAIL STORES, BUILDINGS, CURB CUTS, ABUTTING THOROUGHFARES, PARKING AREAS, TRAFFIC PATTERNS, OR OF TENANTS INTENDED TO BE INCLUDED WITHIN THE CENTER. LANDLORD SPECIFICALLY RESERVES THE RIGHT TO CHANGE THE CONTENT AND CONFIGURATION OF THE CENTER FROM TIME TO TIME AND AT ANY TIME AS LANDLORD DESIRES IN ITS SOLE AND ABSOLUTE DISCRETION.



Seats available: 72.
Dining Area: about 1300 sqft.

HW & CW PLAN
SCALE 1/4"=1'-0"

PROENGINEERING
ARCHITECTURE

1430 EAST PLAZA BOULEVARD, SUITE E20
NATIONAL CITY, CALIFORNIA

REVISIONS	REF



SPICY HOT POT
A NEW RESTAURANT TENANT IMPROVEMENT
1430 EAST PLAZA BOULEVARD, SUITE E20
NATIONAL CITY, CALIFORNIA

HW & CW PLAN

CITY CLIENT: 20 JUNE 2024
DATE: 07/03/2024
SCALE: 1/4"=1'-0"
DRAWN: RP
PROJECT: 24-332

SHEET
P201



NOTICE OF PUBLIC HEARING

DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 1 OF THE CEQA GUIDELINES SECTION 15301 (EXISTING FACILITIES) AND CONDITIONAL USE PERMIT FOR BEER AND WINE SALES (ABC TYPE-41) AT A NEW RESTAURANT (ZHANGLIANG MALATANG SPICY HOTPOT) TO BE LOCATED AT 1430 EAST PLAZA BOULEVARD SUITE E20.

CASE FILE NO.: 2025-17 CUP

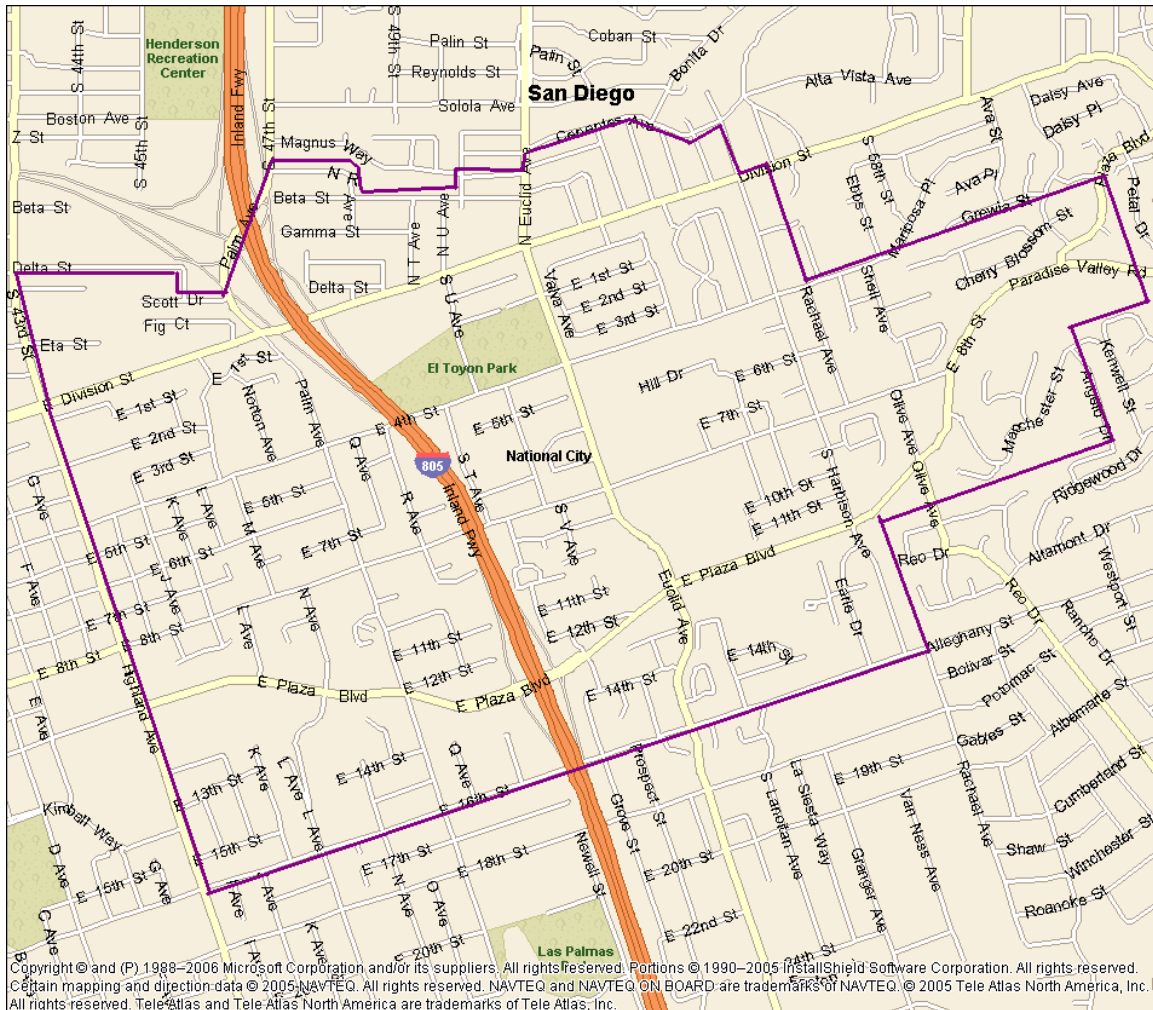
APN: 557-322-14

NOTICE IS HEREBY GIVEN that the National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, August 18, 2025**, in the City Council Chambers, located at the Civic Center, 1243 National City Boulevard, National City, California, on the following item:

The applicant (Applicant: Shuang Zeng) is proposing to sell on-site beer and wine (ABC Type 41) in conjunction with food sales at a new restaurant (Zhangliang Malatang Spicy Hotpot). The restaurant is proposing alcohol sales from 11:00 a.m. to 11:00 p.m. daily. Planning Commission will also consider the staff determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301 (Existing Facilities).

Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment orally at the hearing or in writing. Written comments should be received by the Planning Division on or before 2:00 p.m., **August 18, 2025** by submitting it to PlcPubComment@nationalcityca.gov. Planning staff can be contacted at 619-336-4310 or planning@nationalcityca.gov.

Under California Government Code section 65009, if you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.



City of National City Beat 21

Source: Microsoft Mappoint
NCPD CAU, 4/18/07



NATIONAL CITY POLICE DEPARTMENT
ALCOHOL BEVERAGE CONTROL
RISK ASSESSMENT

DATE: 05/06/25

BUSINESS NAME: Zhangling Malatang Spicy Hotpot

ADDRESS: 1430 E. Plaza Blvd, National City, CA 91950

OWNER NAME: Shuang Zheng DOB: [REDACTED]

OWNER ADDRESS: [REDACTED]

(add additional owners on page 2)

I. Type of Business

- ☒ Restaurant (1 pt)
- Market (2 pts)
- Bar/Night Club (3 pts)
- Tasting Room (1pt)

II. Hours of Operation

- Daytime hours (1 pt)
- ☒ Close by 11pm (2 pts)
- Close after 11pm (3 pts)

III. Entertainment

- Music (1 pt)
- Live Music (2 pts)
- Dancing/Live Music (3 pts)
- ☒ No Entertainment (0 pts)

IV. Crime Rate

- Low (1 pt)
- ☒ Medium (2 pts)
- High (3 pts)

V. Alcohol Businesses per Census Tract

- Below (1 pt)
- Average (2 pts)
- ☒ Above (3 pts)

Notes:

Census Tract #117

There are (10) on sale licenses authorized in tract 117

There is (18) active on sale licenses in tract 117

There are (4) off sale licenses authorized in tract 117

There are (10) active off sale licenses in tract 117

VI. Calls for Service at Location (for previous 6 months)

Below (1 pt)

✓ Average (2 pts)

Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

Mostly commercial businesses (1 pt)

✓ Some businesses, some residential (2 pts)

Mostly residential (3 pts)

Low Risk (12pts or less)
Medium Risk (13 – 18pts)
High Risk (19 – 24pts)

Total Points 12

VIII. Owner(s) records check

✓ No criminal incidents (0 pts)

Minor criminal incidents (2 pts)

Multiple/Major criminal incidents (3 pts)

OWNER NAME: Anwen Gong Dallaire DOB: [REDACTED]

OWNER ADDRESS: [REDACTED]

OWNER NAME: Sunxin He DOB: [REDACTED]

OWNER ADDRESS: [REDACTED]

Recommendation:

This business assess at a low risk. This business and the area in front of it are still under construction.

Completed by: Camacho Badge ID: 449

Environmental Scan
Conditional Use Permit (CUP)
for alcohol sales (Beer & Wine) at a new restaurant

1430 E Plaza Blvd., Suite E20, National City, CA 91950

Conducted: May 8, 2025



Photo of the proposed location

An environmental scan was conducted at 3 p.m. on Thursday, May 8, 2025, for alcohol sales (Beer & Wine, Type 41) at a new restaurant. The location is in a strip mall where Big Lots is the anchor tenant. A Chinese restaurant is to the right and a Money Remittance and Jewelry business is to the left. Several small round tables with benches are located in the shared courtyard.

Funded by the San Diego County Health and Human Services Agency
 8885 Rio San Diego Drive #117 • San Diego, California, 92108 • Phone: 619.476-9100 • Fax: 619.476-9104

www.publicstrategies.org

Proposed hours

Alcohol Sales: 10:30 a.m. to 11 p.m. daily (per the application)

During a scan of the business and premises, the following was noted:

- There are numerous restaurants in this strip mall.
- A smoke shop is located 215 away.
- A sign in the window indicated that a community meeting regarding the proposed CUP was held on May 7. IPS was not notified of the meeting as we usually are. According to the sign, restaurant hours will be 11 a.m. to 9 p.m. daily.

Youth Sensitive Areas/Other Vulnerable Locations

Chuck E. Cheese (approximately 1,585 feet away)

National City Middle School (approximately 3,700 feet away)

John A. Otis Elementary School (approximately 4,225 feet away)

Churches

Bethel Evangelical Church (approximately 2,100 feet away) is the closest one to this location.

Crime Rate

A request for crime-related information from personnel within the City of National City Police Department should determine whether existing violations against the property or applicant or incidents in the area have occurred that would discourage allowing alcohol sales. According to the National Institute of Health, increasing alcohol outlet density is well-documented to be associated with increased alcohol use and problems.

Outlet Density

Based on Centers for Disease Control guidelines, alcohol density is defined as the average distance between a person and their closest alcohol retailer. In the map below, the darker the census tract, the less distance a person has to travel to their closest alcohol retailer. The proposed location is defined as “extremely dense.”

IPS has begun utilizing the following scale to more clearly define outlet density.

Least Dense (lightest color)

Somewhat Dense

Dense

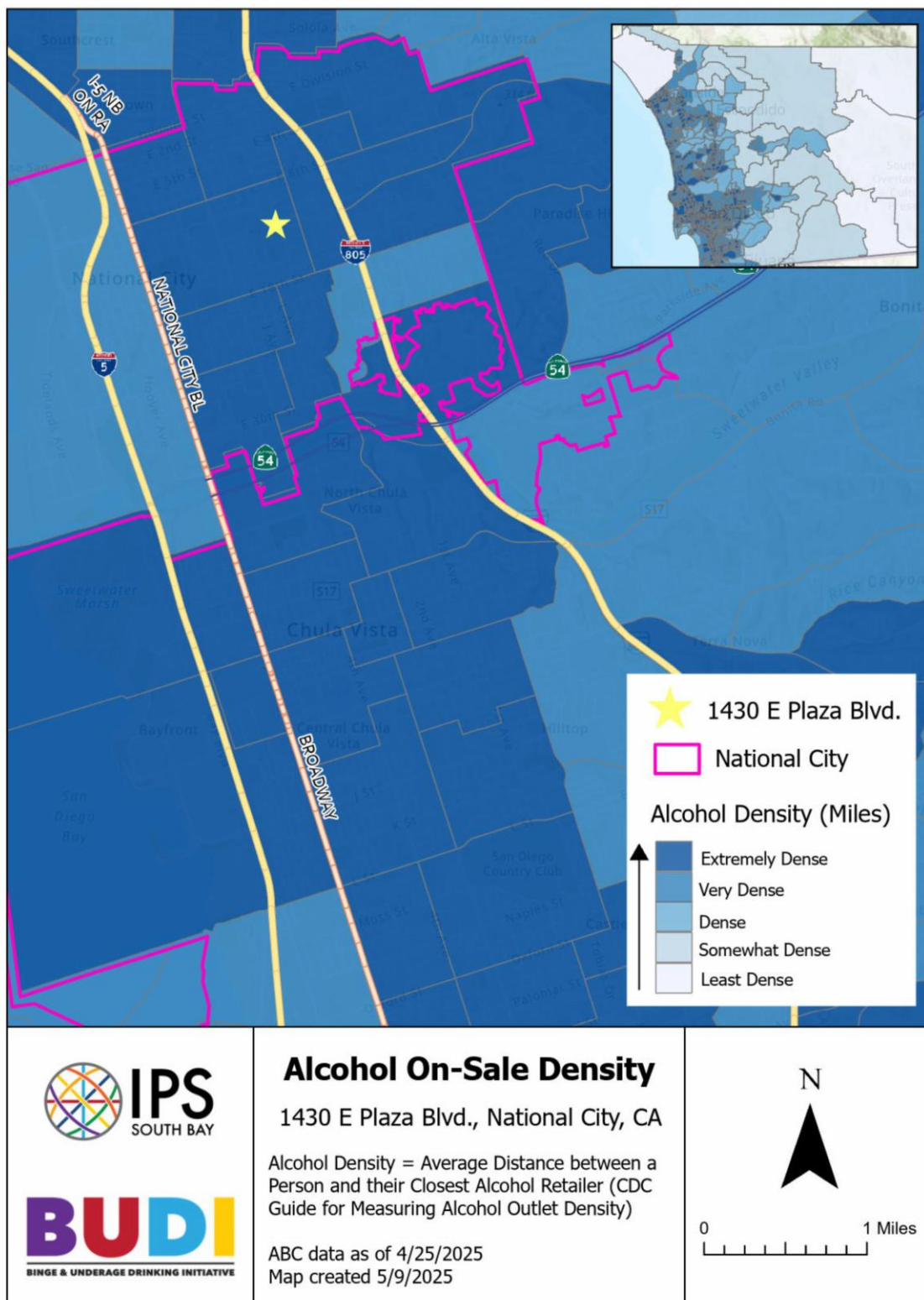
Very Dense

Extremely Dense (darkest color)

The mean distance of a person to their closest on-sale license in National City is 0.32 miles.

Within the census tract that 1430 E Plaza Blvd is in, the density is 0.12 miles, which is denser than the overall average for National City.

Funded by the San Diego County Health and Human Services Agency
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Considerations

The following are considerations:

1. Require that staff and management attend an in-person LEAD training or an in-person RBS training from an ABC-authorized training provider. In-person trainings offer interactive and hands-on learning which are recommended over online trainings.
2. Require signage posted that open containers of alcoholic beverages must remain inside the restaurant and may not be consumed at the tables outside.

Community Meeting Notice

Shunfa888 LLC (Zhangliang Malatang Spicy Hotpot)
1430 E Plaza Blvd, Suite E20, National City, CA 91950

You Are Invited!

Project Description:

Shunfa888 LLC is applying for a Conditional Use Permit to allow the sale of beer and wine (Type 41 License) with meals at Zhangliang Malatang Spicy Hotpot. The restaurant will operate daily from 11:00 AM to 9:00 PM.

Meeting Details:

- Date: 7/14, 2025
- Time: 10:00 AM – 10:30 AM
- Location: 1430 E Plaza Blvd, Suite E20, National City, CA 91950

Contact Information:

- Email: [REDACTED]
- www.zhangliangsd.com

We welcome your participation and input!

Community Meeting Summary Report

Project Name:

Zhangliang Malatang Spicy Hotpot – Conditional Use Permit (CUP)

Project Address: 1430 E Plaza Blvd, Suite E20, National City, CA 91950

Applicant: Shunfa888 LLC

Meeting Date: July 14, 2025

Meeting Time: 10:00 AM – 10:30 AM

Meeting Location:

1430 E Plaza Blvd, Suite E20, National City, CA 91950

1. Notification Process

- A notice was mailed out on [5/1/2025].

2. Meeting Summary

Overview:

The applicant hosted a community meeting to discuss a proposed Conditional Use Permit (CUP) for the sale of beer and wine (Type 41 License) at Zhangliang Malatang Spicy Hotpot. Details regarding the project, restaurant operations, and responsible alcohol service commitments were presented.

Discussion Points:

- Business operations (hours: 11:00 AM – 11:00 PM, 7 days/week).
- Beer and wine to be served with meals only (no bar service).
- Emphasis on maintaining a family-friendly environment.
- Compliance with all city and ABC regulations.

3. Attendance

- Total Number of Attendees: [0]
- Attached: Sign-in sheet with attendee information.



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – AMENDMENT TO TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE AMENDING TABLE 18.24.040A AND TABLE 18.24.040D RELATED TO HEIGHT AND NUMBER OF STORIES IN THE MXC-1 AND MXD-1 ZONES.

Case File No.: 2025-25 A

Staff report by: Sophia Depew, Assistant Planner

Applicant: Andrew Regenber

Environmental review: The proposed ordinance has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to not be a project as defined in Section 15378.

BACKGROUND

Staff Recommendation

Staff recommends that the Planning Commission recommend approval to amend Table 18.24.040A and Table 18.24.040D of Title 18 (Zoning) of the Municipal Code related to maximum height and number of stories in the MXC-1 and MXD-1 zone. The Planning Commission initiated this Code Amendment at their meeting of July 21, 2025.

Background

Table 18.24.040A and Table 18.24.040D in the Land Use Code (Zoning Ordinance) regulate building form and placement (development standards) within the MXC-1 (Minor Mixed-Use Corridor) and MXD-1 (Minor Mixed-Use District) zones, respectively. The tables include minimum and maximum standards for development, such as: setbacks, stepbacks, height, lot size, floor area ratio, and density. The maximum height listed in the tables is 50 feet and 3 stories.

While all zones within the National City Land Use Code measure maximum height in feet and number of stories, the difference in height (in feet) and number of stories in the MXC-1 and MXD-1 zones is inconsistent with the City's other zones. For example, the Mixed-Use Transition (MXT) zone, which was added to the Land Use Code as part of the Focused General Plan Update in 2024, has a height limit of 45 feet and 4 stories.

The maximum story height in the California Building Code (CBC) is 14 feet (ceiling to ceiling). Therefore, the usable square footage of a three-story building would never exceed a height of 42 feet. The CBC also has a minimum ceiling height of seven feet-six inches, meaning a building under 50 feet in height could potentially include five or six stories depending on how the structure was designed.

Generally, height is defined in the Land Use Code (LUC) as “the vertical distance from the highest point of any structure to the ground level directly below, except as otherwise provided in this section. On sloped lots, the height shall be measured from the average grade to the tallest point of the structure”. However, story is defined by the Uniform Building Code as “the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters”.

In 2023, height measured on sloped lots was amended to an “average grade” measurement, reducing the need for discretionary approvals (variances) and overall building costs while improving consistency with State law and the Focused General Plan Update. Increasing the number of permitted stories would be complimentary to this previous code update on height measurement and provide additional relief for lots with topographical challenges. Projects could be designed so portions of a building could accommodate a higher number of stories than other portions of the same structure (i.e. sloped lots).

Additionally, there are other development standards in place that limit the size and bulk of buildings in the MXC-1 and MXD-1 zones: the maximum height of a building is 50 feet, the minimum third-story setback is eight feet, the maximum floor area ratio is 1.0 for single-use projects and 2.0 for mixed-use projects, and the maximum density is 48 dwelling units per acre. These standards already restrict the scale of new projects within the zones.

Proposal

The applicant, under National City Municipal Code Section 18.12.140, has proposed to increase the maximum number of stories permitted in the MXC-1 zone from three stories to four stories. Staff has also recommended that there be an increase of the maximum number of stories permitted in the MXD-1 zone to four stories. There are no proposed changes to maximum height (in feet), floor area ratio (FAR), or density.

The applicant's request is based on a proposed 120-unit 4-story multifamily housing development within the MXC-1 zone. The project is meeting the maximum height (in feet) and maximum FAR with a four-story design. The three-story maximum is limiting the project's ability to provide the desired density allowed by right in the zone.

The pertinent portions of Table 18.24.040A and Table 18.24.040D currently read as follows:

Development Standard	Minimum	Maximum
Height	None	50' and 3 stories

Staff is suggesting the following changes (shown as underlined):

Development Standard	Minimum	Maximum
Height	None	50' and <u>4</u> stories

Analysis

The intent of the standards in the MXC-1 and MXD-1 zones are to ensure excellence in site planning and building design in order to create a vibrant and well-defined public realm that is pedestrian-friendly and supportive of a sustainable way-of-life. Increasing the number of permitted stories from three to four is in line with the intent of the zones by providing greater site design flexibility. It gives projects the opportunity to build up, instead of out, creating new space that can be utilized for the benefit of the residents like green space, common open space, and parking.

The current height requirement in the City's MXC-1 and MXD-1 zones provides for a maximum height that would never be achieved by a conventional building design. The large gap between height (in feet) and number of stories is an unnecessary burden to new developments that could otherwise construct usable square footage in an efficient and practical manner. Onerous requirements on the number of stories a project may incorporate can also take away from flexible site design and deter projects on smaller or sloped lots, which conflicts with the General Plan policies related to infill development.

It should also be noted that the MXT zone, which was intended to be a transition to lower density residential zones, allows for up to four stories even though it has a lesser maximum height of 45 feet. With an additional five feet of height limit, it is not expected that allowing four stories in the MXC-1 and MXD-1 zones will be any more impactful.

With no changes to maximum height (in feet), floor area, or density, there will be no increase to the amount of building area granted. All projects will be required to meet the development standards in the zone that contribute to the MXC-1 and MXD-1 zones character.

Findings

There are two findings required for approval of a Code Amendment: (1) – consistency with the General Plan: and (2) compliance with the California Environmental Quality Act (CEQA).

(1) General Plan Consistency

The proposal to amend Table 18.24.040A and Table 18.24.040D is consistent with General Plan Policy LU-5.4 and Policy H 2.1 due to increasing the likelihood of development of in-fill lots and promoting development of underutilized land by providing greater design flexibility for small lots and lots with topographic challenges.

Policy H 2.1: Promote residential development on underutilized land and remove barriers to infill development.

Policy LU-5.4: Encourage and incentivize strategic adaptive reuse and infill development of vacant land in commercial and mixed-use areas.

(2) California Environmental Quality Act (CEQA)

The ordinance being proposed is considered exempt from CEQA because it is not a project as defined in Section 15378. No increase in density, height (in feet), or additional permissions will be granted and there would therefore be no potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

Summary

Staff is recommending that the Planning Commission recommend City Council approval to amend the code sections related to maximum height and number of stories in the MXC-1 and MXD-1 zones to allow four stories. The amendment provides greater design flexibility for properties to be developed to their maximum potential, conforming with General Plan Policies. The change also improves consistency with other zones throughout the City. The recommendation of the Planning Commission will be provided to the City Council at a subsequently noticed City Council public hearing.

OPTIONS

1. Recommend that City Council introduce and adopt an amendment to Table 18.24.040A and Table 18.24.040D of the Land Use Code based on the attached findings or findings to be determined by the Planning Commission; or
2. Recommend that City Council not amend Table 18.24.040A and Table 18.24.040D of the Land Use Code based on findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date and provide direction.

ATTACHMENTS

1. Resolution
2. Strikethrough of Table 18.24.040A and Table 18.24.040D

RESOLUTION NO. 2025-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF NATIONAL CITY, CALIFORNIA, RECOMMENDING ADOPTION
TO THE CITY COUNCIL OF AN AMENDMENT TO TITLE 18 (ZONING)
OF THE NATIONAL CITY MUNICIPAL CODE AMENDING TABLE 18.24.040A AND
TABLE 18.24.040D RELATED TO HEIGHT AND NUMBER OF STORIES IN THE MXC-
1 AND MXD-1 ZONES.
CASE FILE NO. 2025-25 A

WHEREAS, pursuant to the terms and provisions of the Government Code of the State of California, proceedings were duly initiated for the amendment of the National City Municipal Code, per Title 18 (Zoning); and,

WHEREAS, the Planning Commission of the City of National City, California, considered said proposed amendment at a duly advertised public hearing held on August 18, 2025 at which time the Planning Commission considered evidence; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report provided for Case File No. 2025-25 A, which is maintained by the City and incorporated herein by reference, along with any other evidence presented at said hearing; and,

WHEREAS, the evidence presented to the Planning Commission at the public hearing held on August 18, 2025 supports the findings made herein; and,

WHEREAS, the Planning Commission recommends adoption to the City Council of the City of National City of an amendment to Table 18.24.040A and Table 18.24.040D of Title 18 (Zoning) of the National City Municipal Code related to maximum height and number of stories in the MXC-1 and MXD-1 zones; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, this action is taken in an effort to comply with applicable State and Federal law; and,

WHEREAS, the action hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED that the City Planning Commission of the City of National City, California, hereby finds as follows:

1. The proposal to amend Table 18.24.040A and Table 18.24.040D is consistent with the General Plan due to increasing the likelihood of development of in-fill lots and promoting development of underutilized land by providing greater design flexibility for small lots and lots with topographic challenges.
2. That the proposed ordinance has been reviewed and been found to comply with the California Environmental Quality Act (CEQA); the ordinance being proposed is considered exempt from CEQA because it is not a project as defined in Section 15378. No increase in density or additional permissions will be granted and there would therefore be no potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the City Council.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 18, 2025, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

Table 18.24.040A
MXC-1 Zone Building Form and Placement

Development Standard	Minimum	Maximum
Street wall	75%	100%
Building setbacks		
Street	0'	15' - 1st and 2nd story None - 3rd story
Other	0'	None
Other, adjacent to residential zone	Same as the equivalent setback in the adjacent residential zone	None
Building stepbacks		
3rd story stepback from 2nd story street wall	8'	None
3rd story stepback from 2nd story walls adjacent to RS zone	15'	None
Building volume		
Height	None	50' and ~~3~~ 4 stories
Height, adjacent to residential zone	None	Same as adjacent zone (within 50 feet)
Floor area ratio, mixed-use (a)	None	2
Floor area ratio, single-use	None	1
Lot area (lots on the bulb of a cul-de-sac)	5,000 SF	
Lot street frontage (lots on the bulb of a cul-de-sac)	50'/36'	
Residential density (net rights-of-way)	None	48 du/acre
Parking setback adjacent to street (b)	40'	None

Table 18.24.040D
MXD-1 Zone Building Form and Placement

Development Standard	Minimum	Maximum
Street wall	75%	100%
Building setbacks		
Street	0'	15' - 1st and 2nd story None - 3rd story
Other	0'	None
Other, adjacent to residential zone	Same as the equivalent setback in the adjacent residential zone	None
Building stepbacks		
3rd story stepback from 2nd story street wall	8'	None
3rd story stepback from 2nd story walls adjacent to RS zone	15'	None
Building volume		
Height	None	50' and ~~3~~ 4 stories
Height, adjacent to residential zone	None	Same as adjacent zone (within 50 feet)
Floor area ratio, mixed-use (a)	None	2
Floor area ratio, single-use	None	1
Lot area (lots on the bulb of a cul-de-sac)	5,000 SF	
Lot street frontage (lots on the bulb of a cul-de-sac)	50'/36'	
Residential density (net rights-of-way)	None	48 du/acre
Parking setback adjacent to street (b)	40'	None