

**ATTACHMENT I –  
PLANNING COMMISSION  
REPORT AND ACTION SHEET**



# Planning Commission Hearing Report

<b>Date:</b>	June 14, 2024	<b>Case/File No.:</b>	Otay Majestic - PDS2022-SPA-22-001; PDS2023-STP-23-007 PDS2023-VTM (5651) and PDS2022-ER-98-19-013I
<b>Place:</b>	County Conference Center 5520 Overland Avenue San Diego, CA 92123	<b>Project:</b>	Amendments to Specific Plan to revert land use back to Light Industrial and associated development regulation, Site Plan, and Vested Tentative Map
<b>Time:</b>	9:00 a.m.	<b>Location:</b>	North of Otay Mesa Road between Harvest Road and Vann Centre Blvd.
<b>Agenda Item:</b>	#1	<b>General Plan:</b>	Specific Plan Area (SPA) – East Otay Mesa Business Park Specific Plan
<b>Appeal Status:</b>	Not applicable; Approval by the Board of Supervisors	<b>Zoning:</b>	Specific Plan (S88)
<b>Applicant/Owner:</b>	Majestic Realty Co. / Sunroad Otay Partners, LP	<b>Community:</b>	Otay Subregional Plan
<b>Environmental:</b>	CEQA § 15162 and 15164(e) Addendum	<b>APN:</b>	646-310-17, 646-080-26 thru 29, 646-080-31 thru 33 and 646-240-30

## A. OVERVIEW

The purpose of this staff report is to provide the Planning Commission with the information necessary to consider an amendment to the East Otay Mesa Business Park Specific Plan (PDS2022-SPA-22-001) (Specific Plan) and environmental findings prepared in accordance with the California Environmental Quality Act (CEQA).

The East Otay Mesa Business Park Specific Plan (EOMSP) area is comprised of approximately 3,000 acres and is located just north of the US/Mexico border within unincorporated San Diego County. The Specific Plan was first developed by the County of San Diego in 1994 and sets forth a comprehensive vision for the area as a regional industrial center, with supporting commercial, technology business park, and residential uses and establishes the distribution of land use designations, road networks, trail alignments and conservation and open space areas. The Specific Plan includes development standards

to regulate site planning, landscaping standards, and architectural standards for the entire Specific Plan area.

The Otay Majestic Project (Project) is located on approximately 253 acres. The Project proposes the construction of up to 2,850,000 square feet of industrial warehouse buildings (Parcels 1 to 12) and roads spread out over five phases. The Project would include approximately 51.3 acres of permanently conserved biological open space at the northeastern corner of the site (Parcel D) northeast of Lone Star Road, and a combination of permanently conserved open space and manufactured slopes on 13.1 acres (Parcels A, B, and C) southwest of the future intersection of Lone Star Road and Zinser Road. Compared to the prior 2018 entitlement, natural open space conservation on the site would increase by approximately 8 acres. The Project's internal street pattern would match the existing grid pattern of the surrounding area within the Otay Subregional Plan Area.

The Project would require the extension of utility lines including water, sewer, electric, and gas. Water would be provided by Otay Water District, sewer by the San Diego County Sanitation District, and gas and electric service would be provided by San Diego Gas & Electric. Fire protection services would be provided by the San Diego County Fire Protection District (CSA 135).

There is an existing Tentative Map 5607RTE on the Project site that was associated with the previous residential project known as Otay 250. This project was initially approved by the Board of Supervisors on July 25, 2018, with a Tentative Map (TM), General Plan Amendment, Specific Plan Amendment, and conditions of approval, which were subsequently modified in 2021 under a Revised TM, (TM 5607R). A Time Extension (TM 5607RTE) was approved on March 24, 2023, for an additional six years to 2029, which relies on an Addendum to the Environmental Impact Report for the Otay 250 Specific Plan Amendment (PDS2015-ER-15-98-190-13G) and the East Otay Mesa Specific Plan EIR (ER 93-19-6). Upon approval and recording of the new Vesting Tentative Map, the approval will supersede and replace the prior map and associated approvals. If the new map is legally challenged, and results in a need to rescind the approval, then the prior map and associated approvals shall still be valid under the remaining term of that map.

The sections contained in this report describe the following: Project description, analysis and discussion, community planning group and public input, CEQA compliance, and the Planning & Development Services (PDS) recommendation. PDS analyzed the Project for consistency with the General Plan, Otay Subregional Plan Area, the EOMSP, and other applicable regulations, policies, and ordinances, and reviewed the Project's potential impacts on the environment in accordance with CEQA.

**B. REQUESTED ACTIONS**

This is a request for the Planning Commission to evaluate the Otay Majestic Project for an industrial warehouse campus, determine if the required findings can be made and, if so, make the following recommendations to the Board of Supervisors:

1. Adopt the Environmental Findings, which concludes that the previously adopted Environmental Impact Reports (EIRs) are adequate with an Addendum. PDS2022-ER-98-19-013I (Attachment F)
2. Adopt the Resolution of Approval of the Vesting Tentative Map PDS2023-VTM-5651, which includes those requirements and conditions necessary to ensure that the Project is implemented

- in a manner consistent with State law and County of San Diego regulations, as well as to rescind the previously approved Tentative Map 5607RTE. (Attachment B)
3. Adopt the Resolution of the San Diego County Board of Supervisors Approving Specific Plan Amendment PDS2022-SPA-22-001 East Otay Mesa Business Park Specific Plan which includes those modifications and conditions necessary to ensure that the Project is implemented in a manner consistent with State law and County of San Diego Regulations. (Attachment C)
  4. Grant the Site Plan PDS2023-STP-23-007, which includes those requirements and conditions set forth in the Site Plan Form of Decision. (Attachment D)

**C. REGIONAL SETTING AND PROJECT LOCATION**

**1. Regional Location and Surrounding Land Uses**

The EOMSP is located in the southwestern portion of San Diego County immediately adjacent to the U.S./Mexico border (Figure 1). It lies between the Otay River Valley to the north (City of Chula Vista further to the north), the international border with Mexico to the south, the San Ysidro Mountains to the east, and the City of San Diego to the west. The area consists of a relatively flat mesa with a steep mountainous area on the eastern edge and a major river valley and tributary canyon to the north.

To the west of the EOMSP is the City of San Diego's Otay Mesa Community Plan area, which is planned for predominantly industrial and residential land uses with commercial nodes at the U.S./Mexico border, including the San Ysidro Border Crossing. Brown Field, a public airport, is also located to the west in the City of San Diego.

Donovan State Correctional Facility, operated by the State of California Department of Corrections, is located north of the EOMSP, and north of that is the George F. Bailey Detention Facility operated by the County Sheriff's Department. Both the Donovan State Correctional Facility and the George F. Bailey Detention Facility are geographically separated from the project site by Johnson Canyon and O'Neal Canyon. East of the EOMSP is vacant land and the Otay Landfill. To the south is the U.S./Mexico International Border and the Tijuana International Airport. Figure 2 shows the Project site and the surrounding vicinity.

The Project site's adjacency to the international border makes development within the EOMSP well-situated for potential light industrial uses. Access to the Project is provided by Otay Mesa Road, Harvest Road, and Vann Centre Blvd., as well as internal privately maintained roadway circulation to these public roadways.

The General Plan Regional Category for the site is Specific Plan and the General Plan Land Use Designation is Specific Planning Area. The Specific Planning Area Land Use Designation implements the East Otay Mesa Business Park Specific Plan Area which designates the property for Specific Plan. Zoning for the site is Specific Plan. Light Industrial uses are permitted within the use designation. Please refer to Attachment A – Planning Documentation, for maps of surrounding land uses and zoning designations.

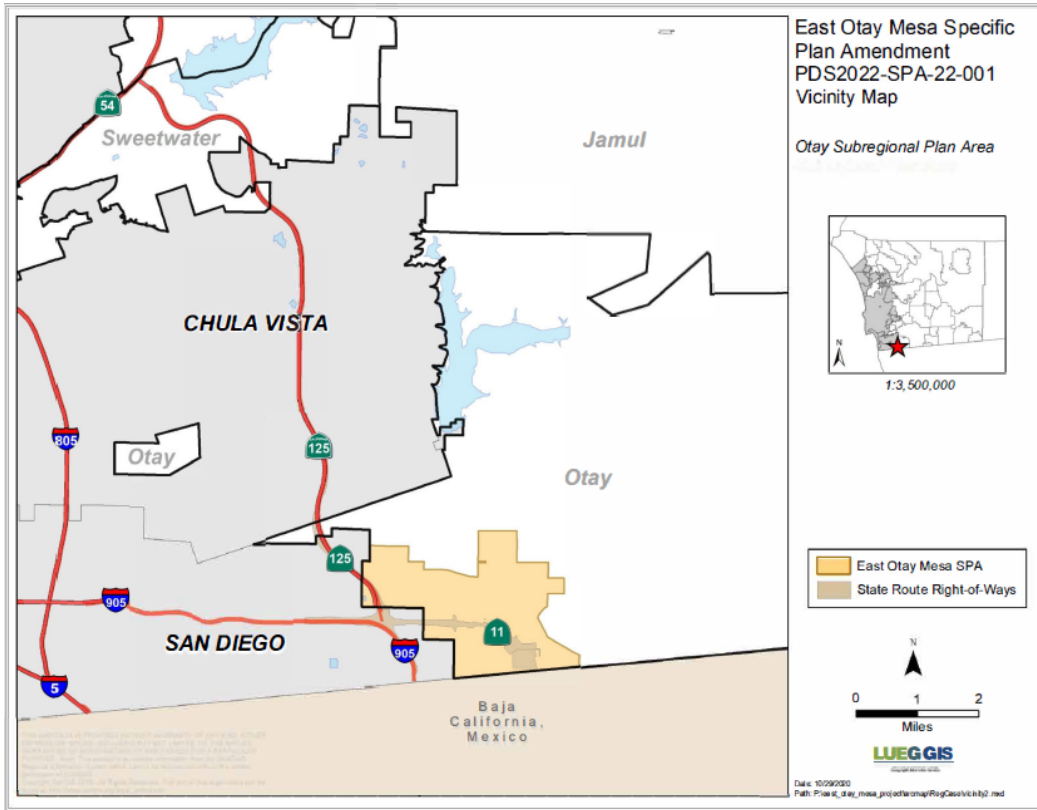


Figure -1: Vicinity Map

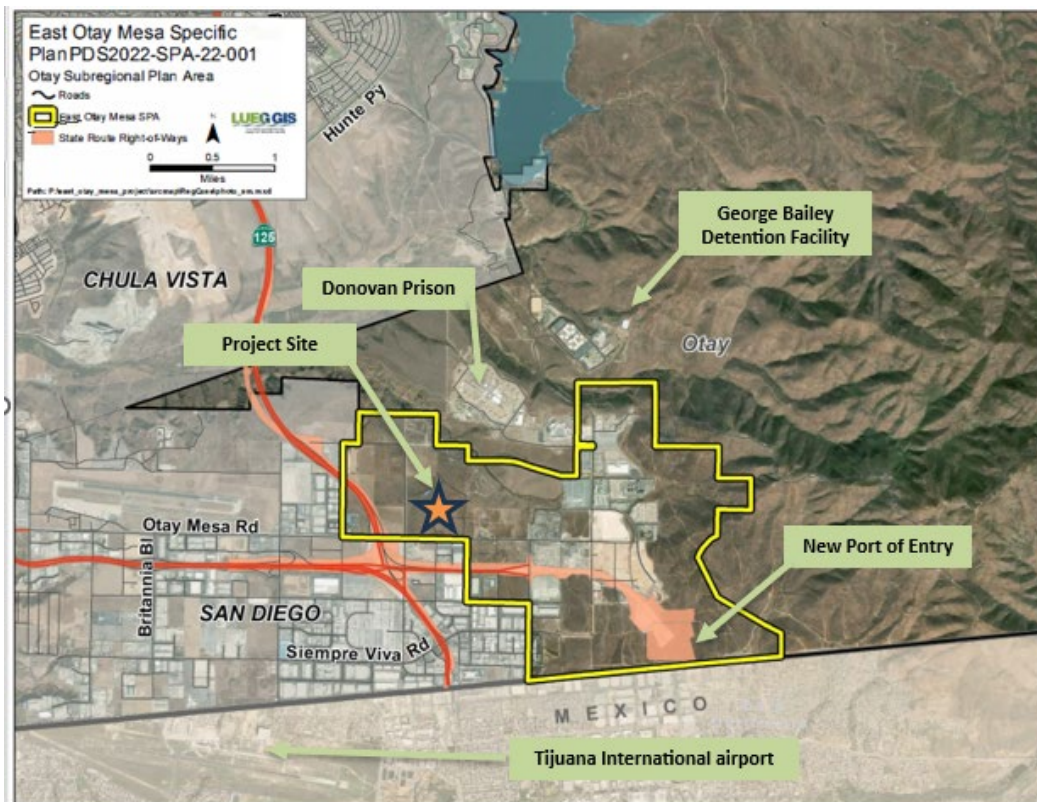


Figure 2: Aerial Vicinity Map

Table -1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Adjacent Streets	Description
North	Specific Plan Area	Specific Planning Area (S88)	Zinzer Road & Lone Star Road	Open Space
East	Specific Plan Area	Specific Planning Area (S88)	Van Center Drive	Light Industrial
South	N/A, City of San Diego	N/A, City of San Diego	Otay Mesa Road	Light Industrial
West	Specific Plan Area	Specific Planning Area (S88)	Harvest Road	Light Industrial

**2. East Otay Mesa Business Park Specific Plan**

On July 27, 1994, the Board of Supervisors (Board) adopted the East Otay Mesa Business Park Specific Plan (EOMSP) 93-004 and the Specific Plan EIR. Since that time, an additional nine amendments were processed and adopted, including the Otay 250 project, approved by the Board on July 25, 2018, and introduced a maximum of 3,158 dwelling units for this site. The current development application for this Project is the same property as the residential Otay 250. The Project proposes to amend the East Otay Mesa Business Park Specific Plan (EOMSP) to revert the land uses back to what was originally contemplated, which was Light Industrial uses. Figure 3 shows the proposed land use designations.

Since the adoption of the EOMSP, the County has processed discretionary applications that have contributed to the build-out of infrastructure and public roads, e-commerce warehouses, and public safety facilities such as a local fire station, and material storage facilities (salvage yards). In the past several years, the County has also reviewed and approved several permits for industrial manufacturing storage and logistics warehouse projects.

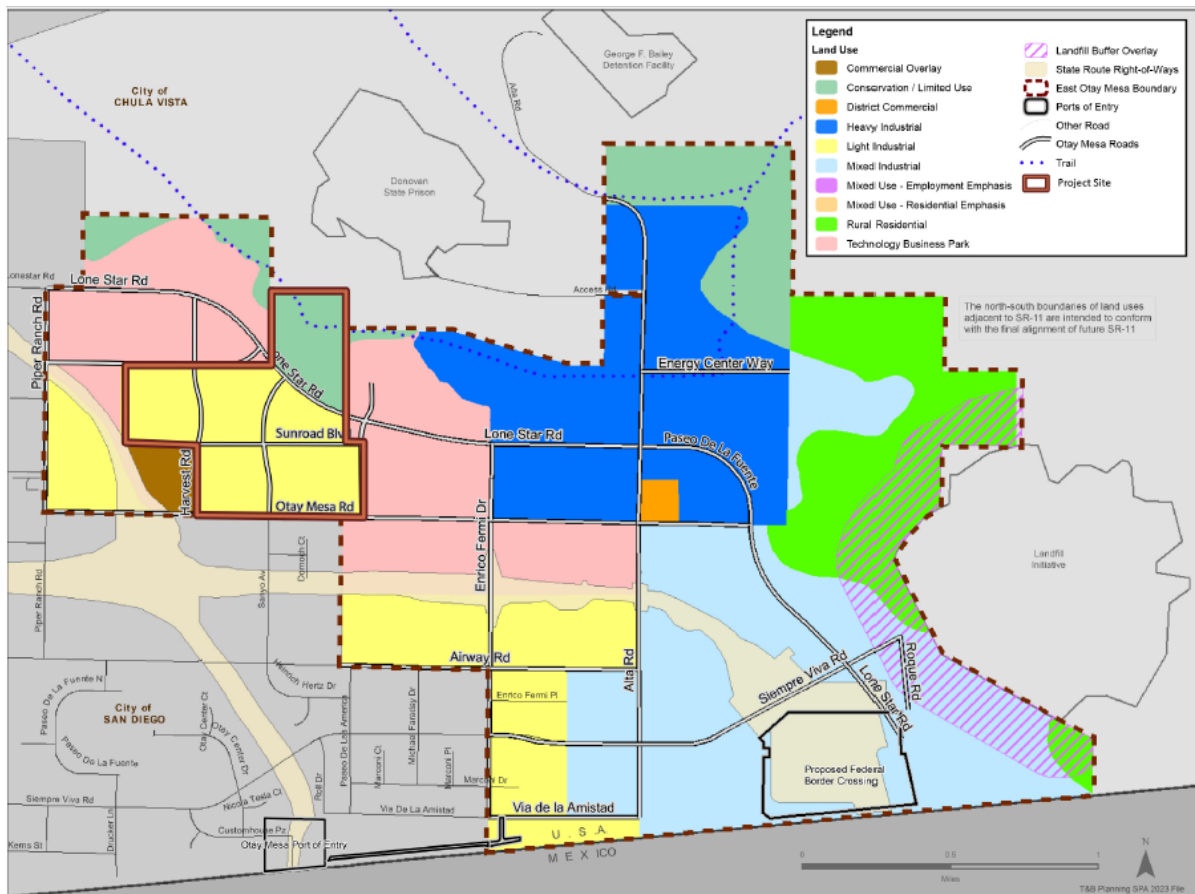


Figure 3 – Proposed Land Use Designations for Project Site.

**D. DEVELOPMENT PROPOSAL**

The Project proposes to amend the EOMSP to allow the proposed Light Industrial uses through a Site Plan (STP) and Vesting Tentative Map (VTM). The Project includes changes to land uses and specific road network standards applicable to “only” this project site, the land use matrix and development regulations, and miscellaneous typographical and editorial updates to text, tables, and figures.

The land use changes proposed are based on market trends and would provide for additional land uses that are currently in demand. Additional changes to the EOMSP are intended to increase economic growth in the unincorporated area by providing for additional land uses, flexible operational performance standards, and various sizes of industrial spaces.

The EOMSP includes regulatory provisions that establish the policies, procedures, and standards for implementing the plan, including land use regulations and development standards. These criteria are categorized as site planning, landscaping, and architectural standards. Proposed changes include:

1. Removal of residential uses from the Specific Plan, specifically the Mixed-Use Designation (Residential Emphasis) and Mixed-use Village Core, and replace them with Light Industrial land uses and design,
2. Removal of Mixed-Use Road design standards. The Specific Plan Amendment will replace and modify certain roadway standards that establish specific project roadway criteria that are

- permitted “only” for the proposed Project. These modified roadway standards will not apply to other parcels within the EOMSP area.
3. Removal of certain roadways associated with the previous Otay 250 Project and replacement with specific roadway standards related to the proposed Light Industrial uses,
  4. Removal of Mixed-Use residential design standards and increased driveway widths to accommodate truck operations.
  5. Removal of Mixed-Use Village Core urban design, site planning, landscape, and architectural standards related to residential uses.
  6. Updates to reflect changes in the alignment of State Route 11 and 125, as well as the new Port of Entry.
  7. Removal of the Public Facilities Financing Plan and Financial Impact Analysis for the Mixed-Use Village Core. The required extensions of public infrastructure and roadways will be constructed and funded by the Applicant.
  8. Modification to the Specific Plan Amendment under the Site Planning Standards, “Materials” Section, Table 3.2.1 to allow a specific design standard for installation of a black vinyl coated chain link fence for only the Otay Majestic project.

### **Project Description**

Otay Majestic includes a request for the construction of up to 2,850,000 square feet of industrial warehouse buildings (which may include ancillary office facilities based on the type of operations) and roads spread out over five phases. Project construction operations are supported with labor agreements with the Laborers’ International Union of North America (LIUNA). The Project would include approximately 51.3 acres of permanently conserved biological open space at the northeastern corner of the site (Parcel D) northeast of Lone Star Road, and a combination of permanently conserved open space and manufactured slopes on 13.1 acres (Parcels A, B, and C) southwest of the future intersection of Lone Star Road and Zinser Road. Compared to the prior 2018 entitlement, natural open space conservation on the site would increase by approximately 8 acres. The Project’s internal street pattern would match the existing grid pattern of the surrounding area. The Project is located on an approximately 253-acre site within the EOMSP and Otay Subregional Plan Area. The Project has been designed with a 0.34 Floor Area Ratio (FAR), which is under the current Specific Plan maximum of 0.50 FAR,

The Project also proposes 2,435 parking spaces and 832 designated for trailer stalls for a total of 3,259 Parking spaces including 473 electric vehicle (EV) designated spaces (of which 125 EV parking spaces will have charging stations installed and the remaining parking spaces will have conduit installed to meet future tenant needs and requirements). Employee shifts may run from 6:30 a.m. to 5:00 pm. The Project includes outdoor employee patios for each building area with shade structures and trees.

Grading associated with the Project is necessary for the construction and installation of the infrastructure, slopes, basins, parking, roadways, open spaces, and landscaping. Earthwork for the Project consists of 2,401,945 cubic yards of cut and 2,445,422 cubic yards of fill with approximately 43,477 cubic yards of material being exported. Most of the grading required for the site involves the construction of the buildings, parking areas, biofiltration basin, and internal roadways.

Refer to Attachment A – Planning Documentation, to view the Plot Plans, Elevations, Preliminary Grading Plans, and Conceptual Landscape Plans.





Figure 4: Proposed Project layout



Figure 5: Proposed Building Elevation



Figure 6: Proposed Building Elevation

## E. ANALYSIS AND DISCUSSION

The Project has been reviewed for conformance with all relevant ordinances and guidelines, including the San Diego County General Plan, the East Otay Mesa Business Park Specific Plan, County Zoning Ordinance, and the California Environmental Quality Act (CEQA) Guidelines. A discussion of the Project's consistency with applicable codes, policies, and ordinances is described below.

### 1. Key Requirements for Requested Actions

- a. Is the proposed project consistent with the vision, goals, and policies of the General Plan?
- b. Does the project comply with the policies set forth under the Otay Subregional Plan?
- c. Is the proposed project consistent with the County's Zoning Ordinance?
- d. Is the project consistent with other applicable County regulations?
- e. Does the project comply with CEQA?

### 2. Project Analysis

#### Specific Plan Amendment

The Project proposes to amend the East Otay Mesa Business Park Specific Plan (EOMSP) to change the property from residential to industrial uses. PDS has conducted a comprehensive evaluation of the Project, environmental analysis in accordance with CEQA, General Plan conformance, Otay Subregional Plan conformance; the EOMSP conformance, and the County's Zoning Ordinance. The Project was analyzed based on the following factors: how the project will implement the General Plan vision and guiding principles; how the project will implement the EOMSP vision and purpose; an environmental evaluation in compliance with CEQA; conformance with the Otay Subregional Plan; and compliance with the Zoning Ordinance.

#### Vesting Tentative Map

The project includes a Vesting Tentative Map (VTM 5651) application for the subdivision of approximately 253-acre site into 12 light industrial lots and related roads, parking areas, and biofiltration basins. The remaining number of lots will be used for preserving vernal pools, establishing buffers, and the permanently conserved biological open space. The Vesting Tentative Map also includes a preliminary grading and utility plan, which specifies approximate grading

quantities and drainage facilities to serve the entire project. The development lots will vary in size and building construction, as tenants pursue leasing options for the individual buildings. Each building may have one tenant or more depending on operational characteristics and availability of space.

#### Site Plan

The project includes a Site Plan (STP) application for the phasing of the project as noted below:

- Phase 1 – consists of approximately 721,000 square feet within four buildings on 9.5 acres with 736 parking spaces and 206 trailer stalls.
- Phase 2 – consists of approximately 535,000 square feet within three buildings on 15.0 acres with 538 parking spaces and 149 trailer stalls.
- Phase 3 - consists of approximately 291,000 square feet within one building on 15.0 acres with 295 parking spaces and 78 trailer stalls.
- Phase 4- consists of approximately 534,000 square feet within two buildings on 20.0 acres with 535 parking spaces and 130 trailer stalls.
- Phase 5- consists of approximately 322,000 square feet within two buildings on 12.0 acres with 323 parking spaces and 269 trailer stalls.

Overall, the proposed development will include approximately 161 acres of development for buildings, landscaping, employee outdoor areas, parking, and internal circulation, 28.3 acres of roadways, 51.3 acres of biological open space, and 13 acres of open space.

#### Reliance on the Previous EIRs (Addendum)

The Project entails a proposal to implement light industrial land uses on the portions of the site designated for development and consistent with the light industrial land use designation previously approved for the site in the East Otay Mesa Business Park Specific Plan and evaluated in the 1994 Environmental Impact Report (EIR), 2000 Supplemental EIR (SEIR), 2003 EIR Addendum, and 2012 EIR Addendum. Thus, for the discussion and comparative analysis of environmental impacts related to the topics of land use and operation of the land uses, the Project Addendum primarily tiers from the original 1994 EIR, 2000 SEIR, 2003 Addendum, and 2012 Addendum.

The most recent evaluations of on-site physical conditions and impacts occurred as part of the 2018 SEIR (Otay 250 project) which evaluated the site for development of mixed-use development within the same (and greater) physical impact footprint as the Project. Thus, it is appropriate for the discussion and analysis in the Project Addendum to primarily tier from the 2018 SEIR for the evaluation of physical ground-disturbing impacts (the Project would physically disturb approximately 8.0 fewer on-site acres than the approved project analyzed in the 2018 SEIR and add an off-site sewer connection, resulting in a net reduction in physical disturbance area.)

The 1994 EIR found effects to several issue areas would be mitigated to a level of less than significant and that there would be significant and unmitigable impacts to Biological Resources and Noise requiring a Statement of Overriding Considerations. The 2000 SEIR found new significant and unmitigable impacts to Transportation/Circulation and Air Quality that required a Statement of Overriding Considerations. The 2018 SEIR for Otay 250 found all issue areas could be mitigated to a level of less than significant except for Air Quality, which required a Statement of Overriding Considerations.

The Project does not result in new significant environmental effects or an increase in the severity of the effects analyzed in previous documents either due to project changes, change in circumstances, or new information of substantial importance as addressed in the Addendum for the Project. Relevant and applicable mitigation measures developed and identified in the 1994 EIR, 2000 SEIR, and 2018 SEIR are carried forward to the Project. The previous Addendum documents (including this document) do not propose new or substantially revised mitigation measures not already identified in the 1994 EIR and 2000 and 2018 SEIRs.

Appendix C contains a summary of applicable Mitigation Measures from the 1994 EIR, 2000 SEIR, and 2018 SEIR projects. The analysis in the 2003 and 2012 EIR Addenda relied on the mitigation measures in the 1994 EIR and 2000 SEIR; thus, mitigation measures for these documents are not listed separately. None of the language or requirements of the mitigation measures applicable to the Project have changed from the original approved CEQA documents.

#### Traffic and Transportation

The proposed Project generates less ADT compared to what was assumed for the operation of the residential uses, will not result in operational issues associated with traffic based on conditions and coordination with the City of San Diego, and does not result in additional impacts that were not analyzed by the previous EIR identified. Thus, the proposed Project will not result in new traffic impacts. Traffic and Transportation

Senate Bill 743 (SB 743) was passed in 2013, which required that by July 1, 2020, a project's transportation impacts be evaluated based on a Vehicle Miles Traveled (VMT) measure, instead of evaluating impacts based on Level of Service (LOS) criteria. The Natural Resources Agency finalized updates to the CEQA Guidelines in January 2019 that were approved by the Office of Administrative Law and are currently in effect. CEQA Guidelines § 15064.3(b) now includes specific considerations for evaluating a project's transportation impacts using a VMT measure. However, the appropriate methodology for analyzing the project evaluated herein remains LOS.

The Project is not located within a Vehicle Miles Traveled (VMT) Efficient or Infill Area. However, because the Project is tiering off previous CEQA documents that were approved prior to VMT taking effect, the Project is not required to analyze the impacts of VMT. CEQA Guidelines state that if an environmental document meets the content requirements in effect when the document is sent out for public review, the document shall not need to be revised to conform to any new content requirements in Guideline amendments taking effect before the document is finally approved (CEQA Guidelines Section 15007(c)). The most recent EIR for the project site was certified in 2018, prior to the VMT effective July 1, 2020.

A Traffic Analysis was prepared for the Project to determine whether the Project would have new, or substantially more severe transportation impacts as compared to the previously approved projects by comparing the average daily trips (ADT) from the Project to previously approved projects on the site. This analysis determined the Project would generate 6,569 ADT. In comparison, the previously approved project analyzed in the 2000 SEIR for light industrial and commercial uses was determined to generate 26,780 ADT. Therefore, the Project would reduce trips by 20,211 ADT. Similarly, the previously approved project analyzed in the 2018 SEIR for mixed uses would generate 34,124 ADT.

In comparison, the Project would reduce trips by 27,555 ADT. Therefore, the Project would have a less than significant impact on traffic.

#### Greenhouse Gas (GHG)

Project design features and other sustainability measures would result in the reduction of GHG emissions over previously approved projects on this site, including over 400 EV charging stations, no natural gas, over 3,000 trees being planted, electric operations, operational measures for idling trucks, and others related to Title 24 requirements.

The Applicant has included additional aspirational features to their site design and building to reduce greenhouse gas emissions, including no chilled or freezer warehouse spaces, no natural gas installations, internal energy-efficient features, implementation of water conservation measures, and that operational cargo equipment will be electric. Based on the proposed Project's fewer average daily trips as compared to the previously approved project on this site, GHG emissions would be reduced.

#### Air Quality

Development of the Project would disturb slightly less land area than analyzed under previous approvals for the site and would include a similar amount of building space. Thus, the short-term construction emissions would be similar to those previously approved, and incrementally reduced due to more restrictive federal, state, and local regulations pertaining to construction equipment fleets than were in place in the prior approvals.

The emissions reductions provided by stricter regulations would not, however, be sufficient to avoid the significant and unavoidable air pollutant impacts that were disclosed in the previously certified 1994 EIR, 2000 SEIR, and 2018 SEIR. Therefore, although the Project would result in fewer operational air pollutants as compared to the impacts disclosed for the previously approved project, impacts would remain significant and unavoidable.

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant air quality impacts. There are no changes in circumstances under which the Project is being undertaken and/or "new information of substantial importance" that would cause one or more air quality impacts.

#### Biology/Multiple Species Conservation Program (MSCP)

As compared to the previously approved project, the Project would result in similar impacts to biological resources. The limits of disturbance for the Project would impact less on-site biological resources than under the previously approved project and the Project would avoid direct impacts to aquatic resources that include disturbed wetlands.

Project impacts to non-native grassland in the area adjacent to these disturbed wetlands would also be reduced. Off-site impacts associated with the sewer connection west of the Project site were not addressed in previous biological resource studies; however, installation of the off-site sewer connection would impact approximately 0.7-acre of non-native grassland and approximately 0.1-acre of disturbed habitat off-site west of Zinser Road which would be more than compensated for by the

Project's reduced on-site impact footprint of an estimated 8.0 acres of non-native grassland as compared to the previously approved project evaluated in the 2018 SEIR.

Furthermore, the Project would not adversely affect wildlife corridors, which is the same conclusion found in the 2018 SEIR for the previously approved project. In summary, the Project would result in fewer impacts to biological resources compared to those identified in the 2018 SEIR and no additional mitigation would be required. Therefore, the Project would result in fewer impacts to sensitive plant and wildlife species as compared to the impacts disclosed for the previously approved project.

#### Specific Plan Amendment - Road Changes

The Project proposes to define the internal roadway design standards that will be unique to this Specific Plan area. The interface and connection with public roadways will be constructed to County roadway standards. The applicant has submitted two Design Exception Requests (DER's), one is for a waiver to reduce the distance between driveway separation and one to eliminate the requirement for a raised median island on Sunroad Blvd., north of Otay Mesa Road.

The following roadway design standards will be incorporated directly into the Specific Plan Amendment for the proposed Project "only" and will not apply to any other parcels within the EOMSP area.

- Harvest Road (public)  
The Project includes half-width improvements to Harvest Road from Otay Mesa Road to Sunroad Boulevard. Harvest Road is proposed to have a total 97-foot right-of-way (ROW) width, with a 76-foot curb-to-curb width. Parking would not be allowed on this segment of Harvest Road.
- Otay Mesa Road (public)  
The Project includes half-width improvements to Otay Mesa Road along the Project's frontage from Harvest Road to Vann Centre Boulevard. The roadway would have a 67-foot half-width ROW with a 57-foot curb-to-curb half-width.
- Vann Center Blvd. (public)  
The Project includes half-width improvements to Vann Centre Boulevard from Otay Mesa Road to Lone Star Road. Vann Centre Boulevard is proposed to have a total 96-foot ROW width, with a 76-foot curb-to-curb width.
- Sunroad Blvd. (private)  
Sunroad Boulevard extends from Otay Mesa Road, Sunroad Boulevard is proposed to have a 96-foot ROW width, with a 76-foot curb-to-curb width.
- Zinzer Road (public)  
From Sunroad Boulevard to the Project's eastern boundary, Zinzer Road is proposed to have a 96-foot ROW width, with a 76-foot curb-to-curb width.
- Future Road (private)  
From Sunroad Boulevard to Lone Star Road, Future Road 'A' is proposed to have a 96-foot ROW width, with a 76-foot curb-to-curb width.

- Lone Star Road (public)

The Project includes improvements to Lone Star Road along the Project's frontage. The roadway would have a 98-foot ROW width with a 78-foot curb-to-curb width. Parking would not be allowed on this segment of Lone Star Road.

Outdoor Open Space

The Specific Plan currently requires that all non-residential development provide outdoor passive or recreational areas of no less than 2,000 square feet for every 10 acres of development area, regardless of the type of use or the number of employees. The proposed Project would be required to provide approximately 18,000 square feet and proposes approximately 23,000 square feet. Subsequently, the Project meets the requirements for outdoor open space.

Fencing Requirements

The Specific Plan design guidelines require a wrought iron or masonry type of perimeter fencing within setback areas, with certain limitations to material, and generally prohibits the use of chain link fence except in certain circumstances. The Applicant has requested that the Specific Plan Amendment "Materials" Section under Table 3.2.1, Site Planning Standards be modified to allow a higher quality black vinyl coated chain link fence for the Otay Majestic property only. The proposed Project may install several types of fencing and designs depending on location and function.

Landscape Requirements

The Specific Plan requires native and/or drought-tolerant plant materials for all types of projects and uses. The proposed Project will increase the allowance of inorganic ground cover to be incorporated within the landscape design under certain circumstances. The Project's landscape design will comply with the County's efforts to have a sustainable landscape and reduced reliance on water.

Regional Housing Needs Allocation (RHNA)

The approved Otay 250 residential (2018) project represents 663 residential units of the County's current Housing Site Inventory of 2,896 units. The Housing Element Site Inventory for 2023 currently provides a buffer of 1,063 units (36% buffer) for lower-income RHNA units (with Otay 250). The removal of density from Otay 250, which would reduce 663 units inventory the County would still have a buffer of 400 lower-income units (14% buffer).

The no-net-loss requirement mandates that the County maintain a Site Inventory that can accommodate our unmet lower-income RHNA at all times shows our lower-income RHNA allocation (2,826 units). After removing units previously produced and ADUs projections, the County has a balance of 1,833 unmet lower-income RHNA units that must be included in the Site Inventory.

As long as the remaining RHNA allocation of 1,833 units is less than the remaining housing capacity on remaining RHNA sites (2,896 units), RHNA sites can be developed at less than the listed capacity for an RHNA site. Removing RHNA units from the Project site would reduce the remaining capacity from 2,896 low-income units to 2,233 low-income units. This leaves about a surplus capacity of 400 units, as shown in this calculation: 2,233 (remaining RHNA capacity) – 1,833 (remaining RHNA allocation) = 400 units.

**3. California Environmental Quality Act (CEQA) Compliance**

The Project has been reviewed for compliance with the CEQA. An EIR Addendum dated January 18, 2024, relies on the analysis from the 1994 EIR, 2000 SEIR, 2003 and 2012 EIR Addenda, and 2018 SEIR. These are on file with Planning & Development Services. It has been determined that the proposed Project, as designed, will not cause any significant impacts to the environment which require mitigation measures that were not previously analyzed in the previously certified EIR's and Addendums. There are no substantial changes to the Project, changes in circumstances, or new information that would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects from what was analyzed in the certified EIR's or Addendums.

**4. Applicable County Regulations**

Table 3 Applicable Regulations

<b>County Regulation Policy</b>	<b>Explanation of Project Conformance</b>
a. Resource Protection Ordinance (RPO)	The Project has been found to comply with the RPO because it will not impact any wetlands, floodplains/floodways, steep slopes, or sensitive habitat lands.
b. County Consolidated Fire Code	The Project has been reviewed by the San Diego County Fire Protection District and has been accepted in compliance with the County Consolidated Fire Code.
c. Noise Ordinance	The Project as conditioned will not generate significant noise levels that exceed the allowable limits of the County Noise Element or Noise Ordinance.
d. Light Pollution Code	The Project will implement outdoor lighting and glare controls which will ensure compliance with the Light Pollution Code.
e. Watershed Protection Ordinance (WPO)	A Stormwater Quality Management Plan (SWQMP) was prepared for the Proposed Project in compliance with the WPO. The Project site has been subject to several grading permits which required the preparation of stormwater management plans. The Project will require the installation of BMPs.
f. Multiple Species Conservation Program (MSCP)	The Project proposes development on land identified as a Minor Amendment Area within the MSCP and was previously approved by the Wildlife Agency and demonstrated that the Project conforms with the MSCP Subarea Plan.

**F. COMMUNITY PLANNING GROUP (CPG)**

The Project is located within the County's Otay Subregional Plan Area. Since this Subregional Plan Area has no established Community Planning Group (CPG) or Sponsor Group (CSG). Therefore, no recommendations from a CPG or a CSG were received. The Applicant met with both the Otay Mesa Property Owners Association and Otay Mesa Chamber of Commerce regarding this proposed project and no issues or concerns were raised.



**G. PUBLIC INPUT**

Throughout the planning process of this Project, there has been interest by the public and correspondence has been received.

1. Per County policies, the draft Specific Plan Amendment was circulated to the general public for 45 days from January 18, 2024, to March 4, 2024. Due to noticing issues, the County initiated an additional 45-day public review period from May 7, 2023, to April 22, 2024. During the public review period of the draft Specific Plan Amendment, a total of two comment correspondence (one from the San Diego Archaeological Society (supporting) and one from the Sierra Club. The County has reviewed and responded to all the comments and concerns submitted on the Project during public review and they do not raise any concerns or issues that were not addressed under the previous EIRs. Please refer to Attachment G for the comments and County responses.

After the public review period concluded the County received two correspondences in support of the project, 1) Otay Mesa Chamber of Commerce and 2) a joint letter from the Otay Mesa Property Owners Association and the East Otay Mesa Property Owner Association. Refer to Attachment G.

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**Report Prepared By:**  
 Greg Mattson, AICP, Project Manager  
 (619) 895-7177  
[gregory.mattson@sdcounty.ca.gov](mailto:gregory.mattson@sdcounty.ca.gov)

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**Report Approved By:**  
 Dahvia Lynch, Director  
 (858) 694-2962  
[dahvia.lynch@sdcounty.ca.gov](mailto:dahvia.lynch@sdcounty.ca.gov)

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**AUTHORIZED REPRESENTATIVE:** \_\_\_\_\_

DAHVIA LYNCH, DIRECTOR

**ATTACHMENTS:**

- Attachment A – Planning Documentation
- Attachment B – Resolution Approving Vesting Tentative Map PDS2024-VTM 5651
- Attachment C – Resolution Approving Specific Plan Amendment PDS2022-SPA-22-001
- Attachment D – Grant Site Plan Form of Decision PDS2023-STP-23-007
- Attachment E - Environmental Documentation
- Attachment F– Environmental Findings
- Attachment G – Public Documentation
- Attachment H – Service Availability Forms
- Attachment I – Ownership Disclosure

# PLANNING COMMISSION ACTIONS

Hearing Date: June 14, 2024 Compiled by: Georgina Gaines, Commission Secretary Telephone: (619) 517-4193

Agenda Item #	Agenda Item	Public Testimony			Planning Commission Action			Planning Commission Votes						Project Mgr.	Minute Order #		
		Support	Oppose	Neutral	App	Deny	Cont'd	RA	DB	YC	ME	GH	DP				
A	Statement of Proceedings	--	--	--	--	--	--	--	Y	Y	Y	Y	Y	Y	Y	--	A
B	Roll Call	--	--	--	--	--	--	--	Y	A	Y	Y	Y	Y	Y	--	B
C	Statement Just Cause	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C
D	Public Communication	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	D
E	Handouts	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	E
F	Continuances	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	F
G	Consent Calendar	--	--	--	--	--	--	--	Y	A	Y	Y	Y	Y	Y	--	G
1	<u>Otay Majestic – Specific Plan Amendment</u>	--	--	--	--	--	--	--	Y	Y	Y	Y	Y	Y	Y	--	GM
<p>This item was approved for consent.</p> <p>Commissioner Pallinger motioned to approve item 1. Commissioner Edwards seconded the motion.</p> <p><b>Motion Passed: 5-0-1-0-0</b></p>																	

