



# AGENDA REPORT

**Department:** Planning  
**Prepared by:** David Welch, Associate Planner  
**Meeting Date:** Tuesday, October 7, 2025  
**Approved by:** Scott W. Huth, Interim City Manager

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**SUBJECT:**

Continued Public Hearing: Consideration of Certification of a Negative Declaration for a General Plan Amendment and Zone Change from (RS-2) to (MXC-1) for Properties Located at 3040, 3042-3046, 3102-3104, & 3106-3108 E. 16th St. and 1540 S. Harbison Ave.

**RECOMMENDATION:**

Adopt the Resolution Entitled: “Resolution of the City Council of the City of National City, California, Certifying a Negative Declaration, Pursuant to the California Environmental Quality Act (CEQA), by Making a Finding of No Significant Environmental Effect and Approving a General Plan Amendment to Change the General Plan Land Use Designation from Low-Medium Density Residential to Low Mixed-Use for Properties Located at 3040, 3042-3046, 3102-3104, & 3106-3108 East 16th Street and 1540 South Harbison Avenue.”

**and**

Introduce the Ordinance Entitled: “An Ordinance of the City Council of the City of National City, California, Approving a Zone Change for Properties Located at 3040, 3042-3046, & 3106-3108 East 16th street and 1540 South Harbison Avenue Changing the Zone from Small Lot Residential (RS-2) to Minor Mixed-Use Corridor (MXC-1).”

**BOARD/COMMISSION/COMMITTEE PRIOR ACTION:**

On August 18, 2025, the Planning Commission adopted a Resolution recommending approval of a General Plan Amendment, Zone Change, and Zone Variance, subject to the Conditions in the Draft Resolution by a vote of 5-1. One Planning Commission seat is currently vacant.

Ayes: Armenta, Castle, Miller, Sanchez, Valenzuela      Nays: Quinones

The City Council held a public hearing at their meeting of September 16, 2025 on the item. There was a motion to deny, which failed by a vote of two votes for and two votes against with one member recusing. The Council then voted to continue the item to October 7, 2025 in order to rehear the proposal and to reconsider whether any member recusals could be reconsidered.

**EXPLANATION:**

**Executive Summary**

The applicant is proposing to develop a property at 3040 East 16<sup>th</sup> 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. The variance was approved by Planning Commission and will be forwarded to the City Council separately as a Notice of Decision. For

consistency with the existing development pattern and zoning in the area, the applicant has included neighboring properties with the request. This type of change requires a General Plan Amendment (GPA) and Zone Change (ZC). The developer has applied for and has requested the changes. The Planning Commission recommended approval by Resolution of both requests at the August 18, 2025 meeting.

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. This report serves as background for all components of the request.

### Site Characteristics

The applicant intends to develop a 0.45-acre property located in the Small Lot Residential (RS-2) zone at 3040 East 16<sup>th</sup> Street. The block of East 16<sup>th</sup> 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 17<sup>th</sup> 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 17<sup>th</sup> 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 17<sup>th</sup> Street. The front of the applicant's property is also a few feet higher than East 16<sup>th</sup> 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 16<sup>th</sup> 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 16<sup>th</sup> Street
- 3102-3104 East 16<sup>th</sup> Street
- 3106-3108 East 16<sup>th</sup> Street
- 1540 South Harbison Avenue

3042-3046 East 16<sup>th</sup> Street and the adjacent 3102-3104 East 16<sup>th</sup> 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 16<sup>th</sup> Street and is proposed to have a similar development. 3102-3104 East 16<sup>th</sup> Street is also occupied by a legal, non-conforming multi-family residential use, which takes up the majority of the lot; 3106-3108 East 16<sup>th</sup> Street is a mixed-use property with a legal, non-conforming liquor store and attached housing unit; 1540 South Harbison Avenue is across East 16<sup>th</sup> 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 17<sup>th</sup> Street right-of-way. The current boundaries of this district are East 17<sup>th</sup> Street to the north, Rachael Avenue to the east, East 19<sup>th</sup> 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 16<sup>th</sup> 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 16<sup>th</sup> Street, which will be forwarded to the City Council as a Notice of Decision at an upcoming meeting. 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 City Council 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 16<sup>th</sup> 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 18<sup>th</sup> 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 16<sup>th</sup> 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 16<sup>th</sup> 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 16<sup>th</sup> Street and Rachael Avenue, and another liquor store and SDG&E substation located on South Lanoitan Avenue, between East 17<sup>th</sup> Street and East 18<sup>th</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> 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 requested a Zone Variance to accommodate a driveway for the proposed development, which will be forwarded to the City Council as a Notice of Decision.

### 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 GPAs and ZCs. 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, no public comments have been received. Three public comments were provided at the Planning Commission hearing, which are attached as Exhibit H.

### Finding for Approval

The following finding is recommended for 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.

### Finding for Denial

The following finding is recommended by staff should the City Council deny the application:

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.

### 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.

#### 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 were included as conditions of approval for the ZV, which will be forwarded to the City Council as a Notice of Decision.

#### Conditions of Approval

Standard conditions of approval for development projects and Fire Department comments were included in the draft approval resolution for the ZV, which will be forwarded to the City Council as a Notice of Decision. 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.

**FINANCIAL STATEMENT:**

An application fee of \$5,500 was paid with the submittal of the subject General Plan Amendment, an application fee of \$5,500 was paid with the submittal of the subject Zone Change, and additional fees of \$735 and \$2.50 were assessed for the purposes of updating the General Plan and photocopying application documents. Fees are anticipated to cover the cost of staff review time, processing of the permit, and maintaining and updating City records.

**RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:**

Housing and Community Development

**ENVIRONMENTAL REVIEW:**

This is a project under CEQA and after Initial Study qualifies for a Negative Declaration. CCR 15371.

**PUBLIC NOTIFICATION:**

The Agenda Report was posted at least 72 hours before the Regular Meeting date and time, and 24 hours before a Special Meeting in accordance with the Ralph M. Brown Act.

**ORDINANCE:**

First Reading

**EXHIBITS:**

- Exhibit A – PC Resolution
- Exhibit B – 8-18-2025 PC PowerPoint slides
- Exhibit C – Overhead
- Exhibit D – Site Photos
- Exhibit E – Zoning Map
- Exhibit F – Conceptual Site Plan
- Exhibit G – CEQA Checklist
- Exhibit H – Public Notice
- Exhibit I – Public Comments
- Exhibit J – Draft Resolution
- Exhibit K – Draft Ordinance