

Prologis Vermont and Redondo Project Draft Environmental Impact Report (DEIR) Review

The review is organized by CEQA *issue, rules* that apply to the analysis of each issue, a brief *analysis* of how the issue is handled in the DEIR, and *conclusions* and/or *comments*.

Issues

Executive Summary

Rule (Guidelines §15123):

- (a) An EIR shall contain a brief summary of the proposed actions and its consequences. The language of the summary should be as clear and simple as reasonably practical.
- (b) The summary shall identify:
 - (1) Each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect;
 - (2) Areas of controversy known to the Lead Agency including issues raised by agencies and the public; and
 - (3) Issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects.

Analysis:

This section presents the required content for an Executive Summary. However, I feel the DEIR has omitted an analysis of:

- **Land Use**, specifically consistency with the Draft Harbor Gateway Community Plan (HGCP) Update, which issued an NOP to prepare an EIR for the plan August 15, 2019; and
- **Alternatives**, specifically off-site, and Hybrid Industrial (the new zoning proposed for the site in the HGCP Update).

Conclusion/Comment:

The section satisfies Guidelines §15123. Land Use and Alternatives will be discussed in following sections of this review.

Project Description

Rule (CEQA Guidelines §15124):

- (a) The precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.
- (b) A statement of the objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project and may discuss the project benefits.
- (c) A general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities.
- (d) A statement briefly describing the intended uses of the EIR.
- (1) This statement shall include, to the extent that the information is known to the Lead Agency:
 - A. A list of the agencies that are expected to use the EIR in their decision making, and

- B. A list of permits and other approvals required to implement the project.
 - C. A list of related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies. To the fullest extent possible, the lead agency should integrate CEQA review with these related environmental review and consultation requirements.
- (2) If a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed, preferably in the order in which they will occur. On request, the Office of Planning and Research will provide assistance in identifying state permits for a project.

Analysis:

This section states on Page II-10

- Fulfillment center and cold storage warehouse would not be allowed with the requested Project approval as it is a restricted use under the conditions of approval adopted for the previous project that is currently being reconsidered on appeal; and
- the Project is consistent with the existing general plan and zoning designations for Light Manufacturing land uses

It is reasonable to assume that if the project proponent wins the appeal, then fulfillment center and cold storage warehouse uses would be contemplated.

Also, the analysis ignores the draft HGCP update and the change in site zoning from M2 to HI.

Conclusions/Comments:

In general, this section conforms with CEQA Guidelines 15124. However, if fulfillment center and/or cold storage warehouse uses are still being contemplated under appeal, then their potential impacts should be addressed in this EIR.

The Project may be consistent with existing zoning, but is **not** consistent with the proposed zoning in the update to the general plan—the Harbor Gateway Community Plan area update (<https://planning.lacity.org/plans-policies/community-plan-update/harbor-la-community-plans-update>)—in which the Project site land use is proposed to change from M2-Light Industrial to HI-Hybrid Industrial. An NOP to prepare an EIR for the plan was published August 15, 2019 (ENV-2019-3379-EIR), and a draft plan was issued in July 2021 ([Environmental Impact Reports | Los Angeles City Planning \(lacity.org\)](https://planning.lacity.org/plans-policies/environmental-impact-reports)). California Planning and Land Use (Government Code §§65350-65362) and CEQA case law indicate that, in general, development projects should conform with **draft** general plans. This potential to impact the HGCP element of the Los Angeles general plan due to land use inconsistency should be analyzed in the DEIR.

Environmental Setting

Rule (Guidelines §15125):

- An EIR must include a description of the physical environmental conditions in the vicinity of the project. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project and its alternatives. The purpose of this requirement is to give the public and

decision makers the most accurate and understandable picture practically possible of the project's likely near-term and long-term impacts.

- Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region and would be affected by the project. The EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed, and it must permit the significant effects of the project to be considered in the full environmental context.
- ***The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans.***

Analysis:

This section describes Land Use and Zoning on page III-1, but does not discuss the proposed changes to land use contemplated in the HGCP update from M2-Light Industrial to HI-Hybrid Industrial.

Conclusions/Comments:

In general, this section conforms with CEQA Guidelines §15125. However, an Existing Conditions analysis should include discussion of the HGCP general plan update.

Environmental Impact Analysis

Rule (Guidelines §15126):

All phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development, and operation. The subjects listed below shall be discussed as directed in Sections 15126.2, 15126.4 and 15126.6, preferably in separate sections or paragraphs of the EIR. If they are not discussed separately, the EIR shall include a table showing where each of the subjects is discussed.

- a) Significant Environmental Effects of the Proposed Project.
- b) Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented.
- c) Significant Irreversible Environmental Changes Which Would be Involved in the Proposed Project Should it be Implemented.
- d) Growth-Inducing Impact of the Proposed Project.
- e) The Mitigation Measures Proposed to Minimize the Significant Effects.
- f) Alternatives to the Proposed Project.

Each environmental topic impact analysis contained in the DEIR will be discussed below:

Aesthetics:

Rule

The L.A. CEQA Thresholds Guide (Thresholds Guide) identifies the following criteria to evaluate Aesthetics for scenic vistas and visual resources:

- The nature and quality of recognized or valued views (such as natural topography, settings, manmade or natural features of visual interest, and resources such as mountains or the ocean);
- ***Whether the project affects views from a designated scenic highway, corridor, or parkway***
- The extent of obstruction (e.g., total blockage, partial interruption, or minor diminishment); and
- The extent to which the project affects recognized views available from a length of a public roadway, bike path, or trail as opposed to a single, fixed vantage point.

- A scenic vista, as defined by the California Department of Transportation (Caltrans), is a viewpoint that provides expansive views of a highly values landscape for the benefit of the general public. Scenic resources include, but are not limited to, trees, historic buildings, rock outcroppings, or similar resources within a **scenic highway**.

Analysis

The DEIR states, on page IV.A-7, “No scenic vistas or resources exist on or in the vicinity of the Project Site.” However, Vermont Avenue is a designated Scenic Highway from Gage to Gardena Boulevard according to the Los Angeles Mobility Plan 2035 Inventory of Designated Scenic Highways and Resources (Appendix B). In addition, the draft HGCP update indicates that Vermont Avenue is “the longest north-south corridor in the Plan Area, is designated a scenic highway between 120th Street and the Southern Pacific right-of-way located just north of Redondo Beach Boulevard (Draft HGCP Update, p. 54).

The proposed Project requires a Zoning Administrator’s Adjustment (ZAA) from LAMC Section 12.21.1 A to allow a maximum building height of 53 feet in lieu of the otherwise permitted 45 feet. The DEIR states on p. IV.A-14

“the Project Site is currently vacant with blighted conditions and is located within a highly urbanized portion of the City that is generally flat. The Project would be consistent in height with surrounding buildings (e.g., the Gardena Professional Medical Plaza to the west and Hustler Casino, which are approximately 61 and 53 feet in height, respectively). The Project Site does not contain any designated scenic vistas or resources on site and would improve existing conditions with a building that is consistent with the Urban Form and Neighborhood Design chapter of the Framework Element. As no scenic vistas and resources exist on site, and the Project would not conflict with applicable zoning or regulations governing scenic quality, impacts would be less than significant, and no mitigation would be required.”

The DEIR omits an analysis of the potential impacts to a designated scenic highway from the zoning variance.

Conclusions/Comments:

The DEIR does not contain an analysis of the potential impacts to a designated scenic highway, including potential impacts from the requested ZAA. However, in general, this section conforms with the analyses required in CEQA Guidelines 15126. And, because the project is an “infill project” located in a “transit priority area,” (an area within one-half mile of a major transit stop that is existing or planned), that can be deemed an “employment center,” aesthetic and parking impacts of a residential, mixed-use residential, or **employment center** project on an infill site within a transit priority area shall not be considered significant impacts on the environment (CEQA Statute §21009). Therefore, it is unlikely that any impacts to visual resources will be recognized.

As far as rebuttal to the ZAA authorizing the height increase, the agency provides enough evidence to support its conclusion that the increase would not result in a significant impact to visual resources.

This analysis in this section should be revised, however, to reflect Vermont Avenue’s status as a designated scenic highway.

Air Quality

Rule

Guidelines §15126

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Analysis

This section with Appendix C provides an analysis of the significant effects of the proposed project, the significant effects that cannot be avoided, and mitigation measures. It includes a Health Risk Assessment (HRA), a discussion of the Friant Ranch ruling as it applies to the project, and a discussion of environmental justice.

Conclusions/Comments

The analyses in this section, the Health Risk Assessment, and the Friant Ranch and environmental justice analyses documentation contained in Appendix C—Air Quality and Greenhouse Gas Emissions Technical Modeling, appears to provide enough substantial evidence to support the agency’s conclusions.

Cultural Resources

Rule

Guidelines §15126

Analysis

The section adequately provides an analysis of the significant effects of the proposed project.

Conclusions/Comments

The analysis contained in this section and Appendix D—Cultural and Paleontological Resources Assessment Report appears to provide enough substantial evidence to support the agency’s conclusions.

Energy

Rule

Guidelines §15126

Analysis

The section adequately provides an analysis of the significant effects of the proposed project.

Conclusions/Comments

The analysis contained in this section and in Appendix C—Air Quality and Greenhouse Gas Emissions Technical Modeling (pgs. 1458-1481) appears to provide enough substantial evidence to support the agency’s conclusions.

Geology and Soils

Rule

Guidelines §15126

Analysis

The section adequately provides an analysis of the significant effects of the proposed project.

Conclusions/Comments

The analysis contained in this section and in Appendix E—Geotechnical Investigation appears to provide enough substantial evidence to support the agency’s conclusions.

Greenhouse Gas Emissions

Rule

Guidelines §15064(h)(3)

A lead agency may determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project’s incremental contribution to the cumulative effect is not cumulatively considerable. *If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem,* an EIR must be prepared for the project.

Analysis

The DEIR states the project will have no significant cumulative impact to GHG; however, the operation of the Project would exceed SCAQMD’s regional significance thresholds for NOx (AQ p. IV.B-29). NOx is a component of Ozone, a greenhouse gas.

Although the DEIR may correctly rely on complying with the requirements in previously approved plans to assess the significance impact of the Project, the Project results in an exceedance of a component of GHG in regional plans designed to reduce GHG impacts—I think this impact is cumulatively considerable even though the Project complies with approved plans. Also, the Project will emit 17,187 MTCO₂e/Year, well over the SCAQMD Bright-Line Screening Threshold of 3,000 MTCO₂e/Year.

Conclusions/Comments

The DEIR should be revised to reflect the Project has a significant cumulative impact on GHG that can’t be mitigated below a level of significance.

Hazards and Hazardous Materials

Rule

Guidelines §15126

Analysis

The information contained in this section and the support documentation contained in Appendix F-1 Phase I Environmental Site Assessment, Appendix F-2 Phase II Soil and Soil Vapor Investigation Report, Appendix F-3 Soil Management Plan, Appendix F-4 Response to SWAPE Letter Comments, and Appendix F-5 LARWQCB approved Workplan adequately provides an analysis of the significant effects, project design features and regulatory requirements.

Conclusions/Comments

The analyses in this section and the above-cited documents appears to provide enough substantial evidence to support the agency's conclusions.

Hydrology and Water Quality

Rule

Guidelines §15126

Analysis

The analyses contained in this section and the support documentation contained in Appendix G-1 Preliminary Hydrology Calculations, Appendix G-2 Low Impact Development for the South Bay Industrial Center, Appendix F-1 Phase I Environmental Site Assessment, Appendix F-2 Phase II Soil and Soil Vapor Investigation Report, Appendix F-3 Soil Management Plan, Appendix F-4 Response to SWAPE Letter Comments, and Appendix F-5 LARWQCB approved Workplan adequately provides an analysis of the significant effects of the proposed project.

Conclusions/Comments

The analysis contained in this section and in the above-cited appendices appears to provide enough substantial evidence to support the agency's conclusions.

Noise

Rule

Guidelines §15126

Analysis

The analyses contained in this section and the support documentation contained in Appendix H—Noise Appendices adequately provides an analysis of the significant effects, project design features and regulatory requirements.

Conclusions/Comments

The analysis contained in this section and in the above-cited appendices appears to provide enough substantial evidence to support the agency's conclusions.

Transportation

Rule

Guidelines §15064.3

(b) Criteria for Analyzing Transportation Impacts.

1. Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

Analysis

The analyses contained in this section and the support documentation contained in Appendix I1—Transportation Assessment Report (TAR), Appendix I2—Trip Generation and VMT Forecast-Existing Zoning Alternative, and Appendix I3—Final Assessment Letter on TAR adequately provides an analysis of the significant effects of the proposed project using the VMT threshold analysis. However, analyzing the Project for Level of Service (LOS) impacts show the “Existing with Project” scenario indicates that the proposed project would be expected to create significant impacts at three (3) of the nine City of Los Angeles study intersections as noted below:

- Int. No. 6: Vermont Avenue/Redondo Beach Boulevard AM peak hour v/c ratio increase of 0.036 [to 0.837 (LOS D) from 0.801 (LOS D)]
- Int. No. 9: I-110 Freeway Southbound Ramps/Redondo Beach Boulevard AM peak hour v/c ratio increase of 0.045 [to 0.984 (LOS E) from 0.939 (LOS E)] PM peak hour v/c ratio increase of 0.039 [to 0.889 (LOS D) from 0.850 (LOS D)]
- Int. No. 10: I-110 Freeway Northbound Ramps/Redondo Beach Boulevard AM peak hour v/c ratio increase of 0.066 [to 0.864 (LOS D) from 0.798 (LOS C)]

In addition, incremental, but not significant, changes are noted at the remaining six study intersections analyzed using the City of Los Angeles CMA methodology (TAR p.71).

Also, Appendix I2—Trip Generation and VMT Forecast-Existing Zoning Alternative considered a “No Project, existing zoning analysis.” an analysis of the draft HGCP’s land use designation for the site, HI-Hybrid Industrial, was not conducted. Permitted uses in the HI zone include residential and limited hotel.

Conclusions/Comments

The LOS analysis shows the Project will affect local circulation/residents adversely with no mandatory mitigation measures offered. Coupled with the significant and unavoidable Air Quality impacts, primarily caused by the transportation element of the Project, and the disproportionate effect on the local population already burdened by transportation emissions, it seems an Alternative Analysis should have considered an off-site analysis for a site in a similarly zoned area of the Harbor Gateway, or an Alternative that would reduce the AQ effects of NOx below a level of significance.

Also, the DEIR should analyze a No Project/existing zoning alternative using permitted uses in the HI land use designation contained in the draft HGCP Update.

Tribal Cultural Resources

Rule

Guidelines §15126

Analysis

The section adequately provides an analysis of the significant effects of the proposed project.

Conclusions/Comments

The analysis contained in this section and Appendix D—Cultural and Paleontological Resources Assessment Report appears to provide enough substantial evidence to support the agency’s conclusions.

Alternatives

Rule

Guidelines §15126.6

- a) Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.
- (2) Alternative locations.
 - A. Key question. The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.
 - B. None feasible. If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project which must be in close proximity to natural resources at a given location.

Analysis

The DEIR rejects several alternatives:

Alternative Project Site:

The DEIR states, in rejecting an off-site alternative:

... the Project Applicant cannot reasonably acquire, control, or access an alternative site of similar size within the Harbor Gateway along Figueroa Street north of Rosecrans Avenue area. Given its location in an urbanized setting, an alternative site within the Harbor Gateway area would result in the same significant and unavoidable impacts

associated with air quality. Additionally, a change in location that could potentially be closer to sensitive uses could result in greater environmental impacts when compared to the Project. Therefore, an alternative site is not considered feasible as the Project Applicant does not own or control another suitable site that would achieve the underlying purpose and objectives of the Project, and an alternative site would not avoid the Project's significant impacts.

Because no off-site analysis was undertaken, the DEIR provides no evidence to support the conclusions that:

- the Project Applicant cannot reasonably acquire, control, or access an alternative site of similar size within the Harbor Gateway along Figueroa Street north of Rosecrans Avenue area;
- an alternative site within the Harbor Gateway area would result in the same significant and unavoidable impacts associated with air quality;
- a change in location that could potentially be closer to sensitive uses could result in greater environmental impacts when compared to the Project.

Alternative Land Use:

The DEIR states:

During the NOP comment period, several comments were received to consider an alternative use for the Project, including, but not limited to, Apartments Plus Open Space, Mixed Use Plus College, Mixed-Use Plus Small Warehouse, and Governmental facilities. However, as the Project Site is zoned for M2 Light Manufacturing uses, by-right development of the site is primarily limited to certain commercial and industrial land uses. Alternative land uses, including, but not limited to, residential uses and mixed-use residential developments, are not permitted within the zone.”

The DEIR does not analyze land uses permitted in the HI land use designation as proposed in the draft HGCP for the site which include residential, mixed-use, and hotel. Because the Alternative Land Use analysis was conducted without contemplating the proposed HI land use designation, this analysis is incomplete and/or inaccurate.

Alternatives to Eliminate Significant Air Quality Impacts

The DEIR states:

The Project would result in a significant unavoidable impact due to the exceedance of the NOx emissions threshold during Project operation, as determined in Section IV.B, Air Quality, of this Draft EIR. The source of NOx emissions is mainly due to mobile source emissions from truck trips, which account for approximately 131 lbs. per day of the 135 total lbs. per day of NOx emitted from all project sources after mitigation. The only way to reduce the operational air quality impact to less than significant and allow for similar industrial warehouse uses, consistent with the City's zoning, would be to reduce the building size and associated total daily truck trips. In order to reduce the Project-related NOx emissions from 135 pounds per day (which represents the Project's mitigated emissions; see Table IV.B-14 of this Draft EIR) below SCAQMD's regional operation

significance threshold of 55 pounds per day, the Project would need to be reduced by 60 percent. A 60-percent reduction of the Project would not support the Project's main objectives to the same degree as the Project, including the following: provide for the development of warehouse uses that are responsive to and support local, regional, national, and international trade demands and commerce; and provide local economic benefits such as the creation of new employment.

However, a reduced project could meet 4 of the 5 Project objectives presented below to some degree:

- Provide for the development of warehouse uses that are responsive to local, regional, national, and international trade demands and commerce.
- Provide local economic benefits such as the creation of new employment opportunities and property tax revenues within the City of Los Angeles and Harbor Gateway.
- Improve pedestrian access, connectivity, and safety in proximity to residences and schools.
- Enhance the Project Site's visual aesthetics through redevelopment of a vacant and underutilized property.

The DEIR includes the following Alternatives:

- Alternative A: No Project/No Build Alternative—This alternative assumes that the Project would not be implemented, no development would occur, and the existing site would be maintained. Therefore, the physical conditions of the Project Site would remain as they are today.

This analysis is illusory and does not comport with Guidelines 15126.6(3)(2) which states:

(2) The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, *as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services...*

There is no scenario in which this site is not developed per existing zoning sometime in the foreseeable future. Unrealistic project alternatives do not contribute to a useful CEQA analysis.

- Alternative B: Existing Zoning Alternative—This alternative considers development 150,000 square feet of retail uses on the Project Site in accordance with its existing land use designation and zoning.

This alternative does not consider the proposed HI zoning for the site.

- Alternative C: Reduced Project Alternative—This alternative would include the same use proposed by the Project (warehouse/manufacturing/high-cube warehouse/distribution center) while reducing the building square footage by approximately 25 percent. Specifically, the proposed building would be reduced from 340,298 square feet to 255,224 square feet of floor area.

This alternative could reduce significant LOS impacts that result from the Project, but they are not analyzed, and that information is not provided.

Conclusions/Comments

The analysis contained in this section appears to provide enough substantial evidence to support the agency's conclusions. However,

- (1) An Alternate Location analysis should be prepared at least to the degree to substantiate the claims that such an analysis would result in the below (unsubstantiated) findings that:
 - the Project Applicant cannot reasonably acquire, control, or access an alternative site of similar size within the Harbor Gateway along Figueroa Street north of Rosecrans Avenue area;
 - an alternative site within the Harbor Gateway area would result in the same significant and unavoidable impacts associated with air quality;
 - a change in location that could potentially be closer to sensitive uses could result in greater environmental impacts when compared to the Project.
- (2) The DEIR does not analyze land uses permitted in the HI land use designation as proposed in the draft HGCP for the site, which include residential, mixed-use, and hotel. Because the Alternative Land Use analysis was conducted without contemplating the proposed HI land use designation, this analysis is incomplete and/or inaccurate. This section should be revised using the HI land use proposed in the draft HGCP Update.
- (3) *Alternatives to Eliminate Significant Air Quality Impacts* could acknowledge that a reduced project could meet 4 of the 5 Project objectives to some degree while eliminating the some of the significant impacts of NOx.
- (4) The No Project/No Build Alternative scenario is an unrealistic project alternative that does not comport with CEQA nor contribute to a useful CEQA analysis.
- (5) Alternative B: Existing Zoning Alternative does not consider the proposed HI zoning for the site. Because the Existing Zoning Alternative analysis was conducted without contemplating the proposed HI land use designation, this analysis is incomplete and/or inaccurate. This section should be revised using the HI land use proposed in the draft HGCP Update.
- (6) Alternative C: Reduced Project Alternative could reduce significant LOS impacts that result from the Project, but they are not analyzed. The DEIR should model the LOS traffic impacts from this scenario to provide more information to stakeholders and decision makers so they can make a more informed decision. Also, it is possible this alternative could meet 4 of the 5 Project objectives to some degree while eliminating the significant impact of LOS at 3 locations in the Project area and reducing the significant effects of NOx.

Other CEQA Considerations

Effects Found Not to be Significant

Land Use and Planning

Rule

Guidelines 15128

Analysis

The DEIR states:

the Project Site is located within the Harbor Gateway Community Plan Area. The Project Site is zoned M2-1, with a General Plan land use designation of Light Manufacturing. The proposed Project would be comprised of approximately 340,298 square feet of warehouse/manufacturing/high-cube warehouse/distribution center use. A warehouse/manufacturing/high-cube warehouse/distribution center is a permitted use in **M2 zoned lots** with a maximum floor area of approximately 1,045,907 square feet. The Project Applicant would redevelop the Project site in accordance with the *underlying land use designations and applicable zoning ordinance development standards*. Accordingly, *the Project would not conflict with the General Plan or Zoning Code*. No change to the existing land use designation is required or proposed with the Project. *Therefore, the Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation and no impact would occur.*

However, the DEIR does not address the proposed land use change from M2 to HI. Although the HI zone permits light industrial uses such as the Project, it includes uses, such as residential and hotel, that are not consistent with the M2 zone. Therefore, the Project would conflict with the General Plan and Zoning Code. This plan inconsistency must be addressed in the DEIR.

Conclusions/Comments

The DEIR should be revised to reflect an analysis of the site land use change proposed in the HGCP Update and any potential conflict to Land Use and Planning that might occur from the development of the proposed Project.