ASH RESIDENTIAL SUBDIVISION – PL22-0134/PL22-0154

Escondido, California

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Prepared for:
CITY OF ESCONDIDO
201 N. Broadway
Escondido, CA 92025

Prepared by:
CARLSON STRATEGIC LAND SOLUTIONS
27134A Paseo Espada, Suite 323
San Juan Capistrano, CA 92675

March 2023

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SECTION 1.0 INTRODUCTION

The City of Escondido (City), as the lead agency under the California Environmental Quality Act (CEQA), has prepared this Initial Study (IS) for the Ash Residential Subdivision (Project). The information contained in the Initial Study was used by the City of Escondido to evaluate and determine potential impacts associated with the proposed Project as required by the California Environmental Quality Act (CEQA) and State CEQA Guidelines, as well as relevant City Ordinances and Regulations.

This IS analyzes the environmental effects of the proposed Ash Residential Subdivision – PL22-0134/PL22-0154, which proposes construction of twenty (20) single-family detached homes on an approximately 5.09-acre site located along N. Ash Street between Stanley Avenue and Lehner Avenue. The entire Project site is located outside of the incorporated City boundaries within unincorporated County of San Diego and annexation into the City is proposed as part of this Project.

The preparation of an IS/MND is governed by two principal sets of documents: CEQA (Public Resources Code [PRC] Section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Section 15000, et seq.). Specifically, State CEQA Guidelines Section 15063 ("Initial Study") and Sections 15070–15075 ("Negative Declaration Process") guide the process for the preparation of an IS/MND. Where appropriate and supportive to an understanding of the issues, reference is made either to the statute, the State CEQA Guidelines, or appropriate case law. As mandated by California Environmental Quality Act (CEQA) Guidelines Section 15105, affected public agencies and the interested public may submit comments on the Draft IS/MND. Comments will be responded to in writing.

This IS/MND and its appendices have been prepared in compliance with State CEQA Guidelines Section 15071. This IS/MND contains (1) a brief description of the proposed Project, (2) the proposed Project location, (3) proposed findings that the proposed Project would not have a significant effect on the environment, (4) a copy of the IS/Environmental Checklist documenting support for the findings, and (5) all mitigation measures to be implemented. When combined with the Notice of Intent to Adopt a Mitigated Negative Declaration, this serves as the environmental document for the proposed Project pursuant to the provisions of CEQA (Public Resources Code 21000 et seq.) and the CEQA Guidelines (California Code of Regulations Section 15000, et seq.).

SECTION 2.0 PROJECT DESCRIPTION

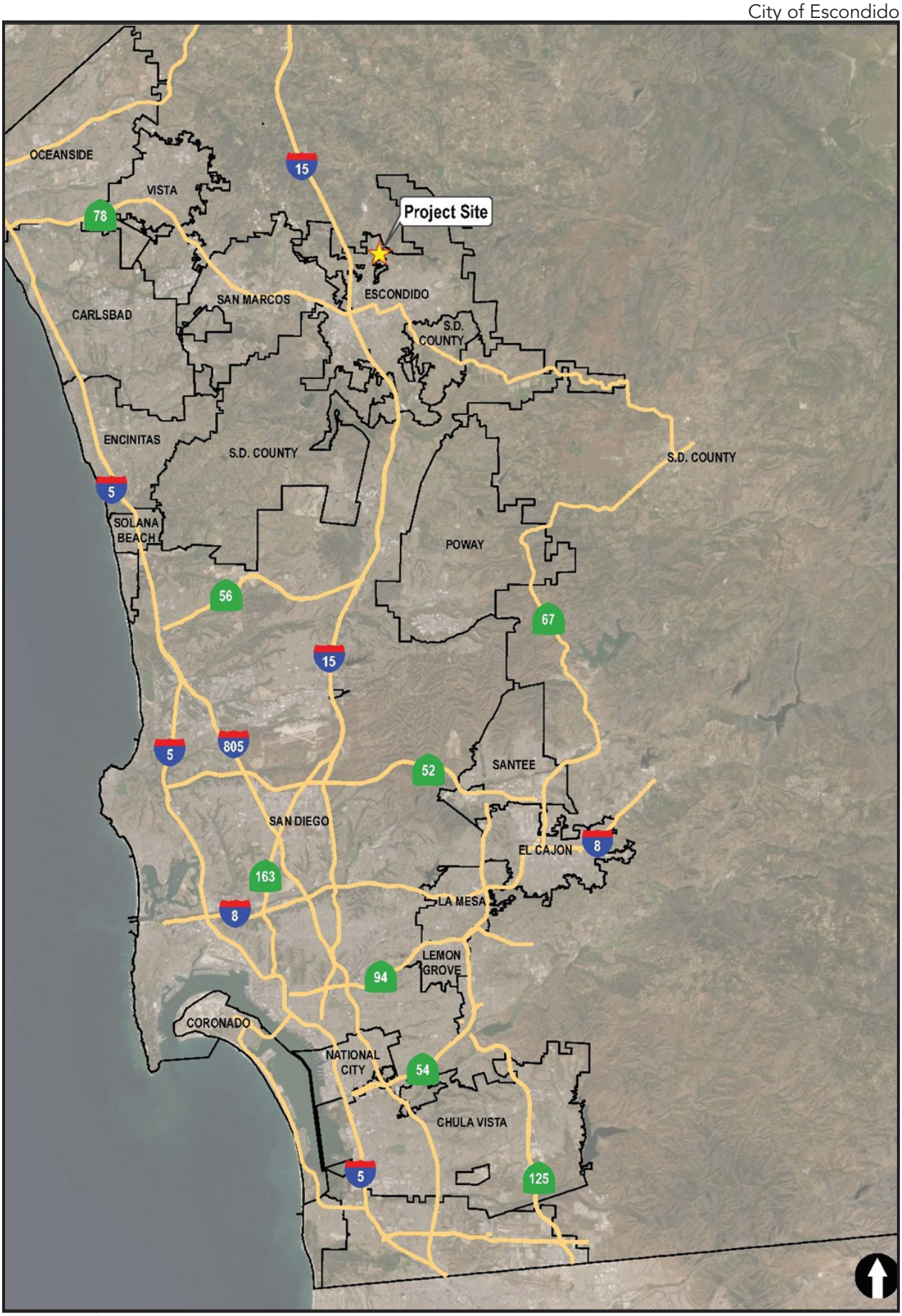
The proposed Project includes the construction of 20 new single-family detached residences, one of which would be restricted to "very low income" buyers, one biofiltration basin, and common open space areas on approximately 5.09 gross acres.

2.1 Project Location and Surrounding Land Uses

The proposed Project site is comprised of one parcel, Assessor Parcel Number (APN) 224-130-10-00.

The proposed Project site is located west of Ash Street between Stanley Avenue to the north and Lehner Avenue to the south in unincorporated San Diego County, but within the Sphere of Influence of the City of Escondido. Figures 1 and 2 show the regional and local location of the proposed Project site and an aerial of the proposed Project site with surrounding land uses.

The Project site is currently undeveloped. The Project site is located in a suburban area consisting of larger single family residential parcels with open spaces intermixed with higher density residential subdivisions and undeveloped parcels. Adjacent to the southwest corner of the Project site along Lehner Avenue is a newer subdivision (Saddle Place, Bridle Place, and Stirrup Way). Across Lehner Avenue to the south are existing larger lot single family parcels. Across N. Ash Street to the east is a newer subdivision (Rancho Bonita Place and Del Rincon Place). North and northwest of the Project site are existing larger lot single family parcels.



Source: Google (2023).

Figure 1. Regional and Project Location

Source: Bing Maps (2023).

Figure 2. Aerial View of Project Site

2.2 Existing Conditions

The Project site is currently vacant, consisting of disturbed vegetation that appears to be regularly maintained. The Project site is slightly higher in elevation at the northern end along Stanley Avenue (approximately 744 feet above mean sea level) and falls to a low point in the southwest corner near Lehner Avenue (approximately 727 feet above mean sea level). The difference in elevation from north to south across the Project site is approximately 17 feet accommodated by a gentle 2% gradient. No hills, slopes, or retaining walls exist on the Project site.

Above ground electrical lines extend along the Project site frontage of N. Ash Street and Stanley Avenue.

Figure 2 provides an aerial photograph of the Project site.

2.3 Existing General Plan and Zoning

The Project site is located within the City's General Plan Sphere of Influence and has a land use designation of Suburban - 3.33 dwelling units per acre.

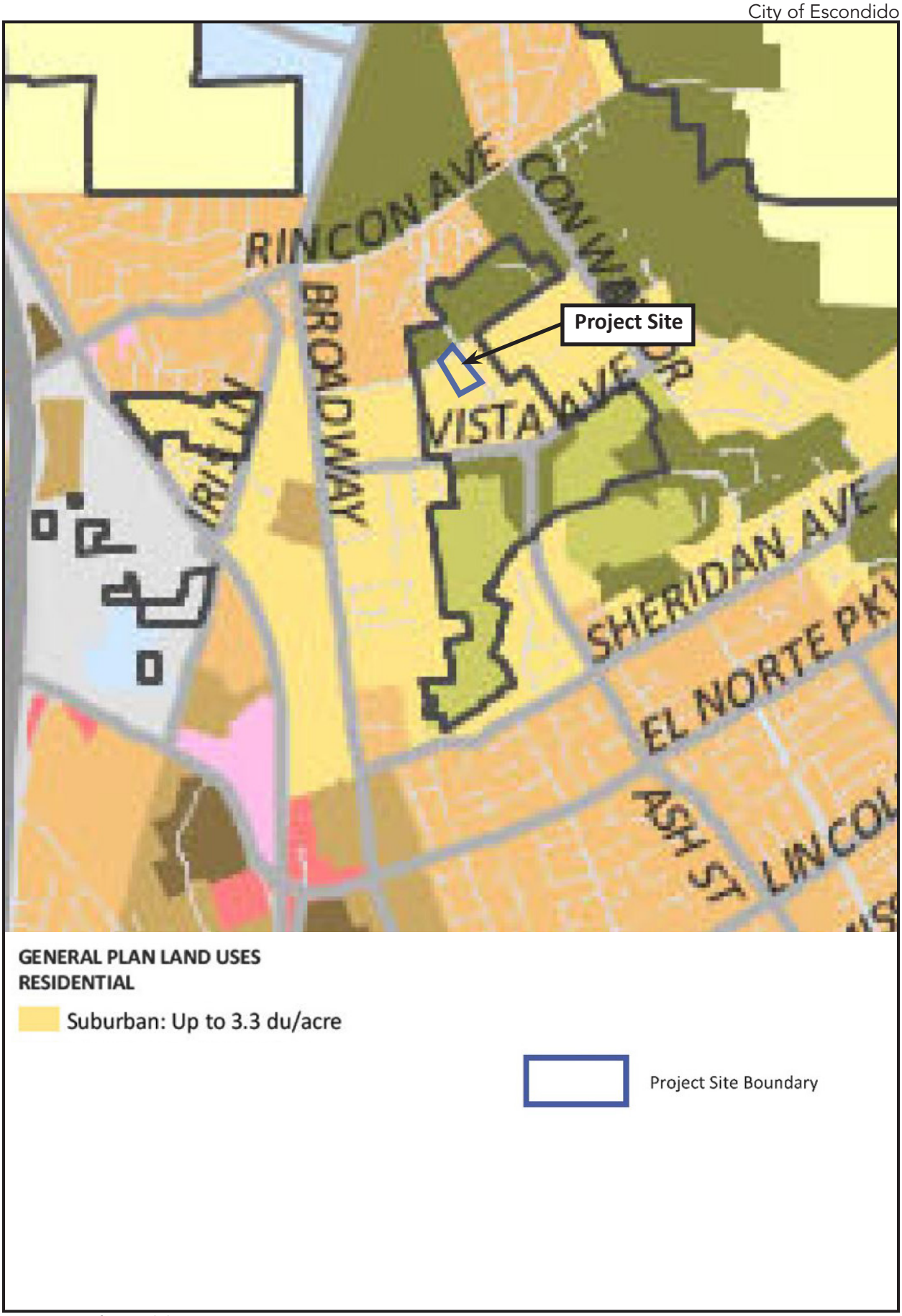
The Project site is pre-zoned R-1-10 Single Family Residential.

Figures 3 and 4 depict the General Plan land use designation and Zoning classification on the Project site.

2.4 Annexation

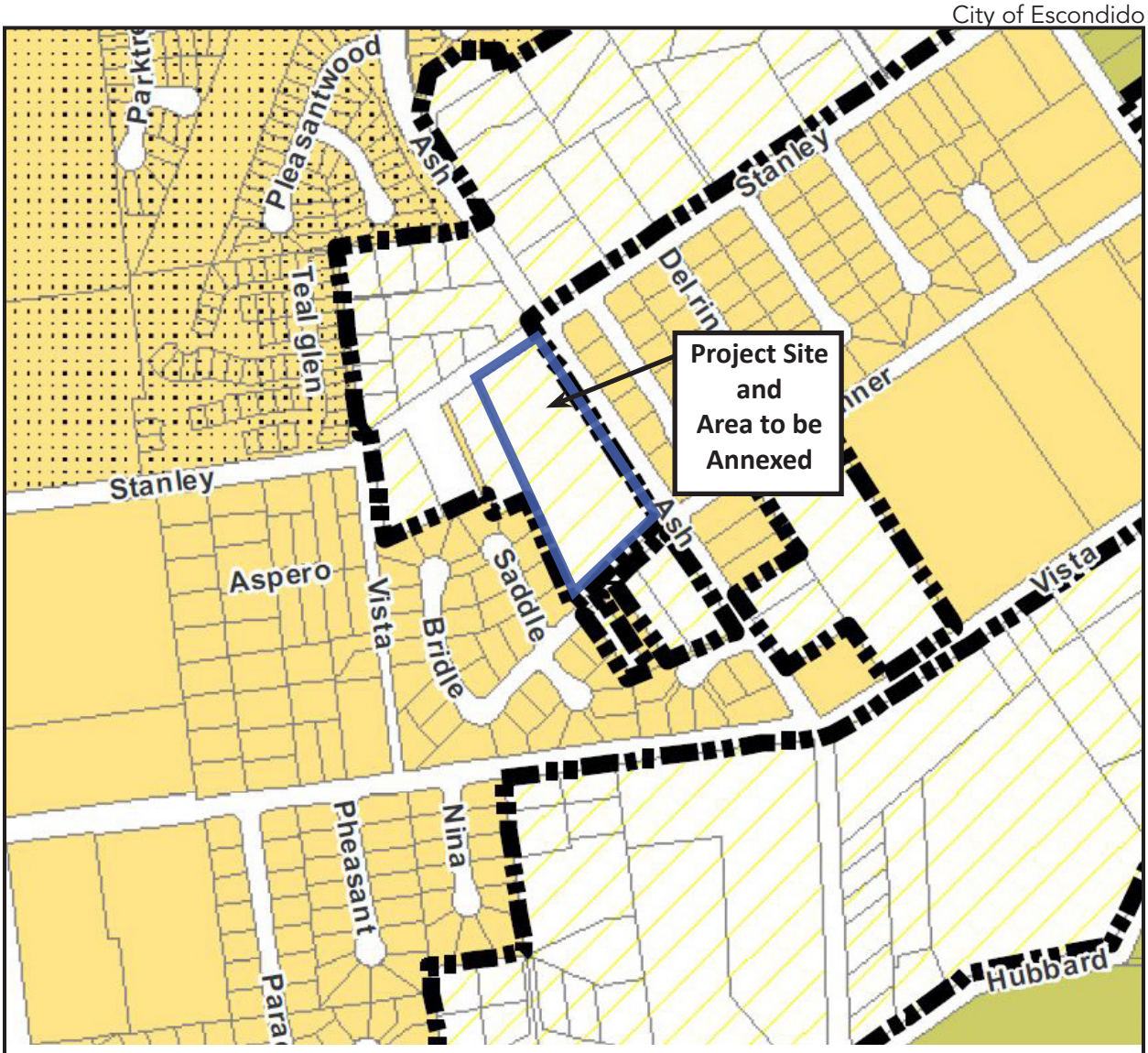
The Project site is located adjacent to, but outside of, the City of Escondido boundaries within an "island" of unincorporated San Diego County territory. The Project site is planned to be annexed into the City of Escondido as part of the proposed Project.

Notices were distributed to the annexation survey area and one property owner has expressed interest in annexing. Therefore, the annexation will include the property at 508 Stanley Avenue in addition to the Project site. The annexation is a separate entitlement processed through the San Diego County Local Agency Formation Commission (LAFCO). LAFCO will consider the proposed annexation, along with this IS/MND, as part of a separate application. That application to LAFCO will also include annexable territory that was part of the Conway Residential Subdivision TTM SUB21-0269. Figure 5 depicts the proposed annexation areas. If LAFCO approves the annexation, the Escondido City Council would need to take final action to complete the annexation process.



Source: City of Escondido (2022).

Figure 3. General Plan Map



Miscellaneous Zoning

P-Z: (Pre-Zone)

Project Site Boundary

Source: City of Escondido (2022).

Figure 4. Zoning Map and Annexation

2.5 Project Site Development

The Project proposes to subdivide approximately 5.09 acres into 20 numbered lots and 2 lettered lots as follows:

- 20 numbered lots for single family detached residential ranging in size from 6,007 square feet to 9,197 square feet
- Lot 11 is proposed to be sold to a qualified very-low income buyer
- 2 lettered lots, one for a water quality basin and one for common open space

Figure 5 is a copy of the proposed Tentative Tract Map depicting the lot configuration. The tract map identifies the location of each proposed single-family lot, including the exact location, size, and elevation of all proposed development areas. Each lot is numbered, and the pad elevation and size of the lot is clearly provided. The tract map provides cross-sections and detail of every street, driveway, and sidewalk. All open space areas are clearly identified, including the size and any proposed slopes. The tract map shows the location of all proposed storm drains, sewer lines, water lines, streetlights, fire hydrants, easements, etc. All grading contours are provided.

At this time in the process, architecture has not been provided. The City will review the detailed architecture plans through a future design review process. Therefore, the exact size of each house, the number of bedrooms, bathrooms, and closets are not known at this time. The architectural style, roof planes, and the color palate of each house is not known at this time. However, the maximum building envelope for each single-family lot is provided by the details on the Tract Map and application of the 35-foot height limit applicable to R-1 zoning districts. No request to exceed the 35-foot height limit has been made by the Project Applicant. Therefore, the proposed setbacks and height limit form the maximum building envelope of each lot.

The lack of architectural design detail does not compromise the environmental analysis provided in the IS/MND. As detailed in the following sections, the thresholds of significance for the environmental topics do not rely on detailed architectural design. For example, the air quality, greenhouse gas, noise, and traffic analyses are based on trip generation outlined in SANDAG's (Not So) Brief Guide of Vehicular Traffic Generation Rates for San Diego Region (April 2002), which relies on the number of dwelling units for trip generation, not bedroom count, building square footage, or number of garages/parking spaces. Additionally, population growth is determined by the average number of persons per dwelling unit from the United States Census and does not rely on bedroom count or building square footage. Furthermore, building design is not necessary to conduct an aesthetics analysis because no waivers to building height, which is a maximum of 35 feet per the Escondido Municipal Code, are proposed and the threshold of significance for aesthetic impacts is not what the structures will look like, but whether the Project would impact scenic resources or a scenic vista.

Preparing the proposed Project site for construction includes the removal of existing vegetation. Site preparation would require the hauling of existing materials and vegetation to approved composting centers and landfills.

Following site preparation, the proposed Project site would be graded in one phase. The mass grading of the site requires approximately 5,000 cubic yards of cut and 7,800 cubic yards of fill. Since the amount of fill exceeds the amount of cut, the proposed Project is short dirt and would require import. The current estimate of import is 2,800 cubic yards, however with shrinkage of fill material, the estimate of import could increase to close to 4,000 cubic yards. To be conservative, the air quality analysis assumes 4,000 cubic yards of imported dirt. Additional grading is required for geotechnical purposes to properly prepare the Project site for residential uses. Over-excavation of approximately 1-3 feet deep, which could extend to 5 feet or more, is required to ensure a 5-foot cap of compacted fill is placed for all building. The over-excavation includes the removal, replacement, and compaction of soil in generally the same location on the Project site.

No grading exemptions are proposed. Grading would be completed as one continuous phase. Vertical construction of the residences would occur in smaller phases over time as market conditions permit.

The proposed Project includes a new public street, Street A, extending north from Lehner Avenue and ending in a cul-de-sac. Street A is designed with 56 feet of right-of-way and sidewalks on both sides. Twenty (20) single family detached lots would take access from Street A. No direct access from Stanley Avenue or N. Ash Street is proposed.

No retaining walls are proposed.

A biofiltration basin is located in the southwest corner of the proposed Project. Slopes down to the biofiltration basin measure approximately 4.5 feet from the adjacent streets to the bottom of the basin. The slopes surrounding the basin would be landscaped and the basin area fenced.

The proposed Project includes connection of the new residences to existing sewer service.

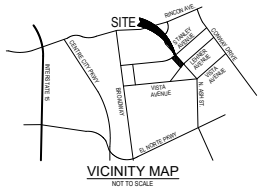
Along the Project site frontage, Lehner Avenue, Stanley Avenue, and N. Ash Street would be improved with repaving, installation of new curbs and gutters, sidewalks, streetlights, and new utility connections. Approximately 8 feet would be dedicated to Lehner Street right-of-way along the Project site frontage.

Existing overhead electrical utilities along the Project site frontage on N. Ash Street and Stanley Avenue would remain in place as above ground lines.

SHEET 1 OF 3

CITY OF ESCONDIDO TRACT NO.

TENTATIVE SUBDIVISION MAP



VICINITY MAP
NOT TO SCALE

STATEMENT OF FACTS

THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

THE DESIGN OR IMPROVEMENT OF THE PROPOSED SUBDIVISION IS CONSISTENT WITH THE APPLICABLE GENERAL OR SPECIFIC PLANS.

THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT.

THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

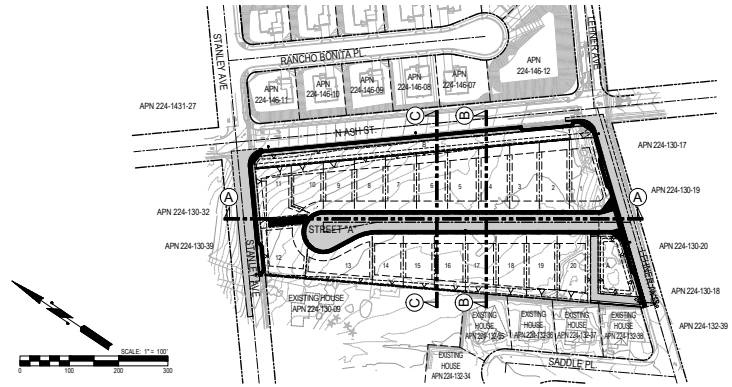
THE DESIGN OF THE SUBDIVISION, OR THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTATIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLE INJURE FISH OR WILDLIFE OR THEIR HABITAT.

THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS OR RECORD, OR EASEMENTS ESTABLISHED BY COURT JUDGEMENT, AQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH OR USE OF, PROPERTY WITHIN THE PROPOSED SUBDIVISION. IN THIS CONNECTION, THE DIRECTOR OF PLANNING AND BUILDING MAY RECOMMEND APPROVAL OF A MAP IF HE FINDS THAT ALTERNATE EASEMENTS, OR ACCESS FOR USE, WILL BE PROVIDED, AND THAT THESE WILL BE SUBSTANTIALLY EQUIVALENT TO ONES PREVIOUSLY ACQUIRED BY THE PUBLIC.

ALL REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT HAVE BEEN MET.

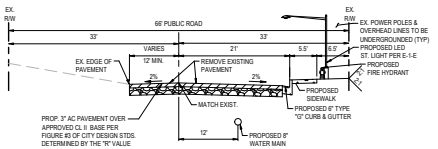
THE DESIGN OF THE SUBDIVISION HAS PROVIDED, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (NOTE: SPECIFIC EXAMPLES TO SUBSTANTIATE THIS FINDING MUST BE PROVIDED. EXAMPLES OF PASSIVE OR NATURAL OPPORTUNITIES IN SUBDIVISION DESIGN INCLUDE LOT SIZE OR CONFIGURATION, TO PERMIT ORIENTATION OF A STRUCTURE IN AN APPROPRIATE ALIGNMENT FOR SOUTHERN EXPOSURE, ETC.)



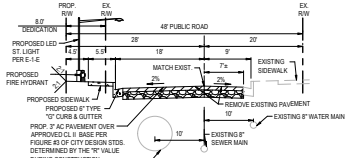
KEY MAP

LEGEND

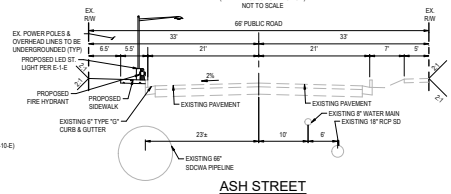
- EXISTING R/W OR PL
- PROPOSED UNIT LINE
- SETBACK LINE
- LOT 1 / 468.00 PAD / 3,000 SF — PROPOSED LOT NUMBER, PROPOSED PAD ELEVATION, PROPOSED LOT AREA
- 785 — EXISTING CONTOURS
- 785 — PROPOSED CONTOURS
- PROPOSED SLOPE (1.5:1 MAX)
- PROPOSED CUT/FILL LINE
- EXISTING SEWER LINE
- PROPOSED PUBLIC SEWER LINE
- PROPOSED LATERAL (4" LAT. PER C.O.E. S-2-E)
- PROPOSED PUBLIC SEWER MANHOLE (PER C.O.E. S-1-E)
- PROPOSED CATCH BASIN
- EXISTING STORM DRAIN DITCH
- PROPOSED STORM DRAIN
- EXISTING WATER LINE
- PROPOSED WATER LINE
- PROPOSED FIRE HYDRANT (PER C.O.E. W-3-E)
- PROPOSED WATER SERVICE & BACKFLOW ASSEMBLY (PER C.O.E. W-1-E, W-10-E)
- PROPOSED 4" BLOW-OFF ASSEMBLY (PER C.O.E. W-9-E)
- PROPOSED 2" COMBINATION AIR VALVE (PER C.O.E. W-5-E)
- PROPOSED GATE VALVE
- PROPOSED THRUST BLOCK



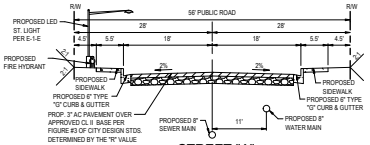
STANLEY AVE.
(APN 224-130-09 TO N. ASH ST.)
NOT TO SCALE



LEHNER AVE.
(ASH ST. TO APN 224-132-38)
NOT TO SCALE



ASH STREET
(STANLEY AVE. TO LEHNER AVE.)
NOT TO SCALE



STREET "A"
NOT TO SCALE

EASEMENTS

ITEMS 1 AND 2 ARE NON-MAPPING ITEMS AND THEREFORE ARE NOT SHOWN HEREON.

(3) CITY OF ESCONDIDO HOLDER OF AN EASEMENT FOR WATER PURPOSES, RECORDED DECEMBER 30, 1987 AS INSTRUMENT NO. 87-071292B OF OFFICIAL RECORDS, TO BE QUITCLAIMED.

THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.

(4) SAN DIEGO COUNTY WATER AUTHORITY HOLDER OF AN EASEMENT FOR RIGHT OF WAY, RECORDED APRIL 24, 1964 AS INSTRUMENT NO. 64-74532 OF OFFICIAL RECORDS.

ITEMS 5 THROUGH 8 ARE NON-MAPPING ITEMS AND THEREFORE ARE NOT SHOWN HEREON.

(9) COUNTY OF SAN DIEGO HOLDER OF AN EASEMENT FOR SLOPE AND DRAINAGE FOR COUNTY HIGHWAY AND INCIDENTAL PURPOSES, RECORDED DECEMBER 27, 2006 AS INSTRUMENT NO. 2006-0914406 OF OFFICIAL RECORDS, TO BE QUITCLAIMED.

ITEMS 10 THROUGH 14 ARE NON-MAPPING ITEMS AND THEREFORE ARE NOT SHOWN HEREON.

PROPOSED DENSITY

STREET "A":

GROSS ACREAGE =5.09 AC

DENSITY CALCULATION:

APN 224-130-10 5.09 AC * 3.33 DU/AC =17 (ROUNDED UP)
TOTAL AC 5.09 AC TOTAL DUs 17 UNITS ALLOWED

VERY LOW INCOME UNITS:

APN 224-130-10 1 DU (5.88% VERY LOW INCOME PERCENTAGE)
TOTAL DU 1 DUs

DENSITY BONUS CALCULATION:

APN 224-130-10 17 DU * 0.20 DENSITY BONUS =4 (ROUNDED UP)
TOTAL BONUS DUs 4 UNITS ALLOWED

TOTAL STREET "A" DUs 21 UNITS ALLOWED
20 UNITS PROPOSED
- 1 UNIT VERY LOW INCOME UNIT
- 19 UNITS MARKET RATE UNITS

OWNERS CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE RECORD OWNERS OF THE PROPERTY SHOWN ON THE TENTATIVE SUBDIVISION MAP AND THAT SAID MAP SHOWS ALL OUR CONTIGUOUS OWNERSHIP IN WHICH WE HAVE ANY DEED OR TRUST INTEREST. WE UNDERSTAND THAT OUR PROPERTY IS CONSIDERED CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS, OR RAILROAD RIGHTS-OF-WAY.

OWNER

ALBERT J. AND PEARL HOFTIEZER
CO-TRUSTEES OF HOFTIEZER FAMILY TRUST

SUBDIVIDER

ESCONDIDO NORTH LLC
30200 RANCHO VIEJO RD., SUITE B
SAN JUAN CAPISTRANO, CA 92675

JOHN KAYE - MANAGER, AS AGENT FOR OWNER

ENGINEER OF WORK

WILLIAM J. SUITER RCE NO. 68964

REGISTERED PROFESSIONAL ENGINEER — WILLIAM J. SUITER — No. RCE 68964 — EXP. 12-31-22 — CIVIL — STATE OF CALIFORNIA

ASSESSOR'S PARCEL NO.

224-130-10-00

LEGAL DESCRIPTION

PORTIONS OF LOT H IN BLOCK 418 OF RESUBDIVISION OF BLOCKS 418 & 419, AND PORTIONS OF LOT 4 IN THE BLOCK 415, OF THE RANCHO RINCON DEL DIABLO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1520

FIRE: CITY OF ESCONDIDO

SCHOOL: ESCONDIDO UNION SCHOOL DISTRICT
ESCONDIDO UNION HIGH SCHOOL DISTRICT

SEWER: CITY OF ESCONDIDO

WATER: CITY OF ESCONDIDO

TOPOGRAPHY: AERIAL TOPOGRAPHIC SURVEY PERFORMED BY PASCO LARET SUITER AND ASSOCIATES ON OCTOBER 19, 2021.

SITE ADDRESS

0 ASH STREET
ESCONDIDO, CA 92026

GENERAL NOTES

ALL STREETS ARE PUBLIC.

GRADING AND IMPROVEMENTS SHALL BE IN ACCORDANCE WITH CITY OF ESCONDIDO STANDARDS.

EASEMENTS OF RECORD NOT SHOWN HEREON SHALL BE HONORED, ABANDONED AND/OR RELOCATED TO THE SATISFACTION OF ALL INTERESTED PARTIES, AND PUBLIC UTILITY EASEMENT NECESSARY TO SERVE THIS PROJECT WILL BE COORDINATED WITH SERVING UTILITY COMPANIES.

LOT DIMENSIONS AND AREAS SHOWN HEREON ARE APPROXIMATE. THE DIMENSIONS MAY BE ADJUSTED TO BE CONSISTENT WITH THE FINAL MAP.

TOTAL AREA OF SUBDIVISION: 5.09 GROSS ACRES, 4.71 NET ACRES/DISTURBED

TOTAL LOTS: 20 NUMBERED LOTS AND 2 LETTERED LOTS
LOT 11 OF THIS MAP IS A DESIGNATE FOR 1 SINGLE FAMILY VERY LOW INCOME UNIT.

ZONE: R-1-10 (SINGLE-FAMILY RESIDENTIAL)

GENERAL PLAN: S: SUBURBAN (3.33 DUs/AC.)

PROPOSED SETBACK: FRONT YARD = 10' MINIMUM* (15' TYPICAL)
SIDE YARD = 5' MINIMUM (10' ADJACENT TO STREET)
REAR YARD = 15' MINIMUM* (20' TYPICAL)

*DEVIATIONS FROM SETBACKS TAKEN FOR DENSITY BONUS

ALL LOTS ARE PROPOSED TO BE ON A SANITARY SEWER SYSTEM.

THE EXISTING SLOPE OF THE PARCEL IS LESS THAN 10%

ABREVIATIONS

Ø	DIAMETER	FL	FLOW LINE	SD	STORM DRAIN
AC	ACRE/ACREAGE	FS	FINISHED SURFACE	SF	SQUARE FEET
APN	ASSESSOR PARCEL NO.	FYSB	FRONT YARD SETBACK	SFM	SEWER FORCED MAIN
BO	BLOW-OFF	GB	GRADE BREAK	SMH	SANITARY SEWER MANHOLE
CAV	COMBINATION AIR VALVE	GV	GATE VALVE	SS	SANITARY SEWER
CB	CATCH BASIN	H	HEIGHT	SYSB	SIDE YARD SETBACK
CL	CENTERLINE	INV	INVERT	TR	TREE
CY	CUBIC YARDS	MAX	MAXIMUM	TW	TOP OF WALL
DU	DWELLING UNIT	MIN	MINIMUM	TYP	TYPICAL
DWY	DRIVEWAY	MH	MANHOLE	VCP	VITRIFIED CLAY PIPE
E	EAST	PL	PROPERTY LINE	W	WATER
EBMT	EASEMENT	PROP	PROPOSED	W/	WITH
EX	EXISTING	PUE	PUBLIC UTILITY EASEMENT	WM	WATER METER
FF	FINISHED FLOOR	R/W	RIGHT OF WAY		
FG	FINISHED GRADE	RW	RETAINING WALL		
FH	FIRE HYDRANT	RYSB	REAR YARD SETBACK		

EARTHWORK

STREET "A"
CUT: 5,000 CY.
FILL: 7,800 CY.
NET: 2,800 CY (IMPORT)

SHEET INDEX

TENTATIVE SUBDIVISION MAP TITLE SHEET

TENTATIVE SUBDIVISION MAP SHEET

TENTATIVE SUBDIVISION MAP SECTIONS & DETAILS

PASCO LARET SUITER & ASSOCIATES
San Diego | Solana Beach | Orange County
Phone 949.661.6595 | www.plsengineering.com

Source: Pasco Laret Suiter & Associates (2022)

Figure 5. Tentative Tract Map

Density Bonus

State law allows for projects that provide affordable housing units to increase the density above what would otherwise be allowed by a city's General Plan and Zoning Code. The proposed Project includes one (1) affordable unit at the very-low income level, which allows the proposed Project a density bonus as shown in the following table.

Table 1. Density Bonus Calculation

APN	Acres	GP DU/AC	GP DUs	Proposed Very-Low Income Units	Density Bonus Permitted	Allowed Density Bonus DUs	Allowed Total DUs	Allowed DUs / AC
224-130-10	5.09	3.3	17	1	20%	4	21	4.1

Based on the provision of one (1) very-low income affordable units, the proposed Project would receive density bonus of 4 dwelling units. However, the proposed Project only proposes 3 bonus units, for a total proposed development of 20 dwelling units.

Pursuant to Government Code section 65915(e)(1), a city may not impose development standards that would preclude the construction of a project that is allowed under the density bonus law. The table below lists changes or waivers to development standards that are necessary to achieve the bonus density under State law.

Table 2. Proposed Waiver to Development Standards

Waiver	Dev. Standard	Proposed
Front Yard Setback	15 feet with street-facing garage to be setback 20 feet	10 feet with street facing garage allowed to be setback 10 feet
Interior Side Yard Setback	5 feet on one side (and 10 feet on the other, unless abutting an alley)	5 feet on both sides
Accessory Building Setback Requirements	Front, side, and rear setback requirements as stated in EMC Sec. 33-102	Any reference in EMC Sec. 33-102 to "underlying" zoning shall be interpreted as the main building's actual setback which may have been reduced given the setback waivers herein
Min. Lot Area	10,000 SF	6,000 SF
Avg. Lot Width	80 feet	60 feet
Max Lot Coverage for Primary & Accessory Structures	40%	50%

Waiver	Dev. Standard	Proposed
Max FAR	0.5	0.7
Rear Yard Setback	20 feet	15 feet
Lot Width @ Street	35 feet	30 feet

2.6 Discretionary Actions

The proposed Project requires approval of the following discretionary actions before construction can begin. This IS/MND will be relied on for those discretionary actions.

- Tentative Tract Map PL22-0134
- Annexation (PL22-0154) of APN 224-130-10 and 508 Stanley Avenue to the City of Escondido
- Applicant is responsible for securing any required permits for the proposed Project.

2.7 Contact Information

The Initial Study / Mitigated Negative Declaration for the proposed Project is subject to public review and comment pursuant to Section 15200 of the State CEQA Guidelines. Copies are available during normal business hours at the City of Escondido, 201 N. Broadway, Escondido, CA 92025 and on the City's website, https://www.escondido.org.

Comments on this Initial Study / Mitigated Negative Declaration may be submitted to:

Ivan Flores, AICP, Associate Planner
iflores@escondido.org
201 N. Broadway
Escondido, CA 92025

SECTION 3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

3.1 DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

3-30-23

Date

SECTION 4.0 ENVIRONMENTAL CHECKLIST

4.1 Aesthetics

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

The Project site constitutes a vacant, disturbed ruderal open space. The property has a gentle slope, rising to the north, but otherwise generally flat. Vegetation is a mix of ruderal understory and scattered trees. The property appears to be actively maintained.

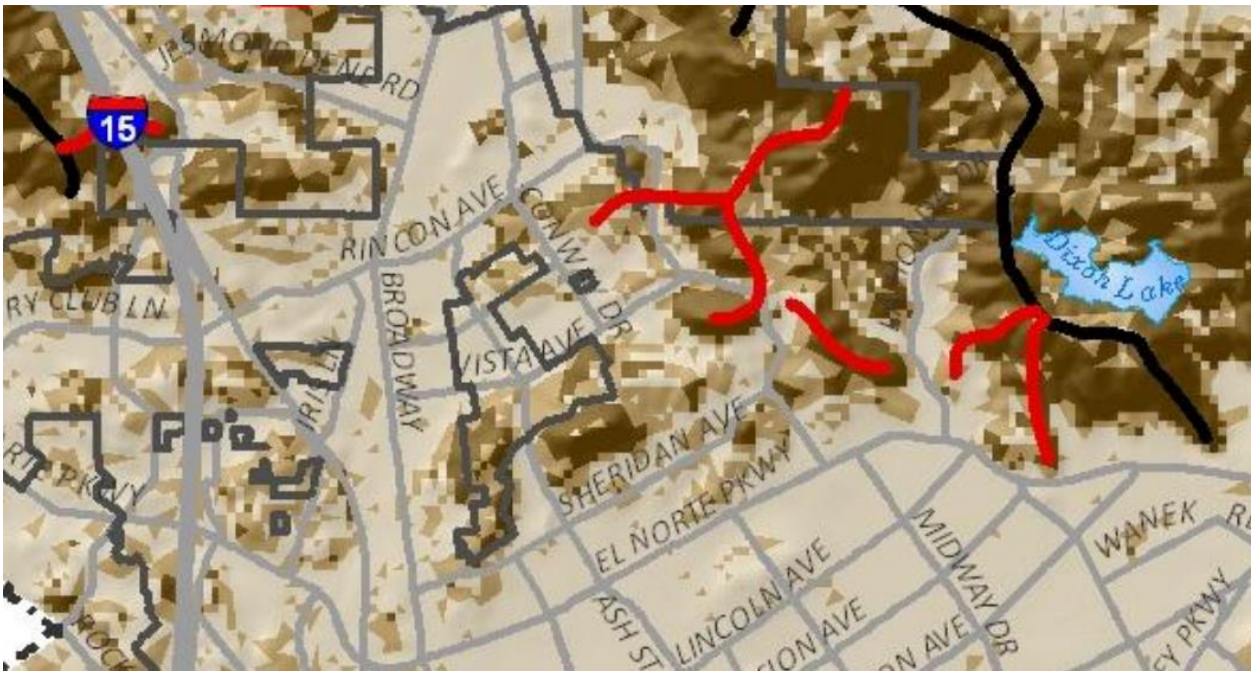
The Project site is not located on a ridgeline or an area of visual prominence. There are no rock outcroppings or other unique geologic features. The trees on the Project site are scattered, disturbed, and common to the area.

According to the California State Scenic Highway System Map, the Project site is not located near a scenic highway. The closest State scenic highway is State Route (SR) 76, which is eligible for scenic highway designation, is located approximately 11.5 miles from the Project site. The City of Escondido, in Visual Resources Policy 3.6 included in the Escondido General Plan Resource Conservation Element, established policy language for development within the I-15 scenic corridor. The Project site is located outside (approximately 2 miles away) of the I-15 scenic corridor.

Findings of Fact

a, b) Less than Significant. The Project site does not represent a scenic vista. The Project site has been previously disturbed and is located in an area zoned for residential development. The Project site is not located near any designated scenic highways, significant ridgelines, or other identified scenic resources, and would not result in any impacts related to having an adverse impact on a scenic vista. The closest scenic highway to the Project site, which is over 11 miles away, SR 76, which is designated as an "eligible" scenic highway.

The Project site does not contain any ridgelines or significant geologic features. As shown on Figure VII-5 of the City of Escondido General Plan Resource Conservation Element, no Intermediate or Skyline Ridge are located on the Project site. An Intermediate Ridgeline, as shown in red, is located east of the Project site and Conway Drive.



The City's General Plan and Chapter 33 (Zoning), Article 55 (Grading and Erosion Control) of the City's Municipal Code (Ordinance 2001-21) establish tree protection, removal, and replacement standards. The City's General Plan recognizes any oak tree species and other mature trees as significant aesthetic and ecological resources deserving protection within the boundaries of the City. Section 33-1052 and 33-1068 of the City's Municipal Code sets forth rules and standards related to mature tree removal, protection, and replacement.

The Project site has four trees that meet the definition of Mature. The proposed Project would impact all four Mature trees, which are Mexican Fan Palms, a non-native species.

As specified in Mitigation Measure MM BIO-2 in Chapter 4.4 of this IS/MND, all impacted mature trees would be mitigated for by purchasing replacement trees either on or off-site.

Since the proposed Project site does not contain a scenic vista or scenic resources, impacts would be less than significant.

c) Less than Significant. The Project site is located in a suburban area of Escondido. For purposes of CEQA, the Project site is considered in an urbanized area because the Project site is served by paved roadways, all utilities, and is surrounded by a mix of development. Therefore, this threshold of significance pertains to whether the proposed Project would conflict with applicable zoning and other regulations governing scenic quality.

The proposed Project is designed to be consistent with the existing zoning and General Plan designations, with approval of a Density Bonus pursuant to State law, as follows: the Project site has a General Plan designation of Suburban (3.33 DU/acre) and a Zoning designation of R-1-10: Single Family Residential.

The City's General Plan Resource Conservation Element includes a number of policies that pertain to visual resources. Below are the policies and a discussion on the proposed Project's consistency.

> *Visual Resources Policy 3.1 Preserve significant visual resources that include unique landforms (e.g., skyline ridges, intermediate ridges, hilltops, and rock outcroppings), creeks, lakes, and open space areas in a natural state, to the extent possible.*

The Project site does not contain significant visual resources as defined in this policy. Therefore, the proposed Project is consistent with Policy 3.1.

> *Visual Resources Policy 3.2 Require new development to avoid obstructing views of, and to minimize impacts to, significant visual resources through the following: creative site planning; integration of natural features into the project; appropriate scale, materials, and design to complement the surrounding natural landscape; clustering of development to preserve open space vistas and natural features; minimal disturbance of topography; and creation of contiguous open space networks.*

The Project site does not contain significant visual resources that would require avoidance or minimization. Therefore, the proposed Project is consistent with Policy 3.2.

> *Visual Resources Policy 3.3 Maintain density and development standards designed to protect significant visual resources such as existing terrain, steep*

> *slopes, floodways, habitat areas, and ridgelines, and to minimize visual impacts of grading and structures.*

The proposed Project has been designed to be compatible with surrounding land uses. The Project site is relatively flat, and the grading plan avoids the need for retaining walls or large slopes. Existing homes are located along the western boundary of the Project site. The proposed Project includes a small slope of varying height up to approximately 6 feet that descends to the western property line. Common areas, including the slope along the western property line, will be landscaped. Therefore, the proposed Project is consistent with Policy 3.3.

> *Visual Resources Policy 3.4 Prohibit development on skyline ridges and seek to obtain scenic easement dedications for these areas from property owners in conjunction with development on other suitable locations of the property. Require property owners of such scenic easements to retain, maintain, preserve, and protect the public view of these areas in their natural state, without obstruction by structures, and prohibit clearing of brush or planting of vegetation except as necessary to reduce fire hazards.*

As shown on City of Escondido General Plan Resource Conservation Easement, Figure VII-5, the proposed Project site does not contain skyline ridges and therefore, no scenic easements would be required. Therefore, the proposed Project is consistent with Policy 3.4.

Since the proposed Project is consistent with the existing zoning and General Plan designations and the associated visual resource policies included in the General Plan, impacts would be less than significant.

d) Less than Significant. The Project site is located in a suburban area with numerous nearby light sources. Existing light sources surrounding the Project site include streetlights and existing residential neighborhoods. The proposed Project would extend the same type of light sources onto the Project site. Internal roadways would have streetlights and each residence would have typical wall lighting associated with residential uses. The light sources included in the proposed Project have the same character and intensity as existing surrounding light sources, therefore, impacts would be less than significant.

Sources

- State of California Department of Transportation, California Scenic Highway Program.
- City of Escondido General Plan Resource Conservation Easement, Figure VII-5.

- *Biological Technical Report, CSLS,* dated February 2023, included in Appendix B.
- Google Earth and site visits.
- Engineering plans.

4.2 Agriculture and Forestry Resources

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

Discussion

The Project site is a vacant site and consists of primarily non-native ruderal vegetation. The Project site is not being actively farmed or used for forest use and there is no history of such uses on the Project site.

Findings of Fact

a) No Impact. The Project site is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance based on mapping by the Department of Conservation. The Project site is mapped as "Urban and Built-Up Land."

b) No Impact. The Project site is not subject to a Williamson Act contract.

c) No Impact. The Project site is zoned for residential development and the proposed Project is consistent with the existing zoning and General Plan designations, with approval of a Density Bonus pursuant to State law. The existing General Plan and zoning designations are as follows:

- General Plan land use designation: Suburban (3.33 DU/acre)
- Zoning classification: R-1-10: Single Family Residential

d) No Impact. The Project site does not have forest land or land that was used for the harvesting of timber.

e) No Impact. Existing properties surrounding the Project site, at a distance of 500+ feet radius, consist of residential land uses. There are no properties designed as prime farmland or forest uses within close proximity to the Project site. Therefore, the proposed Project would not encroach into designated Prime Farmland or forest land and the proposed Project would not influence existing designated Prime Farmland or forest land to convert into non-agricultural or non-forest uses. No impact would occur.

Sources

- *Department of Conservation Important Farmland Finder,* DLRP Important Farmland Finder (ca.gov).
- Title Report.
- City of Escondido General Plan Land Use Map.
- City of Escondido Zoning Map.
- Google Earth.

4.3 Air Quality

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Discussion

The proposed Project site is located within the San Diego Air Pollution Control District (SDAPCD), which is responsible for controlling emissions primarily from stationary sources and to a lesser extent, mobile sources. Additionally, the SDAPCD is responsible for creating, updating, and implementing a regional air quality strategy (RAQS) for the San Diego County Air Basin. While air quality has improved dramatically over the past years, the San Diego County Air Basin continues to exceed federal public health standards for ozone and state public health standards for particulate matter.

The City of Escondido relies on the SDAPCD and Section 33-924(a)(5) of the Escondido Municipal Code for establishing significance thresholds for criteria air pollutants. The SDAPCD and Municipal Code establish the same significance thresholds. In accordance with SDAPCD Rules 20.2 and 20.3, the SDAPCD has established Screening Level Thresholds (SLTs) for six air pollutants. SDAPCD does not currently have SLTs for volatile organic compounds (VOCs) or particulate matter ($PM_{2.5}$). SDAPCD recommends including screening levels specified by the South Coast Air Quality Management District (SQAQMD) for those two criteria pollutants. Furthermore, SDAPCD does not have separate screening thresholds for construction activities and recommends using the daily stationary SLTs for comparative purposes for construction emissions. Table 3, below, summarizes the SLTs used for this analysis.

Table 3. Screening-Level Thresholds for Air Quality Impact Analysis

Pollutant	Lbs per Hour	Lbs per Day	Tons per Year
NO_X	25	250	40
VOC	--	75	13.7
PM_{10}	--	100	15
PM2.5	--	55	10
SO_X	25	250	40
CO	100	550	100

The report, *Lehner Avenue Tentative Subdivision Map Air Quality and Greenhouse Gas Impact Study* dated February 15, 2023, and prepared by RK Engineering Group, Inc. (Appendix A), analyzes potential air quality impacts from construction and operations. The report analyzes grading the Project site, including the import of 4,000 cubic yards of fill material. The report also analyzes operational impacts from construction of 20 dwelling units.

Findings of Fact

a) Less than Significant. The applicable air plan is the Regional Air Quality Strategy (RAQS) prepared by the SDAPCD. Consistency with the RAQS for the Basin would be achieved if a proposed project is consistent with the goals, objectives, and assumptions in the respective plan to achieve the federal and state air quality standards. One such plan is the General Plan, which determines land use and land use intensity. The City of Escondido designates the land use on the Project site as Suburban (3.33 DU/acre). The proposed Project, along with the proposed Density Bonus pursuant to State law, is consistent with the General Plan land use designation and density, and therefore, also consistent with the RAQS. Furthermore, another test of consistency is whether the proposed Project exceeds SDAPCD daily emissions thresholds. As detailed in Sections b), c), and d) below, emissions generated by the proposed Project would be below emissions thresholds established by the SDAPCD. Therefore, the proposed Project would be consistent with, and would not conflict with or obstruct, implementation of the RAQS. Impacts would be less than significant.

b) Less than Significant. Criteria pollutant emissions from the proposed Project would be generated by both construction emissions and operational emissions. As shown in Table 4 below, the daily construction emissions would be less than the SDAPCD air quality standards and thresholds of significance.

Table 4. Daily Construction Emissions

Maximum Daily Emissions (lbs/day)[1]						
Activity	VOC	NO_x	CO	SO_2	PM_{10}	PM2.5
Demolition	2.69	24.97	22.36	0.04	1.21	1.02
Site Preparation	3.72	36.07	33.66	0.05	1.75	1.50
Grading	2.00	20.81	20.34	0.04	4.24	2.30

Maximum Daily Emissions (lbs/day)[1]						
Activity	VOC	NO_x	CO	SO_2	PM_{10}	PM2.5
Building Construction	1.24	11.31	13.49	0.03	0.57	0.48
Paving	0.86	7.50	10.59	0.01	0.48	0.35
Architectural Coating	12.34	0.89	1.20	0.01	0.03	0.04
Maximum[1]	**12.34**	**36.07**	**33.66**	**0.05**	**4.24**	**2.30**
SDAPCD Threshold	75	250	550	250	100	55
Exceeds Threshold (?)	**No**	**No**	**No**	**No**	**No**	**No**

[1] Maximum daily emission during summer or winter; includes both on-site and off-site Proposed Project emissions.

Table 5 below summarizes the analysis of operational emissions. As shown in Table 5, operational emissions would also be below the SDAPCD thresholds.

Table 5. Daily Operational Emissions

Maximum Daily Emissions (lbs/day)[1]						
Activity	VOC	NO_x	CO	SO_2	PM_{10}	PM2.5
Mobile Sources	0.87	0.66	6.02	0.01	0.44	0.09
Energy Sources	0.01	0.14	0.06	0.01	0.01	0.01
Area Sources	1.52	0.42	5.79	0.02	0.67	0.65
Stationary Source	0.00	0.00	0.00	0.00	0.00	0.00
Total	**2.40**	**1.22**	**11.87**	**0.04**	**1.12**	**0.75**
SDAPCD Threshold	75	250	550	250	100	55
Exceeds Threshold (?)	**No**	**No**	**No**	**No**	**No**	**No**

[1] Maximum daily emission during summer or winter; includes both on-site and off-site Proposed Project emissions.

By complying with the SDAPCD standards, the proposed Project would not contribute to a cumulatively considerable net increase of any criteria pollutant for which the region is in non- attainment under an applicable Federal or State ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors). Therefore, impacts from criteria pollutant emissions would be less than significant.

c) Less than Significant with Mitigation. Sensitive receptors surrounding the Project site include neighboring residential uses. Exposure of pollutant concentrations on sensitive receptors can occur from construction and operation of the proposed Project. While project construction would generate less than significant criteria pollutant emissions, construction operations could cause fugitive dust impacts and impacts from diesel particulate matter.

SDAPCD Rule 55 regulates short-term air pollutant emissions associated with suspended particulate matter, also known as fugitive dust. Compliance with Rule 55 includes:

Airborne Dust Beyond the Property Line: No person shall engage in construction or demolition activity subject to this rule in a manner that discharges visible dust emissions into the atmosphere beyond the property line for a period or periods aggregating more than 3 minutes in any 60-minute period.

Track-Out/Carry-Out: Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall:

i. be minimized by the use of any of the following or equally effective track-out/carry-out and erosion control measures that apply to the Proposed Project or operation: track-out grates or gravel beds at each egress point, wheel-washing at each egress during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and for outbound transport trucks: using secured tarps or cargo covering, watering, or treating of transported material; and
ii. be removed at the conclusion of each workday when active operations cease, or every 24 hours for continuous operations. If a street sweeper is used to remove any track-out/carry-out, only PM10- efficient street sweepers certified to meet the most current South Coast Air Quality Management District Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out is prohibited under any circumstances.

The proposed Project would generate diesel particulate matter (DPM) during construction from off-road diesel equipment and trucks. The California Office of Environmental Health Hazard Assessment (OEHHA) adopted the Guidance Manual for Preparation of Health Risk Assessments (HRA Guidelines) to provide procedures for use in the Air Toxics Hot Spots Program, which includes DPM emissions.

The HRA Guidelines provide risk factors based on exposure to toxic substances over a 30-year life span and do not address short-term exposures. The proposed Project's construction activity is temporary and short-term, not over the long-term (i.e., 30 year) period. Due to the significantly reduced risk from short-term exposure, the SDAPCD does not typically require the evaluation of long-term cancer risk or chronic health impacts for construction operations from projects like the proposed Project.

While there isn't established evaluation guidance for short-term exposures and therefore no significant impact, the most current available technology to reduce DPM is Tier 4 engine technology. Tier 4 engines, along with the latest national fuel standards, have been shown to yield PM reductions of over 95% from the typical Tier 2 and Tier 3

engines (RK Engineering, 2023), thereby ensuring the potential DPM exposure to adjacent sensitive receptors is reduced to the maximum extent feasible. Therefore, the following mitigation measure is incorporated to reduce DPM emissions to the maximum extent feasible, resulting in less than significant impacts.

> Mitigation Measure MM AQ-1: The proposed Project shall utilize low emission "clean diesel" equipment with new or modified Tier 4 engines that include diesel oxidation catalysts, diesel particulate filters or Moyer Program retrofits that meet CARB best available control technology for all feasible off-road diesel powered construction equipment.

Operationally, the proposed Project would consist of 20 single-family homes. This type of project does not include major sources of toxic air contaminants (TAC) emissions that would result in significant exposure of sensitive receptors to substantial pollutant concentrations, such as a large high-cube warehouse or other industrial type uses that would require an air permit to operate. Therefore, operational impacts on sensitive receptors would be less than significant.

d) Less than Significant. Odor impacts can also occur during construction and operations. Heavy-duty equipment used during construction would emit odors; however, the construction activity would cease to occur after individual stages of construction are completed. The proposed Project is required to comply with SDAPCD Rule 51 during construction, which states that a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property. Since odors caused from construction emissions are temporary and regulated by the SDAPCD, impacts would be less than significant.

Land uses that commonly receive odor complaints include agricultural uses (i.e. livestock), chemical plants, composting operations, dairies, fiberglass molding facilities, food processing plants, landfills, refineries, rail yards, and wastewater treatment plants. The proposed Project does not contain land uses that would typically be associated with significant odor emissions. Furthermore, the proposed residential uses are consistent with surrounding residential land uses. Therefore, operational odors would not cause a significant impact.

Sources

- *Lehner Avenue Tentative Subdivision Map Air Quality and Greenhouse Gas Impact Study* dated February 15, 2023, and prepared by RK Engineering Group, Inc. (Appendix A).

4.4 Biological Resources

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

Biological resources on the Project site were evaluated and presented in *Biological Resource Assessment for Ash Project*, dated February 2023, by Carlson Strategic Land Solutions, and included in Appendix B. The proposed Project site consists of primarily ruderal and non-native vegetation types. Below in Table 6 is a summary of the plant communities mapped on the Project site.

Table 6. Plant Communities Observed on the Proposed Project site[1]

Vegetation Community	Acreage
Arundo Stand	0.10
Non-Native Cactus Stand	0.02
Ruderal	5.04
TOTAL	5.16

Notes:
1. Plant Communities within the surrounding 300-foot buffer are not included within the total acreage. Communities consists of urban/developed and disturbed vegetation communities. The acreage of the vegetation mapping slightly exceeds the overall project site to account for surrounding right-of-way.

The *Biological Resource Assessment* (BRA) also includes an inventory of "heritage," "protected," and "mature" trees on the Project site, in accordance with Escondido Municipal Code Section 33-1069, Article 55 of Chapter 33. No heritage or protected trees are located on the Project site. A total of four (4) mature trees are located on the Project site. The four (4) mature tree species are non-native Mexican Fan Palms. No native tree species were observed onsite. Table 7 summarizes the tree inventory.

Table 7. Protected and Mature Trees on the Proposed Project site

Mature Trees	DBH	Number of trees
Native trees	4 inches to 9.99 inches	0
Non-native trees species	8-inches or greater	4
SUBTOTAL	-	*4*
TOTAL	-	4

The BRA analyzed the potential for sensitive species, both plant and wildlife, to occur on the Project site. Given the extensive non-native plant coverage of the Project site, there is no potential for sensitive plant species to occur on the Project site. Based on a data base search, there is a potential for 23 sensitive wildlife species to occur on the Project site. While there are special status wildlife species known to occur in the region, there is no potential for special status wildlife species on the Project site due primarily to the lack of suitable habitat, isolation of the Project site from undeveloped habitat blocks in the region, and disturbances associated with the highly urbanized setting.

A jurisdictional delineation was conducted on the Project site to determine if any drainage features present on the Project site meets the definition of Waters of the United States or Waters of the State. The delineation determined that no wetlands, riparian habitat, or jurisdictional drainage features are present on the Project site. It should be noted that while an Arundo stand is located on site, it is not associated with jurisdictional waters. Furthermore, the species is non-native and highly invasive. Once an Arundo stand establishes, the species naturally recruits through rhizomes and stem nodes that come in contact with the soil. The species did not receive any maintenance

or removal measures and as a result has spread through rhizomes and established into a stand.

The Project site is located within the North County Multiple Habitat Conservation Program (MHCP). The proposed Project occurs within the boundaries of the Draft City of Escondido Subarea Plan (Subarea Plan), which has not yet been approved or adopted. Within the Subarea Plan, the Project site is identified as urban/developed land. The Project site is not found inside any Biological Core or Linkage Area. Furthermore, the Project site is located outside of areas targeted for conservation, including Focused Planning Areas, Hardline Preserve, Major Amendment Area, Natural Habitats (Outside of FPA), Core Gnatcatcher Conservation, Biological Core and Linkage Area (BCLA), and Edge Habitat.

Findings of Fact

a) Less than Significant with Mitigation. No special status plant species were identified on the Project site, nor were any observed offsite within the buffer area. The proposed Project includes the removal of portions of disturbed and ruderal habitat, including stands of non-native cactus and Arundo. Therefore, impacts to sensitive plant species would be less than significant and no mitigation is required.

There is no potential for special status wildlife species to occur on the Project site. The Project site does not provide nesting habitat given the lack of mature trees. However, the Project site could provide area for hunting and foraging for raptors or other avian species within the disturbed and ruderal areas.

While there is limited vegetation on the Project site, there is the potential for nesting bird species, especially ground-nesters. In accordance with the Migratory Bird Treaty Act, it is unlawful to impact active nests or disrupt nesting activity. Therefore, Mitigation Measure MM BIO-1 is incorporated to ensure that construction activities affecting potential nesting habitat are restricted to periods outside of nesting season or, where activities must occur, pre-activity surveys and avoidance measures are implemented. Mitigation Measure MM BIO-1 would reduce impacts to nesting birds to less than significant.

> Mitigation Measure MM BIO-1: Prior to ground disturbances that would impact potentially suitable nesting habitat for avian species, the project applicant shall adhere to the following:
>
> 1. Vegetation removal activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to the extent feasible to avoid potential impacts to nesting birds and/or ground nesters.

2. Any construction activities that occur during typical nesting season (February 15 to August 31 for songbirds; January 15 to August 31 for raptors) will require that all suitable habitat, on-site and within 300-feet surrounding the site (as feasible), be thoroughly surveyed for the presence of nesting birds by a qualified biologist within 5-days prior to commencing ground disturbances. If active nests are identified, the biologist would establish buffers around the vegetation (500 feet for raptors and sensitive species, 200 feet for non-raptors/non-sensitive species). All work within these buffers would be halted until the nesting effort is finished (i.e. the juveniles are surviving independent from the nest). The onsite biologist would review and verify compliance with these nesting boundaries and would verify the nesting effort has finished. Work can resume within these areas when no other active nests are found. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas and would develop a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.

With implementation of Mitigation Measures MM BIO-1 impacts to sensitive wildlife species would be mitigated to less than significant.

b) No Impact. The Project site does not include any riparian habitat or jurisdictional features subject to Section 1602 of the California Fish and Game Code as regulated by CDFW. While an Arundo stand is present onsite, it is not associated with jurisdictional waters. Furthermore, the species is non-native and highly invasive species. Once an Arundo stand establishes, the species naturally recruits through rhizomes and stem nodes that come in contact with the soil. The species did not receive any maintenance or removal measures and as a result has spread through rhizomes and established into a stand. While the species is traditionally associated with wetlands or riparian habitats, no features meeting the definition of jurisdictional waters within Section 1602 were observed.

c) No Impact. No jurisdictional non-wetland or wetland waters regulated under Section 404 of the CWA were identified on the Project site. Therefore, no impacts would occur.

d) Less than Significant. The Project site is surrounded by existing development, and as such, does not by itself function as and does not contribute to any wildlife corridors or linkages. The site supports potential live-in and movement habitat for species on a local scale (i.e., some limited live-in and marginal movement habitat for reptile, bird, and mammal species), however, the site provides little to no function to facilitate wildlife movement on a regional scale. Furthermore, the site is not identified as a Special Linkage area within the Subarea Plan or the County's MSCP. Movement on a local scale

likely occurs with species adapted to urban environments due to the surrounding development and disturbances in the vicinity of the site. Although implementation of the proposed Project would result in disturbances to local wildlife movement within the site, those species adapted to urban areas would be expected to persist on-site following construction. Therefore, impacts would be less than significant.

The Project site supports limited foraging habitat for migratory birds and raptors due to the disturbed and ruderal condition of the Project site. The lack of large trees limits the nesting habitat provided on the Project site. Nesting activity typically occurs from January 15 through August 31 for raptors and February 15 through August 31 for all other avian species. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 et seq.). In addition, nests and eggs are protected under Fish and Wildlife Code Section 3503. As such, direct impacts to breeding birds (e.g. through nest removal) or indirect impacts (e.g. by noise causing abandonment of the nest) is considered a potentially significant impact. Compliance with the MBTA would reduce impacts to a less than significant level, as detailed in Mitigation Measure MM BIO-1.

e) Less than Significant with Mitigation. The Project site does not contain any heritage or protected trees but does have 4 mature trees subject pursuant to Section 33-1069, Article 55 of Chapter 33 of the City's Municipal Code. The Project would result in unavoidable impacts to these trees, as summarized in Table 8 below.

Table 8. Impacts to Protected and Mature Trees on the Proposed Project site

Mature Trees	DBH	Existing Number of trees	Total Impacted	Total Avoided
Native trees	4 inches to 9.99 inches	0	0	0
Non-native trees species	8-inches or greater	4	4	0
TOTAL	-	*4*	*4*	*0*

The four impacted mature trees are all Mexican Fan Palms, a common, non-native tree species that provides very limited biological value. However, the trees are subject to the City's tree ordinance and therefore impacts to the trees constitutes a significant impact. To offset this impact, the Project Applicant shall implement Mitigation Measure MM BIO-2, which requires the replacement of Mature trees either on or off site.

> Mitigation Measure MM BIO-2: The Project Applicant shall replace impacted mature trees at a minimum of 1:1 ratio, a total of 4 trees, unless other biologically equivalent or superior mitigation has been determined by the City. Trees may be replaced either on or off-site. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the Development Services Director pursuant to Escondido Municipal Code Section 33-1069.

With implementation of Mitigation Measure MM BIO-2, impacts to mature trees would be mitigated to less than significant.

f) No Impact. The Project site occurs within the boundaries of the North County Multiple Habitat Conservation Program (MHCP). The only Subarea Plan that has been approved and adopted within the North County MHCP is the City of Carlsbad MHCP Subarea Plan, also known as the Carlsbad Habitat Management Plan (HMP). The Project occurs within the boundaries of the Draft Escondido MHCP Subarea Plan, which has not yet been approved or adopted.

Within the North County MHCP, the site is situated in areas identified as Developed/Disturbed Land, outside of areas targeted for conservation, including Focused Planning Area (FPA), Hardline Areas (90% to 100% Conservation), Softline Areas (Less than 90% Conservation), Hardline Preserves, Major Amendment Area, Natural Habitats (Outside of FPA), Core Gnatcatcher Conservation, Biological Core and Linkage Area (BCLA), and Edge Habitat. Furthermore, the Project site is not proposed in any areas targeted for conservation and would not conflict with the provisions of the North County MHCP. Therefore, the Project site is not proposed in any areas targeted for conservation and would not conflict with the provisions or preclude the future implementation of the Draft Escondido MHCP Subarea Plan. No impact would occur.

Sources

- *Biological Resource Assessment for Ash Project*, dated February 2023, by Carlson Strategic Land Solutions, and included in Appendix B.

4.5 Cultural Resources

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Discussion

Cultural and paleontological resource assessments were prepared for the Project site[1]. The assessments, *Cultural and Paleontological Resources Assessment for APNs 224-142-01 and 224-130-10, City of Escondido, California*, dated August 17, 2022, by DUKE CRM is included in Appendix C.

Findings of Fact

a) Less than Significant. The Project site is vacant and does not include any historic structures or resources. Therefore, impacts to historic structures are less than significant.

b) Less than Significant with Mitigation. Record searches were obtained from the South Coastal Information Center (SCIC) at San Diego State University and at the Department of Paleontology at the San Diego Natural History Museum. Additionally, a field survey was conducted of the Project site. The records search identified 23 previous cultural resources investigations within ½ mile of the Project site. Those studies identified seven (7) previously recorded cultural resources within ½ mile of the Project site. However, no records indicate cultural resources on the Project site and the field survey did not identify any evidence of cultural resources on the Project site. The Cultural and Paleontological resource assessment conducted by Duke CRM concluded a "low sensitivity for cultural resources." (Duke, 2022) However, the lack of historical and modern disturbance in portions of the Project site indicate a potential for subsurface cultural deposits. Therefore, to reduce potential impacts to less than significant, the following mitigation measure shall be implemented.

> Mitigation Measure MM CUL-1: If cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts) are discovered during grading or construction

[1] The Cultural and Paleontological resource assessment includes an additional property that is beyond the limits of the Project site.

activities in the Project area, work shall be halted immediately within 50 feet of the discovery, the City Planning Department shall be notified, and a professional archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards in archaeology and/or history shall be retained to determine the significance of the discovery.

The City shall consider mitigation recommendations presented by a professional archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards in archaeology and/or history for any unanticipated discoveries. The City and the Project applicant of the site where the discovery is made shall consult and agree on implementation of a measure or measures that the City deems feasible. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The Project applicant shall be required to implement any mitigation necessary for the protection of cultural resources.

c) Less than Significant with Mitigation. Although no conditions exist that suggest human remains are likely to be found on the Project site, development of the Project site could result in the discovery of human remains and potential impacts to these resources. If human remains are found, those remains would be required to conduct proper treatment, in accordance with applicable laws. State of California Public Resources Health and Safety Code Sections 7050.5 to 7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the NAHC and consultation with the individual identified by the NAHC to be the "most likely descendant (MLD)." The MLD would have 48 hours to make recommendations to landowners for the disposition of any Native American human remains and grave goods found. If human remains are found during excavation, excavation must stop in the vicinity of the find and any area that is reasonably suspected to overlay adjacent remains until the County coroner has been called out, and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains. Following compliance with existing State regulations and Mitigation Measure MM CUL-2, would reduce impacts to less than significant.

Mitigation Measure MM CUL-2: If human remains are encountered during excavation activities, all work shall halt and the County Coroner shall be notified (California Public Resources Code §5097.98). The Coroner will determine whether the remains are of forensic interest. If the Coroner, with the aid of the County-approved Archaeologist, determines that the remains are prehistoric, s/he will contact the Native American Heritage Commission (NAHC). The NAHC shall be responsible for designating the most likely descendant (MLD), who will

be responsible for the ultimate disposition of the remains, as required by Section 7050.5 of the California Health and Safety Code. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD's recommendation shall be followed if feasible, and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials (California Health and Safety Code §7050.5). If the landowner rejects the MLD's recommendations, the landowner shall rebury the remains with appropriate dignity on the property in a location that will not be subject to further subsurface disturbance (California Public Resources Code §5097.98).

Sources

- *Cultural and Paleontological Resources Assessment for APNs 224-142-01 and 224-130-10, City of Escondido, California,* dated August 17, 2022, by DUKE CRM (Appendix C).

4.6 Energy

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Findings of Fact

a) Less than Significant. The proposed Project has been designed and would comply with the City's Green Building Standards and the State's CALGreen Building Code. By virtue of compliance with these codes, the proposed Project would not cause wasteful, inefficient, or unnecessary consumption of energy resources. See the explanation for b) below for further details.

b) Less than Significant. The City of Escondido has collaborated with the San Diego Association of Governments (SANDAG) and San Diego Gas and Electric (SDG&E) to prepare a City of Escondido Energy Roadmap that identifies ways to save energy in government operations resulting in municipal cost savings and benefits to the environment. In addition, the City has created a "Go Green Escondido" web page that provides information on how individuals, families, and businesses can reduce their carbon footprints and use less energy.

In January 2011, the State of California adopted the CALGreen Building Code with mandatory measures that establish a minimum for green construction practices. In 2019, the City adopted the Green Building Standards Code and the California Energy Code to establish green building development standards for new projects with the intent to promote a healthier environment by encouraging sustainable construction practices in planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental air quality.

The proposed Project has been designed and would comply with the City's Green Building Standards and the State's current CALGreen Building Code. By virtue of compliance with these codes, the proposed Project would not cause wasteful, inefficient, or unnecessary consumption of energy resources.

The proposed Project would have an energy footprint; however, the energy efficiency is dramatically improved compared to the older residential neighborhoods surrounding the Project site. The proposed residential structures would have solar panels, smart

thermostats, energy efficient lighting and appliances, insulation, and options for electric vehicle charging stations in the garages. These energy efficient features comply with state and local energy policies and avoid wasteful or inefficient consumption of energy resources.

Therefore, the proposed Project would not conflict with or obstruct a state or local plan, and by virtue of compliance with state and local plans, the proposed Project would not cause wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, impacts would be less than significant.

Sources

- City of Escondido Ordinance No. 2019-18 and "Go Green Escondido."

4.7 Geology and Soils

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Discussion

Geotechnical evaluation of the proposed Project site was conducted by Petra Geosciences, Inc, in 2022, *Revised Geotechnical Due Diligence Assessment; 4.9±-Acre Parcel Adjacent to the Northwest Side of the Intersection of N. Ash Street and Lehner*

Avenue, Assessor Parcel Number (APN) 224-130-10-00, City of Escondido, San Diego County, California, dated May 18, 2022 (Appendix D).

The geologic assessment relied on reviewing published and unpublished data, aerial imagery, and subsurface exploration from seven (7) hollow-stem auger borings to a depth of 15.9 feet below ground surface (bgs). One of the borings in the location of the proposed water quality basin was converted to a shallow percolation boring to determine infiltration rates.

Elevations on the Project site range from approximately 744 feet above mean sea level (msl) in the northern portion of the site to approximately 727 feet above msl in the southwest corner near Lehner Avenue. The Project site consists of topsoil, older alluvial deposits, and Cretaceous-age granitic bedrock. Historic groundwater levels range from 2+/- feet to 28 +/- feet below the ground surface. Groundwater depths vary across the site and generally flow in a west-southwest direction.

The Project site is not located within a State mapped Earthquake Fault Hazard Zone (Alquist-Priolo Earthquake Zoning Act) and no faults are known to cross the Project site. The closest known active fault is the Elsinore Fault zone located approximately 12 miles northeast of the Project site.

The Project site is also not mapped as a liquefaction hazard area.

Findings of Fact

a.i) Less than Significant. The Project site is not located within an Alquist-Priolo Earthquake Fault Zone and no faults were identified on the site during the geotechnical evaluation conducted by Petra Geosciences, Inc. (*Revised Geotechnical Due Diligence Assessment; 4.9±-Acre Parcel Adjacent to the Northwest Side of the Intersection of N. Ash Street and Lehner Avenue, Assessor Parcel Number (APN) 224-130-10-00, City of Escondido, San Diego County, California,* dated May 18, 2022 included in Appendix D. The closest active fault to the Project site is the Elsinore fault zone, which is mapped approximately 12 miles northeast of the site. The possibility of damage due to ground rupture is considered low since no active faults are known to cross the site. Therefore, impacts would be less than significant.

a.ii) Less than Significant. The Project site, like many areas in Southern California, is subject to strong seismic ground shaking. While the Project site does not have any faults on the property, the closest known active earthquake fault is the Elsinore fault located approximately 12 miles northeast of the Project site, which has the potential to generate strong ground shaking. The Elsinore Fault is capable of producing a magnitude 7 or larger event.

The construction of two-story single family residential homes is common in earthquake prone areas like Southern California, including the area surrounding the Project site.

The geotechnical analysis included in Appendix D included an evaluation of site seismic characteristics in accordance with the 2019 California Building Code (CBC). Based on the site seismic characteristics, the CBC provides building code guidelines to minimize the effects of seismic ground shaking. With adherence to the building code standards, impacts associated with seismic ground shaking would be less than significant.

a.iii) Less than Significant. The Project site does not have earthquake faults on the property, therefore, the potential for seismic rupture is very low. The closest active fault to the Project site is the Elsinore Fault, approximately 12 miles northeast of the Project site. The distance of the Project site to the Elsinore Fault minimizes the risk of fault rupture to less than significant.

The Project site is not located within a liquefaction hazard zone as mapped by the State of California Seismic Hazard Zone mapping. Given the shallow depth of bedrock material (granitic) and the recommended remedial grading as described below in Section (c), the potential for liquefaction or significant dynamic settlement is negligible, and therefore less than significant.

a.iv) Less than Significant. The Project site and the immediate area consists of gently sloping topography, which is not prone to landsliding. Therefore, the potential for landsliding is negligible and impacts would be less than significant.

Secondary types of ground failure that might occur from a large seismic event include ground subsidence, ground lurching, and lateral spreading. Based on the proposed grading and the gentle topography across the site, landsliding, ground subsidence and lateral spreading are considered unlikely at the Project site. Ground lurching could occur during a major seismic event, however, the remedial grading described in Section (c) and compliance with the seismic building standards in the California Building Code, would reduce the potential impact to less than significant.

b) Less than Significant. The Project site has a gentle gradient of elevation change from north to south, without large steep slopes on or adjacent to the property that would be conducive to soil erosion or loss of topsoil. The Project site is surrounded by existing residential streets and single-family residences. Given current site conditions, the potential for soil erosion or loss of topsoil is low. Furthermore, during grading when the highest risk of loss of topsoil and/or erosion would occur, silt fencing, sandbags, waddles, and other BMPs would be installed as part of the Stormwater Pollution Prevention Plans (SWPPP). Impacts would be less than significant.

c) Less than Significant with Mitigation. The Project site is not located on a geologic unit that is unstable or could become unstable. The Project site consists of topsoil and alluvium over hard granitic bedrock. There are no mapped earthquake faults or landslides. The potential for liquefaction is low given the underlying bedrock and remedial grading recommendations, and the Project site has very low expansive soil

potential. The existing fills and loose alluvium are not suitable in its current state to support the construction of new structures and infrastructure. Therefore, removal and recompaction of the fill and loose alluvium is necessary prior to construction.

The Project site was evaluated for geotechnical feasibility pursuant to CEQA and determined to be feasible, without causing significant impacts, with implementation of design standards presented in the geotechnical report included in Appendix D. An example of those design standards included in the geotechnical reports is the removal and recompaction of soil to depths of 1 to 3 feet, possibly extending to 5 feet or more, below proposed pad elevations. Furthermore, prior to grading, a final geotechnical report must be prepared to accompany the construction level documents and the final geotechnical report will ensure all design recommendations have been incorporated. While standard practice, the requirement for a final geotechnical report has been included as a mitigation measure for further disclosure and tracking. Therefore, implementation of Mitigation Measures MM GEO-1 and MM GEO-2 would reduce impacts to less than significant.

> Mitigation Measure MM GEO-1: The Project Applicant shall implement the recommendations contained in the *Revised Geotechnical Due Diligence Assessment; 4.9±-Acre Parcel Adjacent to the Northwest Side of the Intersection of N. Ash Street and Lehner Avenue, Assessor Parcel Number (APN) 224-130-10-00, City of Escondido, San Diego County, California,* dated May 18, 2022, to reduce geologic hazards during implementation of the proposed Project. Included in the reports are site-specific recommendations involving such topics as, grading and earthwork, slope stability, retaining walls, seismic design, construction materials, geotechnical observation, and testing and plan reviews.
>
> Mitigation Measure MM GEO-2: Prior to the issuance of a grading permit, the Applicant shall prepare a final geotechnical report based on the final rough grading plans and the final geotechnical report shall incorporate all of the recommendations included in the preliminary geotechnical reports included in Appendices D. The geotechnical reports included in Appendix D have established that the site is geotechnically suitable for development and a final geotechnical report is required to ensure all construction-level geotechnical recommendations and design parameters are included on the final rough grading plans.

d) Less than Significant. Based on test results, the silty and sandy soils encountered on the Project site have a Very Low expansion potential. Included in Mitigation Measure MM GEO-1 are recommendations for testing the imported fill material to ensure the expansion potential remains low. Impacts would be less than significant.

e) Less than Significant. The Project does not include septic systems and instead proposes to rely on existing sewer service in the surrounding streets. Since no new septic is proposed, impacts would be less than significant.

f) Less than Significant. Based on site survey and database results presented in *Cultural and Paleontological Resources Assessment for APNs 224-142-01 and 224-130-10, City of Escondido, California,* dated August 17, 2022, by DUKE CRM (Appendix C), the potential for paleontological resources on the Project site is very low.

Site records housed in the Department of Paleontology at the San Diego Natural History Museum indicate that no fossil localities occur within the vicinity of the Project site, and the nearest fossil locality is approximately 10 miles to the west. The low potential for paleontological resources on the Project site is mostly due to the abundance of Mesozoic-age igneous and metamorphic rocks in the vicinity. These rock types have zero paleontological sensitivity because the high temperatures and/or pressures they form at are not conducive to fossil preservation.

Impacts would be less than significant.

Sources

- *Revised Geotechnical Due Diligence Assessment; 4.9±-Acre Parcel Adjacent to the Northwest Side of the Intersection of N. Ash Street and Lehner Avenue, Assessor Parcel Number (APN) 224-130-10-00, City of Escondido, San Diego County, California, dated May 18, 2022 (Appendix D).*

- *Cultural and Paleontological Resources Assessment for APNs 224-142-01 and 224-130-10, City of Escondido, California, dated August 17, 2022, by DUKE CRM is included in Appendix C.*

4.8 Greenhouse Gas Emissions

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	☐	☐	☒	☐

Discussion

The City adopted an updated Climate Action Plan (CAP) on March 10, 2021 in an effort to reduce community-wide GHG emissions. The purpose of the CAP is to adopt a plan that is consistent with and complementary to the GHG emissions reduction efforts being conducted by the State of California through the Global Warming Solutions Act (AB 32). Therefore, GHG thresholds of significance are based on the adopted Escondido CAP.

The implementation mechanism for the CAP is the Climate Action Plan Consistency Review Checklist. The Checklist allows new development projects a streamlined option for complying with CEQA requirements for addressing GHG emissions.

The City's CAP is a qualified GHG emissions reduction plan in accordance with State CEQA Guidelines Section 15183.5. Pursuant to CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of a CAP. Projects that are consistent with the General Plan and implement applicable CAP GHG reduction measures may incorporate by reference the CAP's cumulative GHG analysis. Conversely, projects that are consistent with the General Plan, but do not implement CAP GHG reduction measures, as well as General Plan Amendments and Annexations that increase emissions beyond CAP projections – would require a project-level GHG analysis.

Findings of Fact

a) Less Than Significant. The proposed Project would generate greenhouse gas emissions through the construction and operation of the proposed residences. The City has adopted a Climate Action Plan (CAP) to demonstrate consistency with State objectives for limiting GHG emissions and as a threshold of significance for development projects. All projects deemed consistent with the City's CAP are determined to have less than significant GHG impacts.

The report, *Lehner Avenue Tentative Subdivision Map Air Quality and Greenhouse Gas Impact Study* dated February 15, 2023, and prepared by RK Engineering Group, Inc. (Appendix A), includes a discussion on GHG emissions and the CAP checklist for the proposed Project. The CAP has determined that projects that produce less than 500 metric tons of carbon dioxide equivalent ($MTCO_2e$) annually have a less than significant greenhouse gas impact and are screened from further analysis. For single-family residential projects, the CAP determined that projects of 36 or fewer single-family residences produce less than 500 $MTCO_2e$. Since the proposed Project includes 20 single-family dwelling units, less than the 36 units established in the CAP, the proposed Project would generate less than 500 $MTCO_2e$, resulting in a less than significant impact.

b) Less than Significant. The proposed Project's consistency with the City's CAP results in consistency with statewide goals and policies aimed at reducing GHG emissions, including AB 32, SB 375, and CARB's 2017 Scoping Plan. Therefore, the proposed Project's generation of GHG emissions would not make a project-specific or cumulatively considerable contribution to conflicting with an applicable plan, policy or regulation for the purposes of reducing the emissions of greenhouse gases, and the proposed Project's impact would be less than significant.

Sources

- *Lehner Avenue Tentative Subdivision Map Air Quality and Greenhouse Gas Impact Study* dated February 15, 2023, and prepared by RK Engineering Group, Inc. (Appendix A).
- City of Escondido Climate Action Plan Consistency Review Checklist, March 10, 2021.

4.9 Hazards and Hazardous Materials

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Discussion

A Phase I Environmental Site Assessment was prepared to analyze the history of the site and the potential for encountering hazardous materials. The report, *Phase I Environmental Site Assessment Report*, dated October 7, 2022 by RSB Environmental is included in Appendix E.

The Project site was used for agricultural purposes from approximately 1928 through at least 1953. The Project site is currently vacant.

A previous Environmental Site Assessment and Limited Soil Investigation was prepared for the Project site by EFI Global on February 14, 2022. That study included twelve (12) discrete soil borings to a depth of 2 feet below ground surface (bgs). The soil samples analyzed for arsenic and organochlorine pesticides (OCPs). The laboratory results indicate non-detect concentrations of arsenic and OCPs in the soil at the Project site.

Findings of Fact

a) Less than Significant. Residential projects are not operators or generators of hazardous materials. Thus, operation of the proposed Project would not involve the use, transport, or disposal of hazardous materials, nor would it generate hazardous emissions, materials, or wastes. Grading and construction activities may involve limited transport, use, and disposal of hazardous materials such as fuel for construction equipment. However, construction activities are short-term and hazardous materials used during construction would be transported, used, and disposed of according to federal, State, and local health and safety requirements.

Impacts are less than significant.

b) Less than Significant. The *Phase I Environmental Site Assessment Report* (Appendix E) includes results from data base searches to determine the potential for release of hazardous materials from the Project site. The San Diego Regional Water Quality Control Board (SDRWQCB), Department of Toxic Substances Control (DTSC), San Diego County Department of Environmental Health (SDCDEH), and San Diego County Air Pollution Control District (SDAPCD) were contacted regarding permits, site investigation files, air emissions, hazardous materials, underground storage tank (UST), and industrial waste discharge records for the subject property. Additionally, the State Water Resources Control Board's (SWRCB) GeoTracker, California Integrated Water Quality System (CIWQS), Stormwater Multiple Application and Report Tracking System (SMARTS), and DTSC's EnviroStor and Hazardous Waste Tracking System (HWTS) online databases were searched for information on the subject property to identify any evidence of previous or current hazardous material usage. The Project site is not listed on any of the regulatory databases and no other sites listed on the databases pose a significant threat to the Project site. No oil wells are located on the Project site. Therefore, no Recognized Environmental Conditions (REC) were identified on or near the Project site. Impacts would be less than significant.

The Project site was historically used for agricultural purposes from at least 1928 to 1953. There is a potential that agricultural chemicals, such as pesticides, herbicides and fertilizers, were used onsite, which could result in a release of chemicals either during or following grading. Given this potential, a limited soil investigation was performed in conjunction with this Phase I to evaluate near-surface soils for restricted agricultural chemicals. The soil investigation included taking samples from 12 different locations up to 2 feet below ground surface. The samples were analyzed for arsenic and organochlorine pesticides (OCP). The results showed non-detect concentrations of

arsenic and OCPs. Therefore, no potential for release of hazardous materials was identified and impacts would be less than significant.

c) Less than Significant. The Project site is located within one-quarter mile of a school, which creates a potentially significant impact.

Residential projects are not operators or generators of hazardous materials. Thus, operation of the proposed Project would not involve the use, transport, or disposal of hazardous materials, nor would it generate hazardous emissions, materials, or wastes. Grading and construction activities may involve limited transport, use, and disposal of hazardous materials such as fuel for construction equipment. However, construction activities are short-term and hazardous materials used during construction would be transported, used, and disposed of according to federal, State, and local health and safety requirements. Therefore, impacts would be less than significant.

The Project site was historically used for agricultural purposes from at least 1928 to 1953. There is a potential that agricultural chemicals, such as pesticides, herbicides and fertilizers, were used onsite, which could result in a release of chemicals either during or following grading. Given this potential, a limited soil investigation was performed in conjunction with this Phase I to evaluate near-surface soils for restricted agricultural chemicals. The soil investigation included taking samples from 12 different locations up to 2 feet below ground surface. The samples were analyzed for arsenic and organochlorine pesticides (OCP). The results showed non-detect concentrations of arsenic and OCPs. No other Recognized Environmental Conditions (REC) were identified on or near the Project site. Therefore, no potential for release of hazardous materials was identified and impacts would be less than significant.

d) Less than Significant. The *Phase I Environmental Site Assessment Report* (Appendix E) includes results from data base searches to determine the potential for release of hazardous materials from the Project site. The San Diego Regional Water Quality Control Board (SDRWQCB), Department of Toxic Substances Control (DTSC), San Diego County Department of Environmental Health (SDCDEH), and San Diego County Air Pollution Control District (SDAPCD) were contacted regarding permits, site investigation files, air emissions, hazardous materials, underground storage tank (UST), and industrial waste discharge records for the subject property. Additionally, the State Water Resources Control Board's (SWRCB) GeoTracker, California Integrated Water Quality System (CIWQS), Stormwater Multiple Application and Report Tracking System (SMARTS), and DTSC's EnviroStor and Hazardous Waste Tracking System (HWTS) online databases were searched for information on the subject property to identify any evidence of previous or current hazardous material usage. The Project site is not listed on any of the regulatory databases and no other sites listed on the databases pose a significant threat to the Project site. No oil wells are located on the Project site. Therefore, no Recognized Environmental Conditions (REC) were identified on or near the Project site. Impacts would be less than significant.

The Project site was historically used for agricultural purposes from at least 1928 to 1953. There is a potential that agricultural chemicals, such as pesticides, herbicides and fertilizers, were used onsite, which could result in a release of chemicals either during or following grading. Given this potential, a limited soil investigation was performed in conjunction with this Phase I to evaluate near-surface soils for restricted agricultural chemicals. The soil investigation included taking samples from 12 different locations up to 2 feet below ground surface. The samples were analyzed for arsenic and organochlorine pesticides (OCP). The results showed non-detect concentrations of arsenic and OCPs. Therefore, no potential for release of hazardous materials was identified and impacts would be less than significant.

e) Less than Significant. The Project site is not located within an airport land use plan, nor within two miles of a private airstrip or public airport. The closest airport is Palomar Airport, located in the City of Carlsbad, approximately 12 miles from the Project site. Impacts would be less than significant.

f) Less than Significant. The Project site is surrounded by residential streets and new residential neighborhoods to the west and east of the Project site, including Rincon Middle School across Ash and Lehner Avenue to the southeast. According to the City's General Plan Chapter VI Community Protection Element, Figure VI-1, the closest emergency evacuation routes to the Project site include Broadway, Rincon Avenue, and El Norte Parkway. All of these emergency access routes would remain unchanged by the proposed Project and the proposed Project would not interfere with an emergency response plan. Furthermore, during plan review the Escondido Fire Department determined the proposed Project provides sufficient on-site emergency access. Therefore, impacts would be less than significant.

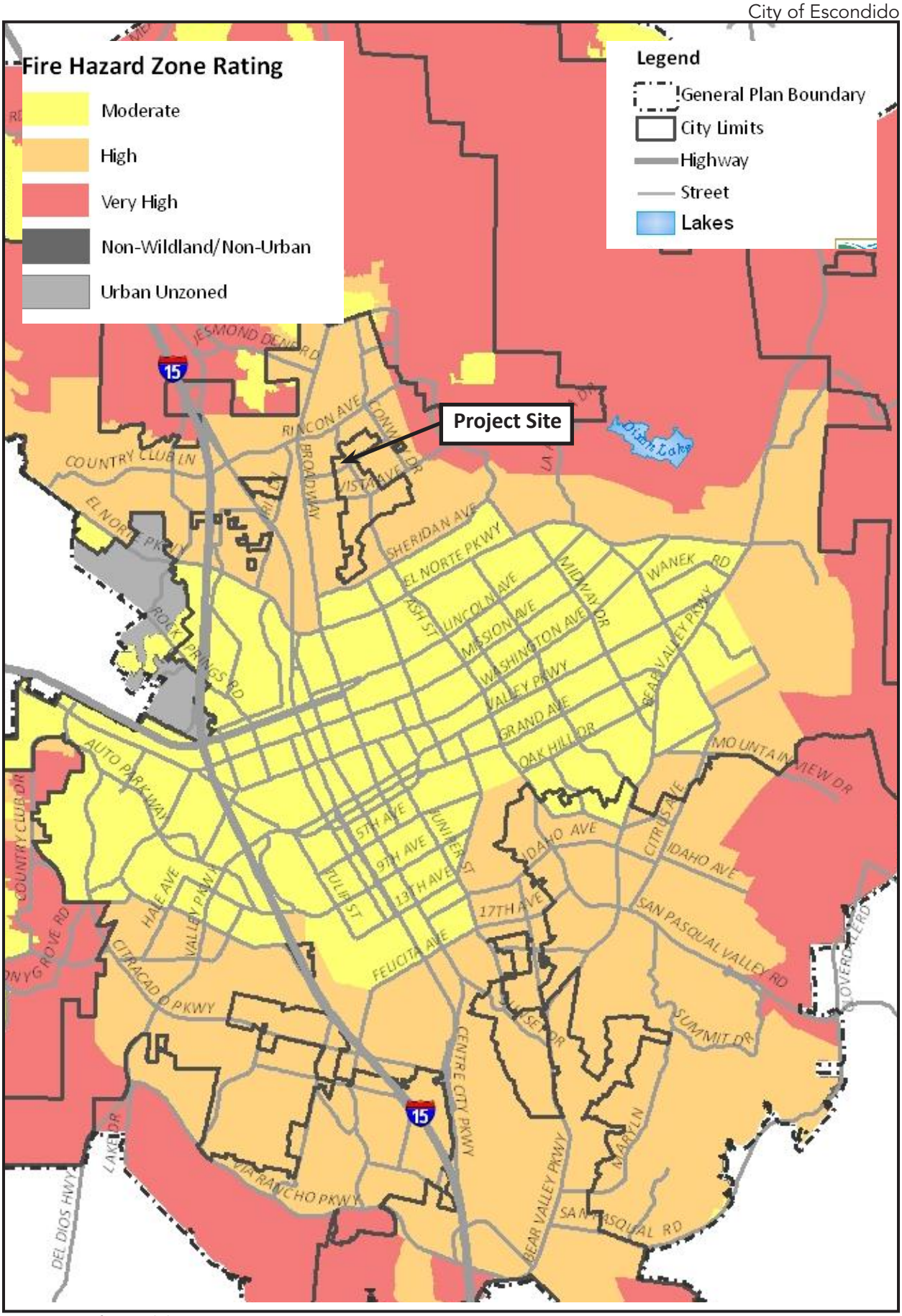
g) Less than Significant. See the discussion in Section 4.20. According to the City of Escondido General Plan Chapter VI Community Protection Element, Figure VI-6 and the Cal Fire – Fire and Resource Assessment Program, the Project site is not located within a Very High Fire Hazard Severity Zone. Figure VI-6 and the Cal Fire mapping are provided in Figures 6 and 7, respectively.

Therefore, the proposed Project would not significantly expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Furthermore, the proposed Project would provide new streets and fire hydrants, landscaping compatible for wildland fire restrictions, and all new structures would comply with current building standards, including fire sprinklers. Therefore, impacts would be less than significant.

Sources

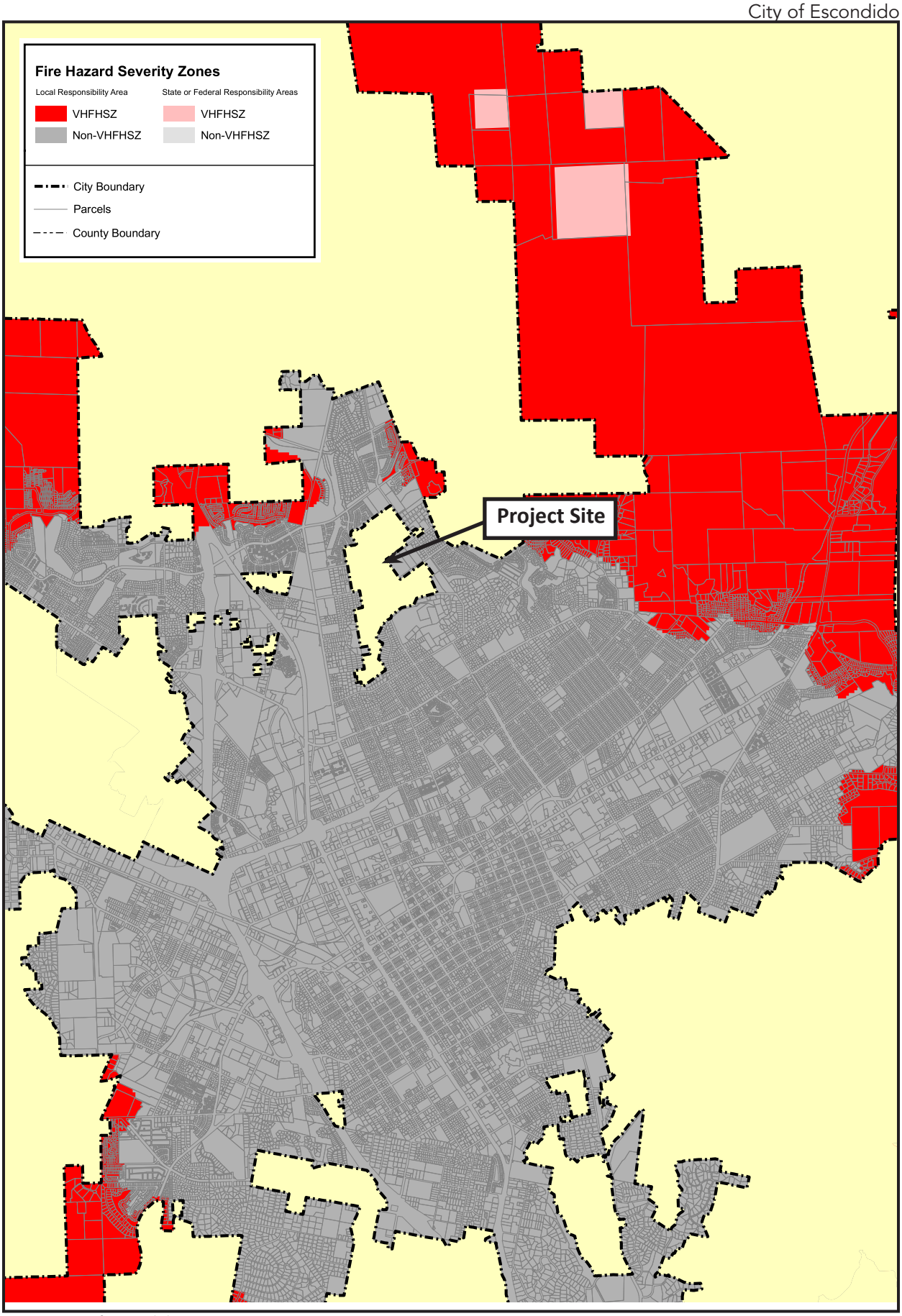
- *Phase I Environmental Site Assessment Report*, dated October 7, 2022 by RSB Environmental (Appendix E).

- City of Escondido General Plan Chapter VI Community Protection Element, Figure VI-6.
- Cal Fire – Fire and Resource Assessment Program, Map of CAL FIRE's Fire Hazard Severity Zones in Local Responsibility Areas – Escondido.
- *Fire Protection Plan "Ash St" Tentative Map, PL 21-0534, APN 224-130-10*, prepared by Pasco Laret Suiter & Associates, dated May 4, 2022 included as Appendix F



Source: City of Escondido (2022).

Figure 6. City of Escondido General Plan Figure VI-6



Source: City of Escondido (2022).

Figure 7. CalFire - Fire and Resource Assessment Program

4.10 Hydrology and Water Quality

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Discussion

The hydraulic and water quality analysis is based on the technical report, *Preliminary Drainage Report for Escondido Assemblage, Hoftiezer*, dated August 2022, by Pasco Laret Suiter & Associates, Inc. included in Appendix G, and *Priority Development Project (PDP) SWQMP, Escondido Assemblage – Hoftiezer,* dated August 2022 by Pasco Laret Suiter & Associates, Inc. included in Appendix H.

The Project site drains from north to south, with the low point in the southwestern corner of the property. Runoff from the entire Project site flows southwest in an existing 30-inch storm drain on the adjacent property to Saddle Place and continues to an existing 84-inch storm drain pipe within Lehner Avenue. Ultimately flows are tributary of Escondido Creek, which continues southwesterly to San Elijo Lagoon and the Pacific Ocean.

Runoff from the majority of the Project site would be collected in a new storm drain and conveyed to the southwestern corner of the property to a proposed biofiltration basin. The biofiltration basin is designed to provide storm water pollutant control and hydromodification management flow control, and to mitigate the 100-year 6-hour storm event.

Lot B along Ash Street is proposed to remain as open space and flows from Lot B will be collected at the intersection of Ash Street and Lehner Avenue. The proposed parkway improvements along the westerly edge of Ash Street include noncontiguous sidewalk with green street stormwater treatment swales. Both Stanley Avenue and Lehner Avenue are proposed to be widened along the Project site frontage. The proposed widening will incorporate green street stormwater rain garden treatment.

The proposed biofiltration basin would provide storm water pollutant control and hydromodification management flow control to meet the requirements of the California Regional Water Quality Control Board San Diego Region municipal storm water permit (Order No. R9-2013-0001, referred to as MS4 Permit). The biofiltration basin would also provide mitigation for the 100-year storm event peak discharge.

Findings of Fact

a) Less than Significant. Water quality treatment is further discussed in the *Priority Development Project (PDP) SWQMP, Escondido Assemblage – Hoftiezer,* dated August 2022 by Pasco Laret Suiter & Associates, Inc. included in Appendix H. A biofiltration basin is proposed in the southwest corner of the Project site. The biofiltration basin is designed to treat onsite storm water pollutants by slowly infiltrating runoff through an engineered media prior to discharge in a storm drain pipe. The basin has been sized to collect and treat runoff from a 24-hour, 85th percentile storm event. Additionally, along the perimeter of the Project site, green street stormwater rain garden treatment is proposed adjacent to the widened streets of Stanley Avenue, N. Ash Street, and Lehner Avenue to provide additional water quality treatment. The biofiltration basin and green street stormwater rain garden treatment have been reviewed and determined consistent with the MS4 requirements for water quality. Therefore, impacts would be less than significant.

b) Less than Significant. The geology and geotechnical analysis (see Section 5.7) determined the Project site is underlain by alluvium and granitic bedrock. The granitic bedrock creates a barrier to groundwater infiltration. This was confirmed by infiltration testing. A falling head percolation study was performed to determine the infiltration

rates. The infiltration testing identified an average infiltration rate of 0.01 inch per hour and when a factor of safety is applied the reliable infiltration rate is 0.005 inch per hour. The threshold for relying on infiltration is 0.5 inch per hour (SWQMP Attachment 1b). Without feasible infiltration, the Project site does not provide groundwater recharge. Furthermore, the proposed Project is not relying on groundwater supplies. Therefore, impacts would be less than significant.

C.i – C.iv) Less than Significant. Development of the Project site would increase the amount of impervious surface, increase stormwater runoff that could lead to erosion, and increase stormwater runoff that could exceed existing conditions, leading to downstream flooding. However, the proposed Project was designed with a biofiltration basin that reduce those potential impacts to less than significant.

The proposed Project would increase the amount of impervious surface from 30,357 square feet (sf) existing to 126,407 sf proposed. The proposed increase in impervious surface would increase runoff from the Project site. Without detention, the increase in impervious surface would increase 100-year peak discharge rates as shown in Table 9 below.

Table 9: Summary of 100-year Peak Discharge Rates (Undetained)

	Existing		Proposed (Undetained)	
Drainage Area	Area (ac)	Q_{100} (cfs)	Area (ac)	Q_{100} (cfs)
Area A	6.05	7.33	6.05	10.91

The increase in stormwater discharge during the 100-year storm event could lead to downstream erosion and/or downstream flooding. To satisfy the requirements of the MS4 Permit, a hydromodification management strategy was developed for the proposed Project. A continuous simulation model, the EPA Storm Water Management Model (SWMM) was used to size the proposed biofiltration basins. The SWMM modeling is capable of modeling hydromodification management facilities, such as the proposed biofiltration basins, to reduce the effects of increased runoff from the proposed conditions that may cause negative impacts (i.e. erosion) to downstream channels. The SWMM model provides a hydrograph model that reflects the detention volume and reduction of peak flows based upon the proposed basin parameters.

As shown in Table 10 below, the proposed biofiltration basin would detain 100-year peak discharge rates to below existing conditions, reducing the risk of downstream erosion and/or flooding to less than significant.

Table 10: Summary of 100-year Peak Discharge Rates

	Existing		Proposed		
Drainage Area	Area (ac)	Q_{100} (cfs)	Area (ac)	Undetained Q_{100} (cfs)	Detained Q_{100} (cfs)
Area A	6.05	7.33	6.05	10.91	7.24

d) No Impact. The Project site is not located in flood hazard area. Furthermore, the Project site is approximately 14.5 miles from the Pacific Ocean and no other large waterbodies are located nearby; therefore, no impacts from tsunami or seiche would occur. No impacts would occur.

e) Less than Significant. The proposed Project has been designed to be consistent with the MS4 permit, which includes water quality and hydromodification requirements. The infiltration testing on the Project site identified an average infiltration rate of 0.05 inch per hour, which is less than the feasibility threshold of 0.5 inch per hour (SWQMP Attachment 1b). Therefore, the proposed Project includes alternative treatment and detention facilities in the form of a biofiltration filtration basin. The biofiltration basin, as well as the bioswales located along the perimeter streets (green street stormwater rain garden treatment), provide treatment of the 24-hour 85% percentile storm event. Therefore, impacts to water quality are less than significant and the proposed Project is consistent with water quality regulations.

Sources

- *Preliminary Drainage Report for Escondido Assemblage, Hoftiezer*, dated August 2022, by Pasco Laret Suiter & Associates, Inc. (Appendix G).
- *Priority Development Project (PDP) SWQMP, Escondido Assemblage – Hoftiezer,* dated August 2022 by Pasco Laret Suiter & Associates, Inc. (Appendix H).

4.11 Land Use and Planning

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☒	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Discussion

The Project site has General Plan and Zoning designations, as follows:

General Plan land use designation: Suburban (3.33 DU/acre)

Zoning District classification: R-1-10: Single Family Residential.

State law allows for projects that provide affordable housing units to increase the density above what would otherwise be allowed by a city's General Plan and Zoning Code. The proposed Project includes one (1) affordable unit at the very-low income category, which allows the proposed Project a density bonus as shown in the following table.

Table 11. Density Bonus Calculation

APN	Acres	GP DU/AC	GP DUs	Proposed Very-Low Income Units	Density Bonus Permitted	Allowed Density Bonus DUs	Allowed Total DUs	Allowed DUs / AC
224-130-10	5.09	3.3	17	1	20%	4	21	4.1

Based on the provision of one (1) very-low income affordable unit, the proposed Project would receive density bonus of four (4) dwelling units. However, the proposed Project only proposes three (3) bonus units, for a total proposed development of 20 dwelling units.

Pursuant to Government Code section 65915(e)(1), a city may not impose development standards that would preclude the construction of a project that is allowed under the density bonus law. The table below lists changes or waivers to development standards that are necessary to achieve the bonus density under State law.

Table 12. Proposed Waivers of Development Standards

Waiver	Dev. Standard	Proposed
Front Yard Setback	15 feet with street-facing garage to be setback 20 feet	10 feet with street facing garage allowed to be setback 10 feet
Interior Side Yard Setback	5 feet on one side (and 10 feet on the other, unless abutting an alley)	5 feet on both sides
Accessory Building Setback Requirements	Front, side, and rear setback requirements as stated in EMC Sec. 33-102	Any reference in EMC Sec. 33-102 to "underlying" zoning shall be interpreted as the main building's actual setback which may have been reduced given the setback waivers herein
Min. Lot Area	10,000 SF	6,000 SF
Avg. Lot Width	80 feet	60 feet
Max Lot Coverage for Primary & Accessory Structures	40%	50%
Max FAR	0.5	0.7
Rear Yard Setback	20 feet	15 feet
Lot Width @ Street	35 feet	30 feet

Findings of Fact

a) Less than Significant. The Project proposes to construct 20 new single-family detached residences, one of which would be designated affordable. The proposed Project site is surrounded by existing roads, two new residential subdivisions on the east and west, and older large-lot single family homes on the north and south. Rincon Middle School is located southeast of the Project site, across N. Ash Street and Lehner Avenue. The proposed Project is not gated and includes new sidewalks on internal streets and along frontages of existing streets that would be available to existing surrounding residents. The proposed Project is consistent with the land use designation per the Escondido General Plan and Zoning Code. Therefore, impacts would be less than significant.

b) Less than Significant. The Project proposes a Density Bonus and waiver of development standards, as described in Tables 11 and 12 above. The waiver of

development standards has the potential to cause an impact if the waiver of development standards would result in a conflict with adopted land use plans and policies, resulting in a significant physical impact to the environment. The proposed Density Bonus would result in changes to the adopted land use plan by proposing greater density of residential units than would otherwise be permitted, and changes in development standards, such as, setbacks, minimum lot sizes, etc.

The waivers to development standards presented in Table 12 are proposed in order to achieve the proposed Density Bonus. The waivers include changes to setbacks, minimum lot sizes, lot coverage, and floor area ratio (FAR), all of which directly affect the amount of land necessary to accommodate each dwelling unit and occur within the development area analyzed in this IS/MND. Therefore, the proposed waivers of development standards would not have a direct physical impact on the environment.

The proposed Density Bonus would permit three (3) additional dwelling units above the density limit established in the General Plan[2]. This IS/MND has analyzed the additional three (3) dwelling units, for a total of 20 dwelling units, in its analysis of the operational topics that are sensitive to density and the number of dwelling units, such as air quality, greenhouse gas, noise, energy, population and housing, public services, traffic, and utilities. This IS/MND has found for each of those environmental topics all impacts would be either less than significant or can be mitigated to less than significant.

Government Code § 65915(f)(5) provides that "[t]he granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment . . ., zoning change, or other discretionary approval." (§ 65915, subd. (f)(5).)" *Wollmer v. City of Berkeley*, A128121, 16 (Cal. Ct. App. 2011) The *Wollmer* case pertains to a project seeking a density bonus and a categorical exemption under CEQA Guidelines § 15332 for infill projects. A requirement of the infill exemption is consistency with all applicable general plan designations and policies and all applicable zoning designations and regulations. The Appellate Court ruled the waiver of development standards, including the additional density afforded under density bonus law, are not "applicable" and the project could make the findings of general plan and zoning consistency under CEQA Guidelines § 15332. As it pertains to the proposed Project, the *Wollmer* case confirms the request for a density bonus and waiver of development standards does not cause an inconsistency with adopted land use plans, policies, and standards. The impact is less than significant.

Sources

- Government Code § 65915.
- *Wollmer v. City of Berkeley*, A128121, 16 (Cal. Ct. App. 2011).

[2] The Density Bonus permits four (4) additional units, but do to site constraints only three (3) additional units are proposed.

4.12 Mineral Resources

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Findings of Fact

a) No Impact. The City of Escondido is in the Western San Diego County Production-Consumption (P-C) Zone according to the California Mineral Land Classification System. However, the Project site is not located within a Mineral Resource Zone as defined and classified by the Surface Mining and Reclamation Act. The Project site is not currently used for the extraction of mineral resources, and there is no evidence to suggest that the Project site has been historically used for the extraction of mineral resources. Therefore, development of the Project site would not result in adverse impacts due to a significant depletion or loss of availability of mineral resources. Therefore, no impacts would occur.

b) No Impact. The Project site is not currently used for the extraction of mineral resources, and there is no evidence to suggest that the Project site has been historically used for the extraction of mineral resources. The Project site has General Plan and Zoning designations for residential uses. Furthermore, the City's General Plan has not identified mineral resources on the Project site or within the vicinity of the Project site. Therefore, no impact associated with the loss of availability of a known mineral resource would occur.

Sources

- California Mineral Land Classification System, Department of Conservation SMARA Mineral Land Classification.
- City of Escondido General Plan.

4.13 Noise

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion

Noise impacts can occur from construction operations and long-term operations of a project, which for residential consists of vehicle traffic noise, and stationary sources, such as air conditioning noise. Potential noise impacts from these sources were analyzed in the report, *Acoustical Analysis Report for Ash Subdivision*, prepared by Eilar Associates, Inc., dated August 11, 2022, and included in Appendix I. Noise is regulated by the City of Escondido General Plan and Section 17 of the Escondido Municipal Code. The City's General Plan (Chapter VI – Community Protection) includes the following noise policies:

> *Noise Policy 5.1*
> Require development to meet acceptable exterior noise level standards as established in Figure VI-2, and use the future noise contour map (FigureVI-17) as a guide for evaluating the compatibility of new noise sensitive uses with projected noise levels.
>
> *Noise Policy 5.2*
> Apply a CNEL of 60 dB or less for single family and 65 dB or less for multi-family as goals where outdoor use is a major consideration (back yards and single family housing developments, and recreation areas in multifamily housing developments) as discussed in Figure VI-13, and recognize that such levels may not necessarily be achievable in all residential areas.

Noise Policy 5.3
Require noise attenuation for outdoor spaces in all developments where projected incremental exterior noise levels exceed those shown in Figure VI-14.

Noise Policy 5.4
Require noise attenuation for new noise-sensitive uses which include residential, daycare facilities, schools, churches, transient lodging, hotels, motels, hospitals, health care facilities, and libraries if the projected interior noise standard of 45 dBA CNEL is exceeded.

Noise Policy 5.5
Require construction projects and new development to ensure acceptable vibration levels at nearby noise-sensitive uses based on Federal Transit Administrator criteria.

Noise Policy 5.6
Require the preparation of noise studies, as deemed necessary by the Planning Department, to analyze potential noise impacts associated with new development which could significantly alter existing noise levels in accordance with provisions outlined in Figure VI-14.

Noise Policy 5.7
Encourage use of site and building design, noise barriers, and construction methods as outlined in Figure VI-15 to minimize impacts on and from new development.

Noise Policy 5.8
Require that mixed use and multi-family residential developments demonstrate that the design of the structure would adequately isolate noise between adjacent uses (orientation, window insulation, separation of common walls, floors, and ceilings, etc.).

Noise Policy 5.9
Require new mixed use developments to locate loading areas, parking lots, driveways, trash enclosures, mechanical equipment, and other noise sources away from the residential portion of the development, when physically feasible. Use construction standards to reduce noise between uses.

Noise Policy 5.10
Require development projects that are subject to discretionary approval to assess potential construction noise impacts on nearby sensitive uses and to minimize impacts on these uses, to the extent feasible.

Noise Policy 5.11
Limit direct access from individual properties along Major Roads and Prime Arterials in residential areas in order to minimize gaps in nose barrier sound walls.

Noise Policy 5.12
Limit "through truck traffic" to designated routes to minimize noise impacts to residential neighborhoods and other noise-sensitive uses (see Mobility and Infrastructure Element).

Noise Policy 5.13
Limit the hours of operation for parks and active recreation uses in residential areas to minimize disturbance to residents.

Noise Policy 5.14
Coordinate among city, county, State and other agencies involved in noise abatement to reduce noise generated from outside the city.

Noise Policy 5.15
Coordinate with McClellan-Palomar Airport to distribute property disclosure statements for areas within the Airport Land Use Compatibility Plan.

Noise Policy 5.16
Work with McClellan-Palomar Airport to monitor aircraft noise, implement noise-reducing operation measures, as necessary, and promote pilot awareness of noise sensitive land uses.

Noise Policy 5.17
Periodically review the adopted noise ordinance to address changing conditions.

For construction noise, Section 17-234 of the City of Escondido Municipal Code states that construction activity is prohibited except on Monday through Friday between the hours of 7 a.m. and 6 p.m. and on Saturdays between the hours of 9 a.m. and 5 p.m. Construction activity is also prohibited on Sundays and legal holidays. During permissible hours of operation, noise levels from construction activity may not exceed a one-hour average sound level limit of 75 dBA at any time, unless a variance has been obtained in advance from the City Manager.

For operational noise, Escondido Municipal Code, Section 17-229, average hourly noise levels shall not exceed 50 dBA LEQ between the hours of 7 a.m. and 10 p.m. and 45 dBA LEQ between the hours of 10 p.m. and 7 a.m. at residential zones. These noise limits would apply to noise generated by HVAC equipment.

According to Figure VI-17 from the City's General Plan Community Protection Element, the Project site is located in a low noise area within the City. This is further confirmed by

on-site noise measures, which determined the average nighttime noise level is 47.1 dBA and the average daytime noise level is 53.7 dBA (Eilar, 2022), which is less than the City's land use compatibility standard.

Findings of Fact

a) Less than Significant with Mitigation. Noise impacts can occur from construction operations and long-term operations of a project, which for residential consists of vehicle traffic noise, and stationary sources, such as air conditioning noise. Potential noise impacts from these sources were analyzed in the report *Acoustical Analysis Report for Ash Subdivision*, prepared by Eilar Associates, Inc., dated August 11, 2022, and included in Appendix I.

Construction noise levels were calculated at property lines of surrounding sensitive receptors to the north, south, east, and west. For grading and utilities activities, construction noise sources were evaluated as point sources moving within the Project site to account for average noise impacts as equipment moves around the Project site. Building construction noise sources were evaluated assuming construction equipment located at the center of six representative lots (three with concrete equipment and three with framing equipment), while paving noise impacts were evaluated considering equipment moving up and down the proposed street areas on the site. In all stages, noise calculations consider typical duty cycles of equipment to account for periods of activity and inactivity on the site. Noise levels for each stage of construction are shown in Table 13 below.

Table 13. Construction Noise Levels at Neighboring Properties

Stage	Receiver Location	Average Noise Level (dBA)
Grading/Utilities	North	58.3
	South	59.4
	East	59.4
	West	65.3
Paving	North	35.4
	South	40.9
	East	37.3
	West	41.2
Building Construction	North	64.5
	South	61.1
	East	62.9
	West	69.0

As shown in Table 13, all of the construction operations remain below the 75 dBA threshold of significance. This construction analysis assumes implementation of standard best management practices and compliance with the City's noise ordinance. While, no significant impacts have been identified, these best management practices have been added as a mitigation measure to ensure implementation.

Mitigation Measure MM NOI-1: Construction Noise. Prior to issuance of a grading or building permit, the City's Building Division shall verify that all construction plans include the following measures. The measures may include but are not limited to the following:

- Staging areas should be placed as far as possible from sensitive receptors.
- Place stationary equipment in locations that will have a lesser noise impact on nearby sensitive receptors.
- Turn off equipment when not in use.
- Limit the use of enunciators or public address systems, except for emergency notifications.
- Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured to prevent rattling and banging.
- Schedule work to avoid simultaneous construction activities that both generate high noise levels.
- Use equipment with effective mufflers.
- Minimize the use of backup alarms.

Operational noise impacts were analyzed by combining equipment noise from HVAC equipment, road noise from additional vehicle trips and ambient conditions to determine cumulative noise impacts from the operation of the proposed Project. Tables 14 and 15 below summarize the results for daytime and nighttime, respectively.

Table 14. Daytime Cumulative Noise Impacts

Receiver Number	Receiver Location	Ambient (dBA)	Equipment (dBA)	Cumulative (dBA)	Increase over Ambient (dBA)
R1	North Property Line	53.7	34.8	53.8	0.1
R2	East Property Line	53.7	35.6	53.8	0.1
R3	South Property Line	53.7	36.1	53.8	0.1
R4	West Property Line	53.7	40.5	53.9	0.2
R5	West Property Line	53.7	44.4	54.2	0.5

Table 15. Nighttime Cumulative Noise Impacts

Receiver Number	Receiver Location	Ambient (dBA)	Equipment (dBA)	Cumulative (dBA)	Increase over Ambient (dBA)
R1	North Property Line	47.1	31.7	47.2	0.1
R2	East Property Line	47.1	32.6	47.3	0.2
R3	South Property Line	47.1	33.1	47.3	0.2
R4	West Property Line	47.1	37.5	47.6	0.5
R5	West Property Line	47.1	41.4	48.1	1.0

Pursuant to Escondido Municipal Code, Section 17-229, average hourly noise levels shall not exceed 50 dBA LEQ between the hours of 7 a.m. and 10 p.m. and 45 dBA LEQ

between the hours of 10 p.m. and 7 a.m. at residential zones. As shown in Tables 14 and 15 above, noise generated from equipment would be consistent with the Municipal Code requirements.

Furthermore, noise increases of 3 dBA are generally the limits of detection by the human ear. Less than 3 dBA increases in noise levels are not perceptible by humans. Therefore, 3 dBA is often used to determine if changes in noise are audible. The largest increase in noise over ambient conditions during both the daytime and nighttime is 1.0 dBA, well below the audible limit. Therefore, cumulative noise level increases from the proposed Project would not be audible and therefore, less than significant.

Lastly, the proposed Project is consistent with the noise policies contained in the City of Escondido General Plan Chapter VI – Community Protection Element. The Project site would remain within the 60 dBA CNEL land use compatibility designation and ambient noise conditions would not impact interior noise levels of the proposed Project or surrounding sensitive receptors.

b) Less than Significant. The proposed grading phase of construction is expected to generate the highest vibration levels of the three construction stages referenced in Table 13, as it includes the use of excavation and grading equipment. The evaluation of an impact's significance can be determined by reviewing both the likelihood of annoyance to individuals as well as the potential for damage to existing structures. According to the Caltrans Transportation and Construction Vibration Guidance Manual, the appropriate threshold for damage to modern residential structures is a PPV of 0.5 inches/second. Annoyance is assessed based on levels of perception, with a PPV of 0.01 being considered "barely perceptible," 0.04 inches/second as "distinctly perceptible," 0.1 inches/second as "strongly perceptible," and 0.4 inches/second as "severe."

The nearest location of grading equipment to occupied residences is approximately 20 feet. At this distance, the PPV would be approximately 0.004 inches/second based on the vibration of equipment and dampening through soil. This level of vibration falls below the building damage PPV criteria of 0.5 inches/second. In terms of annoyance, the impact would be less than the "barely perceptible" threshold. Since construction vibration would not cause damage to off-site buildings and is not anticipated to be perceptible to off-site receivers, impacts would be less than significant.

c) No Impact. The Project site is not located within an airport land use plan, nor within two miles of a private airstrip or public airport. The closest airport is Palomar Airport, located in the City of Carlsbad, approximately 12 miles from the Project site.

Sources

- *Acoustical Analysis Report for Ash Subdivision*, prepared by Eilar Associates, Inc., dated August 11, 2022, (Appendix I).
- City of Escondido General Plan Chapter VI – Community Protection Element.

4.14 Population and Housing

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

Discussion

The 2021 American Community Survey, prepared by the U.S. Census Bureau, provides demographic data for cities, such as Escondido. The Census defines a "household" as all persons who occupy a housing unit, which may include single persons living alone, families related through marriage or blood, or unrelated persons sharing living quarters. Persons living in retirement or convalescent homes, dormitories, or other group living situations are not considered households.

The 2021 American Community Survey estimated that Escondido has 50,171 households and an average household size of 2.97 persons per household. The Department of Finance estimated Escondido's overall population as of January 1, 2022, to be 150,679 persons.

Findings of Fact

a and b) Less than Significant. The proposed Project would add growth beyond that planned in the City's General Plan consistent with State Density Bonus law. However, the proposed Project would not indirectly encourage population growth in other areas of the City.

The Project site is currently vacant and therefore, there would be no loss of existing residential units or displacement of people. Therefore, impacts associated with the loss of existing residential units and displacement of people is less than significant.

The proposed Project does not include any infrastructure that could indirectly cause growth in other portions of the City. The proposed Project includes roadway improvements only adjacent to the proposed Project frontage and those improvements are not capacity enhancing. The proposed Project would connect to existing water service within surrounding streets and no other growth-inducing water infrastructure is proposed. Similarly, the proposed Project would connect to existing sewer service

within surrounding streets. Furthermore, the proposed Project does not include any infrastructure, such as roadways, water, sewer or other facilities, sized beyond what is necessary to serve only the proposed Project, therefore, no growth-inducing impacts would occur.

The City's General Plan permits a maximum of 17 dwelling units on the Project site. The Project proposes to construct 20 dwelling units. Therefore, there is unplanned growth on the Project site of three (3) units. The unplanned growth is a result of the application of State density bonus law. State law allows for projects that provide affordable housing units to increase the density above what would otherwise be allowed by a city's General Plan and Zoning Code. Government Code § 65915(f)(5) provides that "[t]he granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment . . ., zoning change, or other discretionary approval." (§ 65915, subd. (f)(5).)" *Wollmer v. City of Berkeley*, A128121, 16 (Cal. Ct. App. 2011) The *Wollmer* case pertains to a project seeking a density bonus and a categorical exemption under CEQA Guidelines § 15332 for infill projects. A requirement of the infill exemption is consistency with all applicable general plan designations and policies and all applicable zoning designations and regulations. The Appellate Court ruled the waiver of development standards, including the additional density afforded under density bonus law, are not "applicable" and project could make the findings of general plan and zoning consistency under CEQA Guidelines § 15332. As it pertains to the proposed Project, the *Wollmer* case confirms the request for a density bonus and waiver of development standards does not cause an inconsistency with adopted land use plans, policies, and standards.

With 20 units proposed, the density bonus equals three (3) residential units above that planned in the City's General Plan. At 2.97 persons per household, the additional three (3) residential units would generate nine (9) additional residents for the City that would exceed General Plan projections. The current population of the City of Escondido is approximately 150,679 residents. The addition of 9 residents above the General Plan projections represents an approximate 0.00006% population increase. This de minimis increase is not considered a substantial unplanned population growth and the very small population increase would not cause impacts to public services.

Furthermore, this IS/MND has analyzed the additional three (3) dwelling units in its analysis of the operational topics that are sensitive to density and the number of dwelling units, such as air quality, greenhouse gas, noise, energy, population and housing, public services, traffic, and utilities. This IS/MND has found for each of those environmental topics all impacts would be either less than significant or can be mitigated to less than significant. Therefore, potential impacts associated with growth beyond General Plan projections would be less than significant.

Sources

- City of Escondido General Plan Chapter IV – Housing Element.

- American Community Survey prepared by the U.S. Census Bureau American Community Survey (ACS) | Department of Finance.
- California Department of Finance Demographic Data State Census Data Center | Department of Finance (ca.gov).

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4.15 Public Service

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
PUBLIC SERVICES.				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

Findings of Fact

The proposed Project will be required to annex into Community Facilities District (CFD) No. 2020-1, which provides a funding source for on-going public services.

a) Less than Significant.

Fire Protection. The Project site is currently located in unincorporated San Diego County and served by the San Diego County Fire Department. However, under mutual aid, the City of Escondido Fire Department would also respond to emergencies. The Project proposes annexation into the City of Escondido, which would transfer primary emergency response to the Escondido Fire Department. The Escondido Fire Department has 7 stations spread throughout the City. The closest station to the Project site is Station #7 located at 1220 N. Ash Street, approximately 1.2 miles from the Project site. Station #7 is staffed by five personnel: one Fire Captain, one Engineer, one Firefighter Paramedic and two Paramedics. Station #7 houses 1 Type 1 Fire Engine and 1 Rescue Ambulance. The second closest station to the Project site is Station #3 located at 1808 Nutmeg Street, approximately 2.61 miles from the Project site. Station #3 is staffed by five personnel: one Fire Captain, one Engineer, two Firefighter Paramedics and one Paramedic/EMT. Station #3 houses 1 Type 1 Fire Engine, 1 Rescue Ambulance, and 1 Cross Staffed Type 3 Brush Engine.

The proposed Project would not change the City's ability to provide service. The additional three (3) residential units and 9 residents above General Plan density limits would place additional demands on the Fire Department not previously planned. However, in consultation with Fire Department staff during the planning entitlement process, the additional residential units and residents associated with the proposed Project represent such a small fraction of the overall service area that Escondido Fire can serve the proposed Project without any change in level or service or need for additional equipment or personnel. Furthermore, the proposed Project has been reviewed for site access, turn-arounds, fire hose pull lengths, fire hydrant placement, etc. and determined to meet Fire Department requirements. Wildland fire protection requirements are analyzed in Section 3.20. Therefore, impacts would be less than significant.

Police Protection. The Project site is currently located in unincorporated San Diego County and served by the San Diego County Sheriff Department. However, under mutual aid, the City of Escondido Police Department would also respond to emergencies. The Project proposes annexation into the City of Escondido, which would transfer primary emergency response to the Escondido Police Department. The City's Police Station Headquarters are located at 1163 Centre City Parkway, approximately 2.25 miles southwest of the Project site. However, police officers are routinely on patrol throughout the City, therefore, response times can vary.

The proposed Project would not change the City's ability to provide service. The additional three (3) residential units and 9 residents above General Plan density limits would place additional demands on the Police Department not previously planned. However, in consultation with Police Department staff during the planning entitlement process, the additional residential units and residents associated with the proposed Project represent such a small fraction of the overall service area that Escondido Police can serve the proposed Project without any change in level or service or need for additional equipment or personnel. Furthermore, the proposed Project has been reviewed for site access, lighting, and other community policing design criteria and determined to meet Police Department requirements. Therefore, impacts would be less than significant.

Schools. The Project site falls within the boundaries of the Escondido Unified School District (EUSD). EUSD provides 17 elementary schools, 5 middle schools, and Quantum Academy, which is a school choice in the EUSD for students in grades 4-8. Escondido Union High School District (EUHSD) provides public high school education for the Project site. Students from the proposed Project would likely be within the attendance boundary of North Broadway Elementary School, Rincon Middle School, and Escondido High School.

The additional three (3) residential units and 9 residents above General Plan density limits would place additional demands on the public school system not previously planned. However, the additional number of students generated by the proposed Project would be a small fraction of the overall student population of both school districts.

In accordance with standard conditions of approval, the Project Applicant would be required to pay development impact fees to both EUSD and EUHSD for residential development per Senate Bill (SB) 50. The fees would be collected by the school districts at the time building permits are issued. As stated in Government Code Section 65995(h):

> *The payment or satisfaction of a fee, charge, or other requirement levied or imposed … are hereby deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization …on the provision of adequate school facilities.*

Payment of these fees would offset impacts from the increased demand for school services associated with the proposed Project by providing an adequate financial base to construct and equip new and existing schools as needed. Therefore, both EUSD and EUHSD would be able to provide adequate school facilities for the projected student residents of the proposed Project, and payment of development impact fees would ensure that impacts would be less than significant.

Parks. The proposed Project would add new residents to the City who would increase the demand for park facilities. The majority of the new proposed residential units have been planned in the City's General Plan, however three (3) units, equating to approximately 9 new residents, are above General Plan projections. This unplanned growth in population represents approximately 0.00006% of the City's overall population. Therefore, the component of the proposed Project that exceeds General Plan planned growth represents a very small fraction of the overall City population and therefore, demand on park facilities.

According to the City of Escondido Municipal Code Section 6-460.5, "All residential development shall be required to pay a park fee as provided by this article." The City collects park fees for each residential unit constructed. Therefore, even the residential units that exceed General Plan projections must pay park fees. The City's park fees change periodically, however, according to the *Fee Guide for Development Projects*, dated September 28, 2022, the park fee for single-family dwellings is $6,986.29/unit and for multi-family dwellings is $6,663.76/unit. Payment of the park fees offsets impacts from additional demand placed on park facilities; therefore, impacts would be less than significant.

Other Public Facilities. The proposed Project would place additional demands on other public facilities. These facilities range from the City's library to streets, storm drains, and other public facilities such as City Hall, etc. When a residential development project is newly constructed in an established city, often that project would rely on, and impact, established infrastructure. In those situations, the impacts would be often offset by payment of development impact fees. That is the case in the City of Escondido. Pursuant to Chapter 6, Article 17, Section 6-438(a), "Development fees shall be imposed as a condition of approval of a development project. No tentative or final subdivision map, parcel map, grading permit, building permit, final inspection or certificate of occupancy shall be approved unless the provisions of this section have been fulfilled."

The City has prepared the *Fee Guide for Development Projects*, dated September 28, 2022, which outlines the development fees required of new projects. Development fees include the following fees, along with the stated purpose of the fee:

- Traffic Fee (Local) – *"To ensure that the traffic and transportation facility standards established by the City are met with respect to the additional needs created by such development."*
- Public Facility Fee – *"To ensure that public facility standards established by the City are met with respect to the additional needs created by such development. (For public facilities such as Police, Fire, Library, etc.)."*
- Park Fee – *"To ensure that the park land and recreational facility standards established by the City are met with respect to the additional needs created by such development."*
- Drainage Facilities Fee – *"To ensure that storm water drainage facilities meet the requirements established by the City's Drainage Master Plan."*
- Infrastructure Deposit Fee – *"To cover development's forecasted fair share costs of new infrastructure related to the impacts created by such development."*
- Traffic Fee Regional (RTCIP) – *"To ensure local agency participation in regional circulation improvements to allow quality of life standards to be achieved and allow new development to proceed."*
- San Diego County Water Authority (SDCWA) Capacity Charge – *"Pass-thru fee to the SDCWA to finance capital improvements."*

Payment of the fees, which are a condition of approval, would reduce impacts on public services to less than significant.

Sources

- City of Escondido Municipal Code.
- *Fee Guide for Development Projects,* dated September 28, 2022.

4.16 Recreation

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
RECREATION. Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Discussion

Existing public park facilities in the vicinity of the proposed Project include the Kent Ranch Community Park, approximately 0.7 miles east of the Project site, and Jesmond Dene Park, approximately 1.35 miles northwest of the Project site.

Findings of Fact

a) Less than Significant. The proposed Project would add new residents to the City who would increase the demand for park facilities. The majority of the new proposed residential units have been planned in the City's General Plan, however three (3) units, equating to approximately 9 new residents, are above General Plan projections. This unplanned growth in population represents approximately 0.00006% of the City's overall population. Therefore, the component of the proposed Project that exceeds General Plan planned growth represents a very small fraction of the overall City population and therefore, demand on park facilities.

According to the City of Escondido Municipal Code Section 6-460.5, "All residential development shall be required to pay a park fee as provided by this article." The City collects park fees for each residential unit constructed. Therefore, even the residential units that exceed General Plan projections must pay park fees. The City's park fees change periodically, however, according to the *Fee Guide for Development Projects*, dated September 3, 2021, the park fee for single-family dwellings is $6,986.29/unit and for multi-family dwellings is $6,663.76/unit. Payment of the park fees offsets impacts from additional demand placed on park facilities; therefore, impacts would be less than significant.

b) Less than Significant. The proposed Project is not of sufficient size to require, and does not propose, to construct new park facilities, or expand existing park facilities, located outside of the Project site. As described in a) above, the proposed Project would

pay park fees in accordance with the City of Escondido Municipal Code and payment of those fees would reduce impacts to less than significant.

Sources

- City of Escondido Municipal Code.
- Fee Guide for Development Projects, dated September 3, 2021.

4.17 Transportation/Traffic

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Discussion

On September 27, 2013, Senate Bill (SB) 743 was signed into law. The legislature found that with the adoption of the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the state had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled and thereby contribute to the reduction of greenhouse gas emissions, as required by the California Global Warming Solutions Act of 2006 (Assembly Bill 32).

SB 743 started a process that fundamentally changes transportation impact analysis as part of CEQA compliance. Changes include the elimination of auto delay, LOS, and similar measures of vehicular capacity or traffic congestion as the basis for determining significant impacts. As part of the new CEQA Guidelines, the new criteria were designed to promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. The Office of Planning and Research (OPR) developed alternative metrics and thresholds based on Vehicle Miles Traveled (VMT). The guidelines were certified by the Secretary of the Natural Resources Agency in December 2018, and automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion, could not be considered a significant impact on the environment.

The City of Escondido *Transportation Impact Analysis Guidelines (TIAG)* were adopted on April 21, 2021. This document sets out the methodology for conducting a Local Mobility Analysis (LMA) and Vehicle Miles Traveled (VMT) analysis. The proposed Project would have a net trip generation of 200 average daily trips (ADT), with 16 trips in the AM Peak Hour and 20 trips in the PM Peak Hour. The TIAG establish a minimum

ADT threshold of 200 ADT for requiring VMT and LMA analyses. Since the proposed Project would generate 200 ADT, the Project is considered a small project and screened out from a VMT or LMA analysis.

The trip generation calculation and applicability of the VMT and LMA analysis are summarized in the *Ash Street Project* memo prepared by Linscott, Law, & Greenspan, dated August 12, 2022, and the corresponding *Scoping Agreement for Transportation Studies*, included in Appendix J.

Findings of Fact

a) Less than Significant. The City's General Plan Chapter III. Mobility and Infrastructure Element includes "Goal 1", and numerous related policies, to provide "An accessible, safe, convenient, and integrated multimodal network that connects all users and moves goods and people within the community and region efficiently." The proposed Project is consistent with that goal by providing roadway improvements adjacent to the Project site to facilitate both automobile and pedestrian movement. The proposed Project includes sidewalks with landscaping to encourage pedestrian movement. The proposed Project is considered a "small project" and screened from analysis because of the low number of vehicle trips generated. The proposed Project is consistent with the land use and zoning designations and with state and local density bonus laws, which result in the development of one affordable housing unit. Therefore, the proposed Project is consistent with the adopted plans and policies pertaining to the entire circulation system. Impacts would be less than significant.

b) Less than Significant. The City of Escondido *Transportation Impact Analysis Guidelines (TIAG)* were adopted on April 21, 2021. This document sets out the methodology for conducting a Local Mobility Analysis (LMA) and Vehicle Miles Traveled (VMT) analysis. The proposed Project would have a net trip generation of 200 average daily trips (ADT), with 16 trips in the AM Peak Hour and 20 trips in the PM Peak Hour. The TIAG establish a minimum ADT threshold of 200 ADT for requiring VMT and LMA analyses. Since the proposed Project would generate 200 ADT, the Project is considered a small project and screened out from a VMT or LMA analysis. Therefore, impacts would be less than significant.

c) Less than Significant. The proposed Project does not include any roadway improvement or cause any turning movements that would create a hazardous condition. The proposed Project would create one point of access off Lehner Avenue. This new unsignalized intersection has been designed to meet the City's geometric standards. Sufficient sight distance is provided at the intersection and a dedicated left-turn lane is not necessary give the low traffic volumes.

The proposed Project would also not create a roadway hazard from incompatible uses. The proposed residential uses are compatible with the surrounding residential neighborhoods.

As summarized in the *Ash Street Project* memo prepared by Linscott, Law, & Greenspan, dated August 12, 2022, and the corresponding *Scoping Agreement for Transportation Studies*, included in Appendix J, based on City ADT trigger points, a Local Mobility Analysis (LMA) is not required.

Therefore, the proposed Project does not cause any substantial changes to the operation of surrounding intersections such that the intersections would not perform properly, or improvements would be necessary, and no new hazardous conditions would be created. Impacts are less than significant.

d) Less than Significant. The proposed Project site is surrounded by residential streets and a residential neighborhood, including Rincon Middle School across N. Ash Street and Lehner Avenue to the southeast. According to the City's General Plan Chapter VI Community Protection Element, Figure VI-1, the closest emergency evacuation routes to the proposed Project site include Broadway, Rincon Avenue, and El Norte Parkway. All of these emergency access routes would remain unchanged by the proposed Project and the proposed Project would not interfere with an emergency response plan. Furthermore, during plan review the Escondido Fire Department determined the proposed Project provides sufficient on-site emergency access. Therefore, impacts would be less than significant.

Sources

- *Ash Street Project memo* prepared by Linscott, Law, & Greenspan, dated August 12, 2022, and the corresponding *Scoping Agreement for Transportation Studies, included in Appendix J*.
- *City of Escondido Traffic Impact Analysis Guidelines,* dated April 21, 2021.
- City of Escondido General Plan Chapter VI. Community Protection Element, Figure VI-1.

4.18 Tribal Cultural Resources

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Discussion

Cultural and paleontological resource assessments were prepared for the Proposed Project site. The assessment, *Cultural and Paleontological Resources Assessment for APNs 224-142-01 and 224-130-10, City of Escondido, California*, dated August 17, 2022, by DUKE CRM is included in Appendix C.

Pursuant to AB 52, the City provided notification of the Proposed Project to the Native American Historical Commission (NAHC) and notification letters were sent to Mesa Grande Band, Rincon Band, San Pasqual Band, San Luis Rey Band and Soboba Band on September 30, 2022. The Rincon Band of Luiseño Indians requested consultation. Consultation occurred with the City on November 10, 2022, and March 23, 2023, which concluded consultation.

Findings of Fact

a) Less than Significant. The Project site is currently vacant, and no structures or other historical resources are located on the Project site. Therefore, impacts to historic structures would be less than significant.

b) Less than Significant with Mitigation. Tribal consultation with the Rincon Band of Luiseño Indians concluded on March 23, 2023. The tribal consultation concluded with a request for the City to impose its standard tribal cultural resource mitigation measures on the proposed Project given the potential to discover tribal cultural resources. Therefore, the following mitigation measures shall be implemented.

Mitigation Measure MM TRC-1: Prior to the issuance of a grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a Pre-Excavation Agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe"). The purposes of the agreement are (1) to provide the Applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in mitigation measures MM TRC-2 through MM TRC-10, and the following information:

- Parties entering into the agreement and contact information.
- Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors.
- Project grading and development scheduling, including determination of authority to adjust in the event of unexpected discovery, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement.
- Requirements in the event of unanticipated discoveries, which shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials.
- Treatment of identified Native American cultural materials.
- Treatment of Native American human remains and associated grave goods.
- Confidentiality of cultural information including location and data.
- Negotiation of disagreements should they arise.
- Regulations that apply to cultural resources that have been identified or may be identified during project construction.

Mitigation Measure MM TRC-2: Prior to issuance of a grading permit, the Applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the Project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

Mitigation Measure MM TRC-3: The qualified archaeologist and a Native American monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to explain and coordinate the requirements of the monitoring program.

Mitigation Measure MM TRC-4: During the initial grubbing, site grading, excavation or disturbance of the ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American monitor shall be present full-time. If the full-time monitoring reveals that the top soil throughout the Project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the Project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering these factors. Archaeological and Native American monitoring would be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits (i.e., soil conditions are comprised solely of fill or granitic bedrock).

Mitigation Measure MM TRC-5: In the event that previously unidentified tribal cultural resources are discovered, all work must halt within a 100-foot radius of the discovery. The qualified archaeologist and the Native American monitor shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The qualified archaeologist and Native American Monitor shall consider the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c) in determining the significance of a discovered resource. If the professional archaeologist and Native American monitor determine that the find does not represent a culturally significant

resource, work may resume immediately, and no agency notifications are required. Isolates and clearly non-significant deposits shall be documented in the field and collected, and monitored grading can immediately proceed. All unearthed archaeological resources or tribal cultural resources shall be collected, temporarily stored in a secure location, and repatriated for later reburial on the project site, pursuant to the terms of the Pre-Excavation Agreement.

Mitigation Measure MM TRC-6: If the qualified archaeologist and Native American monitor determine that the find does represent a potentially significant tribal cultural resource, considering the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c), the archaeologist shall immediately notify the City of said discovery. The qualified archaeologist, in consultation with the City, the consulting TCA Tribe(s), and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe(s) and be submitted to the City for review and approval. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) though (c), appropriate treatment measures would be implemented. Work may not resume within the no-work radius until the City, through consultation as set forth herein, determines either that: 1) the discovery does not constitute a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c); or 2) the approved treatment and disposition measures have been completed.

Mitigation Measure MM TRC-7: All sacred sites, significant tribal cultural resources, and unique archaeological resources encountered within the Project area shall be avoided and preserved as the preferred mitigation. The avoidance and preservation of the significant tribal cultural resource or unique archaeological resource must first be considered and evaluated in consultation with the TCA Tribe(s) as required by CEQA and in compliance with all relevant mitigation measures for the Project. If any significant tribal cultural resource or unique archaeological resource has been discovered and such avoidance or preservation measure has been deemed to be infeasible by the City's Director of Development Services Department (after a recommendation is provided by the qualified archaeologist, in consultation with the TCA Tribe(s), making a determination of infeasibility that takes into account the factors listed in California Public Resources Code sections 21061.1, 21081(a)(3), and CEQA Guidelines section 15091, and in accordance with all relevant mitigation measures for the Project), then culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a research design and data recovery program to mitigate

impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. No artifact sampling for analysis is allowed, unless requested and approved by the consulting TCA Tribe(s). Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

Mitigation Measure MM TRC-8: As specified by California Health and Safety Code section 7050.5, if human remains are found on the Project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to a temporary off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner would notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (California Public Resources Code § 5097.98) for proper treatment and disposition in accordance with California Public Resources Code section 5097.98. The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the City does not agree with the recommendations of the MLD, the NAHC can mediate (California Public Resources Code § 5097.94). If no agreement is reached, the remains shall be kept in situ, or reburied in a secure location in close proximity to where they were found and where they will not be further disturbed (California Public Resources Code § 5097.98). Work may not resume within the no work radius until the lead agency, through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction. The analysis of the remains shall only occur on site in the presence of the MLD, unless the forensic anthropologist and the MLD agree to remove the remains to an off-site location for examination.

Mitigation Measure MM TRC-9: If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any cataloging of those resources. Moreover, if the qualified archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the Native American monitor may, at their discretion, collect

said resources for later reburial on the Project site or storage at a local curation facility. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe for reburial on the Project site. Should the TCA Tribe(s) decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

Mitigation Measure MM TRC-10: Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program and any data recovery program on the Project site, shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources. A copy of the final report will be submitted to the South Coastal Information Center after approval by the City.

Implementation of Mitigation Measures MM TRC-1 through MM TRC-10 would reduce impacts to tribal cultural resources to less than significant.

Sources

- *Cultural and Paleontological Resources Assessment for APNs 224-142-01 and 224-130-10, City of Escondido, California,* dated August 17, 2022*, by DUKE CRM* (Appendix C).

4.19 Utilities and Service Systems

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion

The proposed Project would be served by the City of Escondido water and sewer. A Will Serve letter is included in Appendix K.

Findings of Fact

a) Less than Significant. The proposed Project would rely on existing water and sewer facilities located within the adjacent streets. No offsite improvements or upgrades to the utility systems are required. Both the water and wastewater treatment systems have sufficient capacity to accommodate the proposed Project. The City issued a Will Serve letter on February 22, 2022, committing to serve the proposed Project. Dry utilities, including electric, natural gas, and telecommunications, are also available within adjacent streets. The proposed Project would underground existing electrical lines along Stanley Avenue and N. Ash Street and provide underground service to the new proposed residences. Therefore, impacts would be less than significant.

b) Less than Significant. The City of Escondido provides potable water to its residents and would serve the proposed Project. The City of Escondido supplies water to approximately 25,000 residential, commercial, and agricultural customers. The Escondido-Vista Water Treatment Plant treats all raw water before it is delivered to customers. The Water Treatment Plant was constructed in 1976 and its capacity is now 75 million gallons per day (MGD).

The City has multiple sources for its raw water. Local water originates from the watershed and well fields located near Lake Henshaw. The water is transferred to Lake Wohlford via an open canal. Additional water is purchased from the Colorado River and from northern California via the State Water Project through the Metropolitan Water District and San Diego County Water Authority. The water is stored in Dixon Lake.

After treatment, water is distributed from the Escondido-Vista Water Treatment Plant to the Vista Irrigation District, parts of Rincon del Diablo MWD, and throughout Escondido through a system of pipelines and reservoirs.

The City issued a Will Serve letter on February 22, 2022, committing to provide water service to the proposed Project and the City's commitment to serve the proposed Project is consistent with the City's Urban Water Management Plan (UWMP), including normal, dry, and multiple dry years. Impacts would be less than significant.

c) Less than Significant. The proposed Project, including the two existing homes to remain, would be served by the City's sewer system. The City of Escondido operates the Hale Avenue Resource Recovery Facility (HARRF), which provides wastewater treatment. The HARRF started at its current location in 1959 and is an activated sludge, secondary treatment facility. This consists of physical, biological, and chemical treatment methods, which include screening, sedimentation, chemical precipitation, and biological processes. The City of Escondido operates the HARRF for the benefit of the City and the Rancho Bernardo area of the City of San Diego. The facility is designed to treat wastewater flow of 18 million gallons per day (MGD), operating 24 hours a day. The average daily flow is 12.7 MGD, comprised of Escondido's flow of 9.7 MGD and Rancho Bernardo's flow of 3.0 MGD. Therefore, while the proposed Project would increase demand on the HARRF, sufficient capacity exists to accommodate the proposed Project. The City issued a Will Serve letter on February 22, 2022, committing to provide wastewater treatment service to the proposed Project. Therefore, impacts would be less than significant.

d) Less than Significant. Escondido Disposal, Inc. (EDI) provides waste and recycling services to the City of Escondido. EDI conducts residential waste collection and takes the trash to the Escondido Resource Recovery transfer station, where trash is sorted into recyclable, organics, and refuse. EDI has an extensive program designed to recycle trash consistent with state regulations. AB 341, also called the "Mandatory Commercial Recycling Regulation," requires businesses and multi-family residential dwellings of five

units or more, that generate four or more cubic yards of commercial solid waste per week to implement recycling programs, on or after July 1, 2012. The California Integrated Waste Management Act of 1989 (AB 939), which emphasizes resource conservation through reduction, recycling, and reuse of solid waste.

Waste that cannot be disposed of would likely be deposited at the Miramar Landfill. Almost 910,000 tons of trash is disposed of yearly at the Miramar Landfill. The landfill spans over 1,500 acres and opened on Dec. 7, 1959, and has since operated in three areas: north, south and west. The South Miramar Landfill operated from 1959 to 1973. The North Miramar Landfill operated from 1973 to 1983. The West Miramar Landfill, which is still in operation today, opened in 1983. The landfill is expected to have capacity until 2030 (San Diego Union Tribune, 2015). Therefore, impacts would be less than significant.

e) Less than Significant. The California Integrated Waste Management Act of 1989, also known as Assembly Bill 939 (AB 939), mandates jurisdictions to meet a diversion goal of 50 percent by the year 2000, and thereafter. AB 341, also called the "Mandatory Commercial Recycling Regulation," requires businesses and multi-family residential dwellings of five units or more, that generate four or more cubic yards of commercial solid waste per week to implement recycling programs, on or after July 1, 2012. The City implements programs applicable to the proposed Project that comply with these statutes. One strategy required of residents of residential communities, such as the proposed Project, is curbside separation of trash into recyclable, green waste, and solid waste. The City also implements free disposal days, waste tire processing, Christmas tree collection, household hazardous waste centers, used oil collection centers. Furthermore, the City's Green Building Program's requires recycling and diversion from landfills, which would apply during construction of the proposed Project.

Therefore, the proposed Project would not conflict with federal, state, and local ordinances in place designed to reduce solid waste generation. Impacts would be less than significant.

Sources

- City of Escondido Water Division - Water Division - City of Escondido.
- City of Escondido Wastewater Division - Wastewater Division - City of Escondido.
- City of Escondido Waste and Recycling Department - Recycling & Waste - City of Escondido.
- Miramar Landfill & Greenery | Environmental Services | City of San Diego Official Website.
- Miramar landfill viable through 2030 - The San Diego Union-Tribune (sandiegouniontribune.com).
- City of Escondido Will Serve Letters (Appendix K)

4.20 Wildfire

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Discussion

The state Attorney General's guidance, "Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act," ("Guidance") was released on October 10, 2022. Based on the description in the Guidance of the applicability of the Guidance, the Guidance does not apply to the proposed Project.

> "This guidance is designed to help lead agencies[1] comply with the California Environmental Quality Act, Public Resources Code, section 21000 et seq. (CEQA), when considering whether to approve projects in wildfire-prone areas. These areas are often in the wildland-urban interface, generally defined as the area where the built environment meets or intermingles with the natural environment.[2] The California Department of Forestry and Fire Protection (CAL FIRE) has classified lands based on fire hazard, the highest being those classified as high or very high fire hazard severity zones. It has also identified areas where the State (as opposed to a local agency) has responsibility for fire-fighting.[3] Particularly in these high-risk areas, but also throughout the wildland-urban interface, wildfire risks must be considered during the environmental review process for individual development projects." (Guidance, Page 1-2)

The Guidance applies to areas where the "built environment meets or intermingles with the natural environment." The proposed Project does not meet or intermingle with the natural environment. The entire eastern edge of the Project site is separated from adjoining uses by N. Ash Street, and just east of N. Ash Street is a new residential subdivision. West of the Project site is also a new residential subdivision. Stanley Drive and Lehner Avenue border the Project site on the north and south, respectively.

The second footnote from this excerpt from the Guidance refers to mapping of Wildland Urban Interface zones. The mapping referred to in this footnote has been applied to the Project site and is included as Figure 8. The legend to the Wildland Urban Interface (WUI) mapping states the following:

> This dataset was developed for the 2015 Assessment of Forest and Rangelands. It is derived from several data sources, including housing density (input_lsn_HousingDensity12_2), Fire Hazard Severity Zones (FHSZ_Assessment11_1), Unimproved Parcels (input_UnimprovedParcels16_1), and Vegetation Cover (input_FVEG15_2). The current dataset is appropriate for displaying the overall pattern of WUI development at the county level, and comparing counties in terms of development patterns. Until the dataset is refined through a field review process, it is not suited for WUI designations for individual houses or neighborhoods.
>
> Housing Density Classes used in the WUI definitions:
> 1 - Less than one house per 20 acres
> 2 - One house per 20 acres to one house per 5 acres
> 3 - More than one house per 5 acres to 1 house per acre
> 4 - More than 1 house per acre
>
> Wildland Urban Interface is dense housing adjacent to vegetation that can burn in a wildfire and must meet these criteria:
> •Housing density class 2, 3 or 4
> •In moderate, high, or very high Fire Hazard Severity Zone
> •Not dominated by wildland vegetation (i.e., lifeform not herbaceous, hardwood, conifer or shrub)
> •Spatially contiguous groups of 30m cells that are10 acres and larger
>
> Wildland Urban Intermix is housing development interspersed in an area dominated by wildland vegetation subject to wildfire and must meet these criteria:
> •Not Interface
> •Housing density class 2
> •Housing density class 3, 4 dominated by wildland vegetation
> •In Moderate, High or Very High Fire Hazard Severity Zone
> •Improved parcels only
> •Spatially contiguous groups of 30m cells 25 acres and larger
>
> Wildfire Influence Zone is wildfire susceptible vegetation up to 1.5 miles from Wildland Urban Interface or Wildland Urban Intermix and must meet these criteria:
> •Wildland vegetation up to 1.5 miles from Interface or Intermix

The end of the first paragraph states, "The current dataset is appropriate for displaying the overall pattern of WUI development at the county level, and comparing counties in terms of development patterns. Until the dataset is refined through a field review process, it is not suited for WUI designations for individual houses or neighborhoods."

Since determining the applicability of the Guidance cannot rely on the WUI mapping, determining applicability of the Guidance is left to CAL FIRE mapping of the fire hazards. As shown on Figure 8, the Project site is not located within a Very High Fire Hazard Severity Zone, and therefore, the Guidance does not appear to apply to the Project site.

Notwithstanding the applicability of the Guidance, the Attorney General has suggested analysis of fire risk by professionals and consultation with local fire agencies, both of which have occurred with the proposed Project. A Fire Protection Plan (*Fire Protection Plan "Ash St" Tentative Map, PL 21-0534, APN 224-130-10*, prepared by Pasco Laret Suiter & Associates) was prepared for the proposed Project and included as Appendix F. The proposed Project design was also reviewed by the City's Fire Department.

Furthermore, the Guidance (Page 12-13) states:

> "Set forth below are some examples of potential mitigation measures and design alternatives that may reduce wildfire risk impacts. This list is not exclusive and a lead agency's adoption of some or all of these mitigation measures for a particular project may not be sufficient to comply with CEQA's requirement to adopt all feasible mitigation measures."

The measures included on Pages 12 and 13 of the Guidance are presented below in italics. How those measures have been incorporated into the Project design is presented under each measure in regular font. This analysis demonstrates that while the Guidance may not be applicable to the Project, the Project was analyzed and designed to be generally consistent with the provisions presented in the Guidance.

- *Increasing housing density and consolidated design, relying on higher density infill developments as much as possible*.

  Consistent. The proposed Project relies on a density bonus to increase housing density in a consolidated design in an infill setting.

- *Avoidance and minimization of low-density exurban development patterns or leapfrog-type developments (i.e., those with undeveloped wildland between developed areas).*

  Consistent. The current condition of the Project site is nearly surrounded by new residential subdivisions. The proposed Project is not a low-density exurban development with undeveloped open space area between developed areas. The proposed Project is a consolidated design with managed fire-resistant landscaping surrounded by existing roadways.

Source: FRAP WUI (October 2022)

Figure 8. Wildland Urban Interface Zone

- *Decreasing the extent and amount of "edge," or interface area, where development is adjacent to undeveloped wildlands.*

  Consistent. The Project is designed with edge conditions of N. Ash Street, Stanley Avenue, and Lehner Avenue, as well as existing residential developments. Where the edge condition is either adjacent to or includes vegetation, fuel modification requirements as outlined in the Fire Protection Plan (*Fire Protection Plan "Ash St" Tentative Map, PL 21-0534, APN 224-130-10*, prepared by Pasco Laret Suiter & Associates included as Appendix F) must be implemented.

- *Creation of buffer zones and defensible space within and adjacent to the development, with particular attention to ensuring that vegetation will not touch structures or overhang roofs.[49] It is also important that legal obligations are structured so that defensible space measures are retained over time.[50]*

  Consistent. Defensible space around the structures occurs from existing and future roadways, primarily N. Ash Street, Stanley Avenue, and Lehner Avenue. Furthermore, where the edge condition is either adjacent to or includes vegetation, fuel modification requirements as outlined in the Fire Protection Plan (*Fire Protection Plan "Ash St" Tentative Map, PL 21-0534, APN 224-130-10*, prepared by Pasco Laret Suiter & Associates included as Appendix F) must be implemented. The fuel modification zones and community open space will be maintained by a future homeowner's association and regulated by Covenants Conditions and Restrictions (CC&Rs).

- *Siting projects to maximize the role of low-flammability landscape features that may buffer the development from fire spread.*

  The Fire Protection Plan (*Fire Protection Plan "Ash St" Tentative Map, PL 21-0534, APN 224-130-10*, prepared by Pasco Laret Suiter & Associates included as Appendix F) prepared for the Project outlines the requirements for low-flammability landscaping (fuel modification requirements). The proposed Project will be buffered by existing roadways (N. Ash Street, Stanley Avenue, and Lehner Avenue) and fuel modification areas, which will in turn buffer existing residential areas from wildland fire risk. The existing condition poses greater wildland fire risk to surrounding existing development than the proposed condition because the existing condition includes open vegetated areas that are not regularly maintained or include fire resistant species.

- *Undergrounding power lines*.

  Overhead electrical utilities exist along the Project site frontage on Stanley Avenue and N. Ash Street. The overhead utilities will remain in place and not be

underground as a density bonus waiver to accommodate a very-low income affordable unit.

- *Limiting development along steep slopes and amidst rugged terrain, so as to decrease exposure to rapid fire spread and increase accessibility for fire-fighting*.

  The Project site is not characterized as having steep slopes or rugged terrain. The Project site has approximately 16 feet of fall over approximately 775 feet of length, which is approximately 2% gradient. Firefighting accessibility has been reviewed by the City of Escondido Fire Department and determined to be acceptable.

- *Placement of development close to existing or planned ingress/egress and designated evacuation routes to efficiently evacuate the project population and the existing community population, consistent with evacuation plans, while simultaneously allowing emergency access.*

  The Project site is surrounded by residential streets and new residential neighborhoods to the east and west of the Project site. According to the City's General Plan Chapter VI Community Protection Element, Figure VI-1, the closest emergency evacuation routes to the Project site include Broadway, Rincon Avenue, and El Norte Parkway. All of these emergency access routes would remain unchanged by the proposed Project and the proposed Project would not interfere with an emergency response plan. Furthermore, during plan review the Escondido Fire Department determined the proposed Project provides sufficient on-site emergency access.

- *Placement of projects close to adequate emergency services*.

  The Project site is served by the City of Escondido Fire Department. The Escondido Fire Department has 7 stations spread throughout the City. The closest station to the Project site is Station #7 located at 1220 N. Ash Street, approximately 1.2 miles from the Project site. Station #7 is staffed by five personnel: one Fire Captain, one Engineer, one Firefighter Paramedic and two Paramedics. Station #7 houses 1 Type 1 Fire Engine and 1 Rescue Ambulance. The second closest station to the Project site is Station #3 located at 1808 Nutmeg Street, approximately 2.61 miles from the Project site. Station #3 is staffed by five personnel: one Fire Captain, one Engineer, two Firefighter Paramedics and one Paramedic/EMT. Station #3 houses 1 Type 1 Fire Engine, 1 Rescue Ambulance, and 1 Cross Staffed Type 3 Brush Engine.

  The Project site is currently being served by Escondido Fire and the redevelopment of the property would not change the City's ability to continue to provide service. The additional three (3) residential units and 9 residents above General Plan density limits would place additional demands on the Fire

Department not previously planned. However, in consultation with Fire Department staff during the planning entitlement process, the additional residential units and residents associated with the proposed Project represent such a small fraction of the overall service area that Escondido Fire can serve the proposed Project without any change in level or service or need for additional equipment or personnel. Furthermore, the proposed Project has been reviewed for site access, turn-arounds, fire hose pull lengths, fire hydrant placement, etc. and determined to meet Fire Department requirements.

- *Construction of additional points of ingress and egress and modification of evacuation routes to minimize or avoid increasing evacuation times or emergency access response times.*

  The Project site is located in an area with adequate emergency evacuation routes as confirmed by the City of Escondido Fire Department.

- *Fire hardening structures and homes—upgrading the building materials and installation techniques to increase the structure's resistance to heat, flames, and embers—beyond what is required in applicable building codes, both for new structures and existing structures in proximity to the new development.*

  The Fire Protection Plan (*Fire Protection Plan "Ash St" Tentative Map, PL 21-0534, APN 224-130-10*, prepared by Pasco Laret Suiter & Associates included as Appendix F) prepared for the Project requires all structures comply with ignition-resistant construction requirements of Chapter 7A of the California Fire Code and be constructed with automatic fire sprinklers.

- *Requiring fire-hardened communication to the project site including high-speed internet service.*

  The Project site is located in a developed area with available telecommunications infrastructure, including high-speed internet through cable providers.

- *Enhanced communication to the project population about emergency evacuation plans and evacuation zones.*

  The City of Escondido General Plan includes Chapter VI Community Protection, which includes numerous policies regarding emergency preparedness and emergency response, including communicating with residents about emergency evacuation and shelters.

- *Parking limitations to ensure access roads are not clogged with parked vehicles*.

  The adjoining roadways used for emergency evacuation, including N. Ash Street, Lehner Avenue, and Stanley Avenue all have parking restrictions.

- *On-site water supply/storage to augment ordinary supplies that may be lost during a wildfire*.

  Water supply, including fire flow pressure requirements have been evaluated in the Fire Protection Plan (*Fire Protection Plan "Ash St" Tentative Map, PL 21-0534, APN 224-130-10*, prepared by Pasco Laret Suiter & Associates included as Appendix F) and through plan review with the Escondido Fire Department. Water supplies, storage, and pressure meet all of the City's requirements.

Findings of Fact

a) Less than Significant. The Project site is surrounded by residential streets and new residential neighborhoods to the east and west of the Project site. According to the City's General Plan Chapter VI Community Protection Element, Figure VI-1, the closest emergency evacuation routes to the Project site include Broadway, Rincon Avenue, and El Norte Parkway. All of these emergency access routes would remain unchanged by the proposed Project and the proposed Project would not interfere with an emergency response plan. Furthermore, during plan review the Escondido Fire Department determined the proposed Project provides sufficient on-site emergency access.

The Project site is not located in or adjacent to land classified as very high fire hazard severity zones. Neither the City of Escondido General Plan Chapter VI Community Protection Element, Figure VI-6 nor the Cal Fire – Fire and Resource Assessment Program list the Project site within a Very High Fire Hazard Severity Zone. See Figures 6 and 7, respectively. Therefore, impacts would be less than significant.

b) Less than Significant. The Project site is surrounded on three sides by existing streets and on the fourth side by a new residential subdivision. An additional new residential subdivision exists to the east of the Project site. The proposed Project would provide new streets and fire hydrants, landscaping compatible for wildland fire restrictions, and all new structures would comply with current building standards, including fire sprinklers. Therefore, the proposed Project would not exacerbate fire risk to surrounding properties or to the new residents of the Project site. Fires in the general Escondido and County of San Diego areas could expose occupants to smoke during a wildfire. This risk is temporary and would not be exacerbated by the proposed Project. Therefore, impacts would be less than significant.

c) Less than Significant. The Project site is not located in or adjacent to land classified as very high fire hazard severity zones. Neither the City of Escondido General Plan Chapter VI Community Protection Element, Figure VI-6 nor the Cal Fire – Fire and Resource Assessment Program list the proposed Project site within a Very High Fire Hazard Severity Zone. See Figures 6 and 7, respectively. The Project site is surrounded on three sides by existing roadways that function as fire breaks. The remaining side (west side) is located adjacent to a newly constructed residential neighborhood. All future vegetation

will incorporate fire resistant plant material and provide separation between mature tree canopies and rooftops. Therefore, impacts would be less than significant.

d) Less than Significant. The Project site currently consists of gentle slope, approximately 2% gradient falling from north to south. Once graded, the development areas would remain generally flat. Furthermore, the proposed Project site is surrounded by existing streets and new residential developments. The Project site is not located adjacent to any large hillsides that could cause flooding, mudflows, landslides, or significant erosion after a fire. Impacts would be less than significant.

Sources

- City of Escondido General Plan Chapter VI Community Protection Element, Figure VI-6.
- Cal Fire – Fire and Resource Assessment Program, Map of CAL FIRE's Fire Hazard Severity Zones in Local Responsibility Areas – Escondido.
- *Fire Protection Plan "Ash St" Tentative Map, PL 21-0534, APN 224-130-10*, prepared by Pasco Laret Suiter & Associates, dated May 4, 2022 included as Appendix F

4.21 Mandatory Findings of Significance

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially 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, substantially 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) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

a) Less than Significant with Mitigation. As discussed, in in the Biological Resources Section, the proposed Project would potentially result in significant impacts to biological resources. As such, the Proposed Project would incorporate Mitigation Measures MM BIO-1 and MM BIO-2, to reduce all biological resource impacts to a less than significant level. Additionally, as discussed in the Cultural Resources Section, no new or previously recorded historic sites were identified within the proposed Project site as a result of the records search, archival research, or the intensive-level pedestrian survey. Therefore, the proposed Project would not alter, destroy or adversely affect a historic site. However, due to the moderate sensitivity of a cultural resource occurring onsite, the proposed Project would incorporate Mitigation Measures MM CUL-1 through MM CUL-2, and Mitigation Measures MM TRC-1 through TRC-10 to reduce all cultural resource impacts to a less than significant level. Therefore, with implementation of mitigation, the proposed Project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or 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. Impacts would be less than significant with mitigation incorporated.

b) Less than Significant with Mitigation. As concluded throughout this IS/MND, the proposed Project would result in either no impact, less-than-significant impact, or a less-than-significant impact with mitigation incorporated with respect to all environmental impact areas outlined in the CEQA Guidelines Appendix G Environmental Checklist. Reasonably foreseeable projects have been incorporated into the traffic, air quality, noise, and greenhouse gas studies, all of which have shown that impacts can be reduced to less than significant. Furthermore, no significant resources, such as cultural, geotechnical, or biotic, exist on the proposed Project site and therefore no cumulative impact would occur. The proposed Project would detain and treat storm runoff from the proposed Project on-site, therefore no cumulative impacts would occur. For all resource areas analyzed, the proposed Project's individual-level impacts would be at less-than-significant levels, which, in turn, would reduce the potential for these impacts to be considered part of any cumulative impact. Therefore, the proposed Project would not result in individually limited but cumulatively considerable impacts. Impacts would be less than significant with mitigation incorporated.

c) Less than Significant with Mitigation. As evaluated throughout this document, the proposed Project would have no impact, less-than-significant impact, or a less-than-significant with mitigation incorporated with respect to all environmental impact areas. Therefore, the proposed Project would not directly or indirectly cause substantial adverse effects on human beings. Impacts would be less than significant with mitigation incorporated.