

DRAFT

CONWAY RESIDENTIAL SUBDIVISION – TTM SUB21-0269 Escondido, California

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Prepared for:
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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 Conway Residential Subdivision (Proposed 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 assesses the environmental effects of the proposed Conway Residential Subdivision - TTM SUB21-0269, located on an approximately 14.1-acre site near the intersection of Conway Drive and Stanley Avenue. Of the total approximately 14.1 acres, approximately 2.01 acres is located outside of the incorporated City boundaries within unincorporated County of San Diego. The remaining approximately 12.09 acres of the Proposed Project site is located within the City of Escondido. An annexation of the 2.01 acres into the City is part of the Proposed Project.

Following submittal of the initial project applications, the City determined an EIR would be required because of potentially significant impacts related to vehicle miles travelled (VMT). Senate Bill (SB) 743 became effective on July 1, 2020 and changed how traffic studies under CEQA are prepared. Instead of analyzing level of service of intersections and roadway segments, SB 743 changed the CEQA assessment to an analysis of vehicle miles travelled. This change required cities throughout California to change the methodology of traffic studies. Initially, the City determined the Proposed Project could have a significant impact on VMT and issued a Notice of Preparation (NOP) indicating an EIR would be prepared. The NOP was circulated for public review from April 7, 2022, to May 9, 2022, and 6 comments were provided.

Subsequent to the issuance of the NOP, the City refined its implementation of SB 743 and evaluated mitigation opportunities to reduce VMT. Based on the City's further analysis of the VMT program, the City determined that feasible mitigation measures are available to the Proposed Project to reduce VMT impacts to less than significant. Based on the findings of the IS and VMT analysis, the City revised its CEQA approach for the Proposed Project and determined the appropriate CEQA compliance document for the Proposed Project is an Initial Study/Mitigated Negative Declaration (IS/MND).

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

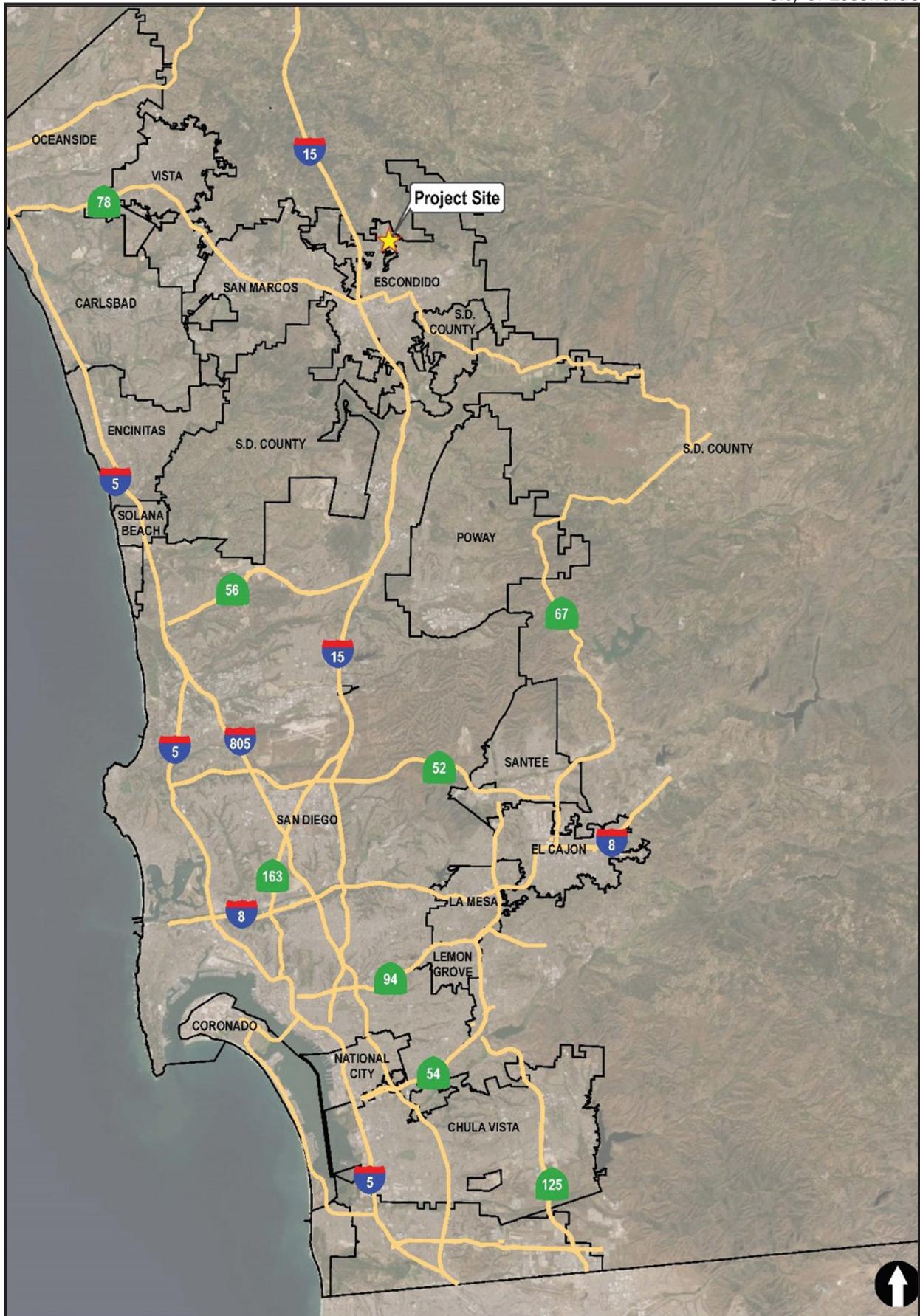
The Proposed Project includes the construction of 44 new single-family detached residences, the construction of 10 new affordable attached duplex residences, retention of two existing single-family residences, two biofiltration basins, common open space areas, and the demolition of 13 existing single-family residences on approximately 14.1 acres.

2.1 Project Location and Surrounding Land Uses

The Proposed Project is an assemblage of multiple parcels including the following Assessor Parcel Numbers (APNs): 224-141-23-00, 224-141-24-00, 224-141-25-00, 224-142-30-00, 224-142-31-00, 224-142-32-00, and 224-142-33-00.

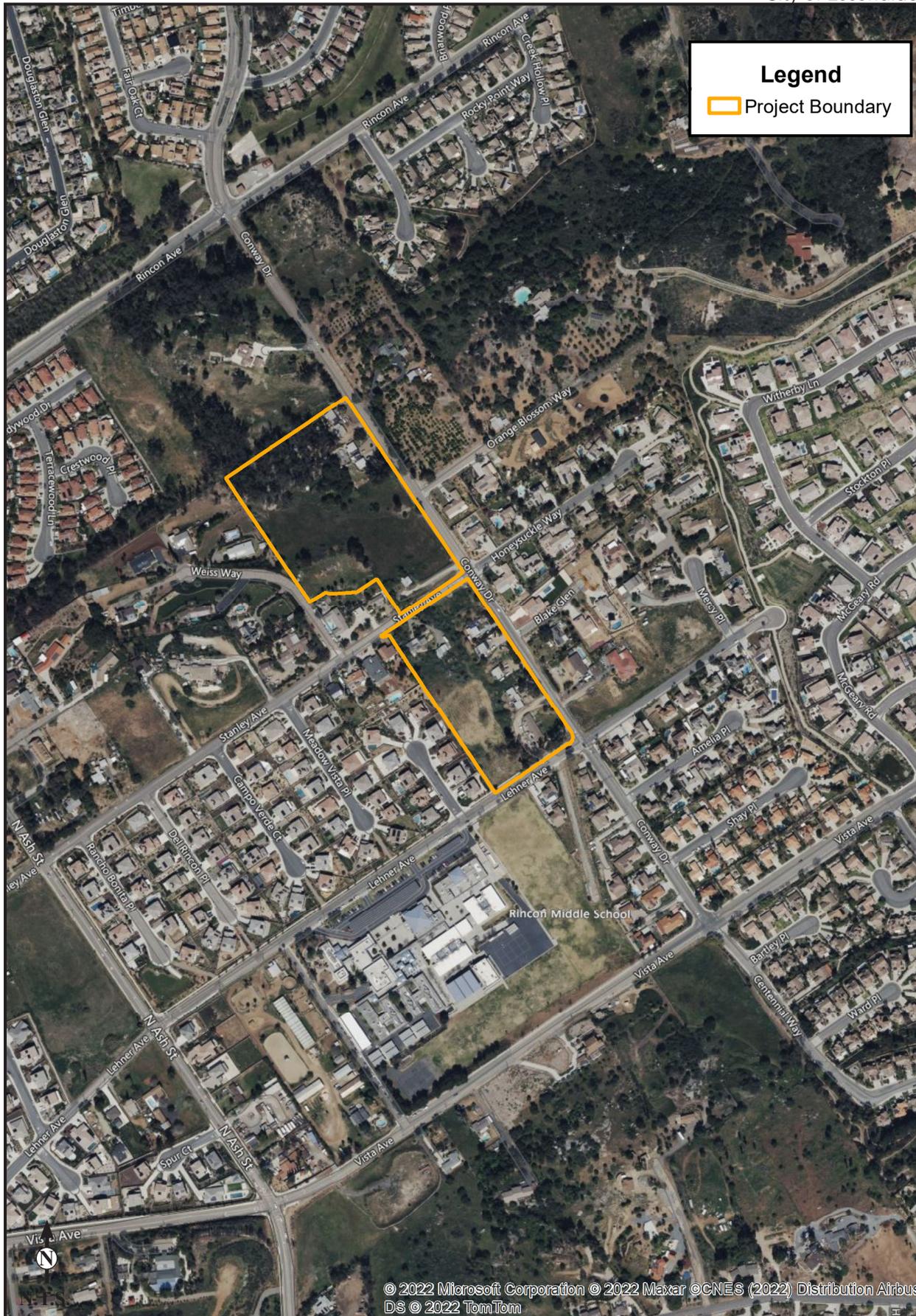
The Proposed Project site is located at 943 Stanley Avenue, near the intersection of Conway Drive and Stanley Avenue, in the City of Escondido. **Figures 1 and 2** show the regional and local location of the Proposed Project site and an aerial of the Proposed Project site with surrounding land uses.

The Proposed Project site is currently developed with thirteen (13) single-family residences, which would be demolished as part of the Proposed Project. The Proposed Project site is located in a suburban area which incorporates larger single family residential parcels with open spaces intermixed with higher density residential subdivisions and undeveloped parcels. Adjacent to the southwest corner of the Proposed Project site near Lehner Avenue is a newer subdivision with similar sized lots and homes to the Proposed Project. Across Lehner Avenue to the south and west from the Proposed Project site is Rincon Middle School.



Source: Google (2022).

Figure 1. Regional and Project Location



Source: Bing Maps (2022).

Figure 2. Aerial View of Project Site

2.2 Existing Conditions

The Proposed Project site can be described in two areas, north of Stanley Avenue and south of Stanley Avenue along Conway Drive.

North of Stanley Avenue, the Proposed Project site has five (5) existing residences. Of these five existing residences, four have access directly from Conway Drive and one takes access from Stanley Avenue. The remainder of this portion of the Proposed Project site includes regularly maintained fields and scattered trees. Behind the four residences along Conway Drive is a dense stand of eucalyptus trees.

South of Stanley Avenue, the Proposed Project site has eight (8) existing residences. One residence takes access from Stanley Avenue and the remaining seven (7) residences take access from Conway Drive. The area between the residences is disturbed open space with scattered vegetation and trash.

Figure 3 provides an aerial photograph of the Proposed Project site showing the existing buildings to be removed.

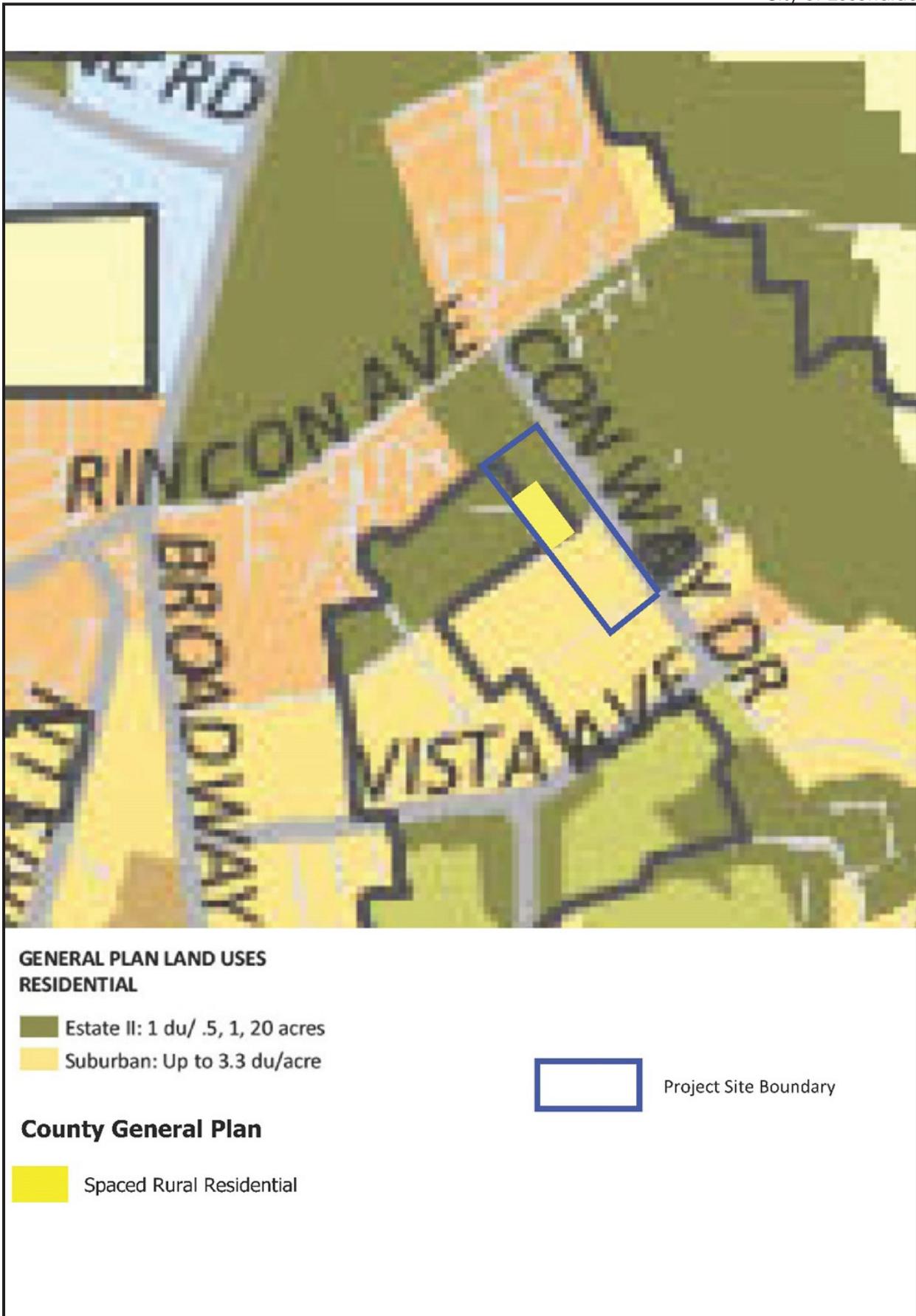
2.3 Existing General Plan and Zoning

North of Stanley Avenue, the Proposed Project site has a General Plan designation of Estate II (2 DU/acre) and a Zoning designation of R-E: Residential Estates (**Figure 3 and 4**).

South of Stanley Avenue, the Proposed Project site has a General Plan designation of Suburban (3.33 DU/acre) and a Zoning designation of R-1-10: Single Family Residential (**Figure 3 and 4**).

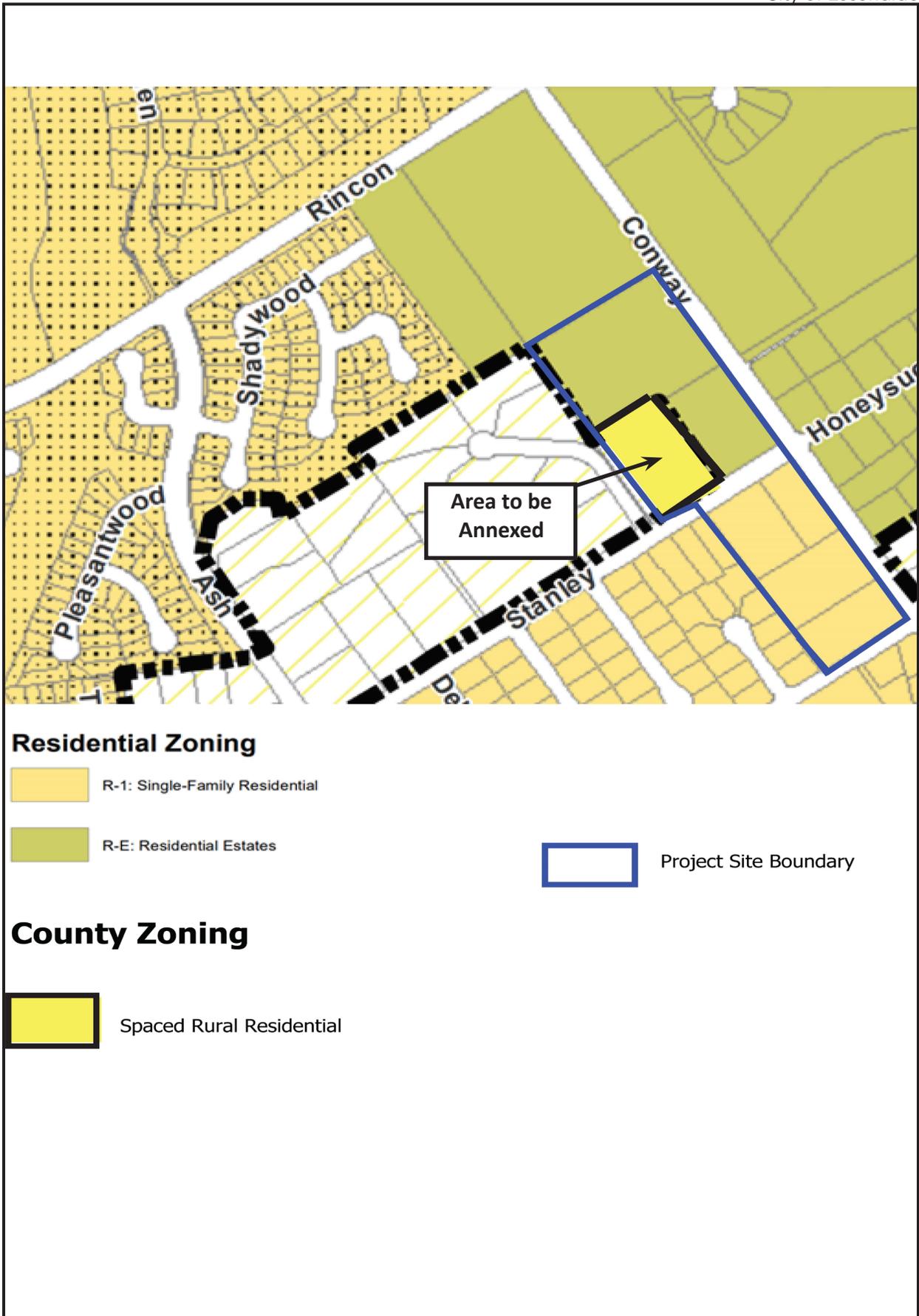
2.4 Annexation

The Proposed Project site is located within the City of Escondido boundaries with the exception of one parcel in the North of Stanley Avenue portion of the site. North of Stanley Avenue an approximately 2.01-acre parcel (APN 224-141-24-00) is located within unincorporated San Diego County. This parcel is planned to be annexed into the City of Escondido as part of the Proposed Project. Approximately 1-acre of this parcel is planned to be incorporated into the Proposed Project design and the remaining 1-acre would remain and divided into two existing single-family residential parcels.



Source: City of Escondido (2022).

Figure 3. General Plan Map



Source: City of Escondido (2022).

Figure 4. Zoning Map and Annexation

Directly to the west of the Proposed Project, as shown on **Figure 4**, fifteen (15) additional property owners along Weiss Way, Stanley Avenue, and adjacent to North Ash Street are located within an unincorporated San Diego County "island." In August 2022, the fifteen property owners were sent a letter explaining the annexation process and requesting a response on whether the property owners want to be part of the annexation proceedings associated with the Proposed Project site. All property owners have declined the annexation process and will remain within unincorporated County territory.

2.5 Project Site Development

The Proposed Project proposes to subdivide the 14.1 acres into 47 numbered lots and 2 lettered lots as follows:

- 44 numbered lots for single family detached residential ranging in size from 6,515 square feet to 14,071 square feet
- 1 numbered lot for 10 affordable residences located in 5 duplex buildings
- 2 numbered lots with existing single family detached residences which are to remain
- 2 lettered lots for water quality basins and common open space areas

Figure 5 is a copy of the proposed Tentative Tract Map depicting the lot configuration.

Preparing the Proposed Project site for construction includes the demolition of 13 existing residences, removal of existing vegetation, driveways, foundations, accessory structures, etc., and the abandonment of an existing water well. Site preparation would require the hauling of existing materials and vegetation to approved recycling centers and landfills.

Following site preparation, the Proposed Project site would be graded in one phase. South of Stanley Avenue, the area contains more dirt than needed, therefore excess dirt would be hauled to the area North of Stanley Avenue. The hauling would occur in scrapers and require the temporary closure of Stanley Avenue through appropriate permits. The mass grading of the site requires approximately 59,200 cubic yards of cut and 99,600 cubic yards of fill. Since the amount of fill exceeds the amount of cut, the Proposed Project site is short dirt and would require import. The current estimate of import is 40,400 cubic yards, however with shrinkage of fill material, the estimate of import could increase to close to 55,000 cubic yards. To be conservative, the air quality analysis assumes 55,000 cubic yards of imported dirt. Additional grading is required for geotechnical purposes to properly prepare the Proposed Project site for residential uses. Over-excavation of approximately 5 feet deep, and in certain locations to 10 feet deep, is required, which results in approximately 87,000 cubic yards of earthwork. The over-excavation includes the removal, replacement, and compaction of soil in generally the same location on the Proposed Project site.

A Grading Exemption is requested for a reduction in grading setback along Weiss Way and to permit 1.5:1 slope gradient, instead of the typical 2:1 slopes. The proposed Grading Exemption is shown in the areas colored on **Figure 5**.

Grading of the Proposed Project site would include the abandonment of the existing septic system serving the existing 13 residences and conversion from septic to sewer service for three existing single-family residences.

Grading would be completed as one continuous phase. Vertical construction of the residences would occur in smaller phases over time as market conditions permit.

North of Stanley Avenue

The Proposed Project includes a new public street, Street H, extending north from Stanley Avenue and ending in a cul-de-sac. Public Street G is proposed to extend west from Street H. Street H is designed with 56 feet of right-of-way and sidewalks on both sides. Public Street G is designed with 34 feet of right-of-way and sidewalk on one side of the street. Beyond Street G is a private driveway that transitions from 30 feet of right-of-way and sidewalk on one side to 25 feet of right-of-way and no sidewalk, to serve four residential lots.

Twenty-three (23) single family detached lots would take access from Streets G, H, and the private driveway. No direct access from Stanley Avenue is proposed. North of Street H, ten (10) affordable condominium units would be constructed within 5 duplex buildings. These units would take direct access from Conway Drive by way of a common private driveway.

Retaining walls reaching a maximum of 11.5 feet high are proposed along the northern boundary, adjacent to the affordable units and the biofiltration basin.

The biofiltration basin is located in the northwest corner of this portion of the Proposed Project. Slopes down to the biofiltration basin measure approximately 36 feet from surrounding pad elevations to the bottom of the basin. A slope bench is planned mid-slope and the slopes would be landscaped.

Lots 25 and 26, located south of Private Street G, are two existing residences that will remain. These two residences are currently located in unincorporated San Diego County but are included in the proposed annexation. The residences currently take direct access from Stanley Avenue and are served by a septic system. The Proposed Project includes removal of the septic system and connection of these residences to new sewer service.

South of Stanley Avenue

The Proposed Project includes a new public street, Street F, extending north from Lehner Avenue. Street F measures 56 feet of right-of-way, 36 feet from curb to curb, and provides sidewalks on both sides of the street. Twenty-one (21) single-family detached lots would take access from Street F. No direct access to lots would occur from Stanley Avenue or Conway Drive.

A biofiltration basin is located in the southeast portion of the Proposed Project. The bottom of the basin is approximately 8.6 feet lower than surrounding pad elevations. East of the basin, in the southeast corner of the Proposed Project, is an 80 +/- foot wide easement for the San Diego County Water Authority (SDCWA), which will remain in place.

An existing residence, 927 Stanley Avenue, which is located outside of the Proposed Project boundaries would be converted from septic to sewer as part of the Proposed Project.

Off-site

Along the Proposed Project site frontage, portions of Lehner Avenue, Conway Drive and Stanley Avenue would be improved with repaving, installation of new curbs and gutters, sidewalks, and new utility connections.

Existing overhead electrical utilities along the Proposed Project site frontage on Stanley Avenue would be placed underground and new underground service would be provided to the new residences and the two existing residences to remain.

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 ten (10) affordable units, 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 Low Income Units	Density Bonus Permitted	Allowed Density Bonus DUs	Allowed Total DUs	Allowed DUs / AC
224-142-33	1.40	3.3	5	1	35%	2	7	5.0
224-142-32	1.57	3.3	6	1	29%	2	8	5.1
224-142-31	0.94	3.3	4	1	50%	2	6	6.4
224-142-30	1.36	3.3	5	1	35%	2	7	5.1
224-141-25	2.09	2.0	5	2	50%	3	8	3.8
224-141-23	4.70	2.0	10	3	50%	5	15	3.2
224-141-24	2.01	2.0	5	1	35%	2	7	3.5
Total	14.1	-	40	10	-	18	58	4.1

Based on the provision of ten (10) affordable units, the Proposed Project would receive density bonus of 18 dwelling units. However, given site constraints, the Proposed Project only proposes 16 bonus units, for a total proposed development of 56 dwelling units, of which 54 are new construction and 2 are existing single-family residences to remain.

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

<u>Waiver</u>	<u>Dev. Standard</u>	<u>Proposed</u>
Front Yard Setback	R-E zone: 25' R-1 zone: 15' with a garage facing the street required to be setback 20'	10.5' (with street-facing garage to be setback 15')
Interior Side Yard Setback	R-E zone: 10' R-1 zone: 5' on one side (and 10' on the other, unless abutting an alley)	5' 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	R-E zone: 20,000 SF R-1 zone: 10,000 SF	6,515 SF
Avg. Lot Width	R-E zone: 100' R-1 zone: 80'	60'
Lot Width @ Street	R-E zone: 20' R-1 zone: 35'	R-1 zone: 25'
Max Lot Coverage for Primary & Accessory Structures	R-E zone: 30% R-1 zone: 40%	50%
Max FAR	0.5	0.6
Suburban Residential Road (for "G" Street)	48' ROW with 28' paved Gutter on both sides 6 parking spaces on each lot, min. Sidewalk on 1 side upon approval Parking plan showing 1.5 on-street spaces per unit	34' ROW with 28' paved No gutter on south side 4 parking spaces on each lot, min. Sidewalk on 1 side (hereby w/approval) No parking plan required

<u>Waiver</u>	<u>Dev. Standard</u>	<u>Proposed</u>
Grading Along Weiss Way	Possible required setback for accommodation of possible future widening of Weiss Way to the east.	Reduced setback if Grading Exemption is not possible (as discussed with staff) since Weiss Way cannot be widened to the east.
Lot 13 Access per Fire-5 Comment	Cul-de-sac instead of hammerhead	Hammerhead
Conway Storm Drain Location	Not to be located under sidewalk or parkway	Small portion to be located under ROW
Conway Storm Drain Easement	20' wide	10' wide, with no drivable surface, no access to interior Street "H"

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 SUB21-0269
- Annexation of APN 224-141-24-00 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:

Greg Mattson, AICP, Planning Department
gmattson@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.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Agriculture & Forest Resources | <input type="checkbox"/> Hydrology / Water Quality | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Utilities / Service Systems |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Wildfire |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Noise | |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Population / Housing | |
| <input checked="" type="checkbox"/> Geology / Soils | <input type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Recreation | |

3.1 DETERMINATION

On the basis of this initial evaluation:

- | |
|---|
| <input type="checkbox"/> I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. |
| <input checked="" type="checkbox"/> 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. |
| <input type="checkbox"/> I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. |
| <input type="checkbox"/> 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. |
| <input type="checkbox"/> 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

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The Proposed Project site constitutes a mix of prior development and disturbed ruderal open space. North of Stanley Avenue, the Proposed Project site has five (5) existing residences that are in various states of disrepair. The remainder of this portion of the Proposed Project site includes regularly maintained fields and scattered trees. Behind the four residences along Conway Drive is a dense stand of eucalyptus trees. South of Stanley Avenue, the Proposed Project site has eight (8) existing residences in similar condition. The area between the residences is disturbed open space with scattered vegetation and trash.

The Proposed 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 Proposed Project site are common to the area, the most prominent of which are a dense stand of eucalyptus trees North of Stanley Avenue. Given the lack of prominence of the Proposed Project site, the eucalyptus tree stand is only visible from nearby properties and is not an aesthetic resource seen from a wider area.

According to the California State Scenic Highway System Map, the Proposed 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 Proposed 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 Proposed Project site is located outside (approximately 2 miles away) of the I-15 scenic corridor.

Findings of Fact

a, b) Less than Significant. The Proposed Project site does not represent a scenic vista. The Proposed Project site has been previously developed and is located in an area zoned for residential development. The Proposed 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 Proposed Project site, which is over 11 miles away, SR 76, which is designated as an “eligible” scenic highway.

The Proposed 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 Proposed Project site. An Intermediate Ridgeline, as shown in red, is located east of the Proposed Project site and Conway Drive.



The Proposed Project site has been previously developed with 13 residences. The structures are generally in various states of disrepair. Given the lack of architectural significance or ties to a prominent architect, and the current condition of the structures,

the residences are not considered historic structures and do not constitute a visual resource.

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 defined below, 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 Proposed Project site has approximately 248 trees that meet the definition of Mature and Protected. The Proposed Project would impact 186 Mature and Protected trees, of which 34 trees are native species and 11 are native oak trees. As specified in **Mitigation Measure MM BIO-3 and MM BIO-4** in Chapter 3.4 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 Proposed Project site is located in a suburban area of Escondido. For purposes of CEQA, the Proposed Project site is considered in an urbanized area because the Proposed Project site is served by paved roadways, all utilities, and is surrounded by a mix of development. Therefore, this threshold of significance is 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: North of Stanley Avenue, the Proposed Project site has a General Plan designation of Estate II (2 DU/acre) and a Zoning designation of R-E: Residential Estates.

South of Stanley Avenue, the Proposed 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 Proposed 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 Proposed 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 grading plan is designed to minimize visible walls and slopes from surrounding streets and public locations. The largest slopes on the Proposed Project are located North of Stanley Avenue in the northwest portion of the site. The slopes are necessary to create a biofiltration basin with functioning hydraulic flow into and out of the basin. The slopes may be partially visible from Weiss Way, however, the slopes would be vegetated to blend into surrounding areas. Furthermore, the largest retaining walls of up to 11.5 feet, are also located in the northern area of the Proposed Project site, also substantially blocked from surrounding public views. 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 Proposed Project site is located in a suburban area with numerous nearby light sources. Existing light sources surrounding the Proposed Project site include streetlights, existing residential neighborhoods, and the existing Rincon Middle School parking lot and buildings. The Proposed Project would extend the same type of light sources onto the Proposed 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 September 2022, 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
<p>AGRICULTURE AND FOREST RESOURCES.</p> <p>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:</p>				
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

The Proposed Project site is developed with 13 existing residences and consists of a mix of native and non-native vegetation, including eucalyptus grove, oak grove, and ruderal/non-native grassland. The Proposed Project site is not being actively farmed or used for forest use and there is no history of such uses on the Proposed Project site.

Findings of Fact

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

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

c) No Impact. The Proposed 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:

- North of Stanley Avenue, the Proposed Project site has a General Plan designation of Estate II (2 DU/acre) and a Zoning designation of R-E: Residential Estates.
- South of Stanley Avenue, the Proposed Project site has a General Plan designation of Suburban (3.33 DU/acre) and a Zoning designation of R-1-10: Single Family Residential.

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

e) No Impact. Existing properties surrounding the Proposed 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 Proposed 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 for establishing significance thresholds for criteria air pollutants. 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
PM _{2.5}	--	55	10
SO _x	25	250	40
CO	100	550	100

The report, *Conway Drive Tentative Subdivision Map, Air Quality Impact Study*, dated September 19, 2022, and prepared by RK Engineering Group, Inc. (**Appendix A**), analyzes potential air quality impacts from construction and operations. The report analyzes grading the Proposed Project site, including the import of 55,000 cubic yards of fill material. The report also analyzes operational impacts from construction of 54 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 Proposed Project site as of Estate II (2 DU/acre) and 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	PM _{2.5}
Demolition	2.32	21.95	20.12	0.04	1.45	1.02
Site Preparation	2.71	27.56	18.68	0.04	8.93	5.07

Maximum Daily Emissions (lbs/day) ¹						
Activity	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Grading	3.38	34.55	28.53	0.06	5.11	2.75
Building Construction	1.64	14.69	16.79	0.03	0.90	0.71
Paving	0.95	8.60	14.89	0.02	0.54	0.42
Architectural Coating	63.54	1.15	1.89	0.00	0.08	0.06
Maximum¹	63.54	34.55	28.53	0.06	8.93	5.07
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	PM _{2.5}
Mobile Sources	1.50	1.61	13.77	0.03	3.27	0.89
Energy Sources	0.03	0.29	0.13	0.00	0.02	0.02
Area Sources	3.15	0.95	4.83	0.01	0.10	0.10
Stationary Source	0.00	0.00	0.00	0.00	0.00	0.00
Total	4.68	2.86	18.73	0.04	3.39	1.01
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 Proposed Project site include neighboring residential uses and the Rincon Middle School. 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, 2022), 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 54 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

- *Conway Drive Tentative Subdivision Map, Air Quality Impact Study*, dated September 19, 2022, 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

Biological resources on the Proposed Project site were thoroughly evaluated and presented in *Biological Technical Report for the Tract F and H Project*, dated September 2022, by Carlson Strategic Land Solutions, and included in **Appendix B**. The Proposed Project site consists of primarily non-native grasslands and disturbed areas. Below in **Table 6** is a summary of the plant communities mapped on the Proposed Project site.

Table 6. Plant Communities Observed on the Proposed Project site¹

Vegetation Community	Acreage
Coast Live Oak Woodland (71160)	0.39
Willow Stand (61320)	0.03
Non-Native Grasslands (42200)	6.79
Eucalyptus Woodland (79100)	1.77
Disturbed Habitat (11300)	1.17
Urban/Developed (12000)	3.64
TOTAL	13.79
<i>Notes:</i>	
1. Plant Communities within the surrounding 500-foot buffer is not included within the total acreage. Communities consists of urban/developed, eucalyptus woodland, non-native grasslands, and disturbed vegetation communities.	

The *Biological Technical Report* (BTR) also includes an inventory of protected and mature trees on the Proposed Project site, in accordance with Escondido Municipal Code Section 33-1069, Article 55 of Chapter 33 of the City's Municipal Code. No Heritage trees are located on the Proposed Project site. A total of 248 Mature (236) and Protected (12) Trees are located on the Proposed Project site. The following **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 ¹	4 inches to 9.99 inches	37
Non-native trees species	8-inches or greater	199
SUBTOTAL	-	236
Protected Trees	DBH (inches)	Number of trees
Coast Live Oak	10-inches or greater	12
SUBTOTAL	-	12
TOTAL	-	248
1. Native trees consists of 34 Coast Live Oak trees DBH 4 inch to 9.99, 1 black walnut tree with a DBH of 13.55- inches and two arroyo willow trees with a DBH of 7.8-inches and 12-inches.		

The BTR analyzed the potential for sensitive species, both plant and wildlife, to occur on the Proposed Project site. Given the extensive non-native plant coverage of the Proposed Project site, this is no potential for sensitive plant species to occur on the Proposed Project site. Of the potential 23 sensitive wildlife species that could occur on the Proposed Project site, the only listed species with low potential to occur onsite is the Swainson's Hawk due to potential suitable nesting habitat within the eucalyptus woodland. The remaining special status animal species known to the region have a no potential to occur within the Proposed Project site due primarily to the lack of suitable

habitat, isolation of the Proposed Project site from undeveloped habitat blocks in the region, and disturbances associated with the highly urbanized setting.

A jurisdictional delineation was conducted on the Proposed Project site to determine if any drainage features present on the Proposed 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 Proposed Project site.

The Proposed 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 Proposed Project site is identified as disturbed and developed land and agriculture. The Proposed Project site is not found inside any Biological Core or Linkage Area. Furthermore, the Proposed 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 Proposed Project site, nor were any observed offsite within the buffer area. The Proposed Project includes the removal of portions of non-native grasslands, coast live oak woodland, disturbed, and urban/developed habitat; therefore, impacts to sensitive plant species would be less than significant and no mitigation is required.

The potential for special status wildlife species occurring on the Proposed Project site is limited to raptors. The Proposed Project site provides opportunities for nesting habitat within the mature trees, especially the eucalyptus woodland, and foraging opportunities within the non-native grasslands. Therefore, potentially significant impacts to sensitive wildlife species could occur through direct nesting impacts and/or loss of foraging habitat.

Two mitigation measures have been incorporated to offset Proposed Project impacts. **Mitigation Measure MM BIO-1** is incorporated to ensure that construction activities affecting potential nesting habitat are restricted to periods outside of the raptor breeding season or, where activities must occur, pre-activity surveys and avoidance measures are implemented. **Mitigation Measure MM BIO-1** would reduce impacts from construction related noise on nesting birds to less than significant. This mitigation measure would also apply to common wildlife species protected by the Migratory Bird Treaty Act.

Mitigation Measure MM BIO-2 would mitigate for the loss of foraging habitat for raptors. The non-native grassland provides high quality foraging habitat, especially given the

proximity to the eucalyptus and coast live oak woodlands that provide suitable perching habitat. A total of 6.65 acres of impacts is anticipated to occur to non-native grasslands. To offset the impacts to the non-native grasslands, the applicant shall purchase 3.33-acres, which represents a 0.5:1 ratio, of non-native grasslands at Daley Ranch Mitigation Bank or other City approved Mitigation Bank as outlined within **Mitigation Measure MM BIO-2**. The Daley Ranch Mitigation Bank is a City-sponsored mitigation bank that provides protection of suitable non-native grassland for raptor foraging and has been determined by the City as biologically superior mitigation for isolated patches of non-native grassland, such as those occurring on the Proposed Project site. Approved mitigation banks have been authorization by the Resource Agencies as approved mitigation because the mitigation bank creates a contiguous land for restoration and conservation of sensitive habitats. The Resource Agencies have determined that providing large areas of contiguous habitat with long-term management provides equivalent or superior biological value to other mitigation options, such as on-site restoration or creation.

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 before commencement 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.

Mitigation Measure MM BIO-2: Prior to issuance of the grading permit, the Project Applicant shall purchase 3.33-acres (0.5:1 ratio to the 6.65 acres of NNG impacts) of Non-Native Grasslands at the Daley Ranch Mitigation Bank or other City approved Mitigation Bank.

With implementation of **Mitigation Measures MM BIO-1** and **MM BIO-2**, impacts to sensitive wildlife species would be mitigated to less than significant.

b) Less than Significant with Mitigation. The Proposed 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; however, the coast live oak woodland is considered a sensitive habitat and is recognized as sensitive habitat in the MSCP and Subarea Plan. The Proposed Project would impact 0.39 acre of coast live oak woodland from grading and construction activities. Therefore, impacts to coast live oak woodland habitat are considered significant.

To mitigate for the significant impact to coast live oak woodland, Mitigation Measure MM BIO-3 has been incorporated to require purchase of coast live oak woodland habitat credits at the Daley Ranch Mitigation Bank or other City approved mitigation bank. The Daley Ranch Mitigation Bank is a City-sponsored mitigation bank that provides protection of equivalent coast live oak woodland and has been determined by the City as biologically superior mitigation for isolated patches of coast live oak woodland, such as those occurring on the Proposed Project site. Approved mitigation banks have been authorization by the Resource Agencies as approved mitigation because the mitigation bank creates a contiguous land for restoration and conservation of sensitive habitats. The Resource Agencies have determined that providing large areas of contiguous habitat with long-term management provides equivalent or superior biological value to other mitigation options, such as on-site restoration or creation.

Mitigation Measure MM BIO-3: Prior to issuance of the grading permit, the Project Applicant shall purchase 0.78-acres, (2:1 ratio to the 0.39-acres of Oak Woodland impacts) of Coast Live Oak Woodland at the Daley Ranch Mitigation Bank or other City approved Mitigation Bank.

With implementation of Mitigation Measure MM BIO-3, impacts to sensitive habitats would be mitigated to less than significant.

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

d) Less than Significant. The Proposed 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 Proposed Project site supports foraging habitat for migratory birds and raptors due to the non-native grasslands habitat occurring on the Proposed Project site and nesting habitat due to the eucalyptus and coast live oak woodlands present on the Proposed 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**. Furthermore, the purchase of coast live oak woodland and non-native grasslands would reduce impacts to a less than significant level and preserve foraging and nesting habitat within the City, as detailed in **Mitigation Measure MM BIO-2** and **MM BIO-3**.

e) Less than Significant with Mitigation. The Proposed Project site contains mature and protected trees subject pursuant to Section 33-1069, Article 55 of Chapter 33 of the City’s Municipal Code. The Proposed 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	37 ¹	34 ²	3
Non-native trees species	8-inches or greater	199	141	58
<i>SUBTOTAL</i>	-	236	175²	61
Protected Trees	DBH (inches)	Existing Number of trees	Total Impacted	Total Avoided
Coast Live Oak	10-inches or greater	12	11	1
<i>SUBTOTAL</i>	-	12	11	1
TOTAL		248	186	64

1. Native trees consists of 34 Coast Live Oak trees DBH 4 inch to 9.99 trees 1 black walnut tree with a DBH of 13.55-inches and two arroyo willow trees with a DBH of 7.8-inches and 12-inches.
 2. Impacted native trees consists of 31 Coast Live Oak trees, 1 black walnut tree, and two arroyo willow trees.

The impacts to 186 Mature and Protected trees constitutes a significant impact. To offset this impact, the Project Applicant shall implement **Mitigation Measure MM BIO-4**, which requires the replacement of Mature and Protected trees either on or off site.

Mitigation Measure MM BIO-4: The Project Applicant shall replace impacted mature trees at a minimum of 1:1 ratio, a total of 175 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.

The Project Applicant shall replace impacted protected trees at a minimum of 2:1 ratio, a total of 22 trees, unless other biologically equivalent or superior mitigation has been determined by the City. Protected trees may be replaced on or off-site. The size of the replaced protected trees shall be a minimum of 24-inch box or as determined by the Development Services Director and shall be replaced in-kind with the same species as impacted.

To avoid double counting mitigation of oak trees since **Mitigation Measure MM BIO-3** requires mitigation for coast live oak woodland habitat that includes individual oak trees subject to this mitigation measure, the number of oak trees associated with the purchase of oak woodland habitat (either actual or estimate) mitigation credits may also be used to satisfy the individual tree replacement mitigation requirement found in this Mitigation Measure MM BIO-4.

With implementation of **Mitigation Measure MM BIO-4**, impacts to mature and protected trees would be mitigated to less than significant.

f) No Impact. The Proposed 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 Proposed 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 Proposed 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 Proposed 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 Technical Report for the Tract F and H Project*, dated September 2022, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Cultural and paleontological resource assessments were prepared for the Proposed Project site. The assessments, UPDATED Cultural and Paleontological Resources Assessment for APNs 224-142-30,-31,-32,-33 (Lot F), City of Escondido, California, dated March 29, 2022 by DUKE CRM and UPDATED Cultural and Paleontological Resources Assessment for APNs 224-141-23,-24,-25, City of Escondido, California, dated March 29, 2022 by DUKE CRM are included in **Appendix C**.

Findings of Fact

a) Less than Significant. The Proposed Project site includes 13 existing structures that would be removed as part of the Proposed Project. The history of the structures on the property is incomplete, however, based on historic aerial photographs several of the existing structures are likely over 50 years old, which is a typical threshold for when structures could become historic. However, whether a structure is historic and eligible for listing as a historic resource is not just dependent on age. Eligible historic structures also depend on the quality of the architectural style, whether the architect is well-known, the condition of the structure, and the historic context or use of the structure. Based on the analysis in the City’s General Plan and the cultural resource assessment, the existing structures are not considered a historic resource. The existing structures are generally in various states of disrepair, lack architectural significance, and lack ties to a prominent architect. 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 Proposed Project site. The records search indicated seven (7) previously recorded cultural resources are located within ½ mile of the Proposed Project site. However, no records indicate cultural resources on the Proposed Project site and the field survey did not identify any evidence of cultural resources on the Proposed

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 Proposed 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 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 Proposed Project site, development of the Proposed 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

- *UPDATED Cultural and Paleontological Resources Assessment for APNs 224-142-30,-31,-32,-33 (Lot F), City of Escondido, California, dated March 29, 2022 by DUKE CRM (Appendix C).*
- *UPDATED Cultural and Paleontological Resources Assessment for APNs 224-141-23,-24,-25, City of Escondido, California, dated March 29, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 existing 13 residences on the Proposed Project site and the older residential neighborhoods surrounding the Proposed 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Geotechnical evaluation of the Proposed Project site was conducted by North County Compaction Engineering, Inc. (NCCEI) in 2004 and updated evaluation by Petra Geosciences, Inc, in 2021 (**Appendix D and E**). North of Stanley Avenue the site elevations range from approximately 773 to 818 feet above mean seal level (msl). South

of Stanley Avenue, the Proposed Project site elevations range from approximately 757 to 806 feet above msl. Both portions of the Proposed Project site consist of topsoil, colluvium, 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.

In addition to the subsurface exploration performed by NCCEI, Petra Geosciences advanced five (5) test pits to a depth of approximately 12 feet below existing grades North of Stanley Avenue and an additional two (2) exploratory trenches and percolation testing South of Stanley Avenue. The test pits revealed approximately three (3) feet of topsoil, up to ten (10) feet of dense to very dense older alluvial deposits, and granitic bedrock at varying depths of three (3) to eleven (11) feet below ground surface.

The Proposed Project site is not located within a State mapped Earthquake Fault Hazard Zone (Alquist-Priolo Earthquake Zoning Act) or a mapped liquefaction hazard area.

Findings of Fact

a.i) Less than Significant. The Proposed 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. (*Updated Geotechnical Due-Diligence Assessment, Parcel H, Assessor Parcel Numbers (APN) 224-141-23-00 and 224-141-25-00, Northwest Corner of Stanley Avenue and Conway Drive, City of Escondido, San Diego County, California, dated April 7, 2021, and Geotechnical Due-Diligence Assessment, Parcel F, Assessor Parcel Numbers 224-142-30-00; -31-00; -32-00 and -33-00, Adjacent Northwest Corner of Lehner Avenue and Conway Drive, City of Escondido, San Diego County, California, dated April 15, 2021*) included in **Appendix D and E**. The closest active fault to the Proposed 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 Proposed Project site, like many areas in Southern California, is subject to strong seismic ground shaking. While the Proposed 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 Proposed 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 Proposed Project site. The geotechnical analysis included in **Appendix D and E** 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 Proposed 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 Proposed Project site is the Elsinore Fault, approximately 12 miles northeast of the Proposed Project site. The distance of the Proposed Project site to the Elsinore Fault minimizes the risk of fault rupture to less than significant.

The Proposed 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 Proposed 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 Proposed 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 Proposed Project site has gentle rolling hills, without large steep slopes on or adjacent to the property that would be conducive to soil erosion or loss of topsoil. Portions of the Proposed Project site were previously graded and developed with residential uses. Furthermore, the Proposed 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 Proposed Project site is not located on a geologic unit that is unstable or could become unstable. The Proposed 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 Proposed 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 Proposed 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 reports included in **Appendices D and E**. An example of those design standards included in the geotechnical reports is the removal and recompaction of soil to depths of 3 to 5 feet 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 *Updated Geotechnical Due-Diligence Assessment, Parcel H, Assessor Parcel Numbers (APN) 224-141-23-00 and 224-141-25-00, Northwest Corner of Stanley Avenue and Conway Drive, City of Escondido, San Diego County, California*, dated April 7, 2021, and *Geotechnical Due-Diligence Assessment, Parcel F, Assessor Parcel Numbers 224-142-30-00; -31-00; -32-00 and -33-00, Adjacent Northwest Corner of Lehner Avenue and Conway Drive, City of Escondido, San Diego County, California*, dated April 15, 2021) 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 and E. The geotechnical reports included in Appendices D and E 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 Proposed 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 Proposed Project site is currently developed with residential structures that rely on septic systems. Construction of the Proposed Project includes removal of the existing septic systems and replacement with sewer. Additionally, the two existing homes that would remain North of Stanley Avenue, would be converted to sewer service. Since no new septic is proposed, impacts would be less than significant.

f) **Less than Significant.** Based on site survey and data base results presented in *UPDATED Cultural and Paleontological Resources Assessment for APNs 224-142-30,-31,-32,-33 (Lot F), City of Escondido, California*, dated March 29, 2022 by DUKE CRM (**Appendix C**) and *UPDATED Cultural and Paleontological Resources Assessment for APNs 224-141-23,-24,-25, City of Escondido, California*, dated March 29, 2022 by DUKE CRM (**Appendix C**), the potential for paleontological resources on the Proposed 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 Proposed Project site, and the nearest fossil locality is approximately 10 miles to the west. The low potential for paleontological resources on the Proposed Project site is mostly due to the abundance of Mesozoic-age igneous and metamorphic rocks in the vicinity of the Proposed Project. 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

- *Geotechnical Due-Diligence Assessment, Parcel F, Assessor Parcel Numbers 224-142-30-00; -31-00; -32-00 and -33-00, Adjacent Northwest Corner of Lehner Avenue and Conway Drive, City of Escondido, San Diego County, California*, dated April 15, 2021 by Petra Geosciences, Inc. (Appendix D).
- *Updated Geotechnical Due-Diligence Assessment, Parcel H, Assessor Parcel Numbers (APN) 224-141-23-00 and 224-141-25-00, Northwest Corner of Stanley Avenue and Conway Drive, City of Escondido, San Diego County, California*, dated April 7, 2021, by Petra Geosciences, Inc. (Appendix E).
- *UPDATED Cultural and Paleontological Resources Assessment for APNs 224-142-30,-31,-32,-33 (Lot F), City of Escondido, California*, dated March 29, 2022 by DUKE CRM (Appendix C).
- *UPDATED Cultural and Paleontological Resources Assessment for APNs 224-141-23,-24,-25, City of Escondido, California*, dated March 29, 2022 by DUKE CRM (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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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, *Conway Drive Tentative Subdivision Map, Air Quality Impact Study*, dated September 19, 2022, and prepared by RK Engineering Group, Inc. (**Appendix A**), includes a discussion on GHG emissions and the CAP checklist for the Proposed Project. Step 1 of the CAP Checklist is land use consistency. The Proposed Project has demonstrated consistency with the City's General Plan, Zoning Code, and Density Bonus statutes. Since land use consistency has been demonstrated, Step 2 of the CAP Checklist is applicable. Step 2 analyzes a project's consistency with applicable GHG reduction measures include in the CAP. The Proposed Project was evaluated, and the Proposed Project is consistent with the following GHG reduction measures:

1. Electric Vehicle Charging Stations (EVCS)

- EVCS would be provided consistent with the requirements in the CAP either in the garage of the single-family residences or for at least 10% of the total parking spaces for the multi-family residences.

2. Pedestrian Infrastructure

- The Proposed Project would either pay its fair share contribution or install pedestrian improvements in locations identified in the City's manuals and plans referenced in the CAP.

4. Bicycle Infrastructure

- The Proposed Project would either pay its fair share contribution or install bicycle infrastructure improvements at locations identified in the City's Bicycle Master Plan and impacted by the Proposed Project.

5. Alternatively Fueled Water Heaters

- Consistent with the City's Climate Action Plan (July 2020) Initial Study, electric heat pump water heaters will be required for all new single and multi-family residential projects by City ordinance in 2023, which the Proposed Project would be subject to.

6. Electric Cooking Appliances (*partially applicable)

- In accordance with the City's CAP, this measure only applies to multi-family residences and not single-family residences. Consistent with the City's Climate Action Plan (July 2020) Initial Study, electric cooking appliances will be required for all new multi-family residential projects by City ordinance in 2023, which the Proposed Project would be subject to.

8. Landscape Water Consumption

- Consistent with the City's Climate Action Plan (July 2020) Initial Study, greywater systems and rain barrels (or other rainwater capture system) will be required for all new single and multi-family residential projects by City ordinance in 2023, which the Proposed Project would be subject to.

9. Tree Planting

- Consistent with the City's Climate Action Plan (July 2020) Initial Study, planting at least one tree for every four new parking spaces and planting at least one tree per dwelling unit (or payment of an in-lieu fee) will be required by City ordinance in 2023, which the Proposed Project would be subject to.

Two measures, Nos. 3 and 7, are not applicable to the Proposed Project. Measure No. 3 pertains to Transportation Demand Management and Transit. The CAP Checklist specifically indicates this measure does not apply to residential projects. Measure No. 7 pertains to Zero Net Energy. Similarly, the CAP Checklist specifically indicates this measure does not apply to residential projects.

Measure No. 6 requires the use of electric cooking appliances for multi-family projects only. The CAP Checklist specifically excludes single-family residential projects. Therefore, Measure No. 6 would apply to the multi-family (affordable units) portion of the Proposed Project and not the single-family portion.

The Proposed Project has demonstrated compliance with the City's CAP, therefore, impacts would be less than significant.

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

- *Conway Drive Tentative Subdivision Map, Air Quality Impact Study, dated September 19, 2022, 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 F**.

The Proposed Project site was previously used as an orchard, starting around 1939. Several residences were constructed over the years and the orchard use appeared to

end around 1979. The Proposed Project site has been occupied by single-family residences, vacant, and undeveloped since 1985.

Findings of Fact

a) **Less than Significant with Mitigation.** 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.

Given the age of the structures on the Proposed Project site there is a potential for asbestos containing materials (ACM), lead based paint (LBP) and polychlorinated biphenyl (PCBs). Access into the structures was not available during on-site surveys. Since there is potential for these toxic materials to exist on the Proposed Project site and the transport and disposal of these materials has the potential for release of hazards, a significant impact would occur. To mitigate impacts to less than significant, the following Mitigation Measure shall be implemented.

Mitigation Measure MM HAZ-1: Prior to the demolition of existing structures, a survey for asbestos containing materials (ACM), lead based paint (LBP), and polychlorinated biphenyl (PCBs) shall be conducted, and any such materials shall be removed and disposed of properly by qualified certified technicians in accordance with State regulations.

Implementation of **Mitigation Measure MM HAZ-1** would reduce impacts to less than significant.

b) **Less than Significant.** The *Phase I Environmental Site Assessment Report (Appendix F)* includes results from data base searches to determine the potential for release of hazardous materials from the Proposed 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 Proposed 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 Proposed Project site. No oil wells are located on the Proposed Project site. Therefore, no Recognized Environmental Conditions (REC) were identified on or near the Proposed Project site. Impacts would be less than significant.

The Proposed Project site was historically used for agricultural purposes from at least 1946 to 1970. 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 16 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 low levels of OCPs that are below the screening levels for residential uses. Therefore, no potential for release of hazardous materials was identified and impacts would be less than significant.

c) Less than Significant with Mitigation. The Proposed 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 Proposed Project site was historically used for agricultural purposes from at least 1946 to 1970. 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 16 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 low levels of OCPs that are below the screening levels for residential uses. No other Recognized Environmental Conditions (REC) were identified on or near the Proposed Project site. Therefore, no potential for release of hazardous materials was identified and impacts would be less than significant.

Given the age of the structures on the Proposed Project site there is a potential for asbestos containing materials (ACM), lead based paint (LBP) and polychlorinated biphenyl (PCBs). Access into the structures was not available during on-site surveys.

Since there is potential for these toxic materials to exist on the Proposed Project site and the transport and disposal of these materials has the potential for release of hazards, a significant impact would occur. To mitigate impacts to less than significant, the Applicant shall implement **Mitigation Measure MM HAZ-1**, which would reduce impacts to less than significant.

d) Less than Significant. The *Phase I Environmental Site Assessment Report (Appendix F)* includes results from data base searches to determine the potential for release of hazardous materials from the Proposed 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 Proposed 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 Proposed Project site. No oil wells are located on the Proposed Project site. Therefore, no Recognized Environmental Conditions (REC) were identified on or near the Proposed Project site. Impacts would be less than significant.

The Proposed Project site was historically used for agricultural purposes from at least 1946 to 1970. 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 16 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 low levels of OCPs that are below the screening levels for residential uses. Therefore, no potential for release of hazardous materials was identified and impacts would be less than significant.

e) Less than Significant. The Proposed 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 Proposed Project site. Impacts would be less than significant.

f) Less than Significant. The Proposed Project site is surrounded by residential streets and a residential neighborhood, including Rincon Middle School across Lehner Avenue to the southwest. According to the City's General Plan Chapter VI Community Protection

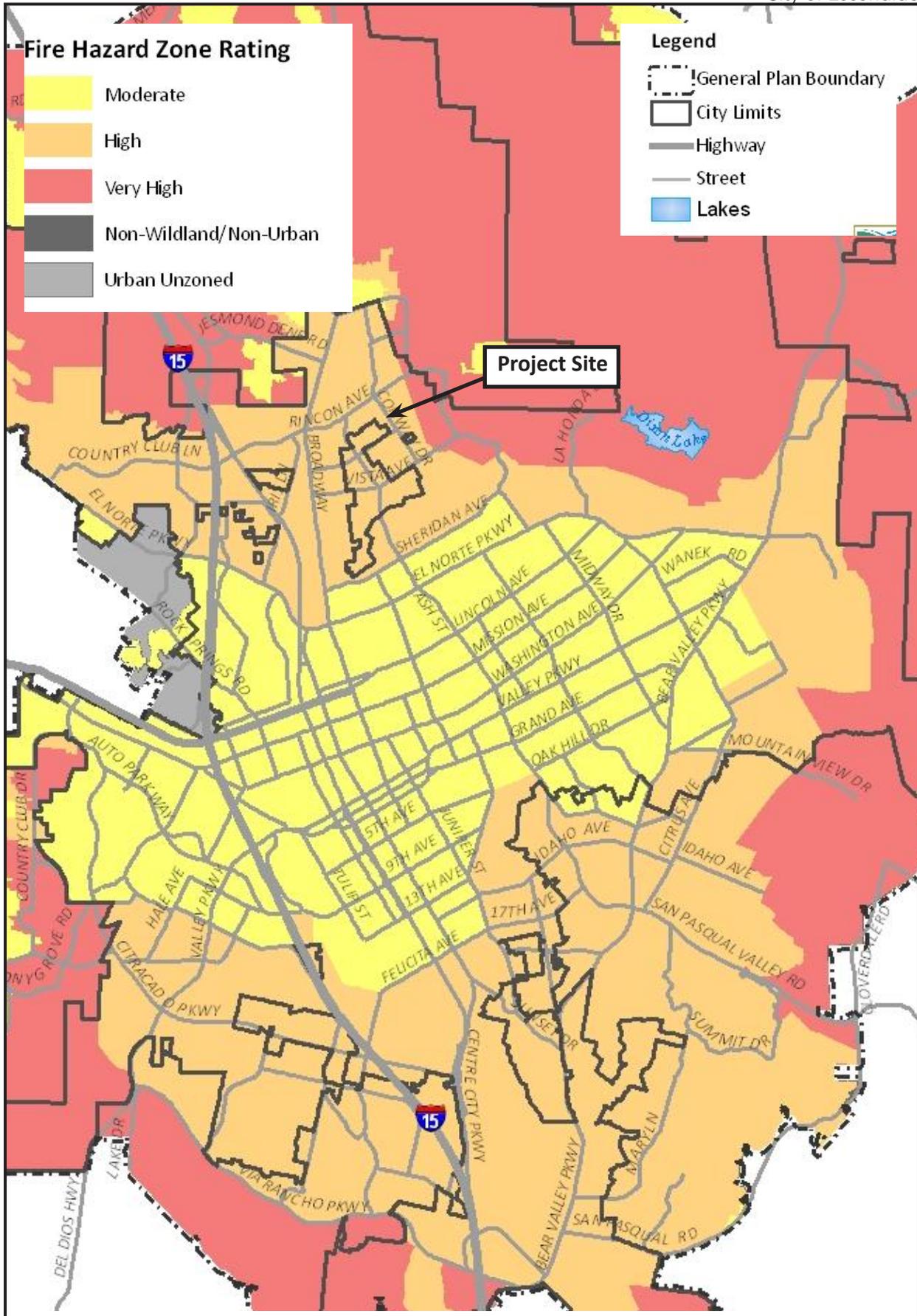
Element, Figure VI-1, the closest emergency evacuation routes to the Proposed Project site include Broadway, Rincon Avenue, and El Norte Parkway. All of these emergency access routes would remain unchanged by the Proposed Project and the Proposed Project would not interfere with an emergency response 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.

g) Less than Significant. 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 Proposed 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 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.

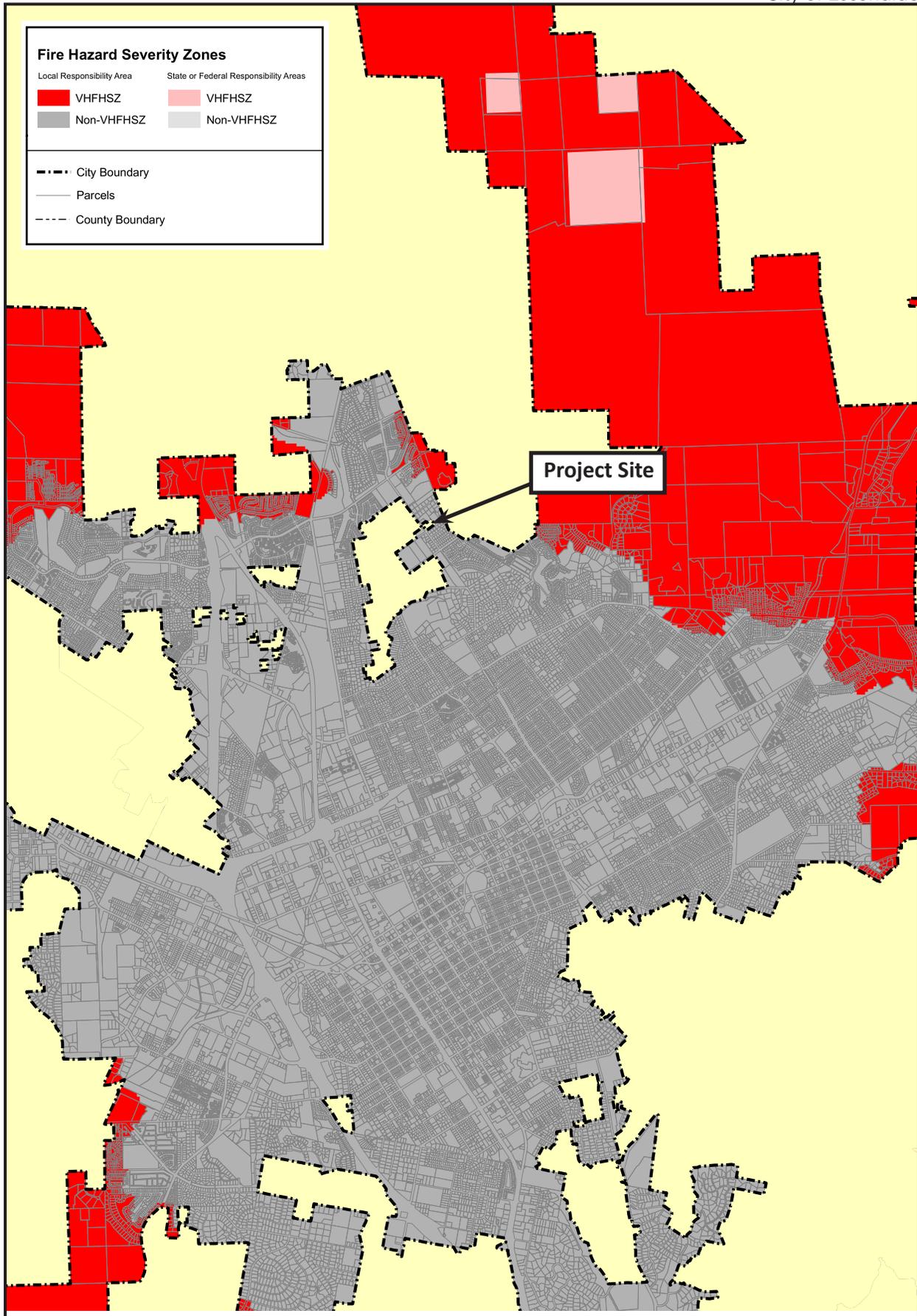
Sources

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



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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The hydraulic and water quality analysis is based on the technical report, *Preliminary Drainage Report for Escondido Tentative Tract Map PL21-0269, Escondido Assemblage, PTM F & H*, dated May 2022, by Pasco Laret Suiter & Associates, Inc. included in **Appendix G**. The Proposed Project site has two different stormwater discharge patterns. North of Stanley Avenue, storm runoff flows overland northerly and northwesterly from

the high point located along the southern boundary to the low point located in the northwestern corner of the North of Stanley Avenue area, where flow discharges to a low point. South of Stanley Avenue, storm runoff flows overland southerly from the high point located in the northwestern corner of the South of Stanley Avenue area to a low point located along the southern boundary of the South of Stanley Avenue area where flows discharge to Lehner Avenue.

Runoff from the entire Proposed Project site ultimately flows southwesterly to a tributary of Escondido Creek, which flows southerly to Escondido Creek, which continues southwesterly to San Elijo Lagoon and the Pacific Ocean.

The Proposed Project includes two (2) biofiltration basin BMPs to meet the requirements for hydromodification management flow control, storm water pollutant control and to mitigate the 100-year 6-hour storm event. One basin is proposed North of Stanley Avenue and one basin South of Stanley Avenue.

Onsite storm water runoff from North of Stanley Avenue would be collected in the proposed storm drain and conveyed northerly to a proposed biofiltration basin located at the north portion of the property. The proposed basin would collect, hold, and treat storm runoff prior to discharge to an existing low point. South of Stanley Avenue, onsite storm water runoff would be collected in the proposed storm drain and conveyed southerly to a proposed biofiltration basin located at the south portion of the property, which would discharge to the storm drain in Lehner Avenue.

Open space and perimeter slope areas would flow directly offsite to Conway Drive and Lehner Avenue, as in the existing condition. Widened streets adjacent to the Proposed Project site would include noncontiguous sidewalk with green street stormwater treatment swales.

The proposed biofiltration basins 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 basins 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 Water Quality Management Plan, included in **Appendix H** (*Priority Development Project (PDP) SWQMP, Escondido Assemblage, Tentative Subdivision Map No. PL21-0269*, dated May 2022, by Pasco Laret Suiter & Associates, Inc.). Two biofiltration basins are included in the Proposed Project plans. Both biofiltration basins are designed to treat onsite storm water pollutants by slowly infiltrating runoff through an engineered media prior to discharge. Both biofiltration basins have been sized to collect and treat runoff from a 24-hour, 85th percentile storm event. The biofiltration basins and bioswales 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 Proposed Project site is underlain by alluvium and granitic bedrock. The granitic bedrock creates a barrier to groundwater infiltration. This was confirmed by infiltration testing. The infiltration testing identified an average infiltration rate of 0.06 inch per hour, which is less than the feasibility threshold of 0.5 inch per hour (SWQMP Attachment 1b). Without feasible infiltration, the Proposed 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 Proposed 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 two biofiltration basins that reduce those potential impacts to less than significant.

The Proposed Project would increase the amount of impervious surface from 53,448 square feet (sf) existing to 260,408 sf proposed. The proposed increase in impervious surface would increase runoff from the Proposed Project site. Without detention, the increase in impervious surface would increase 100-year peak discharge rates as shown in the table below.

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

Drainage Area	Existing		Proposed (Undetained)	
	Area (ac)	Q ₁₀₀ (cfs)	Area (ac)	Q ₁₀₀ (cfs)
North of Stanley	8.78	10.45	8.75	14.98
South of Stanley	7.23	8.60	7.26	13.27

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 two proposed biofiltration basins 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

Drainage Area	Existing		Proposed		
	Area (ac)	Q ₁₀₀ (cfs)	Area (ac)	Undetained Q ₁₀₀ (cfs)	Detained Q ₁₀₀ (cfs)
North of Stanley	8.78	10.45	8.75	14.98	8.53
South of Stanley	7.23	8.60	7.26	13.27	7.21

d) No Impact. The Proposed Project site is not located in flood hazard area. Furthermore, the Proposed 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 Proposed Project site identified an average infiltration rate of 0.06 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 biofiltration filtration basins. The two biofiltration basins, as well as the bioswales located along the perimeter streets, 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 Tentative Tract Map PL21-0269, Escondido Assemblage, PTM F & H, dated May 2022, by Pasco Laret Suiter & Associates, Inc. (Appendix G).*
- *Priority Development Project (PDP) SWQMP, Escondido Assemblage, Tentative Subdivision Map No. PL21-0269, dated May 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

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

North of Stanley Avenue, the Proposed Project site has a General Plan designation of Estate II (2 DU/acre) and a Zoning designation of R-E: Residential Estates.

South of Stanley Avenue, the Proposed Project site has a General Plan designation of Suburban (3.33 DU/acre) and a Zoning designation of 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 ten (10) affordable units, 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 Low Income Units	Density Bonus Permitted	Allowed Density Bonus DUs	Allowed Total DUs	Allowed DUs / AC
224-142-33	1.40	3.3	5	1	35%	2	7	5.0
224-142-32	1.57	3.3	6	1	29%	2	8	5.1
224-142-31	0.94	3.3	4	1	50%	2	6	6.4
224-142-30	1.36	3.3	5	1	35%	2	7	5.1
224-141-25	2.09	2.0	5	2	50%	3	8	3.8
224-141-23	4.70	2.0	10	3	50%	5	15	3.2
224-141-24	2.01	2.0	5	1	35%	2	7	3.5
Total	14.1		40	10	-	18	58	4.1

Based on the provision of ten (10) affordable units, the Proposed Project would receive density bonus of 18 dwelling units. However, given site constraints, the Proposed Project only proposes 16 bonus units, for a total proposed development of 56 dwelling units, of which 54 units are new construction and 2 units are existing units to remain. 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

<u>Waiver</u>	<u>Dev. Standard</u>	<u>Proposed</u>
Front Yard Setback	R-E zone: 25' R-1 zone: 15' with a garage facing the street required to be setback 20'	10.5' (with street- facing garage to be setback 15')
Interior Side Yard Setback	R-E zone: 10' R-1 zone: 5' on one side (and 10' on the other, unless abutting an alley)	5' 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	R-E zone: 20,000 SF R-1 zone: 10,000 SF	6,515 SF
Avg. Lot Width	R-E zone: 100' R-1 zone: 80'	60'
Lot Width @ Street	R-E zone: 20' R-1 zone: 35'	R-1 zone: 25'
Max Lot Coverage for Primary & Accessory Structures	R-E zone: 30% R-1 zone: 40%	50%
Max FAR	0.5	0.6
Suburban Residential Road (for "G" Street)	48' ROW with 28' paved Gutter on both sides 6 parking spaces on each lot, min.	34' ROW with 28' paved No gutter on south side 4 parking spaces on each lot, min.

Waiver	Dev. Standard	Proposed
	Sidewalk on 1 side upon approval Parking plan showing 1.5 on-street spaces per unit	Sidewalk on 1 side (hereby w/approval) No parking plan required
Grading Along Weiss Way	Possible required setback for accommodation of possible future widening of Weiss Way to the east.	Reduced setback if Grading Exemption is not possible (as discussed with staff) since Weiss Way cannot be widened to the east.
Lot 13 Access per Fire-5 Comment	Cul-de-sac instead of hammerhead	Hammerhead
Conway Storm Drain Location	Not to be located under sidewalk or parkway	Small portion to be located under ROW
Conway Storm Drain Easement	20' wide	10' wide, with no drivable surface, no access to interior Street "H"

Findings of Fact

a) Less than Significant. The Proposed Project plans to demolish 13 existing residences and construct 54 new residences, of which 10 residences would be affordable. The Proposed Project site is surrounded by existing roads and development on all four sides. Rincon Middle School is located southwest of the Proposed Project site, across 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 Proposed Project proposes a Density Bonus and waiver of development standards, as described in **Table 11** 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. The waivers also include a request to use a different type of approved fire turn-around design (hammerhead

instead of cul-de-sac) and locations of storm drain easements. These last two requests pertain to a substitution of an alternative design to achieve the same outcome of fire turn-around and storm drainage, without a reduction in effectiveness. Therefore, the proposed waivers of development standards would not have a direct physical impact on the environment.

The proposed Density Bonus would permit 16 additional dwelling units above the density limit established in the General Plan¹. This IS/MND has analyzed the additional 16 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).

¹ 54 new dwelling units are proposed for construction and 2 existing units would remain for a total of 56 units on the Project site. The General Plan density permits 40 dwelling units. Therefore, the density bonus permits 16 dwelling units above the General Plan density limits.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Findings of Fact

a) No Impact. The City is in the Western San Diego County Production-Consumption (P-C) Zone according to the California Mineral Land Classification System. However, the Proposed Project Site is not located within a Mineral Resource Zone as defined and classified by the Surface Mining and Reclamation Act. The Proposed Project site is not currently used for the extraction of mineral resources, and there is no evidence to suggest that the Proposed Project site has been historically used for the extraction of mineral resources. Therefore, development of the Proposed 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 Proposed Project site is not currently used for the extraction of mineral resources, and there is no evidence to suggest that the Proposed Project site has been historically used for the extraction of mineral resources. The Proposed Project site has General Plan and Zoning designations for residential uses. Furthermore, the City's General Plan has not identified mineral resources on the Proposed Project site or within the vicinity of the Proposed 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 Conway Subdivision*, prepared by Eilar Associates, Inc., dated October 18, 2021, 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 (Figure VI-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 noise 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 Proposed 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 52.3 dBA and the average daytime noise level is 58.0 dBA (Eilar, 2021), 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 Conway Subdivision*, prepared by Eilar Associates, Inc., dated October 18, 2021, 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 two site areas (North of Stanley Avenue and South of Stanley Avenue) to account for average noise impacts as equipment moves around the Proposed 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	62.7
	South	67.7
	East	62.2
	West	63.6
Paving	North	39.1
	South	51.8
	East	40.8
	West	34.2
Building Construction	North	62.6
	South	73.0
	East	64.5
	West	66.6

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 construction permits, 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	58.0	38.4	58.0	0.0
R2	North Property Line	58.0	38.4	58.0	0.0
R3	North Property Line	58.0	38.4	58.0	0.0
R4	North Property Line	58.0	35.0	58.0	0.0
R5	East Property Line	58.0	31.9	58.0	0.0
R6	East Property Line	58.0	35.2	58.0	0.0
R7	South Property Line	58.0	45.5	58.2	0.2
R8	South Property Line	58.0	46.1	58.3	0.3
R9	South Property Line	58.0	46.2	58.3	0.3
R10	South Property Line	58.0	44.8	58.2	0.2
R11	South Property Line	58.0	38.0	58.0	0.0
R12	South Property Line	58.0	43.5	58.2	0.2
R13	West Property Line	58.0	33.0	58.0	0.0
R14	West Property Line	58.0	43.3	58.1	0.1

Table 15. Nighttime Cumulative Noise Impacts

Receiver Number	Receiver Location	Ambient (dBA)	Equipment (dBA)	Cumulative (dBA)	Increase over Ambient (dBA)
R1	North Property Line	52.3	35.4	52.4	0.1
R2	North Property Line	52.3	35.4	52.4	0.1
R3	North Property Line	52.3	35.4	52.4	0.1
R4	North Property Line	52.3	32.0	52.3	0.0
R5	East Property Line	52.3	28.9	52.3	0.0
R6	East Property Line	52.3	32.2	52.3	0.0
R7	South Property Line	52.3	42.4	52.7	0.4
R8	South Property Line	52.3	43.1	52.8	0.5
R9	South Property Line	52.3	43.2	52.8	0.5
R10	South Property Line	52.3	41.8	52.7	0.4
R11	South Property Line	52.3	34.9	52.4	0.1
R12	South Property Line	52.3	40.5	52.6	0.3
R13	West Property Line	52.3	30.0	52.3	0.0
R14	West Property Line	52.3	40.3	52.6	0.3

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 0.5 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 Proposed 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 Proposed 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 Proposed Project site.

Sources

- *Acoustical Analysis Report for Conway Subdivision*, prepared by Eilar Associates, Inc., dated October 18, 2021, (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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 both displace existing residents and add growth beyond that planned in the City’s General Plan. However, the Proposed Project would not indirectly encourage population growth in other areas of the City.

The Proposed Project site currently contains 13 residences that would be impacted by the Proposed Project. Those existing residences would be removed, displacing the residents. Of the 13 existing residences, 10 units are presumed occupied by qualified low-income residents. The Proposed Project includes the construction of 54 new residential units, of which 10 residential units would be restricted to qualified low-income residents. Therefore, sufficient overall replacement housing (54 units) has been provided to offset the loss of 13 existing units and sufficient affordable units have been proposed (10 units) to offset the loss of 10 existing presumed affordable units. 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, including the conversion of three existing residential units² to sewer service from septic. Since those three residential units being converted from septic to sewer would remain, the conversion is not growth-inducing. 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 40 dwelling units on the Proposed Project site. The Proposed Project proposes to construct 54 dwelling units plus retain 2 existing dwelling units for a total of 56 units. Therefore, there is unplanned growth on the Proposed Project site of 16 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 56 units proposed, the density bonus equals 16 residential units above that planned in the City's General Plan. At 2.97 persons per household, the additional 16 residential units would generate 48 additional residents for the City that would exceed General Plan projections. The current population of the Escondido is approximately 150,679 residents. The addition of 48 residents above the General Plan projections represents an 0.032% population increase. A less than 1/10 of 1% increase is not

² The two existing residences within the TTM that are to remain (916 Stanley and 918 Stanley) would be converted from septic to sewer. Additionally, on the south side of Stanley, 927 Stanley, would also be converted from septic to sewer.

considered a substantial unplanned population increase and the very small population increase would not cause impacts to public services.

Furthermore, this IS/MND has analyzed the additional 16 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 \(ca.gov\).](#)

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 Proposed 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 Proposed Project site is Station #7 located at 1220 N. Ash Street, approximately 1.45 miles from the Proposed 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 Proposed Project site is Station #3 located at 1808 Nutmeg Street, approximately 2.71 miles from the Proposed 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 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 16 residential units and 48 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 City of Escondido Police Department currently serves the Proposed Project site. The City's Police Station Headquarters are located at 1163 Centre City Parkway, approximately 2.5 miles southwest of the Proposed Project site. However, police officers are routinely on patrol throughout the City, therefore, response times can vary.

The Proposed Project site is currently being served by Escondido Police and the redevelopment of the property would not change the City's ability to continue to provide service. The additional 16 residential units and 48 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 Proposed 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 Proposed 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 16 residential units and 48 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 16 units, equating to approximately 48 new residents, are above General Plan projections. This unplanned growth in population represents approximately 0.032% 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Existing public park facilities in the vicinity of the Proposed Project include the Kent Ranch Community Park, approximately 0.3 miles south of the Proposed Project site, and Jesmond Dene Park, approximately 1.25 miles northwest of the Proposed 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 16 units, equating to approximately 48 new residents, are above General Plan projections. This unplanned growth in population represents approximately 0.032% 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 Proposed 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 Transportation Study and a CEQA VMT (Vehicle Miles Traveled) analysis.

The Escondido General Plan includes LOS policy standards for intersections within the City. Because General Plan consistency is often analyzed pursuant to CEQA, and consistency with LOS standards is not a determination of a significant impact, projects should be analyzed to determine if consistency with General Plan LOS standards would lead to the construction of traffic improvements, the construction of which would result in an impact to the environment. This is consistent with the following guidance from the Office of Planning and Research.

“Even if a general plan contains an LOS standard and a project is found to exceed that standard, that conflict should not be analyzed under CEQA. CEQA is focused on planning conflicts that lead to environmental impacts. (The Highway 68 Coalition v. County of Monterey (2017) 14 Cal.App.5th 883; see, e.g., Appendix G, IX(b) [asking whether the project will “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?”].) Auto delay, on its own, is no longer an environmental impact under CEQA. (See Pub. Resources Code, § 21099(b)(2).)”

While VMT is the preferred quantitative metric for assessing potentially significant transportation impacts under CEQA, it should be noted that SB 743 does not prevent a city or county from using metrics such as LOS as part of the application of local general plan policies, municipal and zoning codes, conditions of approval, or any other planning requirements through a city’s planning approval process; cities can still ensure adequate operation of the transportation system in terms of transportation congestion measures related to vehicular delay and roadway capacity. As such, the City continues to require congestion-related transportation analysis and project changes to LOS at an intersection(s) that result in a potential safety impact or hazardous condition should also be analyzed pursuant to CEQA.

Transportation impacts, both VMT and LOS, have been analyzed in the report *Transportation Impact Analysis, Escondido North LLC*, prepared by Linscott, Law, & Greenspan, dated October 6, 2022 and included in **Appendix J**.

As described in detail in Table 8-1 of the *Transportation Impact Analysis (TIA)*, the Proposed Project would have a net trip generation of 378 average daily trips (ADT), with 30 trips in the AM Peak Hour and 37 trips in the PM Peak Hour. Since the Proposed Project would generate more than 200 ADT and the site is located over ½ mile walking distance from an existing major transit stop, the Proposed Project is not screened out of a VMT analysis on the basis of project size or its proximity to transit opportunities.

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 Proposed Project site to facilitate both automobile and pedestrian movement. The Proposed Project includes sidewalks with landscaping to encourage pedestrian movement. The Proposed Project also meets the City’s goals for automobile delay at intersections thereby avoiding improvements that could cause environmental impacts, as described in (c) below. 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 ten affordable housing units. 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 with Mitigation. The San Diego Association of Governments (SANDAG) has established an average VMT per capita for the County and identified a VMT efficient area screening map for San Diego County, which shows areas 15% less than the average VMT per capita. The Proposed Project is not located within a VMT efficient area and generates more than 200 ADT and is therefore subject to a VMT analysis.

The threshold of significance for VMT impacts is 15% less than the County-wide average VMT per capita (VMT/capita). SANBAG determined the County-wide average VMT/capita is 19.0. Therefore, the threshold of significance is 15% less, or 16.1 VMT/capita. The Proposed Project site is in a census tract with a VMT/capita of 19.3, higher than the County-wide average, which is used to determine the amount of VMT reduction necessary to reduce impacts to less than significant. The following analysis summarizes VMT reduction calculations.

- Number of Dwelling Units: 41 (54 proposed minus 13 units to be demolished)
- Household Size: 3.21 residents per unit³
- Total Residents: 41 units x 3.21 persons per household = 132 residents
- VMT Generated: 132 residents x 19.3 VMT/resident⁴ = 2,548 VMT generated
- VMT Threshold of Significance: 85% of 19.0 = 16.1 VMT/capita
- VMT Threshold: 16.1 VMT x 132 residents = 2,125 VMT
- VMT Over Threshold: $2,548 \text{ VMT}_{\text{Project}} - 2,125 \text{ VMT}_{\text{threshold}} = 423 \text{ VMT}$

Therefore, the Proposed Project would exceed the VMT threshold of significance by 423 VMT, resulting in a significant impact.

The *City of Escondido Transportation Impact Analysis Guidelines* provides several resources for determining the reduction in VMT that can be gained from implementing

³ The household size is conservatively used from previous Housing Element. Based on current 2021 Census data through the American Community Survey, Escondido has an average household size of 2.97 persons per household.

⁴ SANDBAG VMT Map

transportation measures and improvements. These resources include the *California Air Pollution Control Officers Association (CAPCOA) 2021 Handbook for Analyzing Greenhouse Gas Emission Reduction, Assessing Climate Vulnerabilities, and Advancing Health and Equity (GHG Handbook)* and the *SANDAG Mobility Management Guidebook*. The GHG Handbook provides guidance and calculations of VMT reduction for improvements that serve to facilitate or encourage residents to walk, bike, or take transit as substitutes for driving.

To mitigate for the significant impact, the Proposed Project proposes to implement Mitigation Measure MM TRANS-1, which requires the Proposed Project to make physical improvements to reduce VMT. The justification for the reduction of VMT associated with each of the improvements outlined in MM TRANS-1 is based on the GHG Handbook and detailed in the *Transportation Impact Analysis, Escondido North LLC*, prepared by Linscott, Law, & Greenspan, dated October 6, 2022 and included in **Appendix J**. The timing of this mitigation measure is linked to the issuance of the 34th certificate of occupancy for new construction of residential units on the Proposed Project site. The reason for this timing is to ensure that VMT reduction improvements are completed prior to the Proposed Project exceeding the threshold of significance. The threshold of significance for the Proposed Project is the generation of 2,125 VMT, as described above. At 19.3 VMT/capita, 2,125 VMT equates to 110 residents. At 3.21 residents per household, the 2,215 VMT equates to 34 dwelling units.

Mitigation Measure MM TRANS-1: Prior to the issuance of the 34th certificate of occupancy for new construction on the Project site, the Applicant shall complete construction of all the following improvements to reduce VMT below the threshold of significance. Prior to beginning construction of the improvements, the Applicant shall submit construction plans to the City for review and approval and obtain all necessary permits, such as an encroachment permit, for construction of said improvements. The Applicant shall make the following improvements and receive VMT reduction credits:

- N. Ash Street / Vista Avenue - install high visibility crosswalks and accessible pedestrian signals on all four legs. VMT reduction equates to 60 VMT per measure - total reduction for this intersection is 120 VMT.
- N. Broadway / Rincon Avenue - install high visibility crosswalks on the north, south and east legs, and install accessible pedestrian signals on all four legs. VMT reduction equates to 60 VMT per measures - total reduction for this intersection is 120 VMT.
- Stanley Avenue / Conway Drive - install high visibility crosswalks on the west leg and curb ramps on the northwest and southwest corner. VMT reduction equates to 15 VMT for the high visibility crosswalk and 8 VMT per curb ramp - total reduction for this intersection is 31 VMT.

- Lehner Avenue / Conway Drive - install high visibility crosswalks on the west and south legs, and curb ramps on the northwest corner. VMT reduction equates to 30 VMT for the high visibility crosswalks and 8 VMT for the curb ramp - total reduction for this intersection is 38 VMT.
- New sidewalk - approximately 1 mile of new sidewalk equates to 303 VMT reduction. The Proposed Project proposes to construct approximately 2,111 feet of new sidewalk along its project frontage. Total VMT reduction for this improvement is 121 VMT.

Implementation of the improvements outlined in MM TRANS-1, would reduce 430 VMT generated by the Proposed Project, which exceeds the 423 VMT over the threshold. Therefore, impacts would be mitigated to 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. North of Stanley Avenue, the Proposed Project would create two points of access. One driveway from Conway Drive would serve the 10 multi-family units. The other point of access is a roadway intersection with Stanley Avenue. South of Stanley Avenue, the Proposed Project would take access from a new roadway intersection with Lehner Avenue. In all cases, the intersections and driveway access have been designed to meet the City's geometric standards. Sufficient sight distance is provided at all intersections and dedicated left-turn lanes are 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.

While automobile delay (LOS) is no longer a metric used to measure significant impacts under CEQA, pursuant to SB 743, project changes to LOS at an intersection(s) that result in a potential safety impact or hazardous condition could be a significant impact. The *Transportation Impact Analysis, Escondido North LLC*, prepared by Linscott, Law, & Greenspan, dated October 6, 2022 and included in **Appendix J** includes a level of service analysis at surrounding intersections to determine if a hazardous condition would be created. The analysis includes existing plus project conditions, opening year (2023), and long-term Year 2035 conditions. Both the 2023 and 2035 analysis include cumulative projects. Nine (9) intersections were analyzed, and in all study scenarios, the Proposed Project did not exceed the substantial effect limits defined in the City's *Traffic Impact Analysis Guidelines*. All intersections either continued to operate at LOS C or better, or the Proposed Project's contribution was less than a 0.02 increase to the volume/capacity ratio or less than a 2 second increase in delay. 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.

d) Less than Significant. The Proposed Project site is surrounded by residential streets and a residential neighborhood, including Rincon Middle School across Lehner Avenue to the southwest. 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

- *Transportation Impact Analysis, Escondido North LLC*, prepared by Linscott, Law, & Greenspan, dated October 6, 2022 and 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Cultural and paleontological resource assessments were prepared for the Proposed Project site. The assessments, UPDATED Cultural and Paleontological Resources Assessment for APNs 224-142-30,-31,-32,-33 (Lot F), City of Escondido, California, dated March 29, 2022 by DUKE CRM and UPDATED Cultural and Paleontological Resources Assessment for APNs 224-141-23,-24,-25, City of Escondido, California, dated March 29, 2022 by DUKE CRM are 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 February 12, 2022. The Rincon Band of Luiseño Indians and the San Luis Rey Band of Mission Indians requested consultation. Virtual consultation occurred with the City on April 6, 2002. On April 12, 2002, a field meeting with both tribes took place on site. Tribal consultation concluded following the field meeting on April 12, 2022.

Findings of Fact

a) **Less than Significant.** The Proposed Project site includes 13 existing structures that would be removed as part of the Proposed Project. The history of the structures on the property is incomplete, however, based on historic aerial photographs several of the existing structures are likely over 50 years old, which is a typical threshold for when structures could become historic. However, whether a structure is historic and eligible for listing as a historic resource is not just dependent on age. Eligible historic structures also depend on the quality of the architectural style, whether the architect is well-known, the condition of the structure, and the historic context or use of the structure. Based on the analysis in the City's General Plan and the cultural resource assessment, the existing structures are not considered a historic resource. The existing structures are generally in various states of disrepair, lack architectural significance, and lack ties to a prominent architect. 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 and the San Luis Rey Band of Mission Indians concluded on April 12, 2022, following a field meeting and a previous video conference call on April 6, 2022. 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) through (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

- *UPDATED Cultural and Paleontological Resources Assessment for APNs 224-142-30,-31,-32,-33 (Lot F), City of Escondido, California, dated March 29, 2022 by DUKE CRM (Appendix C).*
- *UPDATED Cultural and Paleontological Resources Assessment for APNs 224-141-23,-24,-25, City of Escondido, California, dated March 29, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 bring provide underground service to the new proposed residences as well as the two existing residences to remain. 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 existing structures on the Proposed Project site are currently served by septic systems, however sewer facilities are located in adjoining streets. Therefore, 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. 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 \(sandiegouniontribune.com\)](#).

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Findings of Fact

a) Less than Significant. The Proposed 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. Therefore, impacts would be less than significant.

b) Less than Significant. The Proposed Project would not exacerbate fire risks. 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 Proposed 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 Proposed 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. No fuel modification, fire breaks, etc. are required of the Proposed Project. Therefore, impacts would be less than significant.

d) Less than Significant. The Proposed Project site currently consists of gentle sloping hills. Once graded, the development areas would be generally flat. Furthermore, the Proposed Project site is surrounded by existing streets and residential development. The Proposed 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.](#)

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) Less than Significant with Mitigation. As discussed, 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 through MM BIO-4**, to reduce all biological resource impacts to a less than significant level. Additionally, as discussed in the Cultural Resources Section, no newly 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.