



ATTACHMENT D

ADDENDUM NO. 1 TO MITIGATED NEGATIVE DECLARATION (ND22-008)



Addendum No. 1 to the
Final Initial Study/Environmental Checklist and
Mitigated Negative Declaration for the
Santa Fe Flores, LP Project (Mitigated Negative
Declaration ND22-008; SCH No. 2022090486)
San Marcos, California

Project No. GPA25-0001; R25-0001; MFSDP25-0001;
TSM25-0001

Prepared for
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- 11: Vehicle Miles Traveled Assessment
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1.0 Introduction

This document is Addendum No. 1 to the Santa Fe Flores, LP Project Final Initial Study/Environmental Checklist and Mitigated Negative Declaration (State Clearinghouse No. 2022090486; Attachment 1; City of San Marcos 2022), referred to hereafter as the “MND.” This Addendum has been prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 15164.

1.1 Project Background

On February 28, 2023, the City of San Marcos City Council adopted a MND (ND22-008; State Clearinghouse No. 2022090486; see Attachment 1; City of San Marcos 2022), approved a General Plan Amendment (GPA) (GPA21-0008), and approved a Multi-Family Site Development Plan (MFSDP21-0002) for the Santa Fe Flores, LP Project (approved project). The requested Rezone (R21-0004) required a second reading prior to approval on March 14, 2023. Subsequent to MND approval, the applicant modified the site plan and added the northern portion (0.37 acres) of assessor parcel number (APN) 217-161-17 through a lot line adjustment to be processed (modified project). The modified project is discussed in more detail under Section 2.0 below. Figure 1 identifies the regional location and Figure 2 identifies the approved and modified project locations on an aerial photograph.

1.2 Statutory Background

The City of San Marcos (City) is the CEQA lead agency responsible for the project. Under CEQA, an addendum to a certified Environmental Impact Report (EIR) or a MND may be prepared if minor technical changes or additions to the proposed project are required or if none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR [or MND] have occurred (CEQA Guidelines Section 15164[b]). An addendum is appropriate if the project changes or modifications do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. The addendum need not be circulated for public review (CEQA Guidelines Section 15164[c]); however, an addendum is to be considered along with the approved MND by the decision-making body prior to making a decision on the project (CEQA Guidelines Section 15164[d]).

This Addendum demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the MND for the approved project adopted on February 28, 2023, remain substantively unchanged by the modified project description detailed herein and supports the finding that the modified project does not raise any new issues and does not exceed the level of impacts identified in the adopted MND. The City has also evaluated the previous environmental document to determine if it retains any relevance in light of the proposed changes, and if any major revisions to the document are required due to the involvement of new, previously unstudied significant environmental effects. The subsequent review provisions of CEQA are designed to ensure that an agency proposing changes to a previously evaluated and approved project explores environmental impacts not considered in the original environmental document. This assumes that some of the environmental impacts of the modified project are considered in the original environmental document, such that the original document retains relevance to the decision-making process. If it is wholly irrelevant, then

it is only logical that the agency starts over from the beginning. The City has determined that project changes will not require major revisions to the initial environmental document. Accordingly, recirculation of the MND for public review is not necessary pursuant to Section 15164 of the CEQA Guidelines. Therefore, a decision was made by the City to not prepare a subsequent Negative Declaration pursuant to Section 15162 of the CEQA guidelines. To support this decision, the following discussion describes the modified project and the associated environmental analysis.

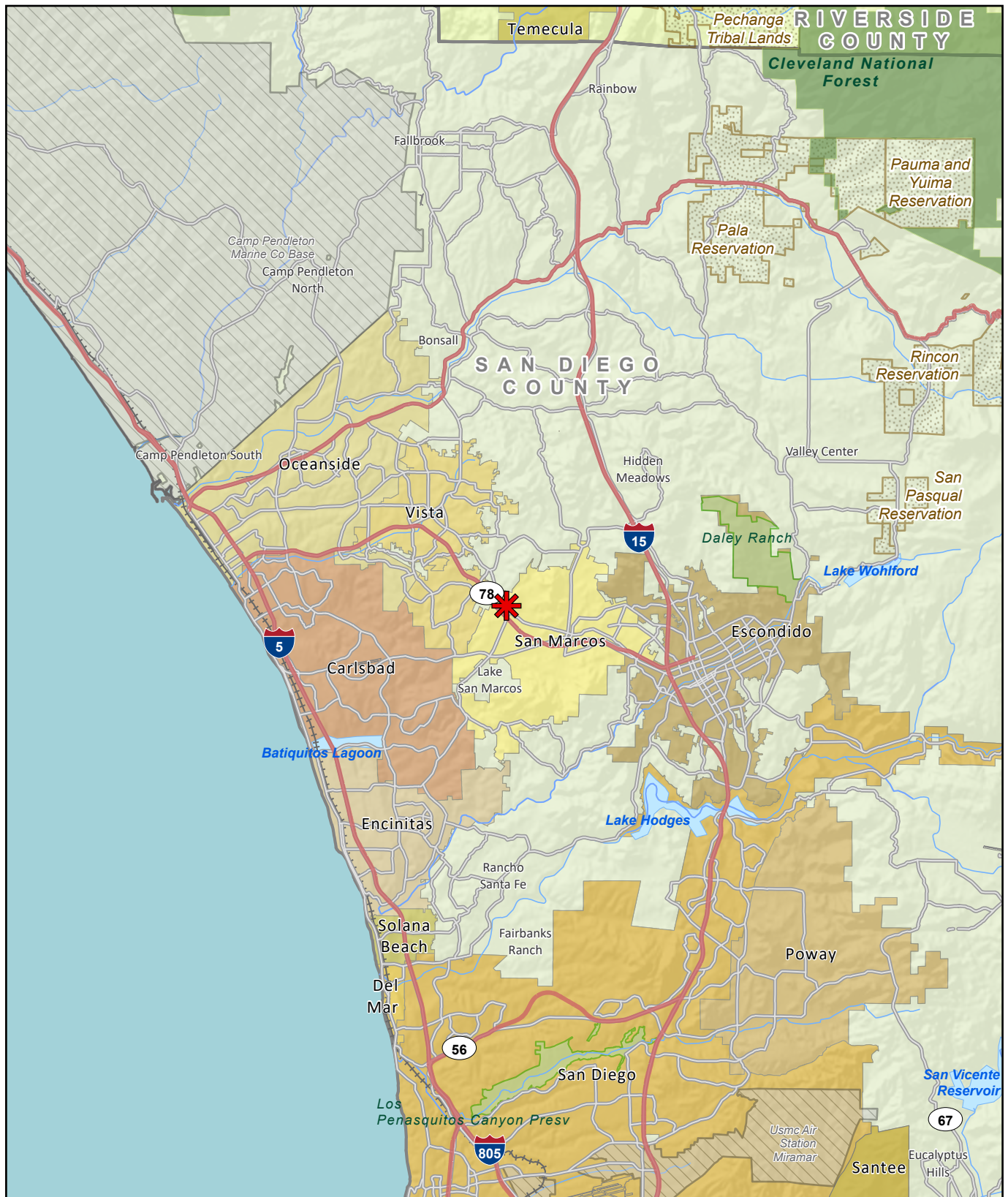
1.2 Approved Project

The approved project is located in the city of San Marcos, California, at 2972 and 2982 South Santa Fe Avenue on APNs 217-161-18 and 217-161-19. The approved project evaluated the impacts associated with a GPA to change the land use from Commercial (C) and Light Industrial (L-I) to Medium Density Residential 2 (MDR2) and a zone change from Commercial (C) and Light Industrial (L-I) to Multi-Family Residential (R-3-10) to allow for the construction of 50 multi-family dwelling units, in conjunction with a Density Bonus, on a 2.53-acre site (2.23-acre net) consisting of two parcels.

The approved project would develop a 58,693-square-foot building with three stories and a maximum height of 62 feet on a previously graded project site. Out of the 50 dwelling units, 5 would be dedicated affordable units. The units would include a mix of studios, 1 bed/1 bath, and 2 bed/2 bath. The project would include 250 square feet of private open space for each ground floor unit and 55 to 63 square feet of private open space for upper floor units. In addition, 125 cubic feet of storage located in each of the 45 carports and locker storage was proposed as part of the approved project. In conjunction with the Density Bonus, and due to the site topography, the approved project requested a concession to allow for the proposed building height of 62 feet, 9 inches from the finished floor to exceed the three-story, 45-foot height limit of the R-3-10 Zone.

1.3 Purpose of Addendum

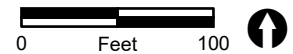
Addendum No. 1 addresses changes to the approved project associated with the modified project as discussed in greater detail in Section 2. The Final MND and Addendum No. 1, along with the other documents incorporated by reference herein, serve as environmental review of the modified project, as required pursuant to the provisions of CEQA, the CEQA Guidelines, and California Code of Regulations, Title 14, Section 15164 et seq. The environmental analysis in this Addendum, and all feasible mitigation measures identified in the Final MND, as applicable, shall be incorporated into the resolutions approving the modified project.



 Project Location



-  Off-site Improvements
-  Approved Project
-  Modified Project



1.4 Basis for Addendum

Section 15164(b) of the CEQA Guidelines states, "An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred." Pursuant to Section 15162 of the CEQA Guidelines, no subsequent EIR or negative declaration may be required for the project unless the lead agency determines, on the basis of substantial evidence, that one or more of the following conditions are met:

1. When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - a. Substantial changes are proposed in the project which would require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - b. Substantial changes occur with respect to the circumstances under which the project is undertaken which would require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - c. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - i. The project would have one or more significant effects not discussed in the previous EIR or negative declaration;
 - ii. Significant effects previously examined would be substantially more severe than shown in the previous EIR;
 - iii. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - iv. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

2. If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.
3. Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

The lead agency has assessed the proposed modifications in light of the requirements defined under Section 15162 of the CEQA Guidelines. As discussed in this Addendum, none of the conditions requiring preparation of a subsequent negative declaration under Section 15162 of the CEQA Guidelines are satisfied.

1.5 Evaluation of Environmental Impacts

The responses to each of the Environmental Checklist questions addressed in this Addendum use CEQA terminology as specified below.

No New Impact/No Impact. The modified project would result in no impact or no new impact compared to the original approved project.

New Mitigation Required. The modified project would result in a new or substantially greater impact compared to the original approved project and new mitigation would be required to reduce the impact to a less than significant level, resulting in a subsequent EIR or MND.

New Potentially Significant Impact. The modified project would result in a new impact or substantially greater impact compared to the original approved project resulting in a significant and unavoidable impact. A subsequent EIR would be required.

2.0 Modified Project

1. Project Name:

Santa Fe Flores Townhomes (modified project; GPA25-0001; R25-0001; MFSDP25-0001; TSM25-0001)

2. Lead Agency:

City of San Marcos
Development Services Department, Planning Division
1 Civic Center Drive
San Marcos, CA 92069-2918

3. Contact Person and Phone Number:

Sarah Cluff, Senior Planner
City of San Marcos, Planning Division
760-744-1050 ext. 3227
scluff@san-marcos.net

4. Project Location:

The modified project site is located in the city of San Marcos, California, at the northern portion of 2966, 2972, and 2982 South Santa Fe Avenue on APNs 217-161-18, 217-161-19, and the northern portion of APN 217-161-17.

5. Project Applicant/Sponsor:

Santa Fe Flores, LP
Contact: Paul Mayer

6. General Plan Designation:

Existing Land Use Designation

- Medium Density Residential 2 (MDR2): APNs 217-161-18 and 217-161-19
- Commercial (C): APN 217-161-17 (0.37-acre portion on the northern half of the parcel)

Proposed Land Use Designation

- Medium High Density Residential (MHDR): APNs 217-161-18, 217-161-19, and 217-161-17 (0.37-acre portion on the northern half of the parcel)

7. Zoning:

Existing Zoning

- Multi-family Residential 3 (R-3-10): APNs 217-161-19 and 217-161-18
- Commercial (C): APN 217-161-17 (0.37-acre portion on the northern half of the parcel)

Proposed Zoning

- Multi-family Residential (R-3-6): APNs 217-161-18, 217-161-19, and 217-161-17 (0.37-acre portion on the northern half of the parcel)

8. Surrounding Land Use(s) and Project Setting:

The modified project site is bounded to the east by North Las Flores Drive and an existing multi-family residential development located east of North Las Flores Drive, by South Santa Fe Avenue to the south, existing industrial to the north and west, and an existing liquor store and parking lot to the southwest. The Sprinter railroad tracks and single-family residential homes off North Las Flores Drive are north and northeast of the project site, and the Vista Meadows mobile home community is south of South Santa Fe Avenue across from the project site.

9. Modified Project Description:

The modified project would develop 46 multi-family residential townhome units on a 2.6 net acre project site, in seven buildings for a total of 99,472 (gross) building square footage. The modified project would add 0.37 acres of the northern portion of APN 217-161-17 through a lot line adjustment to be processed. The southern portion of APN 217-161-17 is currently developed with a liquor store, Gourmet Liquor, which is not part of the project and would remain, and the northern portion consists of disturbed, previously graded land similar to APNs 217-161-18 and 217-161-19. Unlike the approved project, the modified project would not include a density bonus or affordable units. The modified project also proposes approximately 0.12 acres of off-site improvements, including the construction of a new shared driveway extending into the southern portion of APN 217-161-17, upgrades to the existing liquor store parking lot, and landscaping within the 8-foot-wide irrevocable offer of dedication area along the project frontage. The modified project site plan is shown in Figure 3. Table 1 compares key components of the adopted project and the modified project. It should be noted that the gross acreage of the project site is 2.87 acres; however, 0.27 acres of right-of-way, currently developed as Las Flores Drive, were dedicated to the City in 2005.

Table 1 Adopted Project and Modified Project Comparison		
Project Component	Adopted Project	Modified Project
Total Project Site Acreage	2.23 net acres (2.53 gross acres)	2.6 net acres (2.72 gross acres)
Parcels	217-161-18 and 217-161-19	217-161-18, 217-161-19, and 217-161-17 ¹
Dwelling Units	50 apartments	46 townhomes
Total Project Gross Building Square Footage	58,693 square feet	99,472 square feet
Earthwork Quantities	17,250 cubic yards of export	20,100 cubic yards of export
Maximum Proposed Building Height ²	62 feet, 9 inches (three-story)	35 feet, 4 inches (three-story)
¹ The modified project includes 0.37-acre of the northern portion of APN 217-161-17 (see Figure 3).		
² Maximum proposed building height is measured from finished floor.		

The discretionary approvals required for the modified project include:

1. **General Plan Amendment:** The modified project would require a GPA from Medium Density Residential 2 (MDR2) to Medium High Density Residential (MHDR) for APNs 217-161-18, and 217-161-19, and a GPA from Commercial (C) to Medium High Density Residential (MHDR) for the northern portion of APN 217-161-17. The existing General Plan land uses are identified in Figure 4 and the proposed land uses are identified in Figure 5.
2. **Rezone:** The modified project would rezone APNs 217-161-18, and 217-161-19 from Multi-family Residential 3 (R-3-10) to Multi-family Residential (R-3-6) and rezone the northern portion of APN 217-161-17 from Commercial (C) to Multi-Family Residential (R-3-6). The existing zoning is identified in Figure 6 and the proposed zoning is identified in Figure 7.
3. **Site Development Plan:** The modified project would require a site development plan to develop 46 townhomes.

Parking and Site Access

Access to the modified project site would be located along South Santa Fe Avenue, and internal driveways would be constructed to allow for vehicular access throughout. Access to the project site would be restricted to right-in/right-out movements via South Santa Fe Avenue.

On-site parking would include two spaces per unit in attached garages resulting in a total of 92 parking spaces which would be consistent with the requirements set forth in the San Marcos Code Section 20.340.040. Consistent with California Green Building Standards Code 4.106.4.1, all attached garage spaces would have a dedicated raceway for the future installation of electronic vehicle chargers. In addition, the modified project would include one space per every three units for guest parking resulting in 15 guest parking spaces which would be consistent with the requirements set forth in the San Marcos Code Section 20.340.040. Of the 15 guest parking spaces, one space would be accessible consistent with California Building Code 1109A.5. Furthermore, the modified project would provide 10 bicycle racks consistent with San Marcos Code Section 20.340.080.

Grading

The topography of the project site is currently two levels; the southern portion of the site is relatively flat, while the central portion slopes up to an elevated pad at the north end of the site. Elevation of the project area ranges between approximately 495 feet above mean sea level in the south and 550 feet above mean sea level to the north. The project would require 23,300 cubic yards of cut and 3,200 cubic yards of fill for a net export of 20,100 cubic yards.

Landscaping

The modified project would plant 111 trees and landscape 36,499 square feet or 32 percent of the total 113,179-square-foot project site.

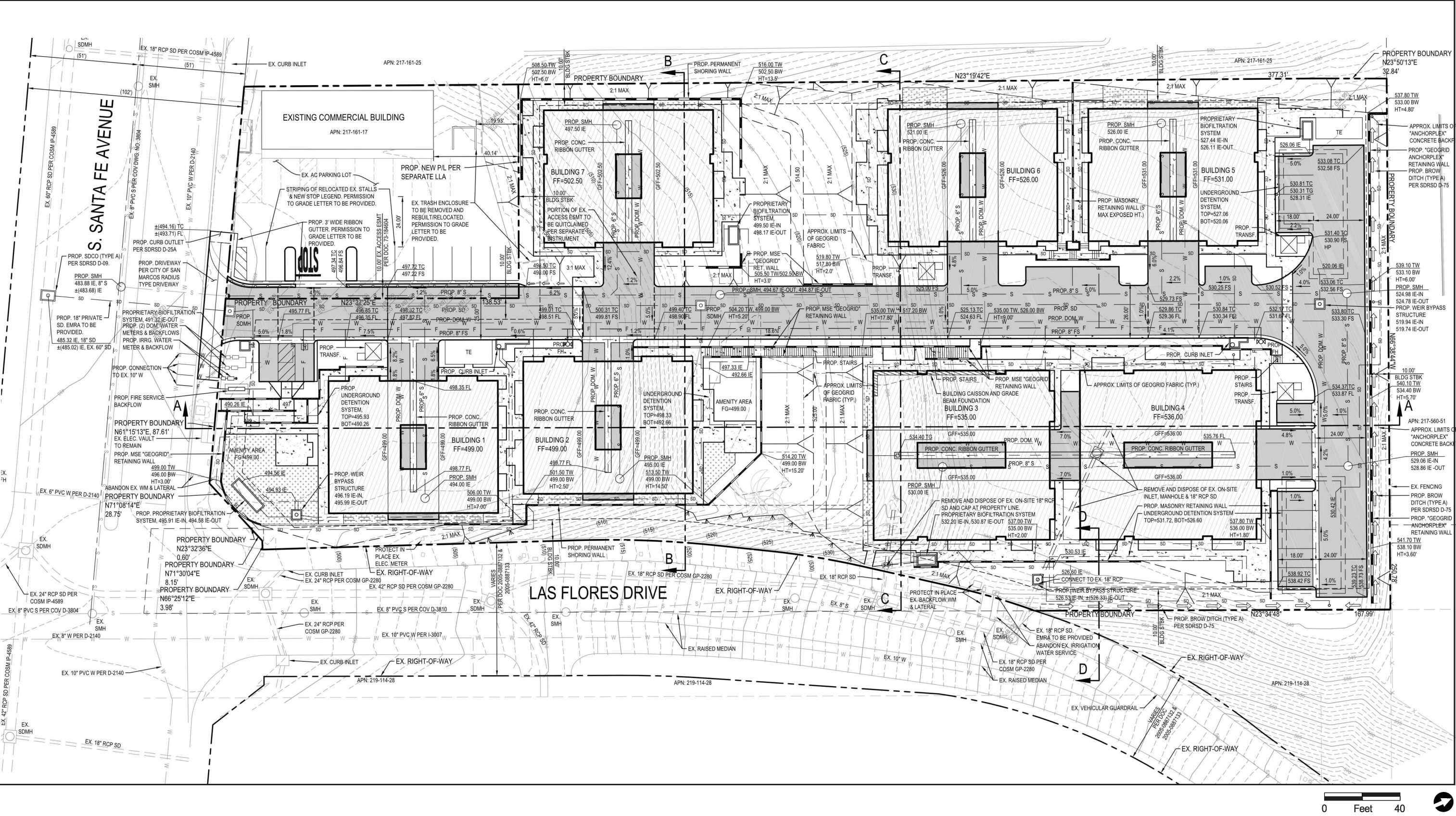
Drainage, Sewer, and Water

The modified project would connect to existing public water and sewer lines, as well as the existing storm drain within South Santa Fe Avenue. All private water facilities on-site would be designed and

constructed in accordance with the requirements of the California Uniform Plumbing Code and would connect to existing public water lines within South Santa Fe Avenue. All public water facilities, including services and meters, would be designed and constructed in accordance with current City Water Facility Design Guidelines and regulations.

Once developed, storm water runoff would be collected on-site in a proposed storm drain system and conveyed to the proposed proprietary biofiltration system and subsequently, the proposed underground storage facilities. Two storm drain systems, each with their own best management practices (BMPs), are proposed on-site to maintain the site's historical points of discharge to the public storm drain system within South Santa Fe Avenue and North Las Flores Drive. When developed, the project site would include six drainage basins. Runoff from the site would be directed to a new 18-inch reinforced concrete pipe storm drain pipe which would connect to the existing public 60-inch reinforced concrete pipe storm drain pipe in South Santa Fe Avenue.

The modified project would be required to receive an approved Out of Area Service Agreement from the San Diego Local Agency Formation Commission (LAFCO) for the Buena Sanitation District (BSD) to provide sewer services. Additionally, the modified project applicant would be required to provide a proportional cost-share contribution towards sewer capacity improvements.



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FIGURE 3

Modified Project Site Plan



 Project Boundary

 Off-site Improvements

Existing General Plan Land Use

 Commercial (C)

 Medium Density Residential 2 (MDR2)

0 Feet 100





 Project Boundary

 Off-site Improvements

Proposed General Plan Land Use

 Medium High Density Residential (MHDR)

0 Feet 100



FIGURE 5
Proposed General Plan Land Use



 Project Boundary

 Off-site Improvements

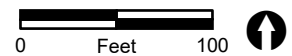
Existing Zoning

 Commercial (C)

 Multi-family Residential 3 (R-3-10)

0 Feet 100





 Project Boundary

 Off-site Improvements

Proposed Zoning

 Multi-Family Residential (R-3-6)

3.0 Environmental Determination/Findings

The City previously adopted the Final MND and Mitigation Monitoring and Reporting Program for the approved project on February 28, 2023. Based on all available information, in light of the entire record, the analysis in this Addendum, and pursuant to Section 15162 of the State CEQA Guidelines, the City has determined:

- There are no substantial changes proposed in the project which would require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which would require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental document was adopted, that shows any of the following:
 - The project would have one or more significant effects not discussed in the previous environmental document;
 - Significant effects previously examined will be substantially more severe than shown in the previous environmental document;
 - Mitigation measures previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental document would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based on a review of the modified project, none of the situations described in Section 15162 of the State CEQA Guidelines apply. No changed circumstances have occurred and no new information of substantial importance has become known, which would result in new significant or substantially increased adverse impacts as a result of the modified project. Therefore, this Addendum has been prepared in accordance with Section 15164 of the State CEQA Guidelines. Public review of this Addendum is not required under CEQA.

3.1 Impact Summary

The potential impacts of the modified project on the environmental factors in the checklist below were evaluated in this Addendum. None were found to involve new significant environmental effects

or a substantial increase in the severity of environmental effects either due to a change in the project, change in circumstances, or new information of substantial importance. As indicated in Table 2 and discussed in Section 4 of this Addendum, the modified project would not result in new or more severe environmental effects, and no new mitigation would be required.

Table 2 Impact Assessment Summary				
Environmental Issue	Approved Project	Modified Project	New Mitigation?	Project Resultant Impact
Aesthetics	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Agriculture and Forestry Resources	No Impact	No new impacts	No	No Impact
Air Quality	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Biological Resources	Potentially Significant Unless Mitigation Incorporated	No new impacts	No	Potentially Significant Unless Mitigation Incorporated
Cultural Resources	Potentially Significant Unless Mitigation Incorporated	No new impacts	No	Potentially Significant Unless Mitigation Incorporated
Energy	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Geology and Soils	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Greenhouse Gas Emissions	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Hazards and Hazardous Materials	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Hydrology and Water Quality	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Land Use and Planning	Less Than Significant	No new impacts	No	Less Than Significant Impact
Mineral Resources	No Impact	No new impacts	No	No Impact
Noise	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Population and Housing	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Public Services	Potentially Significant Unless Mitigation Incorporated	No new impacts	No	Potentially Significant Unless Mitigation Incorporated
Recreation	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Transportation	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Tribal Cultural Resources	Potentially Significant Unless Mitigation Incorporated	No new impacts	No	Potentially Significant Unless Mitigation Incorporated
Utilities and Service Systems	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact
Wildfire	Less Than Significant Impact	No new impacts	No	Less Than Significant Impact

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that no substantial changes are proposed in the project, there are no substantial changes in the circumstances under which the project will be undertaken, and there is no new information of substantial importance that was unknown when the project was approved. Major revisions to the previous approved ND or MND or certified EIR are not required due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Therefore, the previously adopted ND or MND or previously certified EIR adequately addresses the potential impacts of the project without modification.
- ☒ I find that no substantial changes are proposed in the project, there are no substantial changes in the circumstances under which the project will be undertaken, and there is no new information of substantial importance that was unknown when the project was approved. Major revisions to the previous approved ND or MND or certified EIR are not required due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The previously adopted ND or MND or previously certified EIR adequately addresses the potential impacts of the project. However, minor changes require the preparation of an ADDENDUM.
- ☐ I find that substantial changes are proposed in the project, there are substantial changes in the circumstances under which the project will be undertaken, or there is new information of substantial importance that was unknown when the project was approved. Major revisions to the previous approved ND or MND or certified EIR are required due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. However, all new potentially significant environmental effects or substantial increases in the severity of previously identified significant effects are reduced to below a level of significance through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT MND is required.
- ☐ I find that substantial changes are proposed in the project, there are substantial changes in the circumstances under which the project will be undertaken, or there is new information of substantial importance that was unknown when the project was approved. Major revisions to the previous approved environmental document are required due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. However, only minor changes or additions or changes would be necessary to make the previously certified EIR adequate. Therefore, a SUPPLEMENTAL EIR is required.
- ☐ I find that substantial changes are proposed in the project, there are substantial changes in the circumstances under which the project will be undertaken, or there is new information of substantial importance that was unknown when the project was approved. Major revisions to the previously approved environmental document are required due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Therefore, a SUBSEQUENT EIR is required.

Signature

Date

Printed Name

Title

4.0 Environmental Checklist

The following analysis generally follows the CEQA Guidelines Appendix G Environmental Checklist to evaluate the adequacy of the environmental impact findings and mitigation determined in the approved project/MND relative to impacts and mitigation of the modified project.

4.1 Aesthetics

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒
c. In non-urbanized 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 a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒

EXPLANATIONS:

a. Scenic Vista

Approved Project

The MND determined that the approved project is not located within the City's Ridgeline Protection and Management Overlay Zone and does not include any primary or secondary ridgelines. The approved project site is not a viewing platform location, or a scenic vista under the City's General Plan. Therefore, the approved project would not have a substantial adverse effect on a scenic vista, and impacts would be less than significant.

Modified Project

The modified project site is not located within the City's Ridgeline Protection and Management Overlay Zone and does not include any primary or secondary ridgelines. The modified project site is

not a viewing platform location, or a scenic vista under the City's General Plan. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Scenic Resources

Approved Project

The MND determined that the approved project would not result in significant damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within the City or a State Scenic Highway. Scenic resources within the City include, but are not limited to, undeveloped hillsides; prominent landforms such as the San Marcos Mountains, Merriam Mountains, Mount Whitney, Cerro de La Posas, Double Peak, Owens Peak, and Franks Peak. Views from Twin Oaks Valley Road include the San Marcos Mountains and Merriam Mountains on the north; and Double Peak and Mount Whitney on the south. State Route 78 (SR-78) is designated by the City as a view corridor and eligible as a state scenic highway. This highway corridor provides views of the Merriam Mountains, Mount Whitney, Double Peak, California State University San Marcos, and Palomar Community College. Other scenic resources within the City include, but are not limited to, creek corridors, eucalyptus stands, rock outcroppings, landmark or historic buildings, and ocean views. The approved project site is located approximately 0.25 miles north of SR-78; however, none of these identified undeveloped hillsides, prominent landforms, or other scenic resources were found to be visible from or contained within the approved project site. The highway corridor provides views of the Merriam Mountains, Mount Whitney, and Double Peak. The approved project would not impact views to these peaks from SR-78, as these peaks would not be visible by passengers in cars travelling along SR-78 in the vicinity of the site. Additionally, the approved project is not located on any area identified as a primary or secondary ridgeline per the Open Space Element of the City's General Plan. Finally, the approved project site does not support any significant trees, rock outcroppings, or historic buildings as identified in or protected by the City's General Plan. Therefore, impacts would be less than significant.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17. The additional 0.37 acres do not support any significant trees, rock outcroppings, or historic buildings as identified in or protected by the City's General Plan. Like the approved project, the modified project would not impact views to scenic resources from SR-78, as scenic resources would not be visible by passengers in cars travelling along SR-78 in the vicinity of the modified project site. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c. Visual Character/Quality

Approved Project

The MND determined that the existing visual character in the approved project vicinity is a mix of residential, industrial, and commercial development. The approved project included a Density Bonus to provide five affordable housing units. Under state law, density bonus projects are permitted to

exceed the standard building heights of the local jurisdiction. Due to the site topography, the approved project included a concession to allow for the proposed building to exceed the three-story, 45-foot height limit of the R-3-10 Zone. Due to the topography of the site, the southern portion of the building had a height of 55 feet, and the building would be set back from South Santa Fe Avenue by more than 100 feet. Therefore, the building would not loom over the street or adjacent properties and would not impact views from properties along South Santa Fe Avenue, North Las Flores Drive, or the Rancho Santalina subdivision. The approved project would not result in a visual impact to the surrounding area since the southern portion of the site would sit at the lowest elevation of the road along South Santa Avenue.

The approved project was designed to naturally blend into the topography of the hillside as it progresses up the slope and would be substantially screened by North Las Flores Drive. Based on the way the building would follow the topography of the site, the first floor of the upper portion of the building would sit at an elevation of 533 feet, 20 feet above the first floor of the lower portion of the building. While the elevator core at the connection between the lower portion of the building and upper portion of the building would be the highest point of the building at 62 feet, 9 inches, it would then level out in relation to the natural topography at the north end to a height of 42 feet, 2 inches, which would be almost 3 feet less than the allowable 45 feet for a three-story apartment building. Less than 4 percent of the building would be higher than the typical 45-foot, three-story apartment building. As such, it was determined that development of the approved project site would not result in the substantial degradation of the project site and its surroundings, and impacts would be less than significant.

Modified Project

The modified project site would be considered an urbanized area, focusing this issue on whether the project would conflict with applicable zoning and other regulations governing scenic quality. The modified project proposes a GPA from Medium Density Residential 2 (MDR2) to Medium High Density Residential (MHDR) for APNs 217-161-18 and 217-161-19, and a GPA from Commercial (C) to Medium High Density Residential (MHDR) for the northern portion (0.37 acres) of APN 217-161-17. The modified project would also rezone APNs 217-161-18 and 217-161-19 from Multi-family Residential 3 (R-3-10) to Multi-family Residential (R-3-6) and rezone the northern portion (0.37 acres) of APN 217-161-17 from Commercial (C) to Multi-Family Residential (R-3-6).

Compared to the approved project, the modified project would also be three stories but would reduce the building heights to a maximum of 35 feet, 4 inches, measured from the finished floor, which is under the 45-foot height limit of the R-3-6 Zone. The modified project would also be designed to naturally blend into the topography of the hillside as it progresses up the slope. The project would also be consistent with R-3-6 zone development standards as set forth in the City's Municipal Code Section 20.215.050, Table 20.215-4 (R-3 and Attached Residential Development Standards). Thus, the modified project would not conflict with applicable zoning and other regulations governing scenic quality. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

d. Substantial Light Source

Approved Project

The MND determined that the approved project is surrounded by existing development that emits light. Lighting proposed under the approved project would be guided by standards set by the City, which requires downward directed LED lighting, except for specialized streetscape lighting or architectural detail lighting. These requirements aid in the preservation of dark-sky conditions, which are necessary for the local observatories. Development of the approved project would be required to comply with the City's lighting standards, and the location, type, and direction of the lighting would be reviewed during Improvement Plan review to ensure compliance. Therefore, the approved project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Impacts would be less than significant.

Modified Project

Like the approved project, lighting proposed under the modified project would be guided by standards set by the City. Development of the modified project would be required to comply with the City's lighting standards, and the location, type, and direction of the lighting would be reviewed during Improvement Plan review to ensure compliance. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.2 Agriculture and Forestry Resources

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☒

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104[g])?	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☒
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒

EXPLANATIONS:**a. Conversion of Designated Agricultural Lands***Approved Project*

The MND determined that the approved project site is not in agricultural use and is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance based on both the California Department of Conservation's Farmland Mapping and Monitoring Program and Figure 4-4 of the City's General Plan. Therefore, no impact would occur.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17. The additional 0.37 acres are not in agricultural use and are not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance based on both the Department of Conservation's Farmland Mapping and Monitoring Program and Figure 4-4 of the City's General Plan. No change in conditions has occurred to the 2.23-acre (net) portion included as part of the approved project. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Conflict with Zoning/Williamson Contract*Approved Project*

The MND determined that the approved project site is not zoned for agricultural use and does not have a history of agricultural use. The project is not located within a Williamson Act Contract area. No impact would occur.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17. The additional 0.37 acres are not zoned for agricultural use, do not have a history of agricultural use, and are not located within a Williamson Act Contract area. No change in conditions has occurred to the 2.23-acre (net) portion included as part of the approved project. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c. Conflict with Zoning/Forest Land or Timberland*Approved Project*

The MND determined the approved project would not result in impacts pertaining to forest land, timberland, or timberland zoned for timberland production as the approved project site was zoned as Commercial (C) and Light Industrial (L-1). Therefore, no impact would occur.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17. The additional 0.37 acres are currently zoned as Commercial (C). No change in conditions has occurred to the 2.23-acre (net) portion included as part of the approved project. As such, the modified project site is not zoned as forest land, timberland, or timberland zoned for timberland production. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

d. Conversion of Forest Land*Approved Project*

The MND determined there would be no impact related to loss of forest land or the conversion of forest land to non-forest use because no forest land exists within the approved project site.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17, which does not contain forest land. No change in conditions has occurred to the 2.23-acre (net) portion included as part of the approved project. As a result, the modified project would not cause the loss or conversion of forest land. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

e. Other Loss or Conversion*Approved Project*

The MND determined that the approved project site does not support any agricultural or forest land. Therefore, the project would not involve other changes in the existing environment that, 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, resulting in no impact.

Modified Project

The modified project site would include an additional 0.37 acres of APN 217-161-17, which do not support any agricultural or forest land. No change in conditions has occurred to the 2.23-acre (net) portion included as part of the approved project. As a result, the modified project would not involve other changes in the existing environment that, 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. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.3 Air Quality

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒

EXPLANATIONS:

The modified project analysis in this section is based on the Air Quality Analysis prepared by RECON Environmental, Inc. (Attachment 2; RECON Environmental, Inc. [RECON] 2026a).

a. Air Quality Plan

The Regional Air Quality Standards (RAQS) is the applicable regional air quality plan that sets forth the San Diego Air Pollution Control District's (SDAPCD's) strategies for achieving the National

Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). The San Diego Air Basin (SDAB) is designated non-attainment for the federal and state ozone standard. Accordingly, the RAQS was developed to identify feasible emission control measures and provide expeditious progress toward attaining the standards for ozone. The two pollutants addressed in the RAQS are reactive organic gases (ROG) and nitrogen oxides (NOx), which are precursors to the formation of ozone. Projected increases in motor vehicle usage, population, and growth create challenges in controlling emissions and by extension to maintaining and improving air quality.

The growth projections used by the SDAPCD to develop the RAQS emissions budgets are based on the population, vehicle trends, and land use plans developed in general plans and used by the San Diego Association of Governments (SANDAG) in the development of the regional transportation plans and sustainable communities strategy. As such, projects that propose development that is consistent with the growth anticipated by SANDAG's growth projections and/or the general plan would not conflict with the RAQS. In the event that a project would propose development that is less dense than anticipated by the growth projections, the project would likewise be consistent with the RAQS. In the event a project proposes development that is greater than anticipated in the growth projections, further analysis would be warranted to determine if the project would exceed the growth projections used in the RAQS for the specific subregional area.

Approved Project

The approved project proposed a GPA to change the land uses of APNs 217-161-18 and 217-161-19 from Commercial (C) and Light Industrial (L-I) to Medium Density Residential 2 (MDR2). The MND determined that although the approved project would not be consistent with the existing land use and zoning designations for the project site, it would still be consistent with the air quality emissions associated with the growth projections assumed in the RAQS. To determine if emissions associated with the approved project were accounted for in the growth projections assumed in the RAQS, emissions due to operation of a project consistent with the existing land use and zoning designations were calculated and compared to emissions associated with operation of the project. Title 20 – Zoning of the City's Municipal Code establishes allowable floor area ratios (FAR) for each zone. Light Industrial zones have a FAR of 0.6 and Commercial zones have a FAR of 0.7. Under these requirements, should the site be developed with commercial and industrial land uses as allowed under the existing land use and zoning designations, approximately 38,000 square feet of light industrial development and 24,000 square feet of commercial development could be constructed. The approved project emissions were determined to be less than operational emissions associated with an industrial and commercial project that is consistent with the existing land use and zoning designations. Therefore, the approved project would not result in an increase in emissions that are not already accounted for in the RAQS, and the approved project emissions would be less than significant.

Modified Project

The 2022 RAQS was adopted in March 2023 after approval of the MND; therefore, the land uses considered in the 2022 RAQS are Commercial (C) and Light Industrial (L-I). As analyzed in the MND, these land use designations would allow for the construction of approximately 38,000 square feet of light industrial development and 24,000 square feet of commercial development based on the floor area ratios established in Title 20–Zoning of the City's Municipal Code. The modified project includes

0.37 acres of the northern half of APN 217-161-17, which would be redesignated from Commercial (C) to Medium High Density Residential (MHDR). The additional parcel is currently developed with a 2,200-square-foot liquor store that would remain in operation.

In order to determine if emissions associated with the modified project are accounted for in the growth projections assumed in the 2022 RAQS, emissions due to operation of a project consistent with the land use and zoning designations assumed in the 2022 RAQS were calculated and compared to emissions associated with operation of the project. Emissions were calculated for 38,000 square feet of light industrial development, 24,000 square feet of commercial development, and the existing 2,200-square-foot convenience market. Emissions were modeled using the CalEEMod default trip generations rates. Table 3 summarizes the emissions associated with industrial, commercial, and convenience market land uses along with the emissions associated with the project. The CalEEMod output files for the modified project and for the industrial and commercial project are contained in Attachment 2.

Table 3 Commercial and Industrial Land Use Operational Emissions (pounds per day)						
Source	Pollutant					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
PROJECT EMISSIONS						
Mobile Sources	1	1	9	<1	2	<1
Area Sources	3	<1	3	<1	<1	<1
Energy Sources	<1	<1	<1	<1	<1	<1
TOTAL	4	1	11	<1	2	<1
INDUSTRIAL, COMMERCIAL, AND CONVENIENCE MARKET EMISSIONS						
Mobile Sources	14	11	106	<1	23	6
Area Sources	2	<1	3	<1	<1	<1
Energy Sources	<1	<1	<1	<1	<1	<1
TOTAL	16	11	109	<1	23	6
NOTE: Totals may vary due to independent rounding. ROG = reactive organic gases; NO _x = nitrogen oxides; CO = carbon monoxide; SO _x = oxides of sulfur; PM ₁₀ = 10-micron particulate matter; PM _{2.5} = 2.5-micron particulate matter SOURCE: Attachment 2; RECON Environmental, Inc. 2025a						

As shown in Table 3, the modified project emissions would be less than operational emissions associated with an industrial, commercial, and convenience market project that is consistent with the land use assumptions used in the 2022 RAQS. Therefore, the modified project would not result in an increase in emissions that are not already accounted for in the 2022 RAQS. Additionally, as shown in Tables 4 and 5, project emissions would not exceed the screening level thresholds.

Table 4 Summary of Maximum Construction Emissions (pounds per day)						
Construction	Pollutant					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Site Preparation	1	10	11	<1	1	<1
Grading	2	23	18	<1	6	3
Building Construction	1	10	13	<1	1	<1
Paving	1	6	9	<1	<1	<1
Architectural Coatings	63	1	1	<1	<1	<1
Maximum Daily Emissions	63	23	18	<1	6	3
<i>Significance Threshold</i>	<i>250</i>	<i>250</i>	<i>550</i>	<i>250</i>	<i>100</i>	<i>67</i>
ROG = reactive organic gases; NO _x = nitrogen oxides; CO = carbon monoxide; SO _x = oxides of sulfur; PM ₁₀ = 10-micron particulate matter; PM _{2.5} = 2.5-micron particulate matter SOURCE: Attachment 2; RECON Environmental, Inc. 2025a						

Table 5 Summary of Project Operational Emissions (pounds per day)						
Source	Pollutant					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Mobile Sources	1	1	9	<1	2	<1
Area Sources	3	<1	3	<1	<1	<1
Energy Sources	<1	<1	<1	<1	<1	<1
TOTAL	4	1	11	<1	2	<1
<i>Significance Threshold</i>	<i>250</i>	<i>250</i>	<i>550</i>	<i>250</i>	<i>100</i>	<i>67</i>
NOTE: Totals may vary due to independent rounding. ROG = reactive organic gases; NO _x = nitrogen oxides; CO = carbon monoxide; SO _x = oxides of sulfur; PM ₁₀ = 10-micron particulate matter; PM _{2.5} = 2.5-micron particulate matter SOURCE: Attachment 2; RECON Environmental, Inc. 2025a						

Thus, the modified project would not result in an increase in emissions that are not already accounted for in the RAQS and would not obstruct or conflict with implementation of the RAQS. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Criteria Pollutant

Approved Project

The MND determined that construction of the approved project would not exceed the applicable regional emissions thresholds. These thresholds are designed to provide limits below which project emissions would not significantly change regional air quality. Therefore, as construction emissions would be below these limits, construction of the approved project would not result in a cumulatively considerable net increase in emissions of ozone, 10-micron particulate matter (PM₁₀), or 2.5-micron particulate matter (PM_{2.5}), and impacts would be less than significant.

Long-term emissions of regional air pollutants occur from operational sources. Operation of the approved project would not exceed the applicable regional emissions thresholds. Therefore, as operational emissions would be below these limits, the approved project would not result in a cumulatively considerable net increase in emissions of ozone, PM₁₀, or PM_{2.5}, and impacts would be less than significant.

Modified Project

The region is classified as an attainment area for all criterion pollutants except ozone, PM₁₀, and PM_{2.5}. The SDAB is a non-attainment area for the 8-hour federal and state ozone standards. Ozone is not emitted directly but is a result of atmospheric activity on precursors. NO_x and ROG are known as the chief “precursors” of ozone. These compounds react in the presence of sunlight to produce ozone. PM_{2.5} includes fine particles that are found in smoke and haze and are emitted from all types of combustion activities (motor vehicles, power plants, wood burning, etc.) and certain industrial processes. PM₁₀ includes both fine and coarse dust particles, and sources include crushing or grinding operations and dust from paved or unpaved roads.

As shown in Table 4, construction of the modified project would not exceed the applicable regional emissions thresholds. These thresholds are designed to provide limits below which project emissions would not significantly change regional air quality. Therefore, as construction emissions would be below these limits, construction of the modified project would not result in a cumulatively considerable net increase in emissions of ozone, PM₁₀, or PM_{2.5}, and impacts would be less than significant. As analyzed in the Air Quality Analysis (see Attachment 2; RECON 2026a), the project would include 20,100 cubic yards of soil export during the grading phase. This export would occur over a one-month period, for a total of 105 hauling trips per day. The approved project included 17,250 cubic yards of soil export, which is less than the modified project; however, this export was modeled over a six-day grading period, for a total of approximately 359 hauling trips per day. Thus, daily emissions associated with hauling trucks would be less than those associated with the approved project.

Long-term emissions of regional air pollutants occur from operational sources. As shown in Table 5, operation of the modified project would not exceed the applicable regional emissions thresholds. As operational emissions would be below these limits, the modified project would not result in a cumulatively considerable net increase in emissions of ozone, PM₁₀, or PM_{2.5}, and impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c. Sensitive Receptors

Approved Project

The Sacramento Metropolitan Air Quality Management District developed a screening threshold in 2011, which states that any project involving an intersection experiencing 31,600 vehicles per hour or more will require detailed analysis. This screening criteria was considered applicable for the purposes of analyzing impacts associated with the approved project because the SDAB has the same carbon monoxide (CO) maintenance designation and the vehicle classifications in the regions are similar. The MND determined that based on the approved project’s daily traffic volumes on roadways in the

vicinity, the hourly turning volumes at nearby intersections were projected to be well less than 31,600 vehicles per hour. Therefore, the approved project was not anticipated to result in a CO hot spot. The MND determined that diesel particulate matter (DPM) generated by construction of the approved project would not be expected to create conditions where the probability is greater than 10 in 1 million of contracting cancer for the Maximally Exposed Individual or to generate ground-level concentrations of noncarcinogenic toxic air contaminants (TACs) that exceed a Hazard Index greater than 1 for the Maximally Exposed Individual. Additionally, with ongoing implementation of U.S. Environmental Protection Agency (U.S. EPA) and California Air Resources Board (CARB) requirements for cleaner fuels; off-road diesel engine retrofits; and new, low-emission diesel engine types, the DPM emissions of individual equipment would be substantially reduced. Therefore, construction of the approved project would not expose sensitive receptors to substantial pollutant concentration. Furthermore, the approved project would not construct a stationary source of toxic emissions.

Modified Project

Sensitive land uses include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities. The nearest sensitive receptors to the modified project site are the residential uses located 300 feet to the northeast, 100 feet to the southeast, 160 feet to the south, and 115 feet to the southwest.

Carbon Monoxide Hot Spots

Localized CO concentration is a direct function of motor vehicle activity at signalized intersections (e.g., idling time and traffic flow conditions), particularly during peak commute hours and meteorological conditions. The SDAB is a CO maintenance area under the federal Clean Air Act. This means that SDAB was previously a non-attainment area and is currently implementing a 10-year plan for continuing to meet and maintain air quality standards.

Due to increased requirements for cleaner vehicles, equipment, and fuels, CO levels in the state have dropped substantially. All air basins are attainment or maintenance areas for CO. Therefore, more recent screening procedures based on more current methodologies have been developed. The Bay Area Air Quality Management District developed a screening threshold in their 2022 CEQA Guidelines (Bay Area Air Quality Management District 2022). These screening criteria are considered applicable in the SDAB because the San Francisco Bay Air Basin and the SDAB have the same CO maintenance designations, and the vehicle classifications in the regions are similar. If the following screening criteria are met, operation of a project would result in less than significant impacts related to CO:

- The project is consistent with an applicable congestion management program established by the County of San Diego congestion management agency for designated roads or highways, the regional transportation plan, and local congestion management agency plans.
- Project-generated traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.

- Project-generated traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

The modified project would generate 368 daily trips. Based on the Local Transportation Analysis (Attachment 3; Linscott, Law & Greenspan, Engineers [LLG] 2026), peak hour turning volumes at the study area intersections would be less than 44,000 vehicles per hour as well as the 31,600 vehicles per hour screening threshold utilized for the approved project. Additionally, all signalized intersections are projected to operate at an acceptable level of service. Therefore, the modified project is not anticipated to result in a CO hot spot.

Diesel Particulate Matter – Construction

Construction of the modified project and associated infrastructure would result in short-term diesel exhaust emissions from on-site heavy-duty equipment. Construction of the modified project would result in the generation of diesel-exhaust DPM emissions from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities and on-road diesel equipment used to bring materials to and from the modified project site.

Generation of DPM from construction projects typically occurs in a single area for a short period. Construction of the modified project is anticipated to last for approximately one year. The dose to which the receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has to the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the Maximally Exposed Individual. The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a longer period of time. According to the Office of Environmental Health Hazard Assessment, health risk assessments, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 30-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the project (Office of Environmental Health Hazard Assessment 2015). Thus, if the duration of proposed construction activities near any specific sensitive receptor were one year, the exposure would be 3 percent of the total 30-year exposure period used for health risk calculation. Further, the modified project would implement construction best management practices and would be conducted in accordance with CARB regulations. Specifically, the modified project would implement the following Best Available Control Technology for Toxics measures during construction:

- The construction fleet shall use any combination of diesel catalytic converters, diesel oxidation catalysts, diesel particulate filters and/or utilize CARB/U.S. EPA Engine Certification Tier 3 or better, or other equivalent methods approved by the CARB.
- The engine size of construction equipment shall be the minimum size suitable for the required job.
- Construction equipment shall be properly tuned and maintained in accordance with the manufacturer's specifications.

- Per CARB's Airborne Toxic Control Measures 13 (California Code of Regulations Chapter 10 Section 2485), the applicant shall not allow idling time to exceed 5 minutes unless more time is required per engine manufacturers' specifications or for safety reasons.

Therefore, DPM generated by construction of the modified project is not expected to create conditions where the probability is greater than 10 in 1 million of contracting cancer for the Maximally Exposed Individual or to generate ground-level concentrations of noncarcinogenic TACs that exceed a Hazard Index greater than 1 for the Maximally Exposed Individual. Additionally, with ongoing implementation of U.S. EPA and CARB requirements for cleaner fuels; off-road diesel engine retrofits; and new, low-emission diesel engine types, the DPM emissions of individual equipment would be substantially reduced. Further, as discussed in Section 4.3.b, the project would result in fewer daily hauling trips compared to the approved project. As these hauling trips would occur off-site, they would not be located near any given sensitive receptor for a long period of time and would not result in significant pollutant concentrations. These trucks would also be subject to CARB's idling restrictions while loading on-site. Therefore, construction of the modified project would not expose sensitive receptors to substantial pollutant concentration.

Stationary Sources

CARB provides guidance on siting land uses near major emitters or facilities of concern. These facilities include distribution centers, chrome platers, dry cleaners using perchloroethylene, and large gas stations. CARB siting constraints are summarized in Table 6. The modified project would not include any of the sources included in Table 6 and, therefore, would not construct a stationary source of toxic emissions.

Table 6 CARB Land Use Siting Constraints	
Source Category	Recommended Buffer Distances (feet)
Distribution centers (that accommodate more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units per day, or where transport refrigeration unit operations exceed 300 hours per week)	1,000
Chrome platers	1,000
Dry cleaners using perchloroethylene (1 machine)	300
Dry cleaners using perchloroethylene (2 machines)	500
Dry cleaners using perchloroethylene (3 or more machines)	Requires consultation with APCD
Large gas station (3.6 million gallons or more per year)	300
Other gas stations	50
SOURCE: CARB 2005.	

No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

d. Other Emissions

Approved Project

The MND determined that the approved project would not include heavy industrial or agricultural uses that are typically associated with odor complaints. During construction, diesel equipment may generate some nuisance odors. However, exposure to odors associated with construction of the approved project would be short term and temporary in nature. Impacts associated with odors would be less than significant.

Modified Project

The modified project does not include heavy industrial or agricultural uses that are typically associated with odor complaints. During construction, diesel equipment may generate some nuisance odors. However, exposure to odors associated with construction of the modified project would be short term and temporary in nature. Impacts associated with odors would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.4 Biological Resources

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Have substantial adverse effects, 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 (CDFW) or U.S. Fish and Wildlife Service (USFWS)?	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?	☐	☐	☒
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?	☐	☐	☒

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒

EXPLANATIONS:

The modified project analysis in this section is based on the Biological Resources Letter Report prepared by RECON (Attachment 4; RECON 2026b).

a. Candidate, Sensitive, or Special Status Species*Approved Project*

The MND identified two land cover types within the biological study area: disturbed land and urban/developed land. Direct impacts to migratory and nesting birds, including Cooper's hawk, could result from the accidental destruction of nests through removal of disturbed land, if construction were to occur during the general bird breeding season (between March and September). Pursuant to CDFW Code 3503, which protects nesting birds, implementation of mitigation measure BIO-1 would reduce potential impacts to migratory and nesting birds to a less than significant level.

Modified Project

As discussed in the Biological Resources Letter Report prepared for the modified project (see Attachment 4; RECON 2026b), the biological study area supports two land cover types: disturbed land and urban/developed land. Direct impacts to migratory and nesting birds, including Cooper's hawk, could result from the accidental destruction of nests during project construction activities. These impacts could occur if removal of suitable habitat for these species, such as the ornamental trees along the eastern edge of the survey area, were to occur during the general bird breeding season. Consistent with the approved project, the modified project would implement mitigation measure BIO-1 (with minor revisions) which would require a pre-construction nesting bird and raptor survey if construction initiation occurs within the general bird breeding season. Implementation of mitigation measure BIO-1 would reduce potential impacts to migratory and nesting birds to a less

than significant level. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Riparian Habitat

Approved Project

The MND determined that the approved project site consists of disturbed land and urban/developed land. Native vegetation communities do not exist on the approved project site. The approved project site does not support any riparian habitat, nor does it support any sensitive natural communities identified in local or regional plans, policies, and regulations by the CDFW or the USFWS. No impact would occur.

Modified Project

The modified project site consists of disturbed land and urban/developed land. Native vegetation communities do not exist on the modified project site. The modified project site does not support any riparian habitat, nor does it support any sensitive natural communities identified in local or regional plans, policies, and regulations by the CDFW or the USFWS. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c. Wetlands

Approved Project

The MND determined that no potential jurisdictional wetlands or waters were observed on-site. Therefore, there are no anticipated impacts to any jurisdictional wetlands or waterways, and no impact would occur.

Modified Project

No potential jurisdictional wetlands or waters were observed on the modified project site. Therefore, there are no anticipated impacts to any jurisdictional wetlands or waterways. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

d. Wildlife Movement or Nursery Sites

Approved Project

The MND determined that the approved project site as a whole does not function as a wildlife movement corridor and there is no indication that the site supports any wildlife nursery sites. Therefore, the approved project would not result in any impact to wildlife movement or nursery sites, and no impact would occur.

Modified Project

The modified project site as a whole does not function as a wildlife movement corridor and there is no indication that the site supports any wildlife nursery sites. Therefore, the modified project would

not result in any impact to wildlife movement or nursery sites. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

e. Local Policies or Ordinances

Approved Project

The MND determined that the approved project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No impact would occur.

Modified Project

The modified project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

f. Conservation Plans

Approved Project

The City adheres to the draft Subarea Plan under the Multiple Habitat Conservation Program (MHCP), though it has not been formally approved. The MND determined that the approved project site is not located within a focused planning area of the City's Draft Subarea Plan for the MHCP, nor is the project subject to a Natural Community Conservation Plan (NCCP) (see Figure 4 of the Draft NCCP for the City). Therefore, the approved project would not conflict with the provisions of an adopted Habitat Conservation Plan, NCCP, or other approved local, regional, or state habitat conservation plan. No impact would occur.

Modified Project

The modified project site is not located within a focused planning area of the City's Draft Subarea Plan for the MHCP nor is the project subject to a NCCP (see Figure 4 of the Draft NCCP for the City). Therefore, the modified project would not conflict with the provisions of an adopted Habitat Conservation Plan, NCCP, or other approved local, regional, or state habitat conservation plan. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures (Carried Forward from the Approved MND)

Mitigation measure BIO-1 in the approved MND specified that nesting bird surveys would be required between "March" and "September." To provide greater specificity and to ensure protection of all migratory bird species, including early nesting passerines and raptors, minor clarifying edits to mitigation measure BIO-1 are included below. In addition, because nesting bird impacts may occur up to 300 feet from the modified project footprint, BIO-1 has been revised to specify that surveys shall be conducted within this distance prior to construction. New language is shown as underline and removed language is shown in strike-through.

Mitigation Measure BIO-1

If construction initiation occurs between ~~March-February~~ and September 15, a pre-construction nesting bird and raptor survey ~~of within 300 feet of~~ the project impact area shall be completed by a qualified biologist prior to vegetation removal. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). If any active nests are detected, the area will be flagged and mapped along with a buffer as recommended by the qualified biologist. The buffer area(s) established by the qualified biologist will be avoided until the nesting cycle is complete or it is determined that the nest is no longer active. The qualified biologist shall be a person familiar with bird breeding behavior and capable of identifying the bird species of San Diego County by sight and sound and determining alterations of behavior as a result of human interaction. Buffers will be based on species-appropriate buffers and/or local topography and line of sight, species behavior and tolerance to disturbance, and existing disturbance levels, as determined appropriate by the qualified biologist.

4.5 Cultural Resources

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Cause a substantial adverse change in the significance of an historical resource pursuant to §15064.5?	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒
c. Disturb human remains, including those interred outside of formal cemeteries?	☐	☐	☒

EXPLANATIONS:

The Modified Project analysis in this section is based on the Cultural Resources Survey prepared by RECON (Attachment 5; RECON 2026c).

a. Historical Resources*Approved Project*

The MND determined that no prehistoric or historic cultural resources are recorded on or adjacent to the approved project site. A total of 31 cultural resources have been documented within one mile of the approved project boundary, including 9 prehistoric period resources and 22 historic period resources. In addition, there are 19 historic addresses listed within the one-mile search radius.

As there are no identified historical resources within the approved project site, and the approved project would not affect properties outside of the site, the approved project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. Therefore, no impact would occur.

Modified Project

The original portion of the project site as analyzed in the adopted MND remains undeveloped; no change in conditions relative to historic resources has occurred. The modified project includes an additional 0.37-acre portion on the northern half of parcel APN 217-161-17. As discussed in the Cultural Resources Survey (see Attachment 5; RECON 2026c), no significant prehistoric or historic cultural resources were observed during the pedestrian survey of the modified project area or identified through the updated records search. The liquor store located on the southern portion of APN 217-161-17 is not part of the project and would remain. Therefore, the building was not evaluated for listing in the California Register of Historical Resources. As such, the modified project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Archaeological Resources*Approved Project*

The MND determined that the possibility exists for buried prehistoric archaeological deposits on-site. The MND identified standard mitigation measures CR-1 through CR-4, as developed by the City, which would reduce potential impacts to undiscovered archaeological resources and tribal cultural resources. Therefore, impacts to archaeological resources would be less than significant with the incorporation of mitigation.

Modified Project

No significant prehistoric or historic archaeological resources were observed during the survey of the project area conducted in 2024 for the modified project. Additionally, an updated record search

did not identify prehistoric or historic cultural resources on or immediately adjacent to the property; refer to Attachment 5 (RECON 2026c) for additional details.

Consistent with the approved project, the modified project would be required to implement mitigation measures CR-1 through CR-4, which would reduce potential impacts to undiscovered archaeological resources and tribal cultural resources. Therefore, impacts to archaeological resources would be less than significant with the incorporation of mitigation. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c. Human Remains

Approved Project

The MND found no evidence of human remains on the approved project site. In the event that human remains are discovered during earth moving activities, the construction contractors shall immediately stop all activities in the immediate area of the find pursuant to state Health and Safety Code Section 7050.5. Furthermore, mitigation measures CR-1 through CR-4 would require an archaeological monitor and a Native American monitor (or Traditionally and Culturally Affiliated [TCA] Native American Tribe monitor) to be present during earth moving and grading activities to assure that any resources found during project grading be protected. With mitigation and adherence to the state Health and Safety Code, the approved project would not cause a significant impact to human remains. Impacts would be less than significant with the incorporation of mitigation.

Modified Project

No evidence of human remains was found on the modified project site. In the event that human remains are discovered during earth-moving activities, the construction contractors shall immediately stop all activities in the immediate area of the find pursuant to state Health and Safety Code Section 7050.5. Furthermore, consistent with the approved project, mitigation measures CR-1 through CR-4 would require an archaeological monitor and a Native American monitor (or TCA Native American Tribe monitor) to be present during earth-moving and grading activities to assure that any resources found during project grading be protected. With mitigation and adherence to the state Health and Safety Code, the modified project would not cause a significant impact to human remains. Impacts would be less than significant with the incorporation of mitigation. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures (Carried Forward from the Approved MND)

Mitigation Measure CR-1: Pre-Excavation Agreement

Prior to the issuance of a Grading Permit, or ground disturbing activities, the Applicant/Owner shall enter into a Tribal Cultural Resources Treatment and Repatriation Agreement (Pre-Excavation Agreement) with a Traditionally and Culturally Affiliated Native American Tribe (TCA Tribe), identified in consultation with the City. The purpose of the Pre-Excavation Agreement shall be to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection, treatment, and repatriation of Native American human remains, funerary objects, cultural and/or

religious landscapes, ceremonial items, traditional gathering areas, and other tribal cultural resources. Such resources may be located within and/or discovered during ground disturbing and/or construction activities for the proposed project, including any additional culturally appropriate archaeological studies, excavations, geotechnical investigations, grading, preparation for wet and dry infrastructure, and other ground disturbing activities. Any project-specific monitoring plans and/or excavation plans prepared by the project archaeologist shall include the TCA Tribe requirements for protocols and protection of tribal cultural resources that were agreed to during the tribal consultation.

The landowner shall relinquish ownership of all non-burial related tribal cultural resources collected during construction monitoring and from any previous archaeological studies or excavations on the project site to the TCA Tribe for proper treatment and disposition per the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction. The requirement and timing of such release of ownership, and the recipient thereof, shall be reflected in the Pre-Excavation Agreement. If the TCA Tribe does not accept the return of the cultural resources, then the cultural resources will be subject to curation.

Mitigation Measure CR-2: Construction Monitoring

Prior to the issuance of a Grading Permit or ground disturbing activities, the Applicant/Owner or Grading Contractor shall provide written documentation (either as signed letters, contracts, or emails) to the City's Planning Division stating that a Qualified Archaeologist and Traditionally and Culturally Affiliated Native American monitor (TCA Native American monitor) have been retained at the Applicant/Owner or Grading Contractor's expense to implement the construction monitoring program, as described in the Pre-Excavation Agreement.

The Qualified Archaeologist and TCA Native American monitor shall be invited to attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to present the construction monitoring program. The Qualified Archaeologist and TCA Native American monitor shall be present on-site during grubbing, grading, trenching, and/or other ground disturbing activities that occur in areas of native soil or other permeable natural surfaces that have the potential to unearth any evidence of potential archaeological resources or tribal cultural resources. In areas of artificial paving, the Qualified Archaeologist and TCA Native American monitor shall be present on-site during grubbing, grading, trenching, and/or other ground disturbing activities that have the potential to disturb more than six inches below the original pre-project ground surface to identify any evidence of potential archaeological or tribal cultural resources. No monitoring of fill material, existing or imported, will be required if the General Contractor or developer can provide documentation to the satisfaction of the City that all fill materials being utilized at the site are either: (1) from existing commercial (previously permitted) sources of materials; or (2) are from private or other non-commercial sources that have been determined to be absent of tribal cultural resources by the Qualified Archaeologist and TCA Native American monitor.

The Qualified Archaeologist and TCA Native American monitor shall maintain ongoing collaborative coordination with one another during all ground disturbing activities. The requirement for the construction monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall provide

written notice to the Planning Division and the TCA Tribe, preferably through e-mail, of the start and end of all ground disturbing activities.

Prior to the release of any grading bonds, or prior to the issuance of any project Certificate of Occupancy, an archaeological monitoring report, which describes the results, analysis, and conclusions of the construction monitoring shall be submitted by the Qualified Archaeologist, along with any TCA Native American monitor's notes and comments received by the Qualified Archaeologist, to the Planning Division Manager for approval. Once approved, a final copy of the archaeological monitoring report shall be retained in a confidential City project file and may be released, as a formal condition of Assembly Bill (AB) 52 consultation, to the Pechanga Band of Luiseño Indians, San Luis Rey Band of Mission Indians, and the Rincon Band of Luiseño Indians or any parties involved in the project specific monitoring or consultation process. A final copy of the report, with all confidential site records and appendices, will also be submitted to the South Coastal Information Center after approval by the City.

Mitigation Measure CR-3: Unanticipated Discovery Procedures

Both the Qualified Archaeologist and the TCA Native American monitor may temporarily halt or divert ground disturbing activities if potential archaeological resources or tribal cultural resources are discovered during construction activities. Ground disturbing activities shall be temporarily directed away from the area of discovery for a reasonable amount of time to allow a determination of the resource's potential significance. Isolates and clearly non-significant archaeological resources (as determined by the Qualified Archaeologist, in consultation with the TCA Native American monitor) will be minimally documented in the field. All unearthed archaeological resources or tribal cultural resources will be collected, temporarily stored in a secure location (or as otherwise agreed upon by the Qualified Archaeologist and the TCA Tribe), and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction.

If a determination is made that the archaeological resources or tribal cultural resources are considered potentially significant by the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor, then the City and the TCA Tribe shall determine, in consultation with the Applicant/Owner and the Qualified Archaeologist, the culturally appropriate treatment of those resources.

If the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor cannot agree on the significance or mitigation for such resources, these issues will be presented to the Planning Division Manager for decision. The Planning Division Manager shall make a determination based upon the provisions of CEQA and California Public Resources Code Section 21083.2(b) with respect to archaeological resources and California Public Resources Section 21704 and 21084.3 with respect to tribal cultural resources, and shall take into account the religious beliefs, cultural beliefs, customs, and practices of the TCA Tribe.

All sacred sites, significant tribal cultural resources, and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation. If avoidance of the resource is determined to be infeasible by the City as the Lead Agency, then the

City shall require additional culturally appropriate mitigation to address the negative impact to the resource, such as, but not limited to, the funding of an ethnographic study and/or a data recovery plan, as determined by the City in consultation with the Qualified Archaeologist and the TCA Tribe. The TCA Tribe shall be notified and consulted regarding the determination and implementation of culturally appropriate mitigation and the drafting and finalization of any ethnographic study and/or data recovery plan, and/or other culturally appropriate mitigation. Any archaeological isolates or other cultural materials that cannot be avoided or preserved in place as the preferred mitigation shall be temporarily stored in a secure location on-site (or as otherwise agreed upon by the Qualified Archaeologist and TCA Tribe) and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction. The removal of any artifacts from the project site will be inventoried with oversight by the TCA Native American monitor.

If a data recovery plan is authorized as indicated above and the TCA Tribe does not object, then an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist collects such resources, the TCA Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the TCA Native American monitor may, at their discretion, collect said resources for later reburial or storage at a local curation facility, as described in the Pre-Excavation Agreement.

In the event that curation of archaeological resources or tribal cultural resources is required by a superseding regulatory agency, curation shall be conducted by an approved local facility within San Diego County, and the curation shall be guided by California State Historical Resources Commission's Guidelines for the Curation of Archaeological Collections. The City shall provide the Applicant/Owner final curation language and guidance on the project grading plans prior to issuance of the grading permit, if applicable, during project construction. The Applicant/Owner shall be responsible for all repatriation and curation costs and provide to the City written documentation from the TCA Tribe or the curation facility, whichever is most applicable, that the repatriation and/or curation have been completed.

Mitigation Measure CR-4: Human Remains

As specified by California Health and Safety Code Section 7050.5, if human remains, or remains that are potentially human, are found on the project site during ground disturbing activities or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Medical Examiner's Office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American monitor) shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98.

If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could

occur as prescribed by law. As further defined by State law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, and not under his or her jurisdiction, then he or she shall contact the Native American Heritage Commission by telephone within 24 hours. The Native American Heritage Commission will make a determination as to the Most Likely Descendent, who shall be afforded 48 hours from the time access is granted to the discovery site to make recommendations regarding culturally appropriate treatment.

If suspected Native American remains are discovered, the remains shall be kept in situ (in place) until after the Medical Examiner makes its determination and notifications, and until after the Most Likely Descendent is identified, at which time the archaeological examination of the remains shall only occur on site in the presence of the Most Likely Descendent. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the Applicant/Owner and the Most Likely Descendant are in disagreement regarding the disposition of the remains, state law will apply, and the mediation process will occur with the Native American Heritage Commission. In the event that mediation is not successful, the landowner shall rebury the remains at a location free from future disturbance (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

4.6 Energy

Would the proposed project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒

EXPLANATIONS:

a. Consumption of Energy Resources

Approved Project

Construction

The MND determined that during construction, the approved project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment and (2) energy

used in the manufacturing of construction materials, such as asphalt and pipes. Construction of the approved project would require the use of construction equipment for hauling and building activities. Construction equipment requires electricity which would be powered by gas or diesel. Construction also includes the vehicles of construction workers traveling to and from the approved project site. Furthermore, there are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction projects. Therefore, short-term construction activities would not result in inefficient, wasteful, or unnecessary fuel consumption. Impacts would be less than significant.

Transportation

The MND determined that transportation energy use during construction of the approved project would come from the transport and use of construction equipment and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would be temporary. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Impacts would be less than significant.

Operation

The MND determined that operational impacts of the approved project would be comparable to similar uses in the City. Therefore, impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during operation would be less than significant.

Modified Project

Construction

Like the approved project, construction of the modified project would require the use of construction equipment for hauling and building activities. Anticipated construction equipment would be similar to the approved project requiring electricity which would be powered by gas or diesel. Construction also includes the vehicles of construction workers traveling to and from the approved project site. Furthermore, there are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction projects. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

Transportation

Like the approved project, transportation energy use during construction of the modified project would come from the transport and use of construction equipment and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would be temporary. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

Operation

Like the approved project, operational impacts would be comparable to similar uses in the City. Therefore, the modified project would not result in impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during operation. No new impacts would occur as a result of the modified project, and no new mitigation would be required.

b. State or Local Plan for Renewable Energy or Energy Efficiency

Approved Project

The MND determined that development of the approved project would be required to adhere to the City's Climate Action Plan (CAP) and Title 24 of the California Building Code. Therefore, the approved project would not obstruct a state or local plan for renewable energy or energy efficiency, and no impacts would occur.

Modified Project

Like the approved project, development of the modified project would be required to adhere to the City's CAP and Title 24 of the California Building Code. As discussed in Section 4.8 below, the modified project would emit less than 500 metric tons of carbon dioxide equivalent (MT CO₂E) per year; therefore, the modified project would not conflict with the City's CAP. The modified project would not obstruct a state or local plan for renewable energy or energy efficiency. No new impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.7 Geology and Soils

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
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?	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☒

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒
iv. Landslides?	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒

EXPLANATIONS:

The modified project analysis in this section is based on the Update to the Geotechnical Investigation prepared by Geocon Incorporated (Attachment 6; Geocon Incorporated 2025).

a.i. Earthquake Faults*Approved Project*

The MND determined that the approved project site, as with most of southern California, is situated in an area of active and potentially active faults. However, the approved project site does not lie within an Alquist-Priolo Special Studies zone and there are no known active fault traces that underlie or project toward the approved project site. Therefore, the potential for direct surface fault rupture is considered to be low. As such, the approved project site could be subjected to significant shaking in the event of a major earthquake on any of the faults noted above or other faults in the southern California or northern Baja California area. Potential impacts would be reduced through adherence to requirements specified in the Uniform Building Code and Title 24 of the California Building Code. Impacts would be less than significant.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17. The additional 0.37 acres do not lie within an Alquist-Priolo Special Studies zone and there are no known

active fault traces that underlie or project toward the modified project site. Therefore, the potential for direct surface fault rupture is considered to be low. As such, the modified project site could be subjected to significant shaking in the event of a major earthquake on any of the faults noted above or other faults in the southern California or northern Baja California area. Potential impacts would be reduced through adherence to requirements specified in the Uniform Building Code and Title 24 of the California Building Code. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

a.ii. Seismic Ground Shaking

Approved Project

The MND determined that the approved project site is located in seismically active southern California and the site could be subject to strong seismic ground shaking from regional seismic activity. All structures would be designed in accordance with seismic parameters of the current Uniform Building Code and Title 24 of the California Building Code. Therefore, impacts related to seismic ground shaking would be less than significant.

Modified Project

Like the approved project, the modified project would be designed in accordance with seismic parameters of the current Uniform Building Code and Title 24 of the California Building Code. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

a.iii. Seismic-Related Ground Failure, Including Liquefaction

Approved Project

The MND determined that the approved project site is not mapped within a potential liquefaction zone. Based on the type of soil, mapped shallow depth to bedrock, and groundwater depth greater than 50 feet, liquefaction is not considered a geologic constraint. Therefore, impacts related to liquefaction would be less than significant.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17. The additional 0.37 acres are not mapped within a potential liquefaction zone. As discussed in the Update to the Geotechnical Investigation (see Attachment 6; Geocon Incorporated 2025), seepage was encountered in borings at 21, 30, and 35 feet. Considering the lack of shallow permanent groundwater and the density and age of the underlying geologic units, the risk associated with seismically induced soil liquefaction is low. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

a.iv. Landslides*Approved Project*

The MND determined that there was no visual evidence of landslides on or near the approved project site. In addition, the approved project site is not mapped within a potential landslide zone. Therefore, impacts related to landslides would be less than significant.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17. The additional 0.37 acres do not contain visual evidence of landslides. No slopes with the potential for landslides were observed on or near the project site during the field investigation, and no landslides are mapped at the project site or in an area that could impact the site. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Soil Erosion or Loss of Topsoil*Approved Project*

The MND determined that the construction phase of the approved project would displace soils and temporarily increase the potential for soil erosion. Based on the topography of the project site (the southern portion of the site is relatively flat while the central portion slopes up to an elevated pad at the north end of the site), the approved project would require 17,500 cubic yards of cut and 250 cubic yards of fill for a net export of 17,250 cubic yards. Construction-phase BMPs may include, but are not limited to, soil stabilizers, sandbag berms, stabilized construction entrances, and other runoff controls. Operational BMPs would include landscaping, and a storm drain system, which would reduce the potential for erosion. With implementation of construction and operational BMPs, impacts would be less than significant.

Modified Project

The modified project would require 23,300 cubic yards of cut and 3,200 cubic yards of fill for a net export of 20,100 cubic yards. Although total grading requirements would be greater than the approved project, construction-phase BMPs may include, but are not limited to, soil stabilizers, sandbag berms, stabilized construction entrances, and other runoff controls. Operational BMPs would include landscaping and a storm drain system, which would reduce the potential for erosion. With implementation of construction and operational BMPs, impacts would be less than significant. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

c. Landslide, Lateral Spreading, Subsidence, Liquefaction or Collapse*Approved Project*

The MND determined that the approved project site does not lie within an area zoned for liquefaction. In addition, based on the type of soil, mapped shallow depth to bedrock, and

groundwater depth of greater than 50 feet, liquefaction is not considered to be a geologic constraint. Furthermore, the approved project site is not located on an unstable geologic unit. Therefore, the approved project would have a less than significant impact related to on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17. As discussed under Sections 4.7.a.iii. and 4.7.a.iv. above, the potential for liquefaction is considered low and no slopes with the potential for landslides were encountered on or near the project site during the field investigation. Temporary excavations are anticipated to adhere to standard engineering practices, as well as the project specific recommendations detailed in the Geotechnical Investigation (see Attachment 6), which would prevent lateral spreading, subsidence, and settlement. Therefore, the project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and impacts would be less than significant. No new impacts would occur as a result of the modified project, and no new mitigation would be required.

d. Expansive Soil

Approved Project

The MND determined that during preparation of the final geotechnical evaluation for the grading operations, the project applicant would work with the project geotechnical engineer to further define the soil expansion potential and, if necessary, implement standard geotechnical requirements to ensure that grading complies with all required geotechnical conditions. Thus, impacts associated with expansive soils would be less than significant.

Modified Project

As documented in Attachment 6, some on-site soils have been identified as having a high to very high expansion potential. Consistent with the approved project, the modified project would require the project applicant to work with the project geotechnical engineer to further define the soil expansion potential and, if necessary, implement standard geotechnical requirements to ensure that grading complies with all required geotechnical conditions. Thus, impacts associated with expansive soils would be less than significant. No new impacts would occur as a result of the modified project, and no new mitigation would be required.

e. Septic Tanks or Alternative Wastewater Disposal Systems

Approved Project

The MND determined that the approved project would connect to the public sewer system and would not include the installation of septic tanks or alternative wastewater disposal systems; therefore, there would be no impact.

Modified Project

The modified project would connect to the public sewer system and would not include the installation of septic tanks or alternative wastewater disposal systems. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

f. Paleontological Resource or Unique Geologic Feature*Approved Project*

The MND determined that the approved project site has a low to no potential to produce paleontological resources during construction. No mitigation is proposed as a result of the project. However, in the event that fossils are uncovered during construction, a qualified paleontologist should be retained to evaluate the find, in accordance with county, and state guidelines. Potential impacts to paleontological resources were determined to be less than significant.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17. The modified project site is underlain by documented artificial fill, colluvium, Santiago Formation, and metavolcanic rock (Attachment 6; Geocon Incorporated 2025). No changes to the underlying soils or geologic formations have occurred since approval of the MND. However, according to the County of San Diego Guidelines for Determining Significance Paleontological Resources (2009), the Santiago Formation is considered to have a moderate potential for paleontological resources.

Consistent with the approved project, the modified project would include a Condition of Approval requiring that if paleontological resources are discovered during grading, excavation, or other ground-disturbing activities, all work in the immediate vicinity of the discovery shall cease. The project applicant shall retain a qualified paleontologist, meeting the Society of Vertebrate Paleontology (SVP) professional standards, to evaluate the findings in accordance with the County of San Diego *Guidelines for Determining Significance – Paleontological Resources* and applicable State of California guidelines. The qualified paleontologist shall determine the significance of the discovery and recommend appropriate treatment, which may include avoidance, monitoring, or recovery. Construction activities in the affected area may resume only after the paleontologist determines that the resource has been appropriately addressed and authorizes continuation of work. This condition provides for the appropriate evaluation and treatment of any unanticipated discoveries. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.8 Greenhouse Gas Emissions

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒

EXPLANATIONS:

The modified project analysis in this section is based on the CAP Consistency Review Checklist (Checklist) prepared by RECON (Attachment 7; RECON 2026d). The City's CAP Checklist includes a GHG screening threshold of 500 MT CO₂E per year for new development projects. New discretionary development projects subject to CEQA review that emit fewer than 500 MT CO₂E annually would not contribute considerably to cumulative climate change impacts as stated in the City's Guidance Document, and therefore, would be considered consistent with the CAP and associated emissions projections and would not need to provide additional analysis to demonstrate consistency with the CAP. The CAP Checklist also includes project types and sizes that correspond to the 500 MT CO₂E screening threshold. For multi-family housing uses, the screening size is 55 dwelling units.

a. Greenhouse Gas Emissions

Approved Project

The MND determined that the approved project would develop 50 multi-family units. Thus, consistent with the City's CAP screening thresholds, it is presumed that the approved project would emit less than 500 MT CO₂E per year, and the GHG impact would be consistent with the CAP and associated emissions projections. Therefore, impacts would be less than significant.

Modified Project

The modified project would develop 46 multi-family units. Thus, consistent with the City's CAP screening thresholds, it is presumed that the modified project would emit less than 500 MT CO₂E per year and the GHG impact would be consistent with the CAP and associated emissions projections. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Plan, Policies, or Regulations

Approved Project

The MND determined that the approved project would not make a considerable contribution to the cumulative impact of climate change because it would emit less than 500 MT CO₂E per year; therefore, the approved project would not conflict with the CAP. Since the CAP is a “qualified” CAP that demonstrates how the City will achieve GHG reductions consistent with state reduction targets codified by AB 32 (2006) and Senate Bill (SB) 32 (2016), the approved project would not conflict with the 2017 Scoping Plan. Therefore, impacts would be less than significant.

Modified Project

The modified project would not make a considerable contribution to the cumulative impact of climate change because it would emit less than 500 MT CO₂E per year; therefore, the modified project would not conflict with the CAP. Since the CAP is a “qualified” CAP that demonstrates how the City will achieve GHG reductions consistent with state reduction targets codified by AB 32 (2006) and SB 32 (2016), the approved project would not conflict with the 2017 Scoping Plan. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.9 Hazards and Hazardous Materials

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒

EXPLANATIONS:**a. Transport, Use, or Disposal of Hazardous Materials***Approved Project*

The MND determined that the approved project would be required to comply with federal, state, and City Municipal Code restrictions which regulate, and control hazardous construction materials handled on-site. Compliance with these restrictions and laws would ensure that potentially significant impacts would not occur during construction of the approved project.

In addition, as a residential development, hazardous materials anticipated to be used during site operations are those routinely used by residential uses such as paint and garden maintenance products. It is anticipated that the use, handling, and disposal of these products would be addressed by hazardous waste programs that are part of the Integrated Waste Management Plan of the County of San Diego and other federal, state, and City Municipal Code regulations. Additionally, there are numerous regulations in place that regulate proper disposal of hazardous materials and protect public safety including the Clean Air Act, Clean Water Act, Comprehensive Environmental Response, Compensation and Liability Act, and the Toxic Substances Control Act. Therefore, impacts related to the transportation of hazardous materials for the approved project would be less than significant.

Modified Project

Like the approved project, the construction of the modified project would be required to comply with federal, state, and City Municipal Code restrictions which regulate, and control hazardous construction materials handled on-site. Compliance with these restrictions and laws would ensure that potentially significant impacts would not occur during construction. In addition, hazardous materials anticipated during operation of the approved project would be the same as the modified project. Therefore, no new impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Release of Hazardous Materials*Approved Project*

The MND determined that the approved project would be required to comply with all existing local, state, and federal regulations governing the use, handling, and disposal of hazardous materials during construction. In addition, the approved project would not involve a use that would result in foreseeable upset and accident conditions from the release of hazardous materials into the environment.

The MND determined that the use, handling, and disposal of hazardous materials routinely used by residential uses would be addressed by hazardous waste programs that are part of the Integrated Waste Management Plan of the County of San Diego and other federal, state, and City Municipal Code regulations. Additionally, there are numerous regulations in place that regulate proper disposal of hazardous materials and protect public safety including the Clean Air Act, Clean Water Act, Comprehensive Environmental Response, Compensation and Liability Act, and the Toxic Substances Control Act. Therefore, the approved project would result in a less than significant risk to the public related to hazardous materials.

Modified Project

Like the approved project, the modified project would be required to comply with all existing local, state, and federal regulations governing the use, handling, and disposal of hazardous materials during construction. In addition, the modified project would not involve a use that would result in foreseeable upset and accident conditions from the release of hazardous materials into the environment. Furthermore, the use, handling, and disposal of hazardous materials routinely used by residential uses would be addressed by hazardous waste programs that are part of the Integrated Waste Management Plan of the County of San Diego and other federal, state, and City Municipal Code regulations. Additionally, there are numerous regulations in place that regulate proper disposal of hazardous materials and protect public safety including the Clean Air Act, Clean Water Act, Comprehensive Environmental Response, Compensation and Liability Act, and the Toxic Substances Control Act. Compliance with such regulations would minimize the potential for a release to occur and provide planning mechanisms for prompt and effective cleanup if an accidental release did occur. Therefore, no new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c. Emit Hazardous Materials or Handle Hazardous Materials within One-Quarter Mile of an Existing or Proposed School*Approved Project*

The MND determined that the approved project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school because no schools are within one-quarter mile of the approved project site. Additionally, the approved project would not include a use that would emit hazardous emissions or handle hazardous or acutely hazardous materials or substances, resulting in a less than significant impact.

Modified Project

Like the approved project, the modified project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school because no schools are within one-quarter mile of the modified project site. Additionally, the modified project would not include a use that would emit hazardous emissions or handle hazardous or acutely hazardous materials or substances. Therefore, no new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

d. Hazardous Materials Sites*Approved Project*

The MND determined that the approved project site is not located on any hazardous materials sites pursuant to Government Code Section 65962.5. Therefore, no impact would occur.

Modified Project

Review of the Department of Toxic Substances Control (DTSC) Envirostor database (DTSC 2025) and the State Water Resources Control Board (SWRCB) Geotracker database (SWRCB 2025) determined that there are no contaminated sites with an open status on or adjacent to the modified project site. Therefore, the modified project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

e. Airport Land Use Plan or Public Use Airport*Approved Project*

The MND determined that there are no public or private airports located within City boundaries; however, the McClellan-Palomar Airport is located approximately 4.3 miles to the southwest within the city of Carlsbad. As described in the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP) and Figure 6-5 of the City's General Plan, the approved project site is located within the McClellan-Palomar Airport Influence Area (AIA). The McClellan-Palomar AIA is divided into Review Area 1 and Review Area 2. The approved project site is located within Review Area 2. The

only restriction on land uses within Review Area 2 is limitations on the heights of structures. Within Review Area 2, any structure which has a height greater than 35 feet above ground level requires Airport Land Use Commission (ALUC) review. The approved project would be 62 feet 9 inches above ground level. Thus, the approved project would require ALUC review prior to approval.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17. Like the approved project, the modified project site is located within Review Area 2 of the McClellan-Palomar AIA. Proposed building height with the modified project would be a maximum of 35 feet, 4 inches measured from the finished floor. However, the modified project site is not located within a High Terrain Zone or in an area of terrain penetration to airspace surfaces which have a height greater than 35 feet above ground level. Therefore, the modified project would not require ALUC review prior to approval. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

f. Emergency Response Plan or Emergency Evacuation Plan

Approved Project

The MND determined that the approved project would not involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. All proposed internal roadways and project access points would comply with City standards for emergency and fire protection vehicles and distances. The approved project would comply with all design recommendations and requirements provided by the San Marcos Fire Department to ensure that emergency access meets City standards. Therefore, impacts related to the impairment of an emergency response plan would be less than significant.

Modified Project

The modified project would not alter the existing circulation network. All construction activities would be required to comply with the City's standards and regulations for emergency and fire protection vehicles and distances. The approved project would comply with all design recommendations and requirements provided by the San Marcos Fire Department. Therefore, the modified project would not interfere with an adopted emergency response plan or emergency evacuation plan. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

g. Wildland Fires

Approved Project

The MND determined that the approved project site is not located within a local, state, or federal fire hazard severity zone. Thus, impacts involving wildland fires would not occur.

Modified Project

Since adoption of the MND, the California Department of Forestry and Fire Protection (CAL FIRE) has updated the Fire Hazard Severity Zone (FHSZ) maps. Review of the updated CAL FIRE FHSZ maps shows that the modified project site is located within a Local Responsibility Area, meaning the financial responsibility of preventing and suppressing wildfires is primarily the responsibility of the local agency. In addition, the northeastern corner of the project site is mapped as a moderate fire hazard severity zone (CAL FIRE 2025). No substantial change in conditions has occurred since adoption of the MND; compliance with applicable state and local regulations and review of the modified project by the City's Fire Prevention Division would further reduce the potential for fire risk. The modified project site is located within an urbanized portion of the City away from any urban/wildland interface. Therefore, the modified project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.10 Hydrology and Water Quality

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces in a manner, which would:	☐	☐	☒
i. result in substantial erosion or siltation on- or off-site;	☐	☐	☒
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒
iv. impede or redirect flood flows?	☐	☐	☒
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒

EXPLANATIONS:

The modified project analysis in this section is based on the Preliminary Hydrology Study prepared by PLSA (Attachment 8; PLSA 2025a) and the Storm Water Quality Management Plan prepared by PLSA (Attachment 9; PLSA 2025b).

a. Water Quality Standards or Waste Discharge Requirements or Degrade Surface or Groundwater Quality

Approved Project

The MND determined that construction and post-construction activities would be required to adhere to various federal, state, and regional water quality standards, such as the Municipal Separate Storm Sewer System Permit (MS4) and Construction General Permit. As such, runoff volumes and pollutants leaving the approved project site during construction and postconstruction operations would be substantially reduced through source control, site design, and/or treatment-control BMPs mandated by these permits. The approved project would require preparation of a storm water pollution prevention plan (SWPPP). The SWPPP would identify erosion and sediment controls that would substantially reduce soil disturbance, erosion, and sediment transport into receiving waters, and pollutants in site runoff during construction. The BMPs would provide hydromodification management flow control and storm water pollutant control to meet the requirements of the California Regional Water Quality Control Board (RWQCB) San Diego Region municipal separate storm sewer system permit (Order No. R9-2013-0001, referred to as MS4 Permit). Furthermore, the approved project has been designed to comply with the land development requirements of the Regional MS4 Permit and the 2016 City's Best Management Practices Design Manual (BMP Design Manual). Adherence with the City's BMP Design Manual and the National Pollutant Discharge Elimination System (NPDES) permit that is in place at the time of development would be required. Impacts would be less than significant.

Modified Project

Construction of the modified project would have the potential to generate erosion/sedimentation and pollutants that could impact water quality. However, the modified project would implement construction BMPs consistent with the City's BMP Design Manual and preparation of a SWPPP would be required. Adherence to the City's BMP Design Manual and the NPDES permit that is in place at the time of development would be required. Impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Groundwater Supplies or Groundwater Recharge*Approved Project*

The MND determined that compliance with the City's BMP Design Manual and the NPDES permit that is in place at the time of development would be required. The approved project would not use any groundwater. All water for the approved project would be provided by Vista Irrigation District (VID). Therefore, the approved project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. No impact would occur.

Modified Project

The modified project would not use any groundwater. All water for the modified project would be provided by VID. Therefore, the modified project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c.i. Erosion or Siltation*Approved Project*

The MND determined that the approved project site is not located within a Federal Emergency Management Agency (FEMA) floodplain, as designated on Figure 6-3, FEMA Flood Hazards and Reservoir/Dam Inundation Zones, in the City's General Plan Safety Element. Implementation of the approved project would involve ground-disturbing activities, including grading and excavation, and could cause soil erosion. The approved project would be required to comply with the City's Municipal Code Chapter 17.32, Grading and Related Activities, which contains design standards and performance requirements to avoid or reduce excessive erosion. Therefore, the approved project would not result in substantial erosion or siltation, and impacts would be less than significant.

Modified Project

The Hydrology Study (see Attachment 8) prepared for the modified project identified four drainage basins in the existing condition. Table 7 summarizes peak flows during the 100-year storm event in the existing condition using the Rational Method Procedure outlined in the San Diego County

Hydrology Manual. As shown in Table 7, peak flows during the 100-year storm event in the existing condition total 7.98 cubic feet per second (cfs).

Table 7 Existing 100-year Storm Event Peak Discharge Rates		
Drainage Basin	Area (acres)	100-year Storm Event Peak Flows (cfs)
Drainage Basin 1	1.24	2.35
Drainage Basin 2	0.04	0.10
Drainage Basin 3	1.65	5.16
Drainage Basin 4	0.14	0.37
Total		7.98
SOURCE: Attachment 8; PLSA 2025a. cfs = cubic feet per second		

The modified project would increase the amount of impervious surface area as compared to the approved project, which would potentially increase runoff from the project site. Additionally, the modified project would change the drainage pattern to include six drainage basins. The modified project would incorporate a proprietary biofiltration system and underground detention system containing six modular wetland units and four detention vaults including a flow control device to treat and detain runoff prior to discharging off-site. As shown in Table 8 below, introduction of the detention vaults would reduce peak flows during the 100-year storm event from 16.66 cfs (undetained) to 3.18 cfs (detained). Therefore, the modified project would not result in substantial erosion or siltation on- or off-site and impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Table 8 Modified Project 100-year Storm Event Peak Discharge Rates			
Drainage Basin	Area (acres)	100-year Storm Event Peak Flows Undetained (cfs)	100-year Storm Event Peak Flows Detained (cfs)
Drainage Basin 1	0.74	3.82	0.44
Drainage Basin 2	1.12	10.77	2.74
Drainage Basin 3	0.40		
Drainage Basin 4	0.50		
Drainage Basin 5	0.29	2.04	N/A
Drainage Basin 6	0.01	0.03	N/A
Total		16.66	3.18
SOURCE: Attachment 8; PLSA 2025a. cfs = cubic feet per second			

c.ii. Flooding

Approved Project

The MND determined that implementation of the approved project would involve construction activities that would increase the amount of impervious surface that could result in an increase of surface runoff. Further, the project is required to comply with General Plan Policy COS-8.4, which directs the City to require development to protect natural drainage systems through site design,

runoff reduction measures, and BMPs consistent with the San Diego RWQCB Municipal Stormwater NPDES Permit. Construction and post-construction activities would be required to adhere to various federal, state, and regional water quality standards, such as the MS4 Permit and Construction General Permit. As such, runoff volumes and pollutants leaving the site during construction and post-construction operations would be substantially reduced through source control, site design, and/or treatment-control BMPs mandated by these permits. Erosion and sediment controls identified in the project-specific SWPPP would substantially reduce the amount of soil disturbance, erosion, and sediment transport into receiving waters, and pollutants in site runoff during construction. For all of the foregoing reasons, implementation of the proposed project would not increase the rate or amount of surface runoff. Therefore, impacts would be less than significant.

Modified Project

Construction of the modified project would increase the amount of impervious surface that could result in an increase of surface runoff. As discussed under 4.10.c.i. above, the modified project would incorporate a proprietary biofiltration system and underground detention system to treat and detain runoff prior to discharging off-site through a new 18-inch reinforced concrete storm drain pipe which would connect to the existing public 60-inch reinforced concrete storm drain pipe in South Santa Fe Avenue and through an existing 18-inch reinforced concrete storm drain pipe which connects to public storm drain in North Las Flores Drive. Introduction of the biofiltration basin would reduce peak flows during the 100-year storm event from 16.66 cfs to 3.18 cfs. Therefore, the existing (off-site) public storm system would have the capacity to accommodate flows from the project site. The modified project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site and impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c.iii. Stormwater Drainage Systems

Approved Project

The MND determined that the project design included an on-site storm water runoff system that would collect runoff in a storm drain system and then convey it to a proprietary biofiltration system and subsequently into underground storage facilities. Two storm drain systems, each with their own BMPs, were proposed to maintain the site's historical points of discharge. As such, runoff volumes and pollutants leaving the project site during construction and post-construction operations would be substantially reduced through source control, site design, and/or treatment-control BMPs mandated by the Municipal Permit and Construction General Permit. Furthermore, erosion and sediment controls identified in the SWPPP would substantially reduce the amount of soil disturbance, erosion, and sediment transport into receiving waters, and pollutants in site runoff during construction. Therefore, implementation of the approved project would not 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. No impact would occur.

Modified Project

Construction of the modified project would increase the amount of impervious surface that could result in an increase of surface runoff. As discussed under c.i. above, the modified project would incorporate a proprietary biofiltration system and underground detention system to treat and detain runoff prior to discharging off-site. Introduction of the biofiltration basin would reduce peak flows during the 100-year storm event from 16.66 cfs to 3.18 cfs, which represents a decrease from that which occurs under existing conditions (7.98 cfs). Therefore, it is anticipated that the existing storm water system can adequately accommodate runoff from the project as proposed. The modified project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems and impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c.iv. Impede or Redirect Flood Flows*Approved Project*

The MND determined that the approved project site is not located within a FEMA floodplain, as designated on Figure 6-3 in the City's General Plan. The approved project would be required to comply with the City's Municipal Code Section 17.32.150, which directs the City to deny grading permits in flood hazard areas. Therefore, implementation of the approved project would not impede or redirect flood flows and impacts would be less than significant.

Modified Project

Construction of the modified project would increase the amount of impervious surface that could result in an increase of surface runoff. As discussed under 4.10.c.i. above, the modified project would incorporate a proprietary biofiltration system and underground detention system to treat and detain runoff prior to discharging off-site. The proposed improvements would maintain the site's historical points of discharge and would reduce stormwater flows from the site as compared to existing conditions. Therefore, the modified project would not impede or redirect flood flows and impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

d. Release Pollutants Due to Project Inundation*Approved Project*

The MND determined that the approved project site is not located within a FEMA floodplain, as designated on Figure 6-3 in the City's General Plan. The approved project site is located approximately 10.5 miles east of the Pacific Ocean and, therefore, impacts as a result of a tsunami would not occur. In addition, seiches are considered unlikely due to the absence of large nearby confined bodies of water. No impact would occur.

Modified Project

The modified project site is not located within a FEMA floodplain, as designated on Figure 6-3 in the City's General Plan. The modified project site is located approximately 10.5 miles east of the Pacific Ocean and, therefore, impacts as a result of a tsunami would not occur. In addition, seiches are considered unlikely due to the absence of large nearby confined bodies of water. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

e. Water Quality Control Plan or Sustainable Groundwater Management Plan*Approved Project*

The MND determined that the approved project site is located within the boundaries of the Carlsbad Management Area Water Quality Improvement Plan. The General Construction Permit requires preparation and implementation of a SWPPP, which must include erosion and sediment control BMPs that would meet or exceed measures required by the NPDES General Permit, as well as BMPs that control hydrocarbons, trash and debris, and other potential construction-related pollutants. In accordance with the SWQMP (see Attachment 9; PLSA 2025b), the approved project would be required to implement proprietary biofiltration BMPs (BF-3) to meet pollutant control requirements. Furthermore, the approved project would not utilize groundwater. Therefore, the approved project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan and impacts would be less than significant.

Modified Project

Project construction would have the potential to generate erosion/sedimentation and pollutants that could impact water quality. The modified project would implement construction BMPs consistent with the City's BMP Design Manual and preparation of a SWPPP would be required. As discussed under 4.10.c.i. above, the modified project would incorporate a proprietary biofiltration system and underground detention system containing six modular wetland units and four detention vaults including a flow control device to treat and detain runoff prior to discharging off-site. Furthermore, the modified project would not utilize groundwater. Therefore, the modified project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.11 Land Use and Planning

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Physically divide an established community?	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒

EXPLANATIONS:

a. Divide an Established Community

Approved Project

The MND determined the approved project site is bounded by an existing multi-family residential development located east of North Las Flores Drive, by South Santa Fe Avenue followed by the Vista Meadows mobile home park to the south, existing industrial to the north and west, commercial uses to the west, and an existing liquor store and parking lot to the southwest. The Sprinter railroad tracks and single-family residential homes off North Las Flores Drive are north and northeast of the project site. The proposed use of multi-family dwelling units would be similar to the adjacent multi-family dwelling units to the east and would not physically divide an established community. Therefore, no impact would occur.

Modified Project

The modified project would construct 46 townhomes and would not affect the surrounding land use pattern. Similarly, the modified project would not alter the existing circulation network. The modified project would connect to existing utilities that are adjacent to the modified project site and are already serving the surrounding development. Therefore, the modified project would not physically divide an established community. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Conflict with a Land Use Plan, Policy, or Regulation

Approved Project

The MND determined that the approved project would require a GPA to change the land use from Commercial (C) and Light Industrial (L-I) to Medium Density Residential 2 (MDR2) and a rezone to change the zone from Commercial (C) and Light Industrial (L-I) to Multi-Family Residential (R-3-10). The approved project received a Density Bonus in accordance with Section 20.305 of the City's

Municipal Code. In conjunction with the Density Bonus, and due to the site's topography, the approved project also requested a concession to allow for the proposed building height of 62 feet, 9 inches from the finished floor, exceeding the three-story, 45-foot height limit of the R-3-10 Zone. Despite the physical and regulatory changes, the approved project was found to be consistent with the planned growth outlined in the adopted 2021–2029 Housing Element Update. Therefore, impacts would be less than significant.

Modified Project

The modified project would require a GPA from Medium Density Residential 2 (MDR2) to Medium High Density Residential (MHDR) for APNs 217-161-18, and 217-161-19, and a GPA from Commercial (C) to Medium High Density Residential (MHDR) for the northern portion (0.37 acres) of APN 217-161-17. The modified project would also rezone APNs 217-161-18, and 217-161-19 from Multi-family Residential 3 (R-3-10) to Multi-family Residential (R-3-6) and rezone the northern portion (0.37 acres) of APN 217-161-17 from Commercial (C) to Multi-Family Residential (R-3-6).

The Medium High Density Residential (MHDR) land use designation allows 20 to 30 dwelling units per acre. Based on the 2.6-acre project site, development could typically range from 52 to 78 dwelling units. However, due to site constraints, only a single access point is feasible. The San Marcos Fire Department limits residential development to no more than 50 dwelling units where a single access point is provided. In addition, compliance with the City's open space and recreation requirements, landscape requirements, building setback standards, and the project site's topography further limits the number of dwelling units that can be feasibly developed on the site. The zone's development standards only implement the maximum density allowed; due to these constraints, the City has agreed to a total of 46 dwelling units (approximately 18 dwelling units per acre), which is slightly below the maximum allowable 50 dwelling units.

While the modified project would require physical and regulatory changes, the project would be consistent with planned growth under the adopted 2021-2029 Housing Element Update. Additionally, as compared to the approved project, the modified project would reduce proposed structure heights to have a maximum height of 35 feet, 4 inches, which is under the 45-foot height limit of the R-3-6 Zone. The project would also be consistent with R-3-6 zone development standards as set forth in the City's Municipal Code Section 20.215.050, Table 20.215-4 (R-3 and Attached Residential Development Standards). Therefore, impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.12 Mineral Resources

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒

EXPLANATIONS:

a. Loss of Availability of a Known Mineral Resources

Approved Project

The MND determined that the City does not have any active mines or quarries, although two historical mining/quarry locations do exist within the corporate City limits; Meadowlark Ranch Quarry located in the Questhaven/La Costa Meadows Neighborhood and the former mine near Village Drive at Twin Oaks Valley Road. The areas around the approved project site are not being used for the recovery of mineral resources and are not designated by the City's General Plan or other local, state, or federal land use plan for mineral resources recovery. Therefore, the approved project would not result in the loss of mineral resources, and no impact would occur.

Modified Project

No change in conditions has occurred regarding the loss of availability of a known mineral resource since adoption of the MND. Therefore, the modified project would not result in the loss of availability of a known mineral resource. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Loss of Availability of a Locally Important Mineral Resource

Approved Project

The MND determined that the approved project site is not designated as a locally important mineral resource recovery site in the City's General Plan, or any other specific plan or land use plan. No impact would occur.

Modified Project

No change in conditions has occurred regarding the loss of availability of a locally important mineral resource since adoption of the MND. Therefore, the modified project would not result in the loss of mineral resource recovery sites. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.13 Noise

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒
b. Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒
c. For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☒

EXPLANATIONS:

The modified project analysis in this section is based on the Noise Analysis prepared by RECON (Attachment 10; RECON 2026e).

a. Increase in Ambient Noise Levels*Approved Project***Construction Noise**

The MND determined that noise levels from construction of the approved project would range from 57 to 74 A-weighted decibels one-hour equivalent noise level [dB(A) L_{eq}] at the adjacent property

lines. The City's Municipal Code does not place noise limit restrictions on construction activities; however, the County noise level limit of 75 dB(A) L_{eq} is used by the City at residential uses. Construction activities under the approved project would generally occur over the period between 7:00 a.m. and 6:00 p.m. on weekdays. Although the existing adjacent uses would be exposed to construction noise levels that may be heard above ambient conditions, the exposure would be temporary and would not exceed 75 dB(A) L_{eq} . As construction activities associated with the approved project would comply with the time limits established in Section 10.24.020 (b)(9) of the City's Municipal Code, temporary increases in noise levels from construction activities would be less than significant.

On-Site Traffic and Rail Noise

The MND determined that the main sources of exterior noise are vehicle traffic on South Santa Fe Avenue and North Las Flores Drive as well as the Sprinter on the adjacent rail line. The exterior noise level standard for multi-family uses is 65 community noise equivalent level (CNEL). This standard is applicable at exterior use areas which included the patios, balconies, and the open play lawn, tot lot, and seating areas on the western side of the approved buildings. The approved project's exterior noise levels were projected to range from 45 to 63 CNEL at the outdoor use areas and building façade. Therefore, noise levels would be compatible with the City's exterior multi-family noise level standard of 65 CNEL and exterior noise impacts would be less than significant.

The MND determined that the interior noise level standard is 45 CNEL. Interior noise levels can be reduced through standard construction techniques. When windows are closed, standard construction techniques provide various exterior-to-interior noise level reductions depending on the type of structure and window. Standard light-frame construction would reduce exterior to interior noise levels by at least 20 dB. Therefore, interior noise levels would be 43 CNEL or less and were not projected to exceed the interior noise level standard of 45 CNEL. Interior noise impacts would be less than significant.

Off-Site Traffic Noise

The MND determined that additional vehicle trips associated with the approved project would increase noise levels on nearby roadways. A noise increase of 3 dB or more would be considered significant because 3 dB is the level at which an increase in noise is perceptible to a person. It was calculated that the approved project would result in traffic-related noise level increases ranging from 1.3 dB to 2.5 dB over existing noise levels. The approved project would not result in a direct or cumulative noise increase of more than 3 dB. Therefore, the approved project would result in less than significant direct and cumulative impact related to traffic noise.

On-Site Generated Noise

The project site is surrounded by single-family residential uses to the northeast and southeast, multi-family residential uses to the east, a mobile home park to the south, a commercial use to the southwest, and industrial uses to the west and north. The applicable daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) Noise Ordinance limits are 60 dB(A) L_{eq} and 50 dB(A) L_{eq} at the single family residential uses, 65 dB(A) L_{eq} and 55 dB(A) L_{eq} at the multi-family residential and mobile home park uses, 65 dB(A) L_{eq} and 55 dB(A) L_{eq} at the commercial uses, and 65 dB(A) L_{eq} and

60 dB(A) L_{eq} at the industrial uses. The MND determined that noise sources from operation of the approved project are anticipated to be those that would be typical of any residential use, such as vehicles arriving and leaving, children at play, and landscape maintenance machinery. None of these noise sources were anticipated to violate the City's Municipal Code. Rooftop heating, ventilation, and air conditioning (HVAC) noise levels were modeled at the adjacent properties. HVAC noise levels would range from 33 to 44 dB(A) L_{eq} . Therefore, noise levels would not exceed the applicable Noise Ordinance limits at the property lines and impacts would be less than significant.

Modified Project

Construction Noise

Modified project construction noise would be generated by diesel engine-driven construction equipment used for site preparation and grading, building construction, loading, unloading, and placing materials and paving. Diesel engine-driven trucks would bring materials to the site and transport soils excavated from the site for off-site disposal. Average construction noise levels were calculated for the simultaneous operation of three common pieces of construction equipment: dozer, excavator, and loader. FTA guidance recommends analyzing the two noisiest pieces of construction equipment (FTA 2018); therefore, this is a conservative assessment. Noise levels were modeled at a series of 17 receivers located at the adjacent uses (Figure 8).

As shown in Table 9, construction noise levels for the modified project would range from 56 to 73 dB(A) L_{eq} at the adjacent property lines. The City's Municipal Code does not place noise limit restrictions on construction activities; however, the County of San Diego commonly applies a noise level limit of 75 dB(A) L_{eq} at residential uses. Construction activities would generally occur over the period between 7:00 a.m. and 6:00 p.m. on weekdays. Although the existing adjacent uses would be exposed to construction noise levels that may be heard above ambient conditions, the exposure would be temporary and would not exceed 75 dB(A) L_{eq} . As construction activities associated with the approved project would comply with the time limits established in Section 10.24.020 (b)(9) of the City's Municipal Code, temporary increases in noise levels from construction activities would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.



- Project Boundary
- Off-site Improvements
- Receivers

Construction Noise

- 60 dB(A) L_{eq}
- 65 dB(A) L_{eq}
- 70 dB(A) L_{eq}
- 75 dB(A) L_{eq}

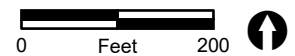


FIGURE 8
Construction Noise Contours

Table 9 Construction Noise Levels		
Receiver	Land Use	Noise Level [dB(A) L_{eq}]
1	Single-Family Residential	58
2	Single-Family Residential	60
3	Single-Family Residential	61
4	Single-Family Residential	60
5	Single-Family Residential	59
6	Multi-Family Residential	56
7	Multi-Family Residential	58
8	Multi-Family Residential	68
9	Multi-Family Residential	70
10	Single-Family Residential	63
11	Mobile Home Park	66
12	Mobile Home Park	65
13	Mobile Home Park	61
14	Mobile Home Park	59
15	Industrial	68
16	Industrial	66
17	Industrial	73
18	Commercial	73
dB(A) L_{eq} = A-weighted decibels equivalent noise level SOURCE: Attachment 10; RECON Environmental, Inc. 2026e		

It should be noted that the modified project would also include trucks to haul 20,100 cubic yards of export soil off-site during the grading phase. Based on CalEEMod modeling prepared as part of the Air Quality Analysis, this results in approximately 105 daily truck trips over a one-month period. These truck trips are not anticipated to result in a significant noise impact because the trucks would be subject to CARB's idling restrictions while loading on-site thereby generating average hourly noise levels less than those summarized in Table 9, and once they leave the project site, they would travel along existing roadways and would not be located near any given receiver for a long period of time.

On-Site Traffic and Rail Noise

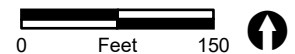
The main source of noise at the modified project site is vehicle traffic on South Santa Fe Avenue and North Las Flores Drive as well as the Sprinter on the adjacent rail line. The exterior noise level standard for multi-family uses is 65 CNEL. This standard is applicable at exterior use areas which include second- and third-floor balconies, rooftop decks, and the five proposed amenity areas consisting of active play areas and passive gathering areas. These amenity areas are located on the south side of Building 1, on the north side of Building 2, on the east side of Building 4, on the north side of Building 5, and between Buildings 6 and 7 (refer to Figure 3, Modified Project Site Plan). As shown in Table 10, without consideration of any noise barriers, exterior noise levels are projected to range from 42 to 70 CNEL at the building façades and amenity areas. Noise levels would be compatible with the City's exterior multi-family noise level standard of 65 CNEL at all locations except the amenity area on the south side of Building 1 (Receiver 1) and the south and east sides of Building 1 facing the roadways (Receivers 8 and 9; Figure 9). In order to reduce noise levels at these locations, the project would include a 6-foot barrier adjacent to the amenity area south of Building 1, and a solid 3.5-foot barrier on the balconies located on the south and east sides of Building 1 and on the south and east



- Project Boundary
- Off-site Improvements
- Receivers
- Site Plan
- Amenity Area A 6-foot Barrier
- Buildings

Vehicle and Rail Noise

- 50 CNEL
- 55 CNEL
- 60 CNEL
- 65 CNEL



sides of the Building 1 roof deck. With construction of these barriers, exterior noise levels would be reduced to less than 65 CNEL and exterior noise impacts would be less than significant; refer to Attachment 10 (RECON 2026e) for additional details.

Table 10 Future Vehicle and Rail Traffic Noise Levels				
Receiver	Location	Exterior Noise Level (CNEL)		
		First-Floor	Second-Floor	Third-Floor
1	Amenity Area A	68	--	--
2	Amenity Area B	46	--	--
3	Amenity Area C	50	--	--
4	Amenity Area D	46	--	--
5	Amenity Area E	54	--	--
6	Amenity Area E	42	--	--
7	Building 1	61	63	65
8	Building 1	67	69	70
9	Building 1	63	65	66
10	Building 1 and 2	49	53	55
11	Building 2	57	61	61
12	Building 2	46	50	52
13	Building 2	54	58	60
14	Building 3	54	55	56
15	Building 3	58	60	61
16	Building 3	57	60	60
17	Building 3 and 4	45	49	51
18	Building 4	51	55	59
19	Building 4	48	51	52
20	Building 4	46	51	52
21	Building 5	46	50	51
22	Building 5	45	49	50
23	Building 5	48	54	56
24	Building 5 and 6	43	49	50
25	Building 6	51	56	57
26	Building 6	55	58	59
27	Building 6	49	53	55
28	Building 7	43	45	49
29	Building 7	47	56	60
30	Building 7	59	63	65
31	Building 7	54	56	58
CNEL = community noise equivalent level				
Bold = Exceeds 65 CNEL				
SOURCE: Attachment 10; RECON Environmental, Inc. 2026e				

The interior noise level standard is 45 CNEL. Interior noise levels can be reduced through standard construction techniques. When windows are closed, standard construction techniques provide various exterior-to-interior noise level reductions depending on the type of structure and window. Standard light-frame construction would reduce exterior to interior noise levels by at least 20 dB (FHWA 2011). With the installation of windows with an STC rating of 25 or higher for units located on the south and east sides of Building 1, interior noise levels within the units in Building 1 would be reduced

to 45 CNEL and interior noise levels would be less than significant. Interior noise levels at all other buildings would be 45 CNEL with standard light frame construction and without consideration of specific building components. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Off-Site Traffic Noise

The additional vehicle trips associated with the modified project would increase noise levels on nearby roadways. A noise increase of 3 dB or more would be considered significant because 3 dB is the level at which an increase in noise is perceptible to a person. As shown in Table 11, the modified project would not result in a direct or cumulative noise increase of more than 3 dB. Therefore, the modified project would result in less than significant direct and cumulative impacts related to traffic noise. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Table 11 Traffic Noise Level with and without Project and Ambient Noise Increases (CNEL)										
Roadway Segment	Existing			Near-Term (Year 2027)			Future (Year 2050)			Cumulative Increase Over Existing
	No Project	Project	Increase	No Project	Project	Increase	No Project	Project	Increase	
S. Santa Fe Avenue										
Similax Road to Bosstick Boulevard	71.3	71.3	0.0	71.6	71.7	0.1	73.0	73.1	0.1	1.8
Bosstick Boulevard to Community Drive	71.8	71.8	0.0	72.1	72.2	0.1	73.0	73.1	0.1	1.3
Community Drive to N. Las Flores Drive	71.8	71.9	0.1	72.1	72.2	0.1	73.0	73.1	0.1	1.3
N. Las Flores Drive to N. Rancho Santa Fe Road	71.2	71.3	0.1	71.6	71.6	0.0	72.9	72.9	0.0	1.7
N. Rancho Santa Fe Road to N. Pacific Street	69.8	69.8	0.0	70.1	70.1	0.0	72.3	72.3	0.0	2.5
Hollencrest Road										
De Leone Road to Hollenbeck Road	52.7	53.0	0.3	53.1	53.4	0.3	54.4	54.6	0.2	1.9
N. Rancho Santa Fe Avenue										
S. Santa Fe Avenue to Capalina Road	69.1	69.2	0.1	69.5	69.5	0.0	70.7	70.7	0.0	1.6
NOTE: Increase calculations may vary due to independent rounding.										
SOURCE: Attachment 10; RECON Environmental, Inc. 2026e										

On-Site Generated Noise

The primary noise sources on-site would be HVAC equipment. Rooftop HVAC equipment that would have the potential to produce noise in excess of City limits (see Table 12). Noise levels were modeled at a series of 17 receivers located at the adjacent properties. Noise generated by HVAC equipment would occur on an intermittent basis, primarily during the day and evening hours and less frequently during the nighttime hours. For a worst-case analysis, it was assumed that the HVAC units would operate at maximum capacity during the daytime and nighttime hours.

Table 12 Municipal Code Property Line Noise Standards		
Zone	Time	Allowable Property Line Noise Level [dB(A) L_{eq}]
Single-Family Residential (A, R-1, R-2)	7:00 a.m. to 10:00 p.m.	60
	10:00 p.m. to 7:00 a.m.	50
Multi-Family Residential (R-3)	7:00 a.m. to 10:00 p.m.	65
	10:00 p.m. to 7:00 a.m.	55
Commercial (C, O-P, SR)	7:00 a.m. to 10:00 p.m.	65
	10:00 p.m. to 7:00 a.m.	55
Industrial	7:00 a.m. to 10:00 p.m.	65
	10:00 p.m. to 7:00 a.m.	60
SOURCE: Section 20.300.070(f) Table 20.300-4, San Marcos Municipal Code Title 20 – Zoning Code dB(A) L_{eq} = A-weighted decibels equivalent noise level SOURCE: Attachment 10; RECON Environmental, Inc. 2026e		

HVAC noise levels were modeled at a series of 17 receivers located at the adjacent properties (Figure 10). Future projected noise levels are summarized in Table 13. As shown, HVAC noise levels would range from 33 to 42 dB(A) L_{eq} . Therefore, noise levels would not exceed the applicable Noise Ordinance limits at the property lines and impacts related to on-site generated noise would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Table 13 HVAC Noise Levels at Adjacent Properties			
Receiver	Land Use	Noise Level [dB(A) L_{eq}]	Noise Ordinance Limit Daytime/Nighttime [dB(A) L_{eq}]
1	Single Family Residential	33	60/50
2	Single Family Residential	35	60/50
3	Single Family Residential	36	60/50
4	Single-Family Residential	35	60/50
5	Single-Family Residential	34	60/50
6	Multi-Family Residential	34	65/55
7	Multi-Family Residential	35	65/55
8	Multi-Family Residential	42	65/55
9	Multi-Family Residential	41	65/55
10	Single-Family Residential	35	60/50
11	Mobile Home Park	36	65/55
12	Mobile Home Park	36	65/55
13	Mobile Home Park	35	65/55
14	Mobile Home Park	34	65/55
15	Industrial	39	65/60
16	Industrial	38	65/60
17	Industrial	40	65/60
dB(A) L_{eq} = A-weighted decibels equivalent noise level SOURCE: Attachment 10; RECON Environmental, Inc. 2026e			



- Project Boundary
- Off-site Improvements
- Receivers
- HVAC
- Site Plan
- Buildings

HVAC Noise

- 30 dB(A) L_{eq}
- 35 dB(A) L_{eq}
- 40 dB(A) L_{eq}
- 45 dB(A) L_{eq}

0 Feet 200



FIGURE 10
HVAC Noise Contours

b. Ground Borne Vibration or Ground Borne Noise Levels

Approved Project

The MND determined that the City's Municipal Code does not place noise limit restrictions on construction activities; however, other jurisdictions commonly apply a noise level limit of 75 dB(A) L_{eq} at residential uses and the City uses the County of San Diego's 75 dB(A) L_{eq} limit at the adjacent property lines. Construction activities would generally occur over the period between 7:00 a.m. and 6:00 p.m. on weekdays.

Although the existing adjacent uses would be exposed to construction noise levels that may be heard above ambient conditions, the exposure would be temporary and would not exceed 75 dB(A) L_{eq} . As construction activities associated with the approved project would comply with the time limits established in Section 10.24.020(b)(9) of the City's Municipal Code, temporary increases in noise levels from construction activities causing ground borne vibration or ground borne noise levels would be less than significant.

Construction has the potential to result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and operations involved. Ground vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. The effects of ground vibration may be imperceptible at the lowest levels, low rumbling sounds and detectable vibrations at moderate levels, and damage to nearby structures at the highest levels. Vibration perception would occur at structures, as people do not perceive vibrations without vibrating structures.

Human reaction to vibration is dependent on the environment the receiver is in as well as individual sensitivity. For example, vibration outdoors is rarely noticeable and generally not considered annoying. Typically, humans must be inside a structure for vibrations to become noticeable and/or annoying. Based on several federal studies, the threshold of perception is 0.035 inches per second (in/sec) peak particle velocity (PPV), with 0.24 in/sec PPV being a distinctly perceptible (Caltrans 2020). Based on vibration standards developed by the Federal Transit Administration, the criterion for building damage caused by construction vibration is 0.2 in/sec in PPV.

Construction equipment associated with the approved project included loaded trucks, excavators, small dozers, and loaders. Vibration levels from these pieces of equipment would generate vibration levels with a PPV ranging from 0.035 to 0.076 in/sec PPV at 25 feet. A vibration level of 0.076 in/sec PPV at 25 feet would be 0.2 in/sec at 10 feet. The nearest structure is located approximately 25 feet from the approved project footprint. Thus, vibration levels would be 0.076 in/sec or less. Therefore, vibration levels are not anticipated to exceed 0.2 in/sec PPV. Operation of the approved project would not generate groundborne vibration.

Modified Project

Vibration impacts associated with the modified project would be the same as those associated with the approved project. The nearest structure is located approximately 25 feet from the modified project footprint, and construction of the modified project would include the same equipment required for the approved project. As discussed, vibration levels would be 0.076 in/sec or less at the

nearest structure. Therefore, vibration levels are not anticipated to exceed 0.2 in/sec PPV. Operation of the modified project would not generate groundborne vibration. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c. Expose People Residing or Working in the Area to Excessive Noise Levels

Approved Project

The MND determined that the closest airport to the approved project site is the McClellan-Palomar Airport, which is located 4.3 miles to the southwest. The approved project site is located well outside the 60 CNEL noise contour for aircraft operations at McClellan-Palomar Airport. Thus, the approved project would not expose people residing or working in the project area to excessive noise levels resulting from proximity to a private airstrip and impacts would be less than significant.

Modified Project

The McClellan-Palomar Airport remains the closest airport to the project site. The modified project site would include an additional 0.37-acre portion of APN 217-161-17. The 0.37 acres are located the same distance to the McClellan-Palomar Airport as the approved project site. The overall project site remains outside of the 60 CNEL noise contour for aircraft operations at McClellan-Palomar Airport. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.14 Population and Housing

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒

EXPLANATIONS:**a. Unplanned Population Growth***Approved Project*

The MND determined that the approved project would require a GPA to change the land use from Commercial (C) and Light Industrial (L-I) to Medium Density Residential 2 (MDR2) and a rezone to change the zone from Commercial (C) and Light Industrial (L-I) to Multi-Family Residential (R-3-10). While the approved project would present additional housing, the housing would be consistent with planned growth under the adopted 2021-2029 Housing Element Update. Additionally, the approved project site has access to existing water, sewer, and storm water infrastructure within South Santa Fe Avenue. Impacts related to population growth would be less than significant.

Modified Project

The modified project would require a GPA from Medium Density Residential 2 (MDR2) to Medium High Density Residential (MHDR) for APNs 217-161-18 and 217-161-19, and a GPA from Commercial (C) to Medium High Density Residential (MHDR) for 0.37 acres of APN 217-161-17. Additionally, the project would rezone APNs 217-161-18 and 217-161-19 from Multi-Family Residential 3 (R-3-10) to Multi-Family Residential (R-3-6) and rezone 0.37 acres of APN 217-161-17 from Commercial (C) to Multi-Family Residential (R-3-6). The modified project would construct 46 townhomes, which would be four fewer units than the approved project. The proposed housing would be similarly consistent with planned growth under the adopted 2021-2029 Housing Element Update. The modified project site has access to existing water, sewer, and storm water infrastructure within South Santa Fe Avenue and would not indirectly induce substantial unplanned population growth through the extension of such infrastructure to areas that are currently unserved. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Displace Existing People or Housing, Necessitating the Construction of Housing Elsewhere*Approved Project*

The MND determined that the approved project site was vacant at the time of approval. As such, the approved project would not displace existing people or housing, and no impact would occur.

Modified Project

The modified project site would include an additional 0.37-acre portion of APN 217-161-17. The southern portion of APN 217-161-17 is currently developed with a liquor store, Gourmet Liquor, which is not part of the project and would remain, and the northern portion consists of undeveloped, previously graded land similar to APNs 217-161-18 and 217-161-19. Therefore, the approved project would not displace people or housing. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.15 Public Services

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
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:			
i. Fire protection?	☐	☐	☒
ii. Police protection?	☐	☐	☒
iii. Schools?	☐	☐	☒
iv. Parks?	☐	☐	☒
v. Other public facilities?	☐	☐	☒

EXPLANATIONS:**a.i. Fire Protection***Approved Project*

The MND determined that the San Marcos Fire Department would service the approved project. The station closest to the approved project site is Fire Station No. 1, located approximately 2.6 miles southeast at 180 West Mission Road. The approved project site is within the existing service area of San Marcos Fire Department, and on-site construction would comply with applicable Fire Code requirements. New fire protection facilities were not anticipated at the time of project approval. However, development of the approved project would contribute to the incremental increase in demand for fire protection services city-wide. The MND identified mitigation measure PS-1, which requires participation in the Community Facilities District (CFD; 2001-01; Fire and Paramedic). Implementation of mitigation measure PS-1 would reduce potential impacts on fire protection services resulting from implementation of the approved project to a less than significant level.

Modified Project

Development of the modified project would contribute to the incremental increase in demand for fire protection services city-wide. As identified in the MND, the modified project would comply with mitigation measure PS-1, which requires participation in the Community Facilities District (CFD 2001-01) (Fire and Paramedic). Implementation of mitigation measure PS-1 would reduce potential impacts on fire protection services resulting from implementation of the modified project to a less than significant level. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

a.ii. Police Protection*Approved Project*

The MND determined that San Diego County Sheriff's Department San Marcos Station would service the approved project. The station is located at 182 Santar Place, San Marcos, California 92069, approximately 4.6 miles east of the approved project site. Development of the approved project would contribute to the incremental increase in demand for police protection services city-wide. The MND identified mitigation measure PS-2, which requires the project applicant to annex the site into the preexisting CFD for Police Services (CFD 98-01, Improvement Area No. 1). Implementation of mitigation measure PS-2 would reduce potential impacts on police protection services resulting from implementation of the approved project to a less than significant level.

Modified Project

Development of the modified project would contribute to the incremental increase in demand for police protection services city-wide. As identified in the MND, the modified project would comply with mitigation measure PS-2, which requires participation in the CFD for Police Services (CFD 98-01, Improvement Area No. 1). Implementation of mitigation measure PS-2 would reduce potential impacts on police protection services resulting from implementation of the modified project to a less than significant level. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

a.iii. Schools*Approved Project*

The MND determined that the approved project site is located within the San Marcos Unified School District (SMUSD). SMUSD collects residential and commercial developer fees for projects within its service area to support costs of construction and expansion of school facilities. At the time of project approval, developer fees were \$4.38 per square foot for residential projects. The project applicant would have paid school mitigation fees pursuant to California Education Code Section 17620 et seq. and Government Code Sections 65995(h), 65996(b), and 65996(h) in effect at the time of building permit issuance, thereby ensuring impacts would be less than significant.

Modified Project

The modified project site is located within the SMUSD. Since approval of the MND, developer fees have increased to \$5.17 per square foot for residential projects. The project applicant shall pay school mitigation fees pursuant to California Education Code Section 17620 et seq. and Government Code Sections 65995(h), 65996(b), and 65996(h) in effect at the time of building permit issuance, thereby ensuring impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

a.iv. Parks*Approved Project*

The MND determined that the approved project would not increase demand on existing parks through the contribution of funds for the acquisition and development of local and community park facilities via the City's Public Facilities Fee (PFF). Impacts were determined to be less than significant.

Modified Project

Consistent with the approved project, the modified project would not increase demand on existing parks through the contribution of funds for the acquisition and development of local and community park facilities via the City's PFF. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

a.v. Other Public Facilities*Approved Project*

The MND concluded that the approved project would not result in an impact to any other public facilities. Impacts were determined to be less than significant.

Modified Project

The modified project would not result in an impact to any other public facilities; no change in circumstances has occurred since the MND was approved that would increase project demand for other public facilities (i.e., libraries, hospitals, etc.). No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures (Carried Forward from Approved MND)**Mitigation Measure PS-1**

Prior to the issuance of a grading permit, the applicant/developer/property owner shall submit an executed version of petition to annex into and establish, with respect to the property, the special taxes levied by the following Community Facility District: CFD 2001-01 (Fire and Paramedic).

Participation in the CFD will offset the cost of increases in necessary fire services resulting from implementation of the proposed project and impacts would be reduced to below a level of significance.

Mitigation Measure PS-2

Prior to the issuance of a grading permit, the applicant/developer/property owner shall submit an executed version of petition to annex into and establish, with respect to the property, the special taxes levied by the CFD 98-01 Improvement Area No. 1 (Police). Participation in the CFD would offset the cost of increases in necessary police protection services resulting from implementation of the proposed project and impacts would be reduced to below a level of significance.

4.16 Recreation

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒

EXPLANATIONS:

a. Increase the Use of Existing Parks or Recreational Facilities

b. Include Recreational Facilities or Require the Construction or Expansion of Recreational Facilities

Approved Project

The MND determined that the approved project would construct outdoor amenities including a playground and picnic tables. The approved project would not cause an increase in use in existing parks and recreational facilities, namely Valley View Park, approximately 1.9 miles east of the project site at 1399 Camino Del Sol, and Cerro de las Posas Park, approximately 2.2 miles east of the project site at 1387 West Borden Road. Additionally, it would not require the construction or expansion of new recreational facilities. The applicant would be required to pay the City's PFF, a portion of which is designated for parks. The PFF money would go towards the acquisition and development of local and community park facilities throughout the City. Payment of the PFF would be required prior to

issuance of a building permit. As such, the approved project would not have an adverse physical effect on the environment due to the construction of recreational facilities. Impacts would be less than significant.

Modified Project

The closest community parks to the modified project site are Valley View Park, located approximately 1.9 miles east of the project site at 1399 Camino Del Sol, and Cerro de las Posas Park, located approximately 2.2 miles east of the project site at 1387 West Borden Road. The modified project would not involve the provision or alteration of a new or existing park facility and would not require the construction or expansion of recreational facilities. The modified project also proposes five amenity areas for project residents consisting of active play areas and passive gathering areas. These amenity areas are located on the south side of Building 1, on the north side of Building 2, on the east side of Building 4, on the north side of Building 5, and between Buildings 6 and 7 (refer to Figure 3, Modified Project Site Plan). Further, the applicant would be required to pay the City's PFF, a portion of which is designated for parks. The PFF money would go towards the acquisition and development of local and community park facilities throughout the City. Payment of the PFF would be required prior to issuance of a building permit. As such, the modified project would not have an adverse physical effect on the environment due to the construction of recreational facilities. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.17 Transportation

Would the project:

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

EXPLANATIONS:

The modified project analysis in this section is based on the Local Transportation Analysis (see Attachment 3; LLG 2026) and the Vehicle Miles Traveled (VMT) Assessment (Attachment 11) prepared by LLG (2025).

a. Program Plan, Ordinance, or Policy*Approved Project*

The MND determined that transit service is provided to the approved project via North County Transit District bus routes 304 and 305. The approved project site is located within one-half mile walking distance, depending on ultimate pedestrian site access, from stop pairs serving both Route 304 and Route 305 located along South Santa Fe Avenue. The closest bus stops are located near the intersection of South Santa Fe Avenue/North Las Flores Drive and the intersection of South Santa Fe Avenue (Mission Road) and Rancho Santa Fe Road on both sides of the street. The approved project site is also approximately 1.25-mile walking or biking distance from Palomar College Station. Class II bike lanes are provided on South Santa Fe Avenue, from Bosstick Boulevard to slightly south of North Rancho Santa Fe Road (both sides); and North Rancho Santa Fe Road, along its entire length (both sides). In the City's *Bicycle and Pedestrian Master Plan*, no additional bike facilities are recommended along the study street segments. Therefore, the MND determined that the approved project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities.

The MND evaluated whether additional traffic generated by the project would impact acceptable operations of surrounding roadways. Specifically, Policy M-1.4 of the Mobility Element sets City standards for roadway operations at a level of service (LOS) D or better. Based on the established LOS standards, the approved project would add a small amount of traffic to the intersection of South Santa Fe Avenue/Smilax Road, which operates below City standards. However, the project contributes only 0.45 percent (15 trips) of the total combined AM and PM peak hour traffic to this intersection under near term conditions. The existing traffic conditions at this location are already substandard. The Local Transportation Analysis prepared for the approved project found that the provision of a traffic signal would result in acceptable LOS D or better operations and that a traffic signal is planned at the South Santa Fe Avenue/Smilax Road intersection as part of the City's Capital Improvement Project (CIP) 88179 (IP 4750). Since the existing traffic conditions at the intersection of South Santa Fe Avenue/Smilax Road are already substandard and the approved project would only contribute 15 trips of the total combined AM and PM peak hour traffic, the MND determined that traffic impacts from the approved project would be less than significant.

Modified Project

Consistent with the approved project, transit service is provided to the modified project via North County Transit District bus routes 304 and 305. The modified project site is located within one-half mile walking distance, depending on ultimate pedestrian site access, from stop pairs serving both Route 304 and Route 305 located along South Santa Fe Avenue. The closest bus stops are located near the intersection of South Santa Fe Avenue/North Las Flores Drive and the intersection of South Santa Fe Avenue (Mission Road) and Rancho Santa Fe Road on both sides of the street. The modified

project site is also approximately 1.25-mile walking or biking distance from Palomar College Station. Currently, Class II bike lanes are provided on South Santa Fe Avenue, from Bosstick Boulevard to slightly south of North Rancho Santa Fe Road (both sides); and North Rancho Santa Fe Road, along its entire length (both sides). Subsequent to approval of the MND, the City Council approved an Active Transportation Plan as part of the General Plan in August 2024. According to Table 5, *Interim Pedestrian Prioritization*, and Table 8, *Ultimate Bike Prioritization*, in the Active Transportation Plan (2024), the ultimate conditions for South Santa Fe Avenue/Mission Road include a Class IV bikeway and new sidewalk. The modified project would meet these requirements by providing an 8-foot-wide irrevocable offer of dedication along the project frontage on South Santa Fe Avenue/Mission Road to support construction of future bicycle and pedestrian facilities by others. Therefore, the modified project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities.

The Local Transportation Analysis prepared for the modified project evaluated whether traffic generated by the modified project would impact acceptable operations of surrounding roadways. Specifically, Policy M-1.4 of the Mobility Element sets City standards for roadway operations at a LOS D or better. As discussed in the Local Transportation Analysis (see Attachment 3; LLG 2026), the modified project would add 20 peak hour trips to the intersection of South Santa Fe Avenue/Smilax Road, which operates at LOS F, below City standards. This amounts to 0.58 percent of the total combined AM and PM peak hour traffic at this intersection under near-term conditions. The Local Transportation Analysis found that provision of a traffic signal would result in acceptable LOS D or better operations, and a traffic signal is planned at the South Santa Fe Avenue/Smilax Road intersection as part of the City's CIP 88179 (IP 4750). Since the existing traffic conditions at the intersection of South Santa Fe Avenue/Smilax Road are already substandard and the modified project would contribute less than one percent of the total combined AM and PM peak hour traffic, traffic impacts from the modified project would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. CEQA Guidelines Section 15064.3, Subdivision (b)

Approved Project

The MND determined that in accordance with SANDAG's online residential VMT map, the approved project site is located within Census Tract 200.18. The VMT per capita of this Census Tract is 15.4 VMT, which is 81.2 percent of the SANDAG regional average of 19.0 VMT per capita. Therefore, the approved project would meet the criteria for residential projects proposed in census tracts with residential VMT per capita below the City's threshold of exceeding 85 percent of the SANDAG regional average and impacts would be less than significant.

Modified Project

As discussed in the VMT Assessment (see Attachment 11; LLG 2025), the modified project site is located within Census Tract 200.18. The VMT per capita of this Census Tract is 15.4 VMT, which is 81.2 percent of the SANDAG regional average of 19.0 VMT per capita. Therefore, the modified project would meet the criteria for residential projects proposed in census tracts with residential VMT per capita below the City's threshold of exceeding 85 percent of the SANDAG regional average and

impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c. Hazards Due to a Geometric Design Feature

Approved Project

The MND determined that access to the approved project would be via the existing driveway to South Santa Fe Avenue, which the Gourmet Liquor store currently utilizes. This driveway is limited to right turns in and out only by the raised median within South Santa Fe Avenue. The approved project would not include driveway access from North Las Flores Drive. All proposed roadway improvements would be required to comply with the City's Street Design Standards, which require streets to be designed to current City standards and final pavement approval by the Public Works Director before installation. Therefore, implementation of the approved project would not substantially increase hazards due to a geometric design feature, and impacts would be less than significant.

Modified Project

Access to the modified project site would be provided via a single right-in/right-out only driveway on South Santa Fe Avenue. The modified project would not include driveway access from North Las Flores Drive. All proposed roadway improvements would be required to comply with the City's Street Design Standards, which require streets to be designed to current City standards and final pavement approval by the Public Works Director before installation. Therefore, implementation of the modified project would not substantially increase hazards due to a geometric design feature, and impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

d. Inadequate Emergency Access

Approved Project

The MND determined that access to the approved project site would be restricted to right-in/right-out movements via South Santa Fe Avenue. All future roadway improvements would be required to comply with the California Fire Code, adopted by reference in the City's Municipal Code Chapter 17.64 and Section 17.64.120, which requires the width of an unobstructed roadway to measure no less than 24 feet to provide adequate access for fire and emergency responders. Therefore, the approved project would not result in inadequate emergency access. Therefore, impacts would be less than significant.

Modified Project

Access to the modified project site would be restricted to right-in/right-out movements via South Santa Fe Avenue. All future roadway improvements would be required to comply with the California Fire Code, adopted by reference in the City's Municipal Code Chapter 17.64 and Section 17.64.120, which requires the width of an unobstructed roadway to measure no less than 24 feet to provide adequate access for fire and emergency responders. Therefore, the modified project would not result

in inadequate emergency access. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.18 Tribal Cultural Resources

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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:			
i. 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)?	☐	☐	☒
ii. 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☐	☒

EXPLANATIONS:**a.i. Listed or Eligible for Listing****a.ii. Significant Resources Pursuant to Criteria Set Forth in Subdivision (c) of Public Resources Code Section 5024.1***Approved Project*

As described in Section 4.5(a), the MND determined that the project site does not support any listed historic resources and the approved project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. This includes the California Register of Historical Resources, which is encoded by Public Resources Code Section 5024.1. The MND determined that the City formally notified California Native American tribes of the opportunity to consult via letter in accordance with SB 18 and AB 52 consultation processes in January and June of 2022, respectively. The formal SB 18 notification letters were sent to California Native American tribes as identified on the Native American Heritage Commission list while the AB 52 letters were sent to the Mesa Grande Band of Diegueno Mission Indians, San Luis Rey Band of Mission Indians, Rincon Band of Luiseño Indians, and Pechanga Band of Luiseño Indians. Formal consultation was requested by the Pechanga Band of Luiseño Indians, San Luis Rey Band of Mission Indians, and Rincon Band of Luiseño Indians.

As a result of the tribal consultation process, the City developed standard mitigation measures CR-1 through CR-4, as outlined under Section 4.5 above. Implementation of mitigation measures CR-1 through CR-4, which would require that an archaeological monitor and a TCA Native American Tribe monitor be present during earth-moving and grading activities, would reduce potential impacts to tribal cultural resources to a less than significant level.

Modified Project

If a project requires a GPA, SB 18 (Government Code §65352.3) mandates consultation with California Native American tribes. The modified project would require a GPA; therefore, in accordance with SB 18, the City sent opportunity to consult letters on March 18, 2025. In response to tribes that accepted consultation, the City provided the modified project's Cultural Resources Survey (see Attachment 5; RECON 2026c) on November 14, 2025, as noted in Table 14 below. As a result of consultation, a request was received to ensure that the City's current mitigation measures are incorporated into the environmental document, which the City has confirmed. Table 14 summarizes the City's consultation efforts.

Table 14 Tribal Consultation			
Tribe	Date Letter Mailed	Response Received	Date Cultural Resources Survey Emailed
San Luis Rey Band of Mission Indians	March 18, 2025	April 15, 2025; Accepted	November 14, 2025
Rincon Band of Luiseño Indians	March 18, 2025	March 28, 2025; Accepted	November 14, 2025
Pechanga Band of Mission Indians	March 18, 2025	April 23, 2025; Accepted	November 14, 2025
Pala Band of Mission Indians	March 18, 2025	March 24, 2025; Accepted	November 14, 2025

Consistent with the approved project, the modified project site does not contain any listed historic resources, including those listed on the California Register of Historical Resources pursuant to Public Resources Code Section 5024.1, and it would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. Additionally, consistent with the approved project, the modified project would be required to implement mitigation measures CR-1 through CR-4, which would reduce potential impacts to tribal cultural resources. Implementation of mitigation measures CR-1 through CR-4, which would require an archaeological monitor and a TCA Native American Tribe monitor be present during earth-moving and grading activities, would reduce potential impacts to tribal cultural resources to a less than significant level. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures (Carried Forward from the Approved MND)

Mitigation measures CR-1 through CR-4 as outlined in Section 4.5 above.

4.19 Utilities and Service Systems

Would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
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?	☐	☐	☒

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒
e. Comply with federal, state, and local management and reduction statutes and regulation related to solid waste?	☐	☐	☒

EXPLANATIONS:

The modified project analysis in this section is based on the Buena Sanitation District Letter dated July 17, 2025 (Attachment 12; City of Vista 2025a) and the Buena Sanitation District Letter dated September 3, 2025 (Attachment 13; City of Vista 2025b).

a. New or Expanded Water, Wastewater Treatment or Storm Water Drainage, Electric Power, Natural Gas, or Telecommunications Facilities

Approved Project

The MND determined that the approved project would require a sewer study and approval by the BSD and would be subject to all applicable improvement fees as determined by the BSD. Any improvements required by the sewer study would be in an existing public street right-of-way and no new significant environmental impacts would occur. The approved project would connect to existing sewer lines within South Santa Fe Avenue and would not require the construction of new wastewater treatment facilities that could cause significant environmental effects. A Water Supply Study was prepared by VID for the approved project. As concluded in the Water Supply Study, the approved project would connect to existing public water lines in South Santa Fe Avenue and would not require construction of off-site water facilities that could cause significant environmental effects. Connections to existing sewer and water lines would be within the developed right-of-way. All public water facilities, including services and meters, would be designed and constructed in accordance with current City Water Facility Design Guidelines and regulations.

The approved project would provide an electrical, natural gas, and telecommunication connection to each unit. Potential impacts associated with construction of proposed on-site facilities have been considered within the approved MND. The approved project would not require construction of off-site electrical, natural gas, and telecommunication facilities or expansion of existing facilities. Impacts would be less than significant.

Modified Project

Water and Sewer

Like the approved project, the modified project would not require the construction of off-site water facilities or expansion of existing facilities that could cause significant environmental effects. All private water facilities on-site would be designed and constructed in accordance with the requirements of the California Uniform Plumbing Code and would connect to existing public water lines within South Santa Fe Avenue. South Santa Fe Avenue is a developed public right-of-way and potential environmental effects that may result from construction are analyzed throughout this addendum. All public water facilities, including services and meters, would be designed and constructed in accordance with current City Water Facility Design Guidelines and regulations. Furthermore, VID confirmed with the City that the study prepared for the approved project is sufficient for the modified project. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Wastewater Treatment

Like the approved project, the modified project would connect to the existing sewer line within South Santa Fe Avenue. South Santa Fe Avenue is a developed public right-of-way and potential environmental effects that may result from construction are analyzed throughout this addendum. On July 17, 2025, the BSD provided an updated sewer service letter for the modified project (Attachment 12; City of Vista 2025a). An additional letter was provided by BSD on September 13, 2025 (Attachment 13; City of Vista 2025b). As discussed in both letters, BSD infrastructure is available to service the modified project and has sufficient capacity; however, the site is not located within the BSD boundary. As a condition of project approval, the modified project would be required to receive an approved Out of Area Service Agreement from San Diego LAFCO for BSD to provide sewer services. Additionally, as stated in the BSD letter dated September 13, 2025 (see Attachment 13), the modified project applicant would be required to provide a proportional cost-share contribution towards sewer capacity improvements. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Storm Water Drainage

As discussed under Section 4.10.c.iii. above, storm water runoff would be collected on-site in a proposed storm drain system and conveyed to the proposed proprietary biofiltration system and subsequently, the proposed underground storage facilities to treat and detain runoff prior to discharging off-site.. Two storm drain systems, each with their own BMPs, are proposed on-site to maintain the site's historical points of discharge to the public storm drain system within South Santa Fe Avenue. South Santa Fe Avenue is a developed public right-of-way and potential environmental effects that may result from construction are analyzed throughout this addendum.

No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Electric Power, Natural Gas, and Telecommunications Facilities

As described in Section 4.14.a. above, the modified project would accommodate population growth that is already anticipated within the City, and therefore, would be consistent with the growth assumptions utilized to forecast demand for electric power, natural gas, and telecommunications. Consequently, the project would not require relocation or construction of new or expanded off-site electric power, natural gas, or telecommunications facilities.

The modified project would include an electrical, natural gas, and telecommunication connection for each townhome, all of which would be located within the project footprint. Consequently, potential impacts associated with construction of proposed on-site facilities have been considered within this environmental document. The project would not require construction of off-site electrical, natural gas, and telecommunication facilities or expansion of existing facilities, and impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Water Supplies

Approved Project

A Water Supply Study was prepared for the approved project by the VID which would supply water service to the site. The Water Study determined that the projected average annual water demand for the approved project is 8,140 gallons per day (gpd). The Water Supply Study prepared for the approved project concluded that the required fire flow demand of 1,500 gallons per minute can be met at both proposed private fire hydrants within the development and no existing system deficiencies were identified in any pipe segments in the vicinity of the development. Furthermore, the approved project would install a water service and master meter sized to accommodate the development and connect to VID's 10-inch main in South Santa Fe Avenue, install a reduced pressure detector assembly and fire service connected to VID's main in South Santa Fe Avenue, and install an 8-inch minimum private fire system sized to serve the project. Therefore, the approved project would not require new or expanded entitlements. Impacts would be less than significant.

Modified Project

The modified project would construct four fewer dwelling units than the approved project. Therefore, the annual water demand for the modified project would be less than the approved project, and the project would not substantially change anticipated service provisions by the VID. Furthermore, the modified project would install a water service and master meter sized to accommodate the development and connect to VID's 10-inch main in South Santa Fe Avenue, install a reduced pressure detector assembly and fire service connected to VID's main in South Santa Fe Avenue, and install an 8-inch minimum private fire system sized to serve the project. Therefore, the modified project would not require new or expanded entitlements. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c. Wastewater

Approved Project

The MND determined that the approved project would increase the demand for wastewater treatment as well as land outfall capacity. The approved project would require a sewer study and approval by the BSD and would be subject to all applicable improvement fees as determined by the BSD. The approved project would be required to pay the Capital Expansion and Capital Facility Funds (Fund 505 and Fund 510, respectively) which are used for revenues and expenses related to capacity expansion and development. BSD considers payment of these fees as mitigation for the increase in treatment need. Therefore, the approved project would not result in a determination by the wastewater treatment provider which serves the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments. Impacts would be less than significant.

Modified Project

On July 17, 2025, the BSD provided an updated sewer service letter for the modified project (see Attachment 12; City of Vista 2025a). An additional letter was provided by BSD on September 13, 2025 (see Attachment 13). As discussed in both letters, BSD infrastructure is available to service the modified project and has sufficient capacity; however, the site is not located within the BSD boundary. As a condition of project approval, the modified project would be required to receive an approved Out of Area Service Agreement from San Diego LAFCO for BSD to provide sewer services. Additionally, as stated in the BSD letter dated September 13, 2025 (see Attachment 13), the modified project applicant would be required to provide a proportional cost-share contribution towards capacity improvements. Therefore, the modified project would not result in a determination by the wastewater treatment provider which serves the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

d. Generate Solid Waste

Approved Project

The MND determined that the approved project would generate solid waste from operational uses. Solid waste service in the city is provided by a private franchise hauler, EDCO Waste and Recycling (EDCO), which handles all residential, commercial, and industrial collections within the city. Waste collected by EDCO is hauled to the Escondido Resources Recovery Transfer Station where it is then transported to the Sycamore Sanitary Landfill in Santee. At the time of project approval, the Escondido Resources Recovery Transfer Station had a permitted throughput of 3,223 tons per day, with a permitted capacity of 8,743 tons per day and the Sycamore Sanitary Landfill had a daily permitted capacity of 5,000 tons per day of solid waste, with a remaining capacity of 113,972,637 cubic yards with an anticipated closure date of December 31, 2042.

The MND determined that construction debris would be generated by the approved project. Construction debris recycling is available through EDCO, and the approved MND determined that

negligible solid waste generation was anticipated during project construction. At the time of project approval, the solid waste generation rate for multi-family land uses from CalRecycle was 4 pounds per dwelling unit per day. Therefore, the approved project was expected to generate approximately 200 pounds per day of solid waste during operation. This did not account for any waste diversion through recycling. Assuming a 50 percent diversion rate, to be conservative, the anticipated solid waste generated by the approved project during operation would be reduced to approximately 100 pounds per day. With consideration of the diversion rate, the approved project's solid waste generation during operation would be accommodated at the landfill based upon the available daily permitted capacity. Impacts would be less than significant.

Modified Project

The modified project would generate solid waste from operational uses. Solid waste service in the City is provided by a private franchise hauler, EDCO, which handles all residential, commercial, and industrial collections within the city. Waste collected by EDCO is hauled to the Escondido Resources Recovery Transfer Station where it is then transported to the Sycamore Sanitary Landfill in Santee. The Escondido Resources Recovery Transfer Station currently has a permitted throughput of 3,223 tons per day, with a permitted capacity of 10,643 tons per day and the Sycamore Sanitary Landfill has a daily permitted capacity of 5,000 tons per day of solid waste, with a remaining capacity of 99,477,838 cubic yards and an anticipated closure date of December 31, 2042 (CalRecycle 2025a, 2025b).

Construction debris would be generated by the modified project. Construction debris recycling is available through EDCO. Similar to the approved project, negligible solid waste generation is anticipated during construction of the modified project, in particular with adherence to applicable federal, state, and local regulations aimed at reducing landfill disposal of construction waste. The solid waste generation rate for multi-family land uses from CalRecycle is 4 pounds per dwelling unit per day (CalRecycle 2025c). Therefore, the modified project is expected to generate approximately 184 pounds per day of solid waste during operation. This does not account for any waste diversion through recycling. Assuming a 50 percent diversion rate, to be conservative, the anticipated solid waste generated by the modified project during operation would be reduced to approximately 92 pounds per day. With consideration of the diversion rate, the modified project's solid waste generation during operation would be accommodated at the landfill based upon the available daily permitted capacity. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

e. Comply Statutes and Regulation Related to Solid Waste

Approved Project

The MND determined that waste associated with construction and operation of the approved project would be disposed of properly via the Escondido Transfer Station managed by EDCO and the Sycamore Sanitary Landfill. The approved project would comply with existing regulations related to solid waste disposal. Additionally, the approved project would comply with the City's General Plan policies designed to reduce impacts to solid waste facilities, including Policy COS-10.1, Policy COS-10.2, and Policy COS-10.3. As the approved project would comply with all federal, state, and

City statutes and regulations related to solid waste, including proper handling of construction debris, impacts would be less than significant.

Modified Project

Waste associated with construction and operation of the modified project would be disposed of properly via the Escondido Transfer Station managed by EDCO and the Sycamore Sanitary Landfill. The modified project would comply with existing regulations related to solid waste disposal. Additionally, the modified project would comply with the City's General Plan policies designed to reduce impacts to solid waste facilities, including Policy COS-10.1, Policy COS-10.2, and Policy COS-10.3. As the modified project would comply with all federal, state, and City statutes and regulations related to solid waste, including proper handling of construction debris, impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒

EXPLANATIONS:**a. Adopted Emergency Response Plan or Emergency Evacuation Plan***Approved Project*

The MND determined that the approved project would not involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. All proposed internal roadways and project access points would comply with City standards for emergency and fire protection vehicles and distances. The approved project would comply with all design recommendations and requirements provided by the San Marcos Fire Department to ensure that emergency access meets City standards. Therefore, impacts would be less than significant.

Modified Project

The modified project would not alter the existing circulation network. All construction activities would be required to comply with the City's standards and regulations. Therefore, the modified project would not interfere with an adopted emergency response plan or emergency evacuation plan. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Exacerbate Wildfire Risks Due to Slope, Prevailing Winds, and Other Factors**c. Require Infrastructure that may Exacerbate Fire Risk****d. Downslope or Downstream Flooding or Landslides***Approved Project*

The MND determined that the approved project site is not located within a local, state, or federal fire hazard severity zone. Thus, impacts involving wildfire would not occur.

Modified Project

Since adoption of the MND, CAL FIRE has updated the FHSZ maps. Review of the updated CAL FIRE FHSZ maps shows that the modified project site is located within a Local Responsibility Area, meaning the financial responsibility of preventing and suppressing wildfires is primarily the responsibility of the local agency. In addition, the northeastern corner of the project site is mapped as a moderate FHSZ (CAL FIRE 2025). The modified project site is located within an urbanized portion of the City away from any urban/wildland interface. The modified project would be designed in accordance with applicable state and local fire codes and would be subject to review by the San Marcos Fire Department. Therefore, the modified project would not exacerbate fire risk or 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, and impacts would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

Mitigation Measures

None.

4.21 Mandatory Findings of Significance

Does the project:

Issue	New Potentially Significant Impact	New Mitigation Required	No New Impact/ No Impact
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒
b. 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 futures projects)?	☐	☐	☒
c. Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒

EXPLANATIONS:**a. Substantially Degrade the Quality of the Environment***Approved Project*

The MND determined that implementation of the approved project has the potential to result in significant impacts to biological resources, cultural resources, and tribal cultural resources. Given the implementation of the recommended mitigation measures, potential impacts would be mitigated to a less than significant level.

Modified Project

Consistent with the approved project, the modified project has the potential to result in significant impacts to biological resources, cultural resources, and tribal cultural resources. Given the implementation of the recommended mitigation measures, potential impacts would be mitigated to a less than significant level. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

b. Cumulative Impacts*Approved Project*

The MND determined that implementation of the approved project has the potential to result in cumulatively significant impacts to fire and police protection. Development of the approved project would contribute to the incremental increase in demand for fire and police protection services city-wide. Given the implementation of the recommended mitigation measures, cumulatively considerable impacts would be mitigated to a less than significant level.

Modified Project

Consistent with the approved project, the modified project has the potential to result in cumulatively significant impacts to fire and police protection. Development of the approved project would contribute to the incremental increase in demand for fire and police protection services city-wide. Given the implementation of the recommended mitigation measures, cumulatively considerable impacts would be mitigated to a less than significant level. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

c. Substantial Adverse Effects on Human Beings, Either Directly or Indirectly*Approved Project*

The MND determined that the approved project would be required to adhere to all applicable codes and regulations. Therefore, direct or indirect impacts on humans resulting from the approved project would be less than significant.

Modified Project

Consistent with the approved project, the modified project would be required to adhere to all applicable codes and regulations. Therefore, direct or indirect impacts on humans resulting from the approved project would be less than significant. No new or more severe impacts would occur as a result of the modified project, and no new mitigation would be required.

5.0 Mitigation Monitoring and Reporting Program (Relevant Measures Carried Over from the Approved Project)

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
Biological Resources			
BIO-1	If construction initiation occurs between March <u>February 1</u> and September 15, a pre-construction nesting bird and raptor survey of <u>within 300 feet of the project impact area</u> shall be completed by a qualified biologist prior to vegetation removal. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). If any active nests are detected, the area will be flagged and mapped along with a buffer as recommended by the qualified biologist. The buffer area(s) established by the qualified biologist will be avoided until the nesting cycle is complete or it is determined that the nest is no longer active. The qualified biologist shall be a person familiar with bird breeding behavior and capable of identifying the bird species of San Diego County by sight and sound and determining alterations of behavior as a result of human interaction. Buffers will be based on species-appropriate buffers and/or local topography and line of sight, species behavior and tolerance to disturbance, and existing disturbance levels, as determined appropriate by the qualified biologist.	If construction initiation occurs between March <u>February 1</u> and September 15.	Qualified Biologist; City of San Marcos
Cultural Resources			
CR-1: Pre-Excavation Agreement	Prior to the issuance of a Grading Permit, or ground disturbing activities, the Applicant/Owner shall enter into a Tribal Cultural Resources Treatment and Repatriation Agreement (Pre-Excavation Agreement) with a Traditionally and Culturally Affiliated Native American Tribe (TCA Tribe), identified in consultation with the City. The purpose of the Pre-Excavation Agreement shall be to formalize	Prior to the issuance of a Grading Permit, or ground disturbing activities.	Applicant/Owner and City of San Marcos

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection, treatment, and repatriation of Native American human remains, funerary objects, cultural and/or religious landscapes, ceremonial items, traditional gathering areas, and other tribal cultural resources. Such resources may be located within and/or discovered during ground disturbing and/or construction activities for the proposed project, including any additional culturally appropriate archaeological studies, excavations, geotechnical investigations, grading, preparation for wet and dry infrastructure, and other ground disturbing activities. Any project-specific monitoring plans and/or excavation plans prepared by the project archaeologist shall include the TCA Tribe requirements for protocols and protection of tribal cultural resources that were agreed to during the tribal consultation. The landowner shall relinquish ownership of all non-burial related tribal cultural resources collected during construction monitoring and from any previous archaeological studies or excavations on the project site to the TCA Tribe for proper treatment and disposition per the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction. The requirement and timing of such release of ownership, and the recipient thereof, shall be reflected in the Pre-Excavation Agreement. If the TCA Tribe does not accept the return of the cultural resources, then the cultural resources will be subject to curation.		
CR-2: Construction Monitoring	Prior to the issuance of a Grading Permit or ground disturbing activities, the Applicant/Owner or Grading Contractor shall provide written documentation (either as signed letters, contracts, or emails) to the City's Planning Division stating that a Qualified Archaeologist and Traditionally and Culturally Affiliated Native American monitor (TCA Native	Prior to the issuance of a Grading Permit or ground disturbing activities.	Applicant/Owner, Grading Contractor

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	American monitor) have been retained at the Applicant/Owner or Grading Contractor's expense to implement the construction monitoring program, as described in the Pre-Excavation Agreement. The Qualified Archaeologist and TCA Native American monitor shall be invited to attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to present the construction monitoring program. The Qualified Archaeologist and TCA Native American monitor shall be present on-site during grubbing, grading, trenching, and/or other ground disturbing activities that occur in areas of native soil or other permeable natural surfaces that have the potential to unearth any evidence of potential archaeological resources or tribal cultural resources. In areas of artificial paving, the Qualified Archaeologist and TCA Native American monitor shall be present on-site during grubbing, grading, trenching, and/or other ground disturbing activities that have the potential to disturb more than six inches below the original pre-project ground surface to identify any evidence of potential archaeological or tribal cultural resources. No monitoring of fill material, existing or imported, will be required if the General Contractor or developer can provide documentation to the satisfaction of the City that all fill materials being utilized at the site are either: (1) from existing commercial (previously permitted) sources of materials; or (2) are from private or other non-commercial sources that have been determined to be absent of tribal cultural resources by the Qualified Archaeologist and TCA Native American monitor. The Qualified Archaeologist and TCA Native American monitor shall maintain ongoing collaborative coordination with one another during all ground disturbing activities. The requirement for the construction monitoring program shall be noted on all applicable		

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall provide written notice to the Planning Division and the TCA Tribe, preferably through e-mail, of the start and end of all ground disturbing activities. Prior to the release of any grading bonds, or prior to the issuance of any project Certificate of Occupancy, an archaeological monitoring report, which describes the results, analysis, and conclusions of the construction monitoring shall be submitted by the Qualified Archaeologist, along with any TCA Native American monitor's notes and comments received by the Qualified Archaeologist, to the Planning Division Manager for approval. Once approved, a final copy of the archaeological monitoring report shall be retained in a confidential City project file and may be released, as a formal condition of AB 52 consultation, to the Pechanga Band of Luiseño Indians, the San Luis Rey Band of Mission Indians, and the Rincon Band of Luiseño Indians or any parties involved in the project specific monitoring or consultation process. A final copy of the report, with all confidential site records and appendices, will also be submitted to the South Coastal Information Center after approval by the City.		
CR-3: Unanticipated Discovery Procedures	Both the Qualified Archaeologist and the TCA Native American monitor may temporarily halt or divert ground disturbing activities if potential archaeological resources or tribal cultural resources are discovered during construction activities. Ground disturbing activities shall be temporarily directed away from the area of discovery for a reasonable amount of time to allow a determination of the resource's potential significance. Isolates and clearly non-significant archaeological resources (as determined by the Qualified Archaeologist, in consultation with the TCA Native American monitor) will be minimally documented in the field. All unearthed archaeological resources or	During ground disturbing activities.	Qualified Archaeologist and the TCA Native American monitor

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	tribal cultural resources will be collected, temporarily stored in a secure location (or as otherwise agreed upon by the Qualified Archaeologist and the TCA Tribe), and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction. If a determination is made that the archaeological resources or tribal cultural resources are considered potentially significant by the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor, then the City and the TCA Tribe shall determine, in consultation with the Applicant/Owner and the Qualified Archaeologist, the culturally appropriate treatment of those resources. If the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor cannot agree on the significance or mitigation for such resources, these issues will be presented to the Planning Division Manager for decision. The Planning Division Manager shall make a determination based upon the provisions of CEQA and California Public Resources Code Section 21083.2(b) with respect to archaeological resources and California Public Resources Section 21704 and 21084.3 with respect to tribal cultural resources, and shall take into account the religious beliefs, cultural beliefs, customs, and practices of the TCA Tribe. All sacred sites, significant tribal cultural resources, and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation. If avoidance of the resource is determined to be infeasible by the City as the Lead Agency, then the City shall require additional culturally appropriate mitigation to address the negative impact to the resource, such as, but not limited to, the funding of an ethnographic study and/or a data recovery plan, as determined by the City in consultation		

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	with the Qualified Archaeologist and the TCA Tribe. The TCA Tribe shall be notified and consulted regarding the determination and implementation of culturally appropriate mitigation and the drafting and finalization of any ethnographic study and/or data recovery plan, and/or other culturally appropriate mitigation. Any archaeological isolates or other cultural materials that cannot be avoided or preserved in place as the preferred mitigation shall be temporarily stored in a secure location on-site (or as otherwise agreed upon by the Qualified Archaeologist and TCA Tribe) and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction. The removal of any artifacts from the project site will be inventoried with oversight by the TCA Native American monitor. If a data recovery plan is authorized as indicated above and the TCA Tribe does not object, then an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist collects such resources, the TCA Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the TCA Native American monitor may, at their discretion, collect said resources for later reburial or storage at a local curation facility, as described in the Pre-Excavation Agreement. In the event that curation of archaeological resources or tribal cultural resources is required by a superseding regulatory agency, curation shall be conducted by an approved local facility within San Diego County and the curation shall be guided by California State Historical Resources Commission's Guidelines for the		

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	Curation of Archaeological Collections. The City shall provide the Applicant/Owner final curation language and guidance on the project grading plans prior to issuance of the grading permit, if applicable, during project construction. The Applicant/Owner shall be responsible for all repatriation and curation costs and provide to the City written documentation from the TCA Tribe or the curation facility, whichever is most applicable, that the repatriation and/or curation have been completed.		
CR-4: Human Remains	As specified by California Health and Safety Code Section 7050.5, if human remains, or remains that are potentially human, are found on the project site during ground disturbing activities or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Medical Examiner's Office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American monitor) shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, and not under his or her jurisdiction, then he or she shall contact the Native American Heritage Commission by telephone within 24 hours. The Native	During ground disturbing activities.	Applicant/Owner, Grading Contractor

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
	American Heritage Commission will make a determination as to the Most Likely Descendent, who shall be afforded 48 hours from the time access is granted to the discovery site to make recommendations regarding culturally appropriate treatment. If suspected Native American remains are discovered, the remains shall be kept in situ (in place) until after the Medical Examiner makes its determination and notifications, and until after the Most Likely Descendent is identified, at which time the archaeological examination of the remains shall only occur on site in the presence of the Most Likely Descendent. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the Applicant/Owner and the Most Likely Descendant are in disagreement regarding the disposition of the remains, state law will apply, and the mediation process will occur with the Native American Heritage Commission. In the event that mediation is not successful, the landowner shall rebury the remains at a location free from future disturbance (see Public Resources Code Section 5097.98(e) and 5097.94(k)).		

Mitigation Monitoring and Reporting Program for the Santa Fe Flores, LP Project			
Mitigation Measure	Description	Timeframe of Mitigation	Monitoring, Enforcement, and Reporting Responsibility
Public Services			
PS-1	Prior to the issuance of a grading permit, the applicant/developer/property owner shall submit an executed version of petition to annex into and establish, with respect to the property, the special taxes levied by the following Community Facility District: CFD 2001-01 (Fire and Paramedic). Participation in the CFD will offset the cost of increases in necessary fire services resulting from implementation of the proposed project and impacts would be reduced to below a level of significance.	Prior to the issuance of a grading permit.	Applicant/Owner; City of San Marcos
PS-2	Prior to the issuance of a grading permit, the applicant/developer/property owner shall submit an executed version of petition to annex into and establish, with respect to the property, the special taxes levied by the CFD 98-01 Improvement Area No. 1 (Police). Participation in the CFD would offset the cost of increases in necessary police protection services resulting from implementation of the proposed project and impacts would be reduced to below a level of significance.	Prior to the issuance of a grading permit.	Applicant/Owner; City of San Marcos
Tribal Cultural Resources			
See Mitigation Measures CR-1 to CR-4	See above.	See Cultural Resources, above.	See Cultural Resources, above

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ATTACHMENTS
Under Separate Cover