



**ATTACHMENT D**

**ADDENDUM TO MITIGATED**

**NEGATIVE DECLARATION**

# **The Marc Project**

## **Addendum to Davia Village Specific Plan Initial Study/Mitigated Negative Declaration**

SP24-0002/ CUP24-0001



Prepared for:

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## Background And Action Triggering The Addendum

This document serves as an Addendum to the Initial Study/Mitigated Negative Declaration ND 13-003 (IS/MND) (State Clearinghouse No. 2013061059) for the Davia Village Specific Plan (Specific Plan). The Specific Plan area (SPA) is in the City of San Marcos in northern San Diego County, south of Mission Road and west of N. Las Posas Road. The Davia Village Specific Plan was approved for development by the San Marcos City Council on January 14, 2014. Davia Village was approved for the construction of 416 residential units, approximately 15,000 square feet (s.f.) of retail space, a 60,000 s.f. neighborhood park, and approximately 170,000 s.f. of landscaping on 11.79 acres.

The Davia Village IS/MND evaluated the environmental impacts resulting from the construction and operation of a mixed-use development that included 416 residential units with 625 bedrooms. The IS/MND concluded that the construction of the Specific Plan's proposed 416 residential units would result in approximately 1,256 new residents, which is slightly below the City's population estimates of 3.1 persons per household or 1,290 residents (SANDAG 2022). However, during the final hearings for the project, an occupancy limit was placed upon the project as a condition of development which established a limit of 885 residents (Condition "O"). In February 2018, Davia West Development, LLC and Davia East Development, LLC requested that the City remove Condition O from the project's conditions of approval. An Addendum to the Davia Village IS/MND was prepared to evaluate removal of the occupancy limit and determined that the change would not result in any new or substantially more severe environmental impacts than were previously identified in the Davia Village Specific Plan IS/MND.

Since its approval, the Davia Village project has been constructed pursuant to 2014 approvals and renamed The Marc project. The Applicant (MG Properties) is proposing a Specific Plan Amendment and Conditional Use Permit to convert the majority of the existing vacant retail space (13,500 s.f.) to 10 residential apartment flats to meet current market demand. The residential flats would range in size from 1,085 s.f. to 1,530 s.f. The existing 3,225 s.f. leasing center would remain. As the Lead Agency under the California Environmental Quality Act (CEQA), the City of San Marcos has determined that, in accordance with Section 15164 of the State CEQA Guidelines, the proposed changes to The Marc project warrant the preparation of an Addendum to the Davia Village IS/MND. Based upon the analysis and conclusions of this Addendum, none of the conditions in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR or negative declaration have occurred and no new or substantially more severe environmental impacts would result from the conversion of unoccupied retail uses to apartment uses.

## PREVIOUS ENVIRONMENTAL ANALYSES

The environmental process for the Davia Village Specific Plan involved the preparation of the following documents that are relevant to the consideration of the project.

- Davia Village Specific Plan IS/MND (Consultants Collaborative 2013)
- The MARC Project Addendum to the Davia Village Specific Plan IS/MND (Ascent Environmental 2018).

## California Environmental Quality Act Guidelines Regarding an Addendum to an IS/MND

Altered conditions, changes, or additions to the description of a project that occur after certification of an IS/MND may require additional analysis under CEQA. The legal principles that guide decisions regarding whether additional environmental documentation is required are provided in the State CEQA Guidelines, which establish a mechanism to address this issue: an addendum to a negative declaration.

Section 15164(b) of the State CEQA Guidelines provides that:

*“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”.*

With respect to the preparation of an addendum to an adopted mitigated negative declaration, Section 15162(a) provides that a Subsequent EIR shall be prepared only if the lead agency determines, on the basis of substantial evidence in the record, that one or more of the following conditions are present:

1. Substantial changes are proposed in the project which will require major revisions of the previous mitigated negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous mitigated negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. 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 mitigated negative declaration was adopted, shows that, as applicable to a mitigated negative declaration, the project will result in significant new or substantially more severe environmental impacts.

Section 15164(c) of the CEQA Guidelines provides that an “addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.” Section 15164(d) requires, in this case, that the City Council consider the addendum with the previously adopted IS/MND prior to making a decision on the Applicant’s request to convert 13,500 s.f. of retail to 10 residential apartment flats.

This addendum is intended to evaluate and confirm CEQA compliance for the proposed conversion of 13,500 s.f. of retail uses to 10 residential apartment flats. This addendum is organized as an environmental checklist. Initially, it will determine if either (i) substantial changes in the project description are proposed, (ii) substantial changes have occurred with respect to the circumstances under which the project is undertaken, or (iii) new information of substantial importance which was not previously known (as described in Section 15162(a)(3)) is now available. This addendum will then evaluate all environmental topic areas for any substantial changes in circumstances or the project description, as compared to the adopted IS/MND, and determine whether such changes were or were not adequately covered in the certified IS/MND. This checklist is not the traditional CEQA Environmental Checklist, per Appendix G of the CEQA Guidelines. As explained below, the purpose of

this checklist is to evaluate the checklist categories in terms of any “changed condition” (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in a different environmental impact significance conclusion from the EIR. The column titles of the checklist have been modified from the Appendix G presentation to help answer the questions to be addressed pursuant to CEQA Section 21166 and State CEQA Guidelines Section 15162 and 15164.

## **1.0 Introduction and Project History**

### **1.1 History of the Davia Village Specific Plan IS/MND**

In approving the Davia Village Specific Plan project on January 14, 2014, the San Marcos City Council adopted Resolution Nos. 2014-7871 (General Plan Amendment from MU-1 to SPA), 2014-7872 (Multifamily Site Development Plan for residential), and 2014-7873 (Site Development Plan for commercial use) and introduced Ordinance Nos. 2014-1386 (Rezone from L-1/Mixed Use to SPA) and 2014-1387 (Specific Plan). The ordinances were subsequently adopted by the City Council on January 28, 2014, after a second reading. As approved, the Davia Village Specific Plan allowed development of up to 416 residential units including studios, one-bedroom, two-bedroom, and three-bedroom units, approximately 15,000 s.f. of retail space, a 60,000 s.f. neighborhood park, and approximately 170,000 s.f. of landscaping on 11.79 acres.

The Davia Village IS/MND (State Clearinghouse No. 2013061059) evaluated the environmental impacts resulting from the construction and operation of a mixed-use development that included 416 residential units with 625 bedrooms. The IS/MND concluded that the construction of the Specific Plan’s proposed 416 residential units would result in approximately 1,256 new residents, which is slightly below the City’s population estimates of 3.1 persons per household (1,290) (SANDAG 2022).

During the final hearings for the project, the project was conditioned to allow a maximum of 885 residents with a fee placed upon additional residents over the population cap. This condition was set forth in Condition O of Resolution No. 2014-7872 which reads as follows:

"Davia Village's total occupancy shall be capped at 885 residents. An annual notarized report shall be submitted to the City Manager or his designee by the project owner/operator no later than November 15th of each year and shall be based on data collected as of October 15th of the same year. Said report shall include copy of leases and any other documentation that supports the annual report's conclusions. The City has the right but not the obligation to audit all leases to verify data within the report. In any year that the number of residents exceeds 885 residents the project owner/operator shall pay the City \$2,000 per resident over the 885 cap for said year. The applicant/developer shall record a deed restriction covering this requirement."

Since its approval, the Davia Village project has been constructed and renamed The Marc Project. In February 2018, the Applicant (Davia West Development, LLC and Davia East Development, LLC) requested that the City remove Condition O, which established a limit of 885 residents, from the project's conditions of approval. The proposal to remove occupancy limits did not include any changes to the project footprint, dwelling unit count, or bedroom count. The proposed application was consistent with the existing land use designation (Davia Village SPA) and zoning designation (Davia Village SPA) that was approved during the entitlement of the project in 2014. The City prepared an Addendum to the IS/MND which evaluated the potential environmental impacts related to the removal

of the occupancy limit and found the change would not result in any new or substantially more severe environmental impacts than were previously identified in the Davia Village Specific Plan IS/MND.

The Applicant (MG Properties) is proposing a Specific Plan Amendment and Conditional Use Permit to convert the majority of the existing retail space (13,500 s.f.), which has been constructed but is vacant, to 10 residential apartment flats to meet current market demand. The residential flats would range in size from 1,085 s.f. to 1,530 s.f. The 3,225 s.f. leasing center would remain. As the lead agency under the California Environmental Quality Act (CEQA), the City of San Marcos has determined that, in accordance with Section 15164 of the State CEQA Guidelines, the proposed changes to The Marc project warrant the preparation of an Addendum to the Davia Village IS/MND. Based upon the analysis and conclusions of this Addendum, none of the conditions in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR or negative declaration have occurred and no new or substantially more severe environmental impacts would result from the conversion of unoccupied retail uses to apartment uses. This request requires the preparation and adoption of an environmental document that will examine and identify potential significant adverse environmental impacts, if any, that may result from implementation of the Applicant's request.

## 2.0 Project Description

### 2.1 Project Overview

The project applicant is proposing the conversion of approximately 13,500 s.f. of ground-floor commercial at the existing The Marc site into 10 residential flats. The residential flats would range in size from 1,085 s.f. to 1,530 s.f. The conversion includes the addition of expanded private patios along Armorldite Drive to meet the requirement of the Specific Plan. The existing leasing office would remain.

This conversion results in an increase in residential density (36.1 dwelling units/acre) over what was approved for the original project (35 dwelling units/acre). However, the overall floor area ratio (FAR) for the project would remain consistent with the overall project FAR of 1.16.

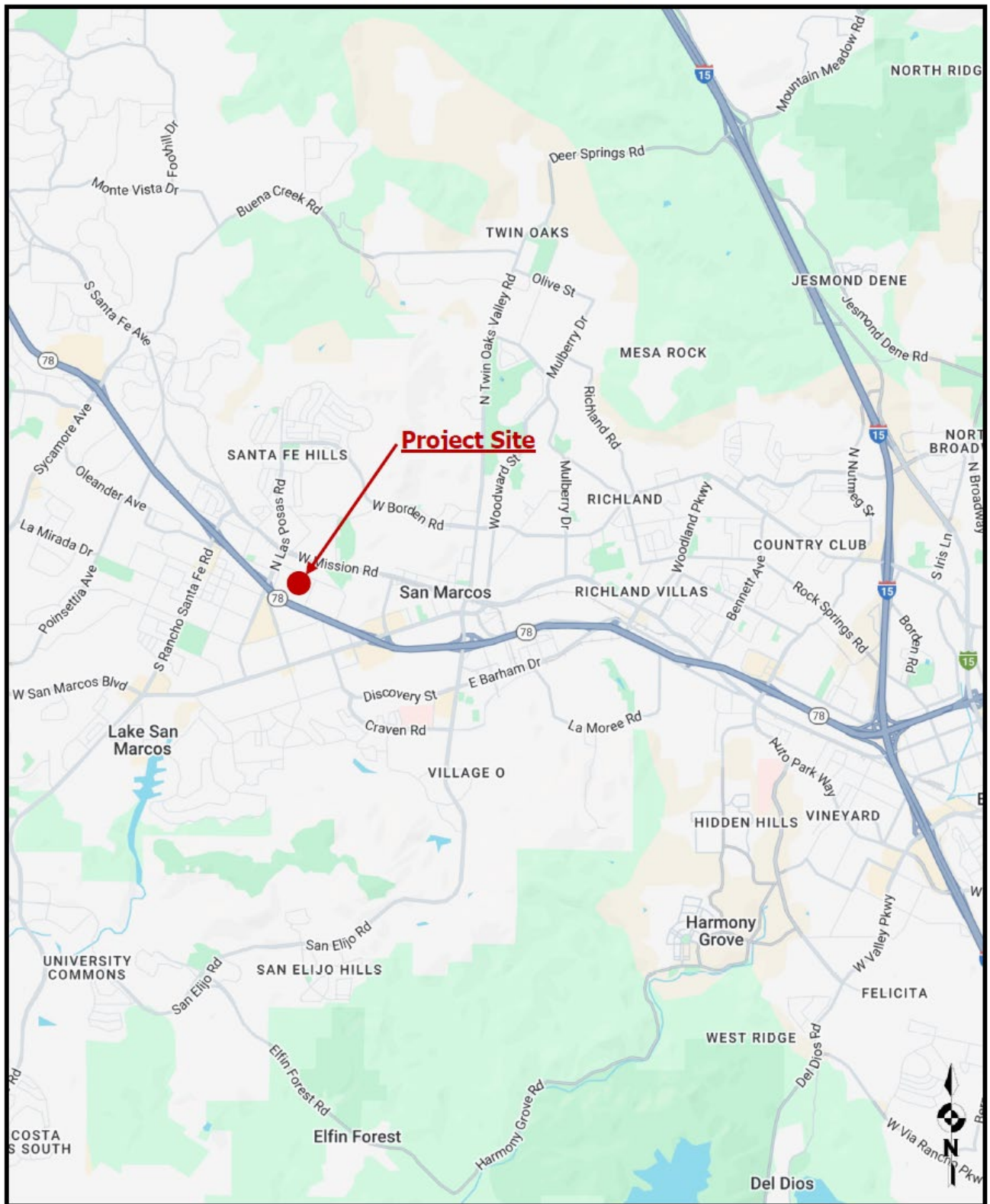
An amendment to the Davia Village Specific Plan and approval of a Conditional Use Permit would be required.

### 2.2 Project Location and Setting

The 11.79-acre project site for The Marc project (formerly Davia Village) is located in the City of San Marcos in northern San Diego County, generally south of Mission Road and west of N. Las Posas Road at 1045 Armorldite Drive (**Figure 1**). The project site is fully developed with The Marc project which includes 416 apartment units and ground-floor retail space along Armorldite Drive.

The project site is bounded on the north by Armorldite Drive, on the east by Bingham Drive, on the south by existing retail uses and on the west by the Palomar Station mixed use project. The site is near existing light industrial uses, the Palomar Station SPRINTER stop, Palomar Community College, and the Las Posas/SR- 78 ramps.

Figure 1 Project Vicinity Map



## 3.0 Supplemental Environmental Review Checklist Instructions

### 3.1 Explanation of Checklist Evaluation Categories

The purpose of this checklist is to evaluate the categories in terms of any "changed condition" (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in environmental impact significance conclusions different from those found in the Davia Village IS/MND. The row titles of the checklist include the full range of environmental topics, as presented in Appendix G of the State CEQA Guidelines. The column titles of the checklist have been modified from the Appendix G presentation to help answer the questions to be addressed pursuant to State CEQA Guidelines Section 15164. A "no" answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact because it was analyzed and addressed with mitigation measures in the Davia Village IS/MND. For instance, the environmental categories might be answered with a "no" in the checklist because the impacts associated with the project were adequately addressed in the Davia Village IS/MND, and the environmental impact significance conclusions of the Davia Village IS/MND remain applicable. The purpose of each column of the checklist is described below.

#### 3.1.1 Where Topic was Analyzed

This column provides a cross-reference to the pages of the Davia Village IS/MND where information and analysis may be found relative to the environmental issue listed under each topic.

#### 3.1.2 Do Proposed Changes Involve New Significant Impacts?

The significance of the changes proposed to the approved Davia Village IS/MND, as it is described and thereafter amended in the certified Davia Village IS/MND, is indicated in the columns to the right of the environmental issues.

#### 3.1.3 Any new Circumstances Involving New or Substantially More Severe Significant Impacts?

Pursuant to Sections 15162 and 15164 of the CEQA Guidelines, this column indicates whether there have been changes to the project site or the vicinity (circumstances under which the project is undertaken) that have occurred subsequent to the prior environmental documents, which would result in the current project having new significant environmental impacts that were not considered in the prior environmental documents or having substantial increases in the severity of previously identified significant impacts.

#### 3.1.4 Any New Information Requiring New Analysis or Verification?

Pursuant to Sections 15162 and 15164 of the CEQA Guidelines, this column indicates whether 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 documents were certified as complete and is now available, requiring an update to the analysis of the previous environmental documents to verify that the environmental conclusions and mitigation measures remain valid. If the new information shows that: (A) the project will have one or more significant effects not discussed in the prior environmental documents; or (B) that significant effects previously examined will be

substantially more severe than shown in the prior environmental documents; or (C) that 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 (D) that mitigation measures or alternatives which are considerably different from those analyzed in the prior environmental documents would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative, the question would be answered “yes” requiring the preparation of a subsequent MND. However, if the additional analysis completed as part of this Environmental Checklist Review finds that the conclusions of the prior environmental documents remain the same and no new significant impacts are identified, or identified significant environmental impacts are not found to be substantially more severe, the question would be answered “no” and no additional MND documentation would be required.

### **3.1.5 Do Prior Environmental Documents’ Mitigation Measures Address/Resolve Impacts?**

This column indicates whether the prior environmental documents and adopted CEQA Findings provide mitigation measures to address impacts effects in the related environmental category. In some cases, the mitigation measures have already been implemented. A "yes" response will be provided in either instance. If "NA" is indicated, this Environmental Checklist Review concludes that as analyzed in the IS/MND there was no impact, or the impact was less-than-significant and, therefore with the current proposal, no additional mitigation measures are needed.

## **3.2 Discussion and Mitigation Sections**

### **3.2.1 Discussion**

A discussion of the elements of the checklist is provided under each environmental category to clarify the answers. The discussion provides information about the particular environmental issue, how the project relates to the issue, and the status of any mitigation that may be required or that has already been implemented.

### **3.2.2 Mitigation Measures**

Applicable mitigation measures from the prior environmental review that would apply to the proposed amendment are listed under each environmental category. No new or changed mitigation measures are needed. This section also includes design features identified in the Davia Village IS/MND.

### **3.2.3 Conclusions**

A discussion of the conclusion relating to the need for additional environmental documentation is contained in each section.

## 4.0 Environmental Checklist

### 4.1 Aesthetics

| Environmental Issue Area                                                                                                                                | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Aesthetics: Would the project:</b>                                                                                                                   |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| a. Have a substantial adverse effect on a scenic vista?                                                                                                 | IS/MND Analysis: pp.24                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | IS/MND Analysis: pp.24                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings?                                                     | IS/MND Analysis: pp.24                               | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                   | IS/MND Analysis: pp.29                               | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |

#### 4.1.1 Discussion

The conversion of 13,500 s.f. of ground floor retail storefronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to aesthetics compared to what was previously evaluated in Chapter IV-I, Aesthetics of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The Davia Village IS/MND evaluated full buildout of the project site, and the current proposal would not change the project footprint nor impact the requirements of

the Specific Plan or other project entitlements. This change does not constitute a change in circumstances regarding aesthetics.

The project location remains the same and therefore does not change the constrained nature of access to scenic vistas or scenic resources because of a lower relative elevation and developed nature of adjacent properties. The project site is not located within the vicinity of a scenic highway. The proposed project would not involve substantial alteration of the appearance, location, scale or height of the buildings approved in the Davia Village IS/MND. The project would not introduce new sources of light or glare beyond what was previously evaluated. Under the proposed project, the existing store fronts would remain as shown in the project plans (Appendix A) and in **Figure 2**. The only visual change would be expanded private patios including 48-inch-high metal fencing and landscaping features along Armorlite Drive. Therefore, the conversion of 13,500 s.f. of ground floor retail storefronts to 10 residential apartment flats would not change the visual character or quality of the site from what was previously evaluated. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification.

### **Mitigation Measures**

No mitigation measures are required.

The Davia Village IS/MND included the following design consideration for the project, which has already been implemented:

- Implementation of a Comprehensive Signage Program.

### **Conclusion**

The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the Davia Village IS/MND. Therefore, the “less-than-significant” impact conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to aesthetics.

Figure 2. The Marc Apartments Building Elevations/ Perspectives



## 4.2 Agriculture and Forest Resources

| Environmental Issue Area                                                                                                                                                                                                                                                                   | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Agriculture and Forestry Resources. Would the project:</b>                                                                                                                                                                                                                              |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| 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?                                             | IS/MND Analysis: pp.29                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?                                                                                                                                                                                                       | IS/MND Analysis: pp.29                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | IS/MND Analysis: pp.29                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| d. Result in the loss of forest land or conversion of forest                                                                                                                                                                                                                               | IS/MND Analysis: pp.29                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                                                     | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| land to non-forest land?                                                                                                                                                                                     |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| 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? | IS/MND Analysis: pp.30                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |

#### 4.2.1 Discussion

The conversion of 13,500 s.f. of ground floor retail storefronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to agriculture and forestry compared to what was previously evaluated in Chapter IV-II, Agriculture and Forestry resources of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The IS/MND evaluated full buildout of the project site, and the current proposal would not change the project footprint nor impact the requirements of the Specific Plan or other project entitlements. This change does not constitute a change in circumstances regarding agricultural and forestry resources.

As evaluated in the Davia Village IS/MND, the site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; therefore, the project would not convert designated farmland to a non-agricultural use. The project site is not under a Williamson Act contract and is not designated or zoned for agricultural uses. The site does not contain forest land or timberland. Therefore, the proposed project would not impact agriculture and forest resources. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification.

#### Mitigation Measures

None required.

#### Conclusion

The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in

the Davia Village IS/MND. Therefore, the “no-impact” conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to agricultural or forestry resources.

### 4.3 Air Quality

| Environmental Issue Area                                                                                                                                                                                                                                                                    | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Air Quality. Would the project:</b>                                                                                                                                                                                                                                                      |                                                      |                                        |                                                                                               |                                                              |                                                                                               |
| a. Conflict with or obstruct implementation of the applicable air quality plan?                                                                                                                                                                                                             | IS/MND Analysis: pp.30                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?                                                                                                                                                                          | IS/MND Analysis: pp. 30 to 35                        | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| c. 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | IS/MND Analysis: pp. 35                              | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| d. Expose sensitive receptors to substantial pollutant concentrations?                                                                                                                                                                                                                      | IS/MND Analysis: pp. 35 to 37                        | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| e. Create objectionable odors affecting a substantial number of people?                                                                                                                                                                                                                     | IS/MND Analysis: pp. 37 to 38                        | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |

### 4.3.1 Discussion

The conversion of 13,500 s.f. of ground floor retail storefronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to air quality compared to that was previously evaluated in Chapter IV-III, Air Quality, of the Davia Village IS/MND. Since certification of the Davia Village IS/MND, the San Diego County Air Basin (SDAB) Attainment Status has improved with respect to some criteria pollutants. At the time the IS/MND was written, SDAB was considered to be in extreme nonattainment with respect to the state standards (California Ambient Air Quality Standard ([CAAQS]) for Ozone (O<sub>3</sub>) 1-hour. The SDAB is still in nonattainment but not extreme nonattainment and is in attainment with the federal O<sub>3</sub>-1-hour standards (National Ambient Air Quality Standards [NAAQS]). In 2014 the County was in nonattainment with the federal Fine Particulate Matter 2.5 microns or less (PM<sub>2.5</sub>) standard but is now in attainment. Also, in 2014, the County was in nonattainment with the Nitrogen Dioxide (NO<sub>2</sub>) state standards but is now in attainment (SDAPCD 2024). Additionally, the project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The improvement in regional air quality and development of the site would not constitute a substantial change in circumstance regarding air quality.

The project includes a Specific Plan Amendment and Conditional Use Permit to convert 13,500 s.f. of ground floor retail to 10 residential apartment flats. The project would still be consistent with the General Plan Land Use and Zoning (SPA) for the site. As discussed in more detail in Section 4.16, the proposed project would result in 2,608 average daily trips, which is 279 fewer trips than analyzed in the Davia Village IS/MND. Since the proposed project would be considered less intense than previously analyzed, it would be considered consistent with the Regional Air Quality Strategy (RAQS), which is based on City's land use projections. Additionally, the almost 10 percent decrease in vehicle trips would result in a corresponding decrease in vehicle emissions. Construction activities would be minimal since the site has already been built out. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification.

### Mitigation Measures

None required.

The Davia Village IS/MND included the following design considerations, which were implemented during construction of The Marc project. These measures may still be applicable to the minimal construction activities required for the proposed project:

- The project shall implement dust control measures. These measures include watering of active grading sites and unpaved roads a minimum of twice daily, replacement of ground cover as quickly as possible, reducing speeds on unpaved roads/ surfaces to 15 miles per hour or less, and reducing dust during unloading and loading operations.
- Low- VOC coatings shall be used for all buildings, as required under SDAPC Rule 67.0

### Conclusion

The proposed conversion of ground floor retail store fronts to residential flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the Davia Village IS/MND.

Therefore, the “less-than-significant” impact conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to air quality.

#### 4.4 Biological Resources

| Environmental Issue Area                                                                                                                                                                                                                                                                                             | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Biological Resources. Would the project:</b>                                                                                                                                                                                                                                                                      |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | IS/MND Analysis: pp. 38                              | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| 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 California Department of Fish and Wildlife or US Fish and Wildlife Service?                                                             | IS/MND Analysis: pp.38                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh,                                                                                                                                                         | IS/MND Analysis: pp.38                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                                                                            | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
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| vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?                                                                                                                             |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| d. Interfere substantially with the movement of any native resident or migratory fish and wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | IS/MND Analysis: pp. 38                              | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.                                                                                                 | IS/MND Analysis: pp. 39                              | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| 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?                                                | IS/MND Analysis: pp. 39                              | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |

#### 4.4.1 Discussion

The conversion of 13,500 s.f. of retail uses to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to biological resources compared to what was previously evaluated in Chapter IV-IV, Biological Resources of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail

store fronts pursuant to the 2014 project approvals. The IS/MND evaluated the full buildout of the project site, and the current proposal would not change the project footprint nor impact the requirements of the Specific Plan or other project entitlements. This change does not constitute a change in circumstances regarding biological resources.

As evaluated in the Davia Village IS/MND, the site did not support any habitat that supports species identified as candidate, sensitive or special status species identified in local or regional plans, policies or regulations by the California Department of Fish and Wildlife or the US Fish and Wildlife Services. The site does not support riparian habitat nor contain federal wetlands. The project site and vicinity are not identified as being within a Wildlife Corridor per Figure 4-2 of the City of San Marcos General Plan. There are no sensitive habitats or sensitive species on the project site. Thus, the project would not conflict with any local policies or ordinance that protects biological resources and would not impact biological resources. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification.

### Mitigation Measures

No mitigation measures required.

### Conclusion

The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the IS/MND. Therefore, the “no-impact” conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to biological resources.

## 4.5 Cultural Resources

| Environmental Issue Area                                                                                   | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Cultural Resources. Would the project:</b>                                                              |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | IS/MND Analysis: pp.39                               | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |
| b. Cause a substantial adverse change in the significance of an                                            | IS/MND Analysis: pp.39 to 42                         | Less Than Significant with             | No                                                                                            | No                                                          | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                                                                                                                                                                                                                                                        | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion             | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| archaeological resource pursuant to §15064.5?                                                                                                                                                                                                                                                                                                                                                                   |                                                      | Mitigation Incorporated                            |                                                                                               |                                                             |                                                                                               |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?                                                                                                                                                                                                                                                                                                         | IS/MND Analysis: pp.42                               | Less Than Significant                              | No                                                                                            | No                                                          | No Change                                                                                     |
| d. Disturb any human remains, including those interred outside the formal cemeteries?                                                                                                                                                                                                                                                                                                                           | IS/MND Analysis: pp.42                               | Less Than Significant with Mitigation Incorporated | No                                                                                            | No                                                          | No Change                                                                                     |
| e. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074, per Assembly Bill 52 (AB 52) 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? | Not Analyzed in IS/MND                               | Not Analyzed in IS/MND                             | NA                                                                                            | NA                                                          | No Change                                                                                     |

#### 4.5.1 Discussion

The conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to cultural resources compared to what was previously evaluated in Chapter IV-V, Cultural Resources of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The Davia Village IS/MND evaluated the full buildout of the project site, and the current proposal would not change the project footprint nor impact

the requirements of the Specific Plan or other project entitlements. This change does not constitute a change in circumstances regarding cultural resources.

The Davia Village IS/MND concluded that there were no cultural resources or archaeological resources recorded within the project site, and no identified historical resources on the site. However, the project site is located within 100-feet of a bedrock milling site identified as CA-SDI-5633, The City of San Marcos consulted with local tribes pursuant to Senate Bill 18, and the request to include an archaeological monitor and Native American monitor were satisfied by Mitigation Measures CR-1 and CR-2 (see below). Assembly Bill 52 which requires a sacred lands check with local tribes went into effect on January 1, 2016 (after certification of the IS/MND), however, the proposed project would not result in new or different ground disturbing impacts than were previously evaluated in the Davia Village IS/MND. Conclusions related to the presence of paleontological resources or human remains are unchanged by the proposed conversion of uses.

Mitigation Measures CR-1 through CR-8 were adopted as a condition of approval to reduce potential archaeological impacts and impacts to human remains. The project would be required to implement these adopted mitigation measures if any new ground disturbing or grading activities occurs. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification.

### **Mitigation Measures**

The previously adopted mitigation measures presented in the Davia Village IS/MND have been implemented to reduce potential impacts to below a level of significance. Those implemented mitigation measures are:

- Mitigation Measure CR-1: An archaeological monitor and a Native American monitor shall be present during the earth moving and grading activities to assure that any potential cultural resources, including tribal, found during project grading be protected.
- Mitigation Measure CR-2: Prior to beginning project construction, the Project Applicant shall retain a San Diego County qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to cultural resources evaluation.
- Mitigation Measure CR-3: At least 30 days prior to beginning project construction, the Project Applicant shall contact the Pechanga Tribe to notify the Tribe of grading, excavation, and the monitoring program and to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on site.
- Mitigation Measure CR-4: Prior to beginning project construction, the Project Archaeologist shall file a pre- grading report with the City to document the proposed methodology for grading activity observation, which will be determined in consultation with the Pechanga Tribe. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in MM-CR-3, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the Pechanga Tribe to evaluate the significance

of any archaeological resources discovered on the property. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities.

- Mitigation Measure CR-5: The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project are to the appropriate Tribe for proper treatment and disposition. All cultural materials that are collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site, with the exception of sacred items, burial goods, and human remains which will be addressed in the Treatment Agreement required in MM-CR-3, shall be tribally curated according to the current professional repository standards by the Pechanga Tribe. The collections and associated records shall be transferred, including title, to the Pechanga Tribe's curation facility which will meet the standards set forth in 35 CFR Part 79 for federal repositories.
- Mitigation Measure CR-6: All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.
- Mitigation Measure CR-7: If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbances shall occur until the San Diego County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Codes Section 5097.98(b) remains shall be left in place and free from disturbances until a final decision as to the treatment and disposition has been made. If the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted within 24 hours. The NAHC must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in MM-CR-3.
- Mitigation Measure CR-8: If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. If the Developer, the project archaeologist, and the Tribe cannot agree on the significance of mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make a determination based upon the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Tribe. Notwithstanding any other rights available under law, the decision of the Planning Director shall be appealable to the Planning Commission and/or City Council.

As described in the Davia Village IS/MND, with implementation of these measures, cultural resources impacts were reduced to a less-than-significant impact.

### **Senate Bill 18 (SB 18)**

SB 18, approved in 2004, amends the California Civil Code and the California Government Code, requiring cities and counties to contact and consult with California Native American tribes prior to adopting or amending any general plan or specific plan, or designating land as open space in order to

preserve or mitigate impacts to specified Native American places, features and objects that are located within a city's or county's jurisdiction. SB 18 also requires cities and counties to hold in strict confidence any information about the specific identity, location, character, or use of these resources. The NAHC maintains a list of California Native American Tribes with whom cities and counties must consult pursuant to SB 18.

Pursuant to Senate Bill 18 (SB 18), the City of San Marcos conducted consultation with California Native American tribes during preparation of the Davia Village IS/MND. That process resulted in adoption of mitigation measures (CR-1 through CR-8), including archaeological and Native American monitoring. The current project is a Specific Plan Amendment to allow conversion of existing, constructed retail space into residential units. No new grading or ground disturbance would occur. Because the site has already been fully developed and SB 18 consultation was previously completed, no additional consultation is required for this Addendum.

## Conclusion

The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the Davia Village IS/MND. Therefore, the "less-than-significant-with-mitigation-incorporated" impact conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to cultural resources.

## 4.6 Geology and Soils

| Environmental Issue Area                                                                                                                                                                                                                                                                             | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Geology and Soils. Would the project:</b>                                                                                                                                                                                                                                                         |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:<br><br>i. Rupture or a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area | IS/MND Analysis: pp.43                               | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                                                                                                           | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <p>or based on other substantial evidence of a known fault? Rever to Division of Mines and Geology Special Publication 42.</p> <p>ii. Strong seismic ground shaking?</p> <p>iii. Seismic-related ground failure, including liquefaction?</p> <p>iv. Landslides</p> |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| b. Result in substantial soil erosion or the loss of topsoil?                                                                                                                                                                                                      | IS/MND Analysis: pp.44                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| 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?                                | IS/MND Analysis: pp.44                               | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |
| d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property                                                                                                                    | IS/MND Analysis: pp.44                               | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                             | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | IS/MND Analysis: pp.44                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |

#### 4.6.1 Discussion

The conversion of 13,500s.f. of retail uses to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to geology and soils compared to what was previously evaluated in Chapter IV-VI, Geology and Soils of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The Davia Village IS/MND evaluated the full buildout of the project site, and the current proposal would not change the project footprint nor impact the requirements of the Specific Plan or other project entitlements. This change does not constitute a change in circumstances regarding geology and soils.

A project-specific geotechnical report was completed in 2012 and formed the basis for impact conclusions in the Davia Village IS/MND analysis. Converting existing ground floor retail store fronts to apartments would not require revisions to the 2012 Geology and Soils report and the conclusions of the Davia Village IS/MND remain valid. Impacts related to earthquakes, seismicity, liquefaction, landslides, lateral spreading, soil erosion, and expansive soils would remain less than significant with implementation of the proposed project because the project would not result in any physical changes to the size or orientation of buildings, related infrastructure, or engineering methods as a result of converting ground floor retail to additional apartment units. The project would continue to be required to comply with all existing codes and regulations related to structural engineering and seismic safety. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification.

#### Mitigation Measures

No mitigation measures required.

## Conclusion

The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the IS/MND. Therefore, the “less-than-significant-with-mitigation-incorporated” impact conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to geology and soils.

## 4.7 Greenhouse Gas Emissions

| Environmental Issue Area                                                                                                         | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Greenhouse Gas Emissions. Would the project:</b>                                                                              |                                                      |                                        |                                                                                               |                                                              |                                                                                               |
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | IS/MND Analysis: pp.44 to 48                         | Less than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | IS/MND Analysis: pp.48                               | Less than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |

### 4.7.1 Discussion

Since the certification of the 2014 Davia Village IS/MND and the 2018 Addendum, new policies, laws, and regulations have been enacted with regard to the evaluation of project-related greenhouse gas (GHG) emissions. Regulations of GHGs as they relate to the contribution of global climate change are inherently dynamic and frequently changing. California continues to pass legislation (i.e., AB 32 and SB 32) to serve as legally binding targets for the state to achieve its goals of reducing GHGs. Regulations targeted at increasing energy efficiency, renewable energy procurement, water conservation, solid waste reduction, and reduction in vehicle emissions, continue to evolve as well.

#### *City of San Marcos Climate Action Plan and Consistency Review checklist*

The most relevant change in the regulatory environment since certification of the Davia Village IS/MND relates to the City's adoption of a Climate Action Plan (CAP) in 2013 as a long-range plan to reduce GHG emissions and mitigate climate change impacts associated with City government operations and with implementation of the City's General Plan. An updated CAP was adopted on December 8, 2020.

The CAP outlines strategies and measures that the City will undertake to achieve its proportional share of State GHG emissions reduction targets. The CAP is a plan for the reduction of GHG emissions in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15183.5. Pursuant to CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of the CAP (City of San Marcos 2020a).

The CAP set the following citywide targets:

- 4% below 2012 levels (575,000 MT CO<sub>2</sub>e) by 2020.
- 42% below 2012 levels (347,000 MT CO<sub>2</sub>e) by 2030.

The City has also developed a Climate Action Plan Consistency Review Checklist (CAP Checklist), in conjunction with the CAP, to provide a streamlined review process for proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to CEQA. The CAP Consistency Guidance Memo dated July 15, 2020, summarizes the methodology and application of a GHG screening threshold which is set at 500 metric tons of carbon dioxide equivalent [MT CO<sub>2</sub>e] per year as outlined in the CAP.

A project applicant can demonstrate compliance with the CAP by filling out the CAP Checklist. Consistency with the CAP would allow the City to determine that GHG impacts would be less than significant. According to the CAP Checklist multi-family housing with less than 55 dwelling units would emit fewer than 500 MTCO<sub>2</sub>e per year. The proposed project includes the conversion of existing ground floor retail to 10 residential apartment flats, which is fewer than the 55 dwelling unit threshold. In accordance with the City's CAP screening criteria, the project's GHG impact is less than significant and is not subject to the measures of the CAP. The proposed project's completed CAP Consistency Worksheet is included as Appendix B of this document.

## **Impact Summary**

Although the regulatory environment has changed since the certification of the Davia Village IS/MND as identified above, the proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartments would result in less than significant GHG impacts according to the thresholds set forth in the City's CAP checklist. Therefore, the proposed project would not result in a substantial change in the environmental or regulatory setting related to GHGs than was evaluated in Chapter IV-VII, Greenhouse Gas Emissions, of the Davia Village IS/MND.

The project site has been fully developed with The Marc apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The Davia Village IS/MND evaluated full buildout of the project site and concluded less than significant impacts would occur. As discussed in more detail in Section 4.16, the proposed project would result in 2,608 average daily trips, which is 279 fewer trips than analyzed in the Davia Village IS/MND. Therefore, the conversion of retail store fronts to apartments would be considered less intense than previously analyzed. The almost 10 percent decrease in vehicle trips would result in a corresponding decrease in GHG mobile source emissions. Construction activities would be minimal since the site has already been built out. No new circumstances or project changes

have occurred, nor has any new information been found requiring new analysis or verification. The proposed project would continue to be required to implement the air quality design features that were approved with the certified Davia Village IS/MND.

### Mitigation Measures

No mitigation measures required.

### Conclusion

The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the Davia Village IS/MND. Therefore, the “less-than-significant-impact” conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to greenhouse gas emissions.

## 4.8 Hazards and Hazardous Materials

| Environmental Issue Area                                                                                                                                                                        | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion             | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Hazards and Hazardous Materials. Would the project:</b>                                                                                                                                      |                                                      |                                                    |                                                                                               |                                                              |                                                                                               |
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?                                                         | IS/MND Analysis: pp. 48 to 49                        | Less Than Significant                              | No                                                                                            | No                                                           | No Change                                                                                     |
| 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? | IS/MND Analysis: pp.49                               | Less Than Significant with Mitigation Incorporated | No                                                                                            | No                                                           | No Change                                                                                     |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials,                                                                                                                 | IS/MND Analysis: pp.49                               | Less Than Significant                              | No                                                                                            | No                                                           | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                                                                                                         | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion             | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
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| substances, or waste within one-quarter mile of an existing or proposed school?                                                                                                                                                                                  |                                                      |                                                    |                                                                                               |                                                              |                                                                                               |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | IS/MND Analysis: pp. 49 to 52                        | Less Than Significant with Mitigation Incorporated | No                                                                                            | No                                                           | No Change                                                                                     |
| 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 for people residing or working in the project area? | IS/MND Analysis: pp.53                               | No Impact                                          | No                                                                                            | No                                                           | No Change                                                                                     |
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working on the project area?                                                                                                      | IS/MND Analysis: pp. 53                              | No Impact                                          | No                                                                                            | No                                                           | No Change                                                                                     |
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                                                                                                                                        | IS/MND Analysis: pp.53                               | Less Than Significant                              | No                                                                                            | No                                                           | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                                                             | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | IS/MND Analysis: pp.53                               | No Impact                              | No                                                                                            | No                                                           | No Change                                                                                     |

#### 4.8.1 Discussion

The conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to hazards and hazardous materials compared to what was previously evaluated in Chapter IV-VIII, Hazards and Hazardous Materials of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The IS/MND evaluated the full buildout of the project site, and the current proposal would not change the project footprint nor impact the requirements of the Specific Plan or other project entitlements. This change does not constitute a change in circumstances regarding hazards and hazardous materials.

The proposed project would not result in changes related to the transportation, use or disposal of hazardous materials, nor would it result in changes related to proximity to schools or airports. The project would also not change the configuration of the project, or orient buildings or infrastructure in such a way as to interfere with emergency response or evacuation plans. The project site is not located in a fire hazard severity zone per Figure 6-4, Fire Hazard Severity Zones of the City's General Plan. The Davia Village IS/MND identified the potential for exposure to hazardous materials released into the air as a result of demolition of the previously existing light industrial structures on site. Since the certification of the IS/MND, the on-site structures have been demolished, and therefore Mitigation Measure HAZ-1 (see below) would no longer apply. The Davia Village IS/MND also identified the potential for exposure to historical subsurface soil and groundwater contamination during construction activities. The proposed project would continue to be required to comply with all existing local, State, and federal regulations regarding the use, transport, handling, and storage of hazardous materials.

Mitigation Measures HAZ-2 and HAZ-3 were adopted as a condition of approval to reduce potential hazards and hazardous materials impacts. The project would be required to implement these adopted mitigation measures if any new construction was proposed. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification.

## Mitigation Measures

The following mitigation measures were referenced in the Davia Village IS/MND analysis and have been implemented during project construction:

- Mitigation Measure HAZ-1: Prior to any demolition of existing structures or improvements on the site, a hazardous building materials survey focusing on asbestos containing materials, lead-based paint, polychlorinated biphenyls, and other typical hazardous material shall be required. In the event that such hazardous materials are identified during the building material survey, proper abatement and disposal shall occur by a state-licensed abatement contractor.
- Mitigation Measure HAZ-2: A Soil Management Plan shall be prepared and submitted to the SD-RWQCB for review and concurrence prior to the commencement of mass grading operations. The plan will describe contingency protocols in the event that significantly impacted soil requiring special handling, segregation and off-site disposal is discovered during future construction work.
- Mitigation Measure HAZ-3: A passive mitigation measure (i.e., vapor barrier) shall be incorporated in to the design and construction of future building slabs to ensure continuous protection of human health after the project site is redeveloped.

As described in the Davia Village IS/MND, with implementation of these measures, hazards and hazardous materials impacts were reduced to a less-than-significant impact.

## Conclusion

The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the IS/MND. Therefore, the “less-than-significant-with-mitigation-incorporated” impact conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to hazards and hazardous materials.

## 4.9 Hydrology and Water Quality

| Environmental Issue Area                                                | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|-------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Hydrology and Water Quality. Would the project:</b>                  |                                                      |                                        |                                                                                               |                                                              |                                                                                               |
| a. Violate any water quality standards or waste discharge requirements? | IS/MND Analysis: pp.53 to 54                         | Less than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                                                                                                                                                                                                                                     | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| b. Have a potentially significant adverse impact on groundwater quality or cause or contribute to an exceedance of applicable groundwater receiving water quality objectives or degradation of beneficial uses?                                                                                                                                                                              | IS/MND Analysis: pp.54 to 55                         | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| c. 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 (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | IS/MND Analysis: pp.55                               | No Impact                              | No                                                                                            | No                                                           | No Change                                                                                     |
| d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or in a manner which would result in substantial erosion or siltation on-or off-site (e.g. downstream)?                                                                                                                                       | IS/MND Analysis: pp.55                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                                                                                                                    | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| e. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?                                                                                                                                                   | IS/MND Analysis: pp.56                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| f. Substantially alter the existing drainage pattern of the site or area, including through the alternation of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site? | IS/MND Analysis: pp.56                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| g. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?                                                                                      | IS/MND Analysis: pp.56                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| h. Result in increased impervious surfaces and associated increased runoff?                                                                                                                                                                                                 | IS/MND Analysis: pp.56                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| i. Result in significant alteration of receiving water quality during or following construction?                                                                                                                                                                            | IS/MND Analysis: pp.57                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| j. Result in an increase in pollutant discharges to receiving waters? Consider water quality                                                                                                                                                                                | IS/MND Analysis: pp.57 to 58                         | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                                                                                      | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
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| parameters such as temperature, dissolved oxygen, turbidity, and other typical storm water pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash). |                                                      |                                        |                                                                                               |                                                              |                                                                                               |
| k. Be tributary to an already impaired water body as listed on the Clean Water Act Section 303(d) list If so, can it result in an increase in any pollutant for which the water body is already impaired?                                     | IS/MND Analysis: pp.58                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| l. Be tributary to environmentally sensitive areas (e.g. MSCP, RARE, Areas of Special Biological Significance, etc.)? If so, can it exacerbate already existing sensitive conditions ?                                                        | IS/MND Analysis: pp.58                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| m. Have a potentially significant environmental impact on surface water quality, to either marine, fresh or wetland waters?                                                                                                                   | IS/MND Analysis: pp.58 to 59                         | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                             | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| n. Otherwise substantially degrade water quality?                                                                                                                    | IS/MND Analysis: pp.59                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| o. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | IS/MND Analysis: pp.59                               | No Impact                              | No                                                                                            | No                                                           | No Change                                                                                     |
| p. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?                                                                  | IS/MND Analysis: pp.59                               | No Impact                              | No                                                                                            | No                                                           | No Change                                                                                     |
| q. Expose people or structures to a significant risk of loss, injury or death involving flooding including flooding as a result of the failure of a levee or dam?    | IS/MND Analysis: pp.59                               | No Impact                              | No                                                                                            | No                                                           | No Change                                                                                     |
| r. Inundation by seiche, tsunami, or mudflow?                                                                                                                        | IS/MND Analysis: pp. 59                              | No Impact                              | No                                                                                            | No                                                           | No Change                                                                                     |

#### 4.9.1 Discussion

The conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to hydrology and water quality compared to what was previously evaluated in Chapter IV-IX, Hydrology and Water Quality of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The IS/MND evaluated the full buildout of the project site, and the current proposal would not change the project footprint nor impact

the requirements of the Specific Plan or other project entitlements. This change does not constitute a change in circumstances regarding hydrology and water quality. The proposed project would not lead to any changes related to water quality standards, waste discharge requirements, or groundwater quality. The project would continue to utilize municipal water sources provided by Vallecitos Water District and would not result in the use of groundwater. No substantial changes would occur related to site drainage, hydrology, or stormwater runoff as a result of the project. Any project site modification would be required to adhere to the City's Best Management Practices (BMP) Design Manual (City of San Marcos 2023). Similarly, the project would not result in an increased impact related to nearby receiving waters or nearby environmentally sensitive areas. Finally, the project would not result in any new or substantially more significant flood hazards. The project would continue to be required to comply with all local, State, and federal regulations related to water quality standards. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification.

### **Mitigation Measures**

No mitigation measures required.

The Davia Village IS/MND included the following design considerations, which were implemented during construction of The Marc project. These measures may still be applicable to the minimal construction activities required for the proposed project:

- The project will be required to provide a design to mitigate water quality and HMP under the land development requirements deemed to be in effect of either R9 2007-001 or R9 2013-0001.
- Mark all inlets with the words “No Dumping! Drains to Waterways” and “ No Contaminate” in Spanish.
- All parking garage floors drain to a clarifier and to the public sewer.
- Landscaping has been designed to minimize irrigation and runoff and to minimize the use of fertilizers and pesticides that can contribute to storm water.
- Roofing, gutters and trim will not be constructed of copper or other unprotected materials that may leach into runoff.
- Plazas, sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. Debris from pressure washing will be collected to prevent entry into the storm drain system. Wash water containing any cleaning agents or degreaser shall be collected and discharged to the sanitary sewer and not discharged to a storm drain. ‘
- Implementation of all construction-related BMPs identified in the SWPPP.

### **Conclusion**

The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the IS/MND. Therefore, the “less-than-significant” impact conclusions of the Davia Village IS/MND

remain valid, and approval of the project would not result in new or substantially more severe impacts to hydrology and water quality.

## 4.10 Land Use and Planning

| Environmental Issue Area                                                                                                                                                                                                                                                                                    | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion             | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Land use and Planning. Would the project:</b>                                                                                                                                                                                                                                                            |                                                      |                                                    |                                                                                               |                                                             |                                                                                               |
| c. Physically divide an established community?                                                                                                                                                                                                                                                              | IS/MND Analysis: pp.59                               | No Impact                                          | No                                                                                            | No                                                          | No Change                                                                                     |
| d. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | IS/MND Analysis: pp.59-63                            | Less than Significant with Mitigation Incorporated | No                                                                                            | No                                                          | No Change                                                                                     |
| e. Conflict with any applicable habitat conservation plan or natural community conservation plan?                                                                                                                                                                                                           | IS/MND Analysis: pp.63                               | No Impact                                          | No                                                                                            | No                                                          | No Change                                                                                     |

### 4.10.1 Discussion

The conversion of 13,500s.f. of ground floor retail storefronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to land use and planning compared to what was previously evaluated in Chapter IV- X, Land Use and Planning of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. Additionally, as part of the 2014 project approvals, and as required in Mitigation Measure LU-1 and LU-2, the site's land use and zoning designation was changed to Specific Plan Area. These changes do not constitute a change in circumstances regarding land use and planning.

The project site is already built out so the conversion of retail store fronts to apartments would not physically divide an established community, nor would it conflict with any applicable habitat conservation plan or natural community conservation plan. The project proposes a Specific Plan Amendment and Conditional Use Permit to allow for the conversion of ground floor retail to residential apartments, which would make the development less intense in terms of traffic, which results in a corresponding reduction of air quality and GHG emissions and vehicular noise. The project would not conflict with the project site's current land use and zoning designation of Specific Plan Area, nor would it conflict with any land use policies adopted for the purpose of avoiding or mitigating an environmental effect.

The Mitigation Measures LU-1 and LU-2 that were included in the approved Davia Village IS/MND are no longer applicable because the land use designation and zoning have already been approved and amended. Therefore, those mitigation measures are no longer applicable. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification.

### **Mitigation Measures**

Previously imposed and implemented mitigation measures include:

- Mitigation Measure LU-1: Prior to project implementation, a General Plan Amendment shall be approved to change the project site from MU-1 to MU-2/Specific Plan Area.
- Mitigation Measure LU-2: Prior to project implementation, the City Zoning Ordinance shall be amended to change the project site from a Transitional Zone of LU-1/MU-1 to MU-2/Specific Plan Area.

As described in the Davia Village IS/MND, with implementation of these measures, land use and planning impacts were reduced to a less-than-significant impact.

### **Conclusion**

The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the IS/MND. Therefore, the "less-than-significant-with-mitigation-incorporated" impact conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to land use and planning.

## 4.11 Mineral Resources

| Environmental Issue Area                                                                                                                                               | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Mineral Resources. Would the project:</b>                                                                                                                           |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| 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?                                 | IS/MND Analysis: pp.63                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| b. Result in the loss of availability of a locally-important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan? | IS/MND Analysis: pp.63                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |

### 4.11.1 Discussion

The conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to mineral resources compared to what was previously evaluated in Chapter IV-XI, Mineral Resources of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The IS/MND evaluated the full buildout of the project site, and the current proposal would not change the project footprint nor impact the requirements of the Specific Plan or other project entitlements. This change does not constitute a change in circumstances regarding mineral resources.

As evaluated in the Davia Village IS/MND, the project site does not contain any known locally important mineral resources that would be considered to have local, regional, or statewide importance as delineated by either the City of San Marcos or San Diego County General Plans. There are no known mineral resources on the project site. Therefore, the proposed project would not impact mineral resources. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification.

## Mitigation Measures

None required.

## Conclusion

The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the IS/MND. Therefore, the less-than-significant impact conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to mineral resources.

### 4.12 Noise

| Environmental Issue Area                                                                                                                                                            | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New or Substantially More Severe Significant Impacts? | Any Substantially Important New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Noise. Would the project result in:</b>                                                                                                                                          |                                                      |                                        |                                                                                       |                                                                                      |                                                                                               |
| a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | IS/MND Analysis: pp. 64 to 69                        | Less Than Significant                  | No                                                                                    | No                                                                                   | No Change                                                                                     |
| b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?                                                                             | IS/MND Analysis: pp. 69 to 70                        | Less Than Significant                  | No                                                                                    | No                                                                                   | No Change                                                                                     |
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?                                                      | IS/MND Analysis: pp. 70 to 73                        | Less Than Significant                  | No                                                                                    | No                                                                                   | No Change                                                                                     |
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above                                                                               | IS/MND Analysis: pp. 73 to 75                        | Less Than Significant                  | No                                                                                    | No                                                                                   | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                                                                                                           | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New or Substantially More Severe Significant Impacts? | Any Substantially Important New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|---------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| levels existing without the project?                                                                                                                                                                                                                               |                                                      |                                        |                                                                                       |                                                                                     |                                                                                               |
| 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 expose people residing or working in the project area to excessive noise levels? | IS/MND Analysis: pp.75                               | No Impact                              | No                                                                                    | No                                                                                  | No Change                                                                                     |
| f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?                                                                                                     | IS/MND Analysis: pp.75                               | No Impact                              | No                                                                                    | No                                                                                  | No Change                                                                                     |

#### 4.12.1 Discussion

The conversion of 13,500 s.f. of ground floor retail storefronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to noise compared to what was previously evaluated in Chapter IV-XII, Noise of the Davia Village IS/MND. The project site has been fully developed with The Marc San Marcos multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The IS/MND evaluated full buildout of the project site, and the current proposal would not change the project footprint nor impact the requirements of the Specific Plan or other project entitlements. This change does not constitute a change in circumstances regarding noise.

The project includes a Specific Plan Amendment and Conditional Use Permit to convert 13,500 s.f. of ground floor retail to 10 residential apartment flats. The project would still be consistent with the General Plan Land Use and Zoning (SPA) for the site. As discussed in more detail in Section 4.16, the proposed project would result in 2,608 average daily trips, which is 279 fewer trips than analyzed in the Davia Village IS/MND. Therefore, the conversion of retail store fronts to apartments would be considered less intense than previously analyzed. The almost 10 percent decrease in vehicle trips

would result in a corresponding decrease in vehicle noise. Construction activities would be minimal since the site has already been built out.

A noise impact analysis was prepared in March 2025 by LDN Consulting (Appendix C) to determine the estimated exterior and interior noise levels within the residential units. Per the Davia Village IS/MND, the primary source of noise impacts to the project is vehicular noise from Armorlite Drive and Bingham Drive. Based on future traffic projections along the roadways, portions of the site were projected to experience unmitigated exterior noise levels at the proposed exterior open space areas of 64 dBA CNEL. Since the 2013 noise analysis prepared for the Davia Village IS/MND, current traffic projections have been compared to the traffic volumes used in the 2013 noise assessment to determine if the anticipated noise levels at the project site have changed. According to the 2025 noise report, future year (2035) traffic along Armorlite Drive is expected to have 8,100 ADT and future year traffic along Bingham Drive is expected to have 1,000 ADT, which is lower than the traffic projections used in the 2013 noise assessment. Therefore, the anticipated noise levels would be less than 64 dBA CNEL at the proposed exterior open space areas. However, to be conservative, a worst-case building façade noise level of 64 dBA CNEL was utilized for all units to determine interior noise.

### **Interior Noise**

The City of San Marcos as part of its noise guidelines states, consistent with Title 24 of the California Code of Regulations (CCR), a project is required to perform an interior assessment on the portions of a project site where building façade noise levels are above the normally compatible noise level in order to ensure that acceptable interior noise levels can be achieved. For noise sensitive residential land uses, the City has adopted an exterior noise level goal of 65 dBA CNEL for the outdoor living areas and requires an interior noise level of less than 45 dBA CNEL.

To meet the 45 dBA CNEL interior noise standard, an overall minimum interior noise level reduction of 19 dBA CNEL is needed for the proposed project buildings having a direct line of sight to the adjacent roadway. Therefore, a closed window and door condition is required to reduce interior noise levels to comply with CCR Title 24 and City of San Marcos requirements. The windows-closed condition does not require the windows to be non-operable but does require that mechanical ventilation be installed to move air within the structure and control temperatures when the windows are closed. The existing building already incorporates an HVAC system with mechanical ventilation.

In summary, the 2025 LDN noise report found that exterior noise levels would be less than 65 dBA CNEL and the interior noise levels will be at or below 45 dBA CNEL. No new exterior or interior noise impacts would occur as a result of the conversion of 13,500 s.f. of ground floor retail to 10 residential apartment flats. The project would continue to be required to comply with all applicable noise ordinance regulations.

### **Mitigation Measures**

None required.

The Davia Village IS/MND included the following design considerations, which were implemented during construction of The Marc project. The required final noise assessment referenced below is included as Appendix C and is summarized in the analysis above.

- All construction equipment shall be properly fitted with mufflers.

- A final noise assessment is required prior to the issuance of the first building permit for first, second and third floors of the lots along Armorldite Drive and Bingham Drive since the building facades are above 60 dBA CNEL. This final report would identify the interior noise requirements based upon architectural and building plans to meet the City's established interior noise limit of 45 dBA CNEL.

## Conclusion

The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the IS/MND. Therefore, the "less-than-significant" impact conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to noise.

## 4.13 Population and Housing

| Environmental Issue Area                                                                                                                                                                                  | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Population and Housing. Would the project:</b>                                                                                                                                                         |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| a. Induce substantial 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)? | IS/MND Analysis: pp. 75 to 76                        | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?                                                                                     | IS/MND Analysis: PP- 76                              | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |
| c. Displace substantial numbers of people, necessitating the construction of                                                                                                                              | IS/MND Analysis: pp.76                               | No Impact                              | No                                                                                            | No                                                          | No Change                                                                                     |

| Environmental Issue Area       | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|--------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| replacement housing elsewhere? |                                                      |                                        |                                                                                               |                                                             |                                                                                               |

#### 4.13.1 Discussion

The conversion of 13,500 s.f. of ground floor retail storefronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to air quality compared to that was previously evaluated in Chapter IV- XIII, Population and Housing, of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The Davia Village IS/MND estimated that the construction of 416 apartments would result in approximately 1,256 new residents. Additionally, the Davia Village IS/MND assumed the improvements necessary to support this amount of density, including necessary water/sewer lines, roadways, SR-78 ramps, and the SPRINTER rail station. The 2018 Addendum removed Condition 0 which placed an occupancy cap of 885 residents on the project. The Addendum noted that the population estimates used in the IS/MND were low and based on a household size of 3.05 residents per household, the Marc project would more likely result in 1,269 residents (2018 Addendum pp 4-29). These changes do not constitute a change in circumstances regarding population and housing.

The project proposes the conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats. The original 416 apartments and leasing office would remain. Using the current City of San Marcos's population rate of 3.1 persons per household (SANDAG 2022), the conversion of retail store fronts to 10 residential flats would result in an additional 31 residents. This represents a 2.5 percent increase in population above what was evaluated in the IS/MND (2.4% increase compared to the population numbers estimated in the 2018 Addendum). The creation of 10 residential flats would not induce substantial population growth in the area nor would it require additional or expanded infrastructure to support the increase. The project would not displace existing housing or people. Therefore, while a minor increase related to population and housing would occur, the increase would not result in a new or substantially more severe impacts to population and housing.

#### Mitigation Measures

None required.

#### Conclusion

As described above, the certified Davia Village IS/MND evaluated the environmental impacts associated with the construction of 416 dwelling units and the proposed project would add ten additional units yielding approximately 31 more residents. This nominal increase in population and

dwelling units resulting from the conversion of 13,500 s.f. of ground floor retail storefronts to 10 residential apartment flats would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the IS/MND. Therefore, the “less-than-significant” impact conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to population and housing.

#### 4.14 Public Services

| Environmental Issue Area                                                                                                                                                                                                                                                                                                                                                                                 | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Public Services.</b>                                                                                                                                                                                                                                                                                                                                                                                  |                                                      |                                        |                                                                                               |                                                              |                                                                                               |
| Would the project 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, to maintain acceptable service ratios, response times or other performance objectives for any public services: |                                                      |                                        |                                                                                               |                                                              |                                                                                               |
| a. Fire protection?                                                                                                                                                                                                                                                                                                                                                                                      | IS/MND Analysis: pp. 76 to 77                        | Less Than Significant                  | No                                                                                            | Yes                                                          | No Change                                                                                     |
| b. Police protection?                                                                                                                                                                                                                                                                                                                                                                                    | IS/MND Analysis: PP- 77                              | Less Than Significant                  | No                                                                                            | Yes                                                          | No Change                                                                                     |
| c. Schools?                                                                                                                                                                                                                                                                                                                                                                                              | IS/MND Analysis: pp. 77 to 78                        | Less Than Significant                  | No                                                                                            | Yes                                                          | No Change                                                                                     |
| d. Parks?                                                                                                                                                                                                                                                                                                                                                                                                | IS/MND Analysis: pp.78                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |

| Environmental Issue Area    | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|-----------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| e. Other public facilities? | IS/MND Analysis: pp.78                               | Less Than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |

#### 4.14.1 Discussion

The conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to public services compared to what was previously evaluated in Chapter IV-XIV, Public Services of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. This change does not constitute a change in circumstances regarding public services.

As evaluated in the Davia Village IS/MND, development of The Marc project increased demand for public services, including fire, police, schools, and parks, that was offset through the payment of development fees. The proposed conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartments would further incrementally increase demand on public services from the addition of 31 residents. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification.

#### Fire and Police

The San Marcos Fire Department has reviewed the proposed project and did not identify any significant impacts associated with servicing the additional 31 residents. Additionally, the project falls within the boundary of Community Facilities District (CFD) 2001-01 (Fire). Participation in CFD 2001-01 (Fire) would offset the project's increase in demand for fire services as it contributes funds toward the enhancement of fire stations, training facilities, dispatch center, communication systems and equipment. Thus, while the additional residents would place an increased demand on fire protection, the proposed project would not result in the need for new or expanded fire facilities and would not result in a significant impact on the environment.

#### Police

The MARC site is already developed and is being served by the San Diego County Sheriff's Department. The conversion of uses from commercial to residential would not result in a significant increase in demand of Sheriff resources. The project falls within the boundary of CFD 98-01 IA1 (Police). Participation in CFD 98-01 IA1 (Police) would offset the project's increase in demand for police services as it contributes funds towards police facilities, communication systems, equipment and

services. The proposed project would not result in the need for new or expanded fire or police facilities and would not have a significant impact on the environment.

### **Schools**

As evaluated in the Davia Village IS/MND, development of the 416 apartments was estimated to result in 143 students (0.3433 students/unit). Using the same generation rate, the additional 10 apartments would generate 3 additional students. Based upon current SMUSD boundaries, students living in the Marc San Marcos development attend La Mirada Academy (TK-8) and San Marcos High School. The project applicant would be required to pay school mitigation fees pursuant to California Education Code Section 17620 et seq. and Government Code Sections 65995(h) and 65996(b) in effect at the time of building permit issuance. Current Level II school fees are \$5.17/s.f. for residential development (SMUSD 2025). Payment of these fees would assist in funding SMUSD's long-range plans. Senate Bill (SB) 50 states that the fees imposed by school districts shall constitute the exclusive method of considering and mitigating impacts on school facilities caused by a development project. Such payment shall provide "full and complete mitigation of the impacts of any legislative or adjudicative act... on the provision of adequate school facilities" (Government Code Section 65995(h)). As such, with contribution of required development fees, the proposed project's impact to schools would be less than significant.

### **Parks**

The Davia Village IS/MND identified less than significant impacts to parks due to the provision of both private amenities for future residents and public amenities available for use by future residents and the greater community. These amenities have already been constructed. The conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would generate an additional 31 residents, which would increase demand on existing recreational facilities. The project includes private enlarged patio space for the 10 apartments. While there would be an incremental increase in demand for existing park facilities, this minor increase would not increase the use of existing recreational facilities such that substantial physical deterioration would occur. No new recreational facilities would need to be constructed or expanded, which could have significant impacts on the environment.

### **Other Facilities**

The Davia Village IS/MND concluded that the development would not have an impact on any other public facilities. While the proposed project's increase in residents may increase demand on libraries, the incremental increase on library facilities would not result in the need for new or expanded library facilities, which could have a significant impact on the environment. Therefore, the proposed project would not have a significant impact to other facilities.

### **Mitigation Measures**

No mitigation measures required.

The Davia Village IS/MND included the following design considerations, which were implemented during construction of The Marc project.

- Roadways servicing the project shall have a minimum improved paved width of 24 feet with an additional 8 feet to each side for parking. Any other roadway features such as cul-de-sacs and gates must meet the design criteria for the San Marcos Fire Department.

- Any automatic gates are required to have a Knox rapid entry system and emergency vehicle strobe detector.
- Fire hydrants with an adequate water supply must be installed at locations approved by the San Marcos Fire Department. Hydrant spacing shall be 300 feet part for multi-family areas. For single-family areas, hydrants shall be spaced 600 feet apart.
- Residential structures shall be outfitted with fire sprinklers per California Building Code 2010 edition and City Ordinance.

## Conclusion

As described above, the proposed project would result in an incremental increase in demand for public services as a result of the conversion of 13,500s.f. of retail to 10 residential apartment flats. However, this nominal increase in demand would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the Davia Village IS/MND. Therefore, the “less-than-significant” impact conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to public services.

## 4.15 Recreation

| Environmental Issue Area                                                                                                                                                                                       | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Recreation.</b>                                                                                                                                                                                             |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | IS/MND Analysis: pp.79                               | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an                                                                    | IS/MND Analysis: pp.79                               | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |

| Environmental Issue Area                    | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|---------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| adverse physical effect on the environment? |                                                      |                                        |                                                                                               |                                                             |                                                                                               |

#### 4.15.1 Discussion

The conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to recreation compared to what was previously evaluated in Chapter IV-XV, Recreation of the Davia Village IS/MND. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals, including the 60,000 s.f. public recreational space (Innovation Park), with recreational amenities, passive green spaces, and private amenity space. Innovation Park is located at 1151 Armorlite Drive (northwest corner of The Marc project site) and includes a dog park, permanent restrooms, pickleball court, picnic tables and play equipment. This change does not constitute a change in circumstances regarding recreation.

The project proposes an additional 10 residential apartment flats which would yield an additional 31 residents and an incremental demand on recreational uses. However, this minor increase would not increase the use of existing recreational facilities such that substantial physical deterioration would occur. Beyond the expanded patio space along Armorlite Drive, the project would not require construction or expansion of recreational facilities. Therefore, while an incremental increase in demand for recreational facilities would occur, the increase would not result in a new or substantially more severe impacts to recreation. Additionally, the project applicant would be required to pay park fees as required by City Ordinance 88-799 (SMMC, Chapter 20.12, Growth Management) to offset any increase in demand on parks.

#### Mitigation Measures

None required.

#### Conclusion

As described above, the proposed project would result in an incremental increase in demand for recreational uses as a result of an additional 10 residential apartment flats. However, this nominal increase in demand would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the Davia Village IS/MND. Therefore, the “less-than-significant” impact conclusions of the Davia Village IS/MND remain valid and approval of the project would not result in new or substantially more severe impacts to recreation.

## 4.16 Transportation / Traffic

| Environmental Issue Area                                                                                                                                                                                                                                                               | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion             | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Transportation/ Traffic. Would the project:</b>                                                                                                                                                                                                                                     |                                                      |                                                    |                                                                                               |                                                              |                                                                                               |
| a. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ration on roads, or congestion at intersection? | IS/MND Analysis: pp.80-92                            | Less than Significant with Mitigation Incorporated | No                                                                                            | No                                                           | No Change                                                                                     |
| b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?                                                                                                                   | IS/MND Analysis: pp.92-101                           | Less than Significant                              | No                                                                                            | No                                                           | No Change                                                                                     |
| c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?                                                                                                                        | IS/MND Analysis: pp.101                              | No Impact                                          | No                                                                                            | No                                                           | No Change                                                                                     |
| d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?                                                                                                                                 | IS/MND Analysis: pp.101                              | Less than Significant                              | No                                                                                            | No                                                           | No Change                                                                                     |

| Environmental Issue Area                                                                    | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification ? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|---------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| e. Result in inadequate emergency access?                                                   | IS/MND Analysis: pp.101                              | Less than Significant                  | No                                                                                            | No                                                           | No Change                                                                                     |
| f. Result in inadequate parking capacity?                                                   | IS/MND Analysis: pp.101 to 102                       | Less than Significant                  | N/A                                                                                           | N/A                                                          | No Change                                                                                     |
| g. Conflict with adopted policies, plans or programs supporting alternative transportation? | IS/MND Analysis: pp.101 to 103                       | No Impact                              | No                                                                                            | No                                                           | No Change                                                                                     |

#### 4.16.1 Discussion

Since the certification of the 2014 Davia Village IS/MND and the 2018 Addendum, new policies, laws, and regulations have been enacted with regard to the evaluation of project-related transportation impacts. The following discussion provides a summary of the changes to the regulatory environment.

##### ***San Marcos Transportation Demand Management (TDM) Ordinance and Policy***

To implement the City's Climate Action Plan measures and to reduce traffic impacts from development projects, the City of San Marcos adopted a TDM Ordinance and Policy in December 2023. The TDM Ordinance and Policy will be applicable to any development project that is not exempt from CEQA requirements and would result in emission of more than 500 metric tons of carbon dioxide (MTCO<sub>2</sub>) per year. Projects that are subject to this Ordinance shall submit a project specific TDM Plan for the City's review and approval with the entitlement application to show compliance with the TDM Policy and Ordinance. As discussed in more detail in Section 4.7 Greenhouse Gas Emissions, in accordance with the City's CAP screening criteria, the proposed project would generate less than 500 MTCO<sub>2e</sub> per year, resulting in less than significant GHG impacts. Therefore, the TDM ordinance and policy would not apply to the proposed project.

##### ***SB 743, CEQA Guidelines Update***

In December 2018, the California Natural Resources Agency certified and adopted the CEQA Guidelines update package, which included Guidelines for the Implementation of CEQA. As a result, the California Governor's Office of Planning and Research (OPR) updated and released the Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) in December 2018.

According to the updated guidelines, lead agencies had until July 1, 2020 to comply with the updated CEQA revision. The City of San Marcos has adopted Vehicle Miles Traveled (VMT) thresholds as part of their Transportation Impact Analysis Guidelines (City of San Marcos 2020).

While VMT is the preferred quantitative metric for assessing potentially significant transportation impacts under CEQA, it should be noted that SB 743 does not prevent a city or county from using metrics such as LOS as part of the application of local general plan policies, municipal and zoning codes, conditions of approval, or any other planning requirements through a city's planning approval process; cities can still ensure adequate operation of the transportation system in terms of transportation congestion measures related to vehicular delay and roadway capacity. As such, the City can continue to require congestion-related transportation analysis and mitigation projects through planning approval processes outside CEQA.

### ***City of San Marcos Transportation Impact Analysis Guidelines***

The City of San Marcos approved *Transportation Impact Analysis Guidelines* (TIAG) on November 16, 2020 (City of San Marcos 2020b). The TIAG provide screening criteria for determining whether a land development project should conduct a VMT analysis. These thresholds are based on the project's consistency with the General Plan, estimated daily trips, project location, and other project characteristics. A VMT analysis applies to all land development projects except for those that meet at least one of the screening criteria.

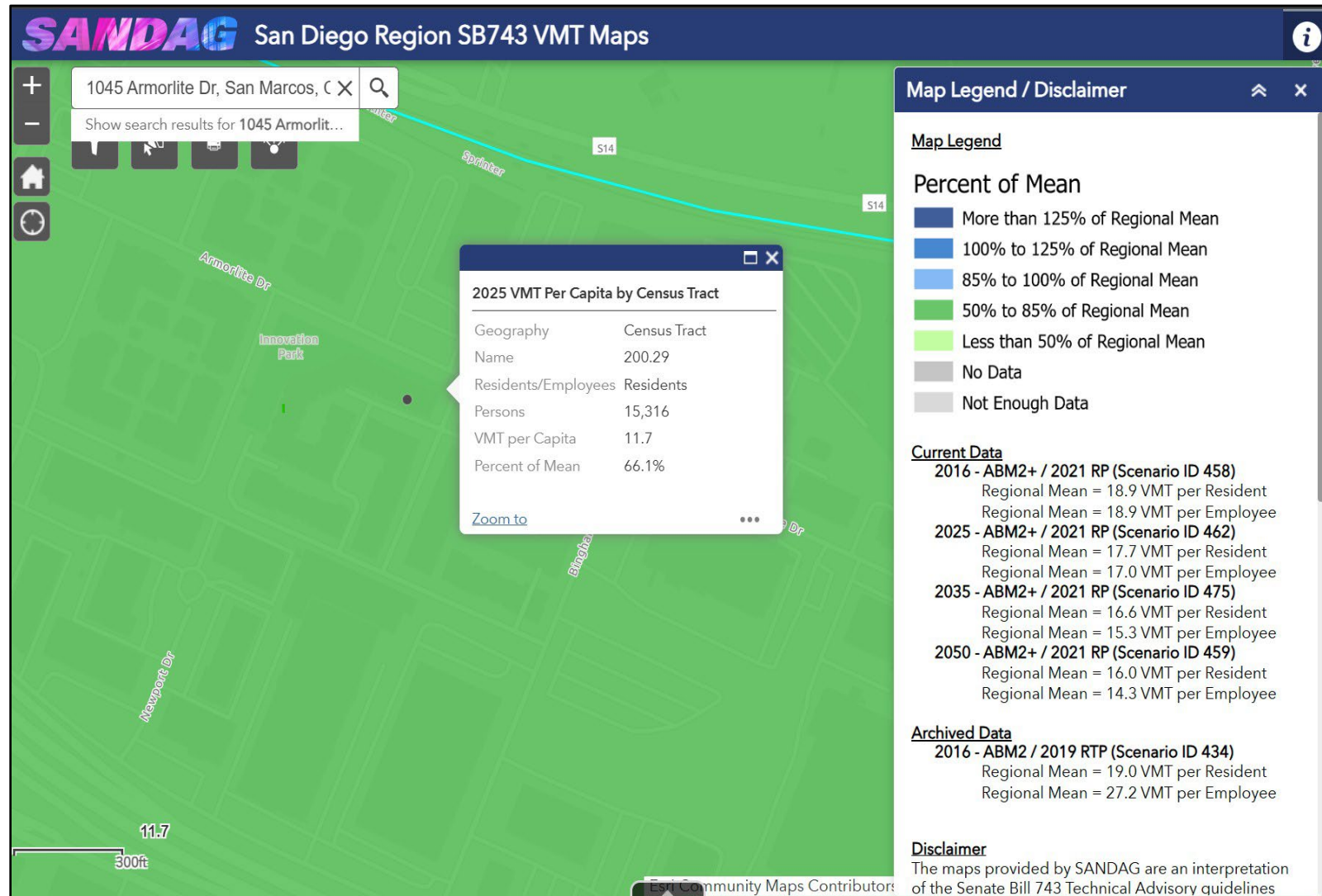
### **VMT**

Section 15064.3(b) of the CEQA Guidelines provide criteria for analyzing transportation impacts. At the time the 2014 Davia Village IS/MND was certified and 2018 Addendum adopted, CEQA Guidelines Section 15064.3 was not in effect. The TIAG (City of San Marcos 2020b) provides several screening approaches to identify when a project should be expected to cause a less-than-significant impact related to VMT. The City of San Marcos TIAG suggest that a detailed transportation VMT analysis applies to all land development projects, except those that meet at least one of the screening criteria. The relevant screening criterion for the proposed project is described below:

- **Map-Based Screening for (Projects Located in VMT Efficient Areas)** – Residential and employment projects that are proposed in areas that generate VMT below adopted City thresholds can be presumed to have a less-than-significant transportation impact and would not require a detailed VMT analysis. This determination must be made using SANDAG's online residential and employment VMT maps for existing year or model baseline year VMT (whichever is available at the time analysis is being conducted), which show census tracts in the city where the VMT is below the regional average.

Per the City's TIAG, a VMT analysis is not required as the project is located in a VMT efficient area (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) based on the applicable location-based screening map produced by SANDAG. Using the SANDAG screening map for residential projects under per capita measurements (**Figure 3**) the project is located in census tract 200.29 and would be expected to generate 11.7 VMT/capita. This equates to 66.1% of the regional average VMT/capita. Therefore, based on the City's TIAG, a VMT analysis is not required as the project is located in a VMT efficient area and VMT impacts are presumed to be less than significant.

Figure 3. SANDAG VMT Screening Maps



## Parking

Since approval of the project, the CEQA Appendix G Checklist was modified to remove the consideration of parking impacts as an environmental impact. According to the project plans (Appendix A), the approved 2014 project required 671 parking spaces and converting 13,500s.f. of retail store fronts to 10 residential apartment flats reduces that requirement to 650 spaces. The developed project site already provides 723 parking spaces including a combination of garage spaces, open spaces, and street parking. Parking spaces serving the converted retail uses shall be reallocated to the additional residential units, in accordance with the bedroom parking ratios in Table 2-3 of the Specific Plan. No additional parking is required, as the existing retail parking supply exceeds the residential parking demand. Therefore, sufficient parking exists to accommodate the proposed project.

## Trip Generation

The proposed conversion of approximately 12,000 s.f. of retail store fronts to 10 residential apartment flats would not result in an increase to trip generation beyond that which was evaluated in the IS/MND as shown below in **Table 1**. This is because retail uses generate higher average daily trips than apartment uses do. The IS/MND assumed 2,887 trips for buildout of the approved project in 2014 (including 416 apartments and 15,000 s.f. of retail). The proposed project's conversion of retail store fronts to apartments (resulting in a total of 426 apartments and approximately 3,000 s.f. of retail) would yield 2,608 trips, which is 279 trips less than what was analyzed in the IS/MND.

## Impact Summary

Although the regulatory environment has changed since the certification of the Davia Village IS/MND as identified above, the TDM Ordinance and Policy would not apply to the proposed project and due to the project's location within a VMT efficient area, the proposed project would have less than significant VMT impacts. The project site also provides sufficient parking to accommodate the proposed project. Therefore, the conversion of 13,500 s.f. of retail uses to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to transportation/traffic compared to what was previously evaluated in Chapter IV- XVI, Transportation/Traffic of the Davia Village IS/MND.

The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The conversion of 13,500s.f. of ground floor retail store fronts to 10 residential apartment flats would not substantially alter the project's existing site design and circulation network resulting in an increase in hazards, nor would it impede emergency access or access to public transportation, pedestrian and bicycle paths. The proposed project would decrease the number of trips generated by the project site and the trip distribution and assignment would remain consistent with the analysis in the Davia Village IS/MND. No new circumstances or project changes have occurred, nor has any new information been found requiring new analysis or verification. Thus, the proposed project would not result in any new or more severe traffic impacts than were previously evaluated in Chapter IV- XVI, Transportation/Traffic of the Davia Village IS/MND.

Mitigation Measures TR-1 through TR-3 (see below) were included as part of the certified Davia Village IS/MND and were implemented during construction of The Marc project.

**Table 1. Trip Generation for 2014 IS/MND Compared to Proposed Project**

| Land Use                                                               |      | Unit | Daily (Per unit) | AM Peak |     |     | PM Peak |     |     |
|------------------------------------------------------------------------|------|------|------------------|---------|-----|-----|---------|-----|-----|
|                                                                        |      |      |                  | Total   | In  | Out | Total   | In  | Out |
| Apartment                                                              |      | DU   | 6                | 8%      | 20% | 80% | 9%      | 70% | 30% |
| Specialty Retail                                                       |      | TSF  | 40               | 3%      | 60% | 40% | 9%      | 50% | 50% |
| Active Park                                                            |      | Acre | 50               | 13%     | 50% | 50% | 9%      | 50% | 50% |
| Forecast Project Generated Trips from 2014 IS/MND                      |      |      |                  |         |     |     |         |     |     |
| Land Use                                                               | Size | Unit | Daily Trips      | AM Peak |     |     | PM Peak |     |     |
|                                                                        |      |      |                  | Total   | In  | Out | Total   | In  | Out |
| Apartment                                                              | 416  | DU   | 2,496            | 200     | 40  | 160 | 225     | 157 | 67  |
| Specialty Retail                                                       | 15   | TSF  | 600              | 18      | 11  | 7   | 54      | 27  | 27  |
| Active Park                                                            | 1.38 | Acre | 69               | 9       | 5   | 4   | 6       | 3   | 3   |
| Subtotal                                                               |      |      | 3,165            | 227     | 56  | 171 | 285     | 187 | 97  |
| 10% Mixed-Use Reduction                                                |      |      | -120             | -4      | -2  | -1  | -11     | -5  | -5  |
| 5% Transit Reduction                                                   |      |      | -158             | -11     | -3  | -9  | -14     | -9  | -5  |
| Net Project Trips (2014 IS/MND)                                        |      |      | 2,887            | 212     | 51  | 161 | 260     | 173 | 87  |
| Proposed Project (Conversion of 13,500s.f. of Retail to 10 Apartments) |      |      |                  |         |     |     |         |     |     |
| Land Use                                                               | Size | Unit | Daily Trips      | AM Peak |     |     | PM Peak |     |     |
|                                                                        |      |      |                  | Total   | In  | Out | Total   | In  | Out |
| Apartment                                                              | 426  | DU   | 2,556            | 205     | 41  | 164 | 230     | 161 | 69  |
| Specialty Retail                                                       | 3    | TSF  | 120              | 4       | 2   | 2   | 11      | 6   | 5   |
| Active Park                                                            | 1.38 | Acre | 69               | 9       | 5   | 4   | 6       | 3   | 3   |
| Subtotal                                                               |      |      | 2,745            | 218     | 48  | 170 | 247     | 170 | 78  |
| 5% Transit Reduction                                                   |      |      | -137             | -11     | -2  | -9  | -12     | -8  | -4  |
| Net Project Trips (Proposed Project)                                   |      |      | 2,608            | 207     | 46  | 162 | 235     | 161 | 74  |
| Change in trips from 2014 IS/MND to Proposed Project                   |      |      | -279             | -5      | -5  | +1  | -25     | -12 | -13 |

Source: SANDAG (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region (April 2002); Davia Village Specific Plan IS/MND (2014, pp 81).

## Mitigation Measures

The following mitigation measures were referenced in the IS/MND analysis and were implemented with the construction of the previously approved The Marc project:

- Mitigation Measure TR-1: For the cumulative impact in Existing Plus Cumulative Condition at Grand Avenue/ SR-78 EB Ramps - Via Vera Cruz the following improvements are required:
  - Construct a dedicated right-turn lane at the southbound (off-ramp) approach of the intersection.
  - Convert existing shared through/right-turn lane to a shared left turn/ through lane.
  - Modify signal phasing to install a right-turn overlap phase at the southbound approach of intersection.

The project's fair share contribution to Mitigation Measure TR-1 is 10.8 percent.

- Mitigation Measure TR-2: For the cumulative impact in the 2035 Horizon Year Condition at Los Posas Road/SR-78 WB ramps the following improvement is required:
  - Construct a dedicated right-turn lane at the westbound (off-ramp) approach of the intersection. This improvement can be constructed within the Caltrans right-of-way.

The project's fair share contribution to Mitigation Measure TR-2 is 12.1 percent.

- Mitigation Measure TR-3: For the cumulative impact in the 2035 Horizon Year at Grand Avenue/ SR-78 Eastbound Ramps-Via Vera Cruz the following improvements are required:
  - Construct a dedicated right-turn lane at the southbound (off-ramp) approach of the intersection.
  - Convert existing shared through/right-turn lane to a shared left turn/ through lane.
  - Modify signal phasing to install a right-turn overlap phase at the southbound approach of intersection.

The project's fair share contribution to Mitigation Measure TR-3 is 10.8 percent.

The Davia Village IS/MND included the following design considerations, which were implemented with the construction of the previously approved Marc project.

- Access to the northerly project driveway on Bingham Drive will be restricted to right-turn in/right-turn out only.
- Implementation of a Parking Management Plan.

The Davia Village Specific Plan IS/MND concluded that impacts to level of service on all facilities would be reduced to a less than significant with implementation of the recommended mitigation.

## Conclusion

As described above, the proposed project would result in a reduction in total vehicle trips as a result of the conversion of 13,500 s.f. of retail store fronts to 10 residential apartment flats. No new impacts related to site design, VMT or parking would occur. Therefore, the proposed project would not involve

new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the IS/MND. Therefore, the “less-than-significant” impact conclusions of the Davia Village IS/MND remain valid and approval of the project would not result in new or substantially more severe impacts to transportation.

#### 4.17 Utilities and Service Systems

| Environmental Issue Area                                                                                                                                                                               | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Utilities and Service Systems. Would the project:</b>                                                                                                                                               |                                                      |                                        |                                                                                               |                                                             |                                                                                               |
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?                                                                                                    | IS/MND Analysis: pp. 103                             | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |
| b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | IS/MND Analysis: pp. 103 to 105                      | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |
| c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?          | IS/MND Analysis: pp. 105                             | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?                                                 | IS/MND Analysis: pp. 105                             | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |
| e. Result in a determination by the wastewater                                                                                                                                                         | IS/MND Analysis:                                     | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |

| Environmental Issue Area                                                                                                                                                        | Where Topic Was Analyzed in the Davia Village IS/MND | Davia Village IS/MND Impact Conclusion | Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts? | Any New Information Requiring New Analysis or Verification? | Would the Project Result in New Significant Impacts or Changes to Previous Impact Conclusion? |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| treatment provider which serves or may serve the project that has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | pp. 106                                              |                                        |                                                                                               |                                                             |                                                                                               |
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?                                                          | IS/ND Analysis: pp. 106                              | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |
| g. Comply with federal, state, and local statutes and regulations related to solid waste?                                                                                       | IS/MND Analysis: pp. 106 to 107                      | Less Than Significant                  | No                                                                                            | No                                                          | No Change                                                                                     |
| h. Create demand for natural gas, electricity, telephone, and other utility services that cannot be met?                                                                        | Not analyzed in IS/MND                               | Less Than Significant                  | NA                                                                                            | NA                                                          | No Change                                                                                     |
| i. Result in inefficient wasteful, and unnecessary consumption of energy?                                                                                                       | Not analyzed in IS/MND                               | No Impact                              | NA                                                                                            | NA                                                          | No Change                                                                                     |

#### 4.17.1 Discussion

The conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not result in a change in the environmental or regulatory setting related to utilities and service systems compared to what was previously evaluated in Chapter IV-XVI, Utilities and Service Systems of the Davia Village IS/MND. Since certification of the 2014 Davia Village IS/MND and 2018 Addendum, there have been additional regulatory requirements related to increasing energy efficiency, water conservation, and recycling and landfill diversion. The project site has been fully developed with The Marc multi-family apartments and ground floor retail store fronts pursuant to the 2014 project approvals. The improvement in regulatory standards and development of the site would not constitute a change in circumstances regarding utilities and service systems.

## **Water and Wastewater**

The Vallecitos Water District (VWD) provides the water and sewer service for the project site and confirmed it has adequate capacity to continue to serve the site with the conversion of store fronts into apartments. VWD conducted a Water and Sewer Study in 2013 for buildout of the project site. The water demand for the approved project analyzed in the Davia Village IS/MND was projected to be 80,211 gallons-per-day (gpd), which was based upon the acreages of individual land uses proposed for the site. Using the same generation rates, the conversion of 13,500 s.f. of ground floor retail to 10 residential apartment flats would result in a 2 percent increase in water demand (1,580 gpd), because residential uses have a higher water demand than retail uses. The project applicant would pay applicable Water Capital Facility Fees to VWD per Water Capital Facility Ordinance #175. These fees would be used toward future capital improvements identified in VWD's master plan and would offset the incremental increase in water demand. The proposed project would not require the construction of new or expanded water facilities, the construction of which could cause significant environmental effects.

Similarly, the Davia Village IS/MND projected wastewater flows of 70,353 gpd based upon the acreages of individual land uses proposed for the site. Using the same generation rates, the conversion of 13,500 s.f. of ground floor retail to 10 residential apartment flats would result in a 2 percent increase in wastewater flows (1,464 gpd) because residential uses have a higher sewer demand than retail uses. The project applicant would pay applicable Wastewater Capital Facility Fees to VWD per Wastewater Capital Facility Ordinance #176. These fees would be used toward future capital improvements identified in VWD's master plan and would offset the incremental increase in water demand. The proposed project would not require the construction of new or expanded wastewater facilities, the construction of which could cause significant environmental effects.

## **Solid Waste**

The Davia Village IS/MND analyzed solid waste impacts related to the previously approved project and determined project demand (without considering any waste diversion through recycling) would be 219 tons per year based on the total number of residential dwelling units and commercial retail space that was proposed. Using the same generation rates, the conversion of 13,500 s.f. of ground floor retail to 10 residential apartment flats would result in an 11 percent decrease in solid waste generation (24 tons). There have been additional regulatory requirements related to increasing recycling and landfill diversion; thus, the actual amount of solid waste to be generated by the project would be less. Therefore, there would be sufficient permitted landfill capacity to accommodate the proposed project. Additionally, the project would comply with current federal, state, and local statutes and regulations related to solid waste, including proper handling of construction and demolition debris.

## **Storm Drainage**

As discussed in more detail in Section 4.9 Hydrology and Water Quality, no substantial changes would occur related to site drainage, hydrology, or stormwater runoff as a result of the proposed project. Any project site modification would be required to adhere to the City's Best Management Practices (BMP) Design Manual (City of San Marcos 2023). The proposed project would not exceed wastewater treatment requirements, or require the construction of new or expanded storm water drainage facilities, the construction of which could cause significant environmental effects?

## **Other Services**

The 2018 Addendum briefly addressed the project effects on other utility services and concluded there would be no impact. The Marc San Marcos development is already being served electricity, natural gas, telecommunications and other utility services by San Diego Gas & Electric (SDG&E) and local providers. The conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats would not significantly increase demand for these services or require construction or expansion of infrastructure currently serving the site. There would be minimal construction needed for the conversion of store fronts to apartments and the project's adherence to the most recent building code and green building standards would ensure the proposed project would not result in inefficient, wasteful, and unnecessary consumption of energy.

## **Mitigation Measures**

No mitigation measures required.

The Davia Village IS/MND included the following design considerations, which have already been implemented.

- Payment of Water Capital Facility Fees per Vallecitos Water District Ordinance no. 175.
- Payment of Wastewater Capital Facility Fees per Vallecitos Water District Ordinance no. 176.
- Payment of Wastewater Density Impact Fees per Vallecitos Water District Ordinance No. 177.
- Upsize 1,195 feet of wastewater pipeline from 8-inch to 10-inch diameter within Armorlite Drive and Bingham Drive.
- Upsize 652 feet of wastewater pipeline from 8-inch to 12-inch diameter within Bingham Drive.

## **Conclusion**

As described above, the proposed project would result in an incremental increase in demand for water and wastewater services as a result of the conversion of 13,500 s.f. of retail to 10 residential apartment flats. However, this nominal increase in demand would be offset through the payment of Water and Wastewater Capital Facility Fees. Solid waste generation would decrease, and the project would not significantly impact storm drainage facilities or increase demand for other services systems. Therefore, the proposed project would not involve new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the Davia Village IS/MND. Therefore, the "less-than-significant" impact conclusions of the Davia Village IS/MND remain valid, and approval of the project would not result in new or substantially more severe impacts to utilities and service systems.

## **CUMULATIVE IMPACTS DISCUSSION**

The Davia Village Specific Plan IS/MND was completed in 2014 and evaluated potential cumulative impacts related to traffic, air quality, greenhouse gas emissions, and noise. The IS/MND determined the project would not have any cumulative impacts related to air quality, greenhouse gas emissions, and noise. The project contributed to a cumulative traffic impact in the Existing Plus Project and 2035 time frame. Mitigation measures MM-TR-1, MM-TR-2 and MM-TR-3, now implemented, were identified

to reduce the impact to below a level of significance. The project was required to pay a fair share for improvements to reduce the impacts to below a level of significance.

All other impacts were determined to be site-specific (e.g., cultural resources and hazards/hazardous materials) and not cumulatively significant. Therefore, the project was determined not to meet this Mandatory Finding of Significance and impacts are less than significant with the incorporation of mitigation.

As discussed throughout this document, the conversion of 13,500 s.f. of ground floor retail store fronts to 10 residential apartment flats conversion of store fronts to apartments is considered to be less intensive in terms of air quality, GHGs, and traffic compared to what was previously analyzed in the Davia Village IS/MND. Therefore, the proposed project would not result in new circumstances, new information, significant environmental effects, or a substantial increase in the severity of previously identified significant effects which were evaluated in the IS/MND.

## **5.0 List of Preparers and Persons Consulted**

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