City of Encinitas
505 South Vulcan Avenue, Encinitas, California 92024-3633
Tel: (760) 633-2710; Fax: (760) 633-2818

July 26, 2024

CEQA Initial Study - Environmental Checklist Form
(Based on the State CEQA Guidelines, Appendix G)

1. Title: Bella Vista Drive Project
   Project Number(s): MULTI-005107-2022, DR-005108-2022; SUB-005109-2022, CDPNF-005110-2022

2. Lead agency name and address:
   City of Encinitas
   505 South Vulcan Avenue
   Encinitas, CA 92024

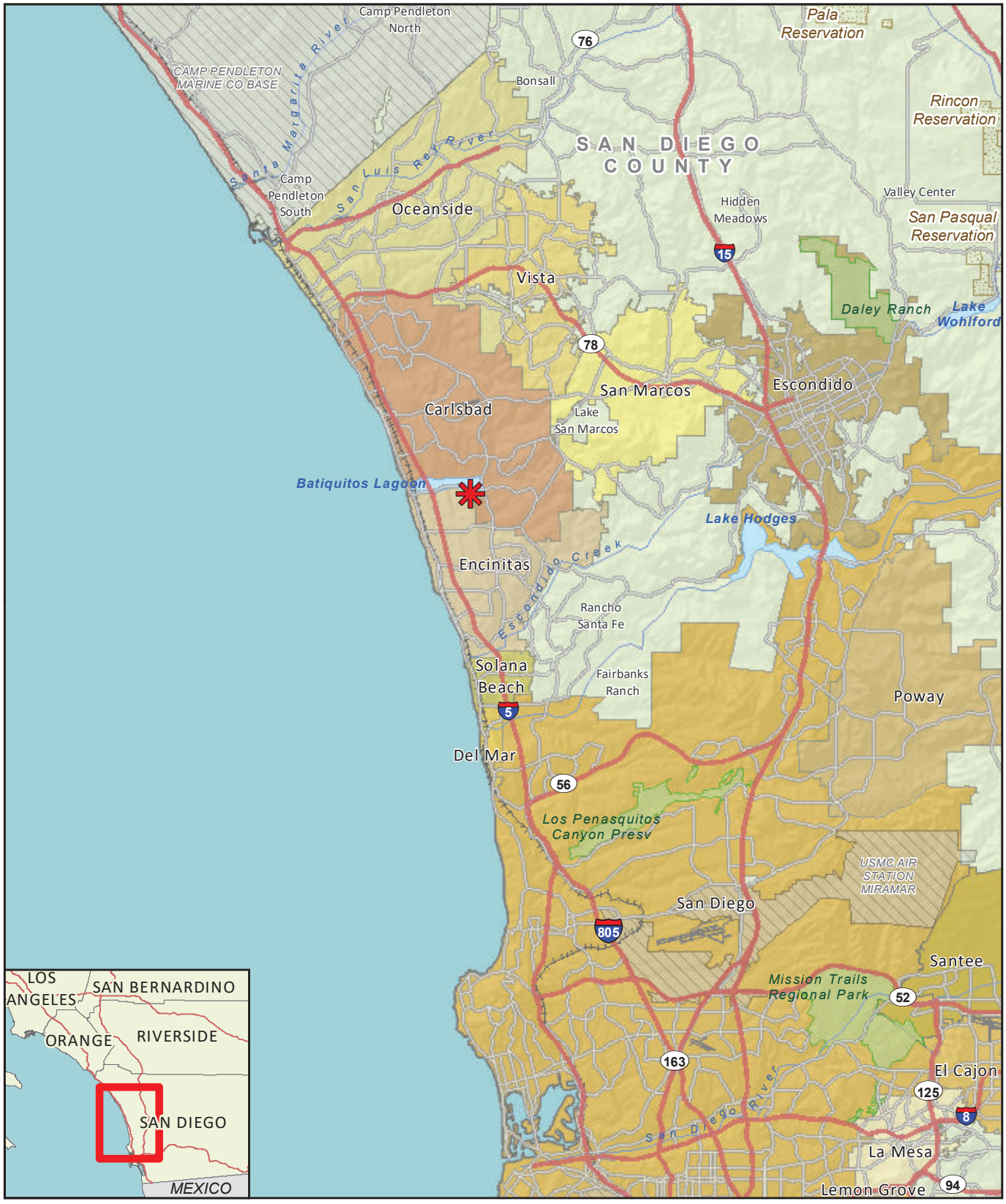
3. a. Contact: J. Dichoso, Project Manager
   b. Phone number: (760) 633-2681
   c. E-mail: jdichoso@encinitasca.gov

4. Project location:
   The approximately 10-acre parcel (Assessor Parcel Number: 216-122-17) is located along Bella Vista Drive, approximately 600 feet north of Blue Heron Avenue and south of Bella Laguna Court, within the City of Encinitas (City). Figure 1 shows the regional location, Figure 2 shows the project location on a U.S. Geological Survey map, and Figure 3 shows the project location on an aerial photograph.

5. Project Applicant name and address:
   Kira Family Trust
   16122 Fruitvale Road
   Valley Center, CA 92082

6. General Plan: Rural Residential (RR-1)
   Density: 1.0 Dwelling Unit Per Acre

7. Zoning
   Use Regulation: Rural Residential (RR-1)
   Minimum Net Lot Size: 1.0 acre
   Special Area Regulation: Coastal Zone, Special Study Overlay Zone, Cultural/Natural Resources Overlay Zone, Hillside/ Inland Bluff Overlay Zone



Project Location

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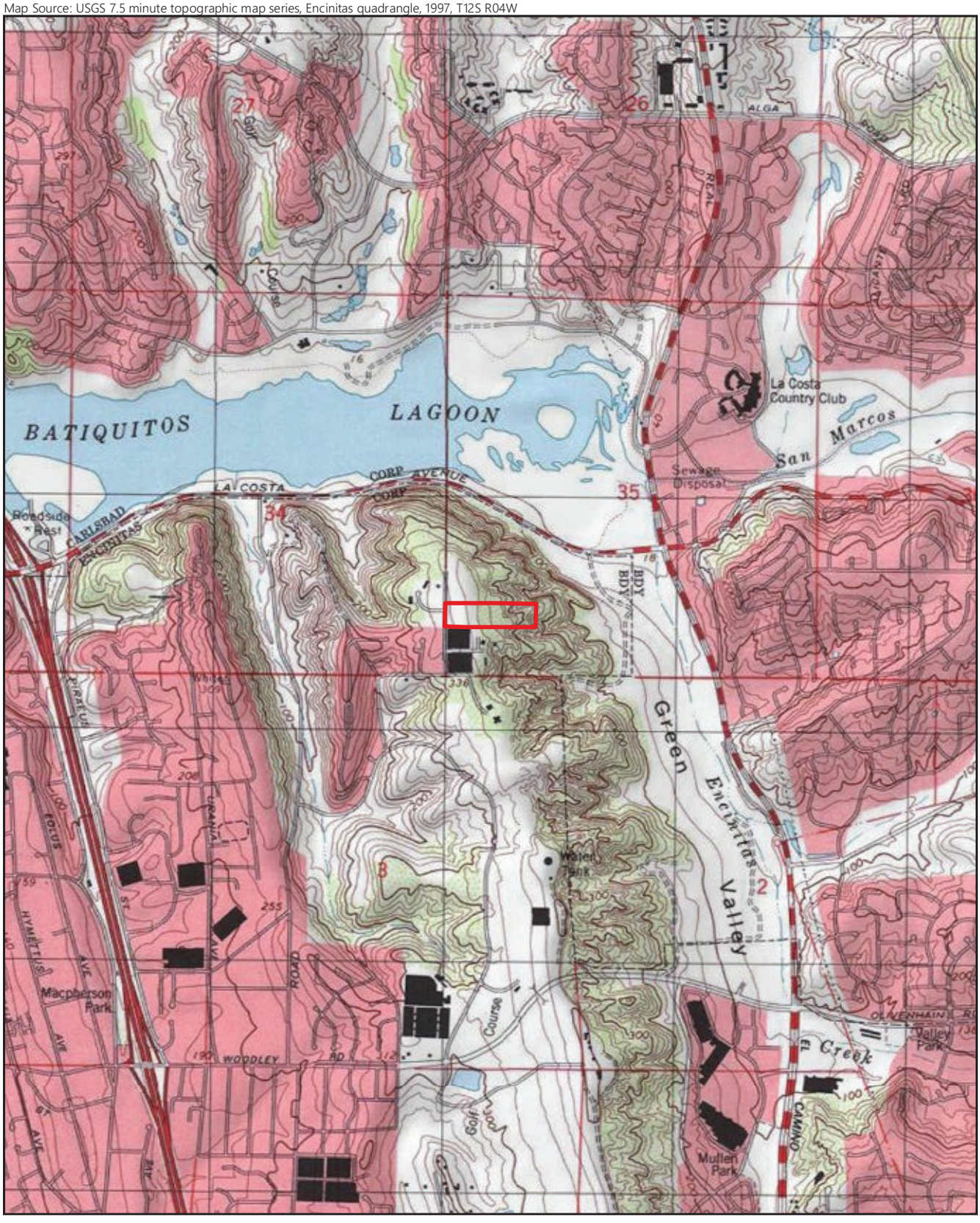
FIGURE 1
Regional Location

Map Source: USGS 7.5 minute topographic map series, Encinitas quadrangle, 1997, T12S R04W



Project Boundary

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FIGURE 2
Project Location on USGS Map

Image Source: NearMap (flown September 2023)

0 Feet 300

Project Boundary

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FIGURE 3
Project Location on Aerial Photograph

8. Description of project:

The project is a subdivision of a 10.11 gross-acre undeveloped lot utilizing the State of California (State) Density Bonus (DB) Law (California Government Code Section 65915). The subdivision would create 17 residential lots for the future development of 17 single-family homes, and one private street lot. The construction of single-family homes is not proposed as part of this project scope. Of the 17 units, 15 will be market rate and two will be affordable at the "very low-income" level. The proposed Tentative Map (TM) is shown in Figure 4. As shown on the TM (Figure 4), lot configurations for the project site vary in size between 8,364 square feet (sf) to 79,852 sf. Development waivers are proposed as detailed below and shown in Table 1.

Table 1
Requested Waivers

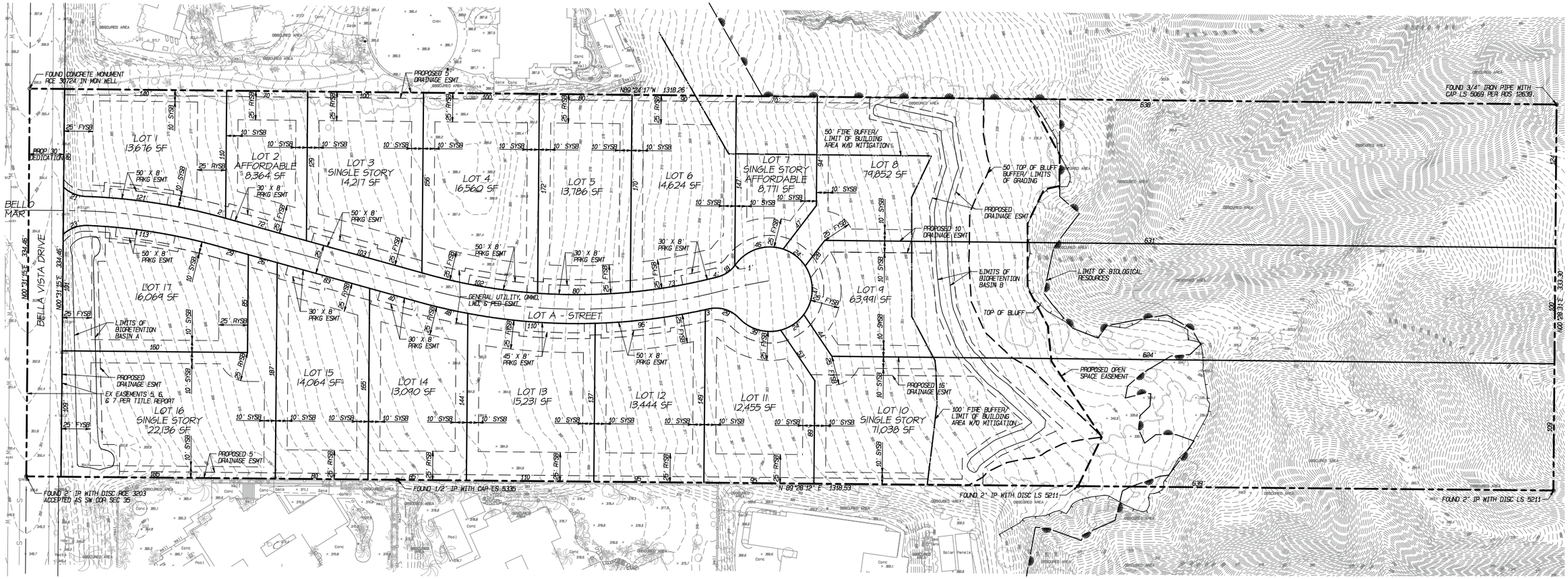
Encinitas Municipal Code Regulation	Applicable Project Design	Required	Proposed Waiver
Section 30.16.010.A	Minimum Lot Area	1 net acre	Lots 1–7 and 11–17 Varies from 8,364 to 22,136 square feet
Section 30.16.010.A	Minimum Lot Depth	150 feet	Lots 1–3, 7, and 11–13 Varies from 119 feet to 142 feet
Section 30.16.010.A	Minimum Lot Width	110 feet	Lots 1–7, 9, 11–12, and 14–17 Varies from 70 feet to 109 feet
Section 30.16.010	Front Yard Setback	30 feet	All lots 25 feet
Section 30.16.010.A	Interior Side Yard Setback	15 feet	All lots 10 feet
Section 24.29.020.D	Private Street	Private Street – cul-de-sac limited to 10 lots or fewer	Private Street with cul-de-sac for more than 10 lots

Additionally, the project includes grading and construction of a private cul-de-sac street and associated public improvements, stormwater, drainage, and utility improvements. The construction of single-family homes is not proposed as part of this project scope.

The subdivision also proposes an open space easement located at the eastern portion of the property and provides Fuel Modification Zones (FMZ) between the limits of grading and the open space easement area (Figure 5).

The components of the project include the following: planning applications; development waivers; access and roadways; grading and retaining walls; infrastructure improvements; fire protection measures; landscaping; and open space. The project also includes project design features that would be implemented as conditions of project approval to avoid potentially significant impacts.

Map Source: Ardolino Coastal Engineering



LEGEND

SUBDIVISION BOUNDARY	
LOT LINE	
LOT NUMBER	LOT 4
LOT AREA	5,000 SF
PROPOSED SETBACKS	
CENTERLINE OF RIGHT-OF-WAY	
PROPOSED DEDICATION	
PROPOSED STEEP SLOPE OPEN-SPACE EASEMENT	
PROPOSED WETLAND BUFFER	
ACCESS RELINQUISHMENT	

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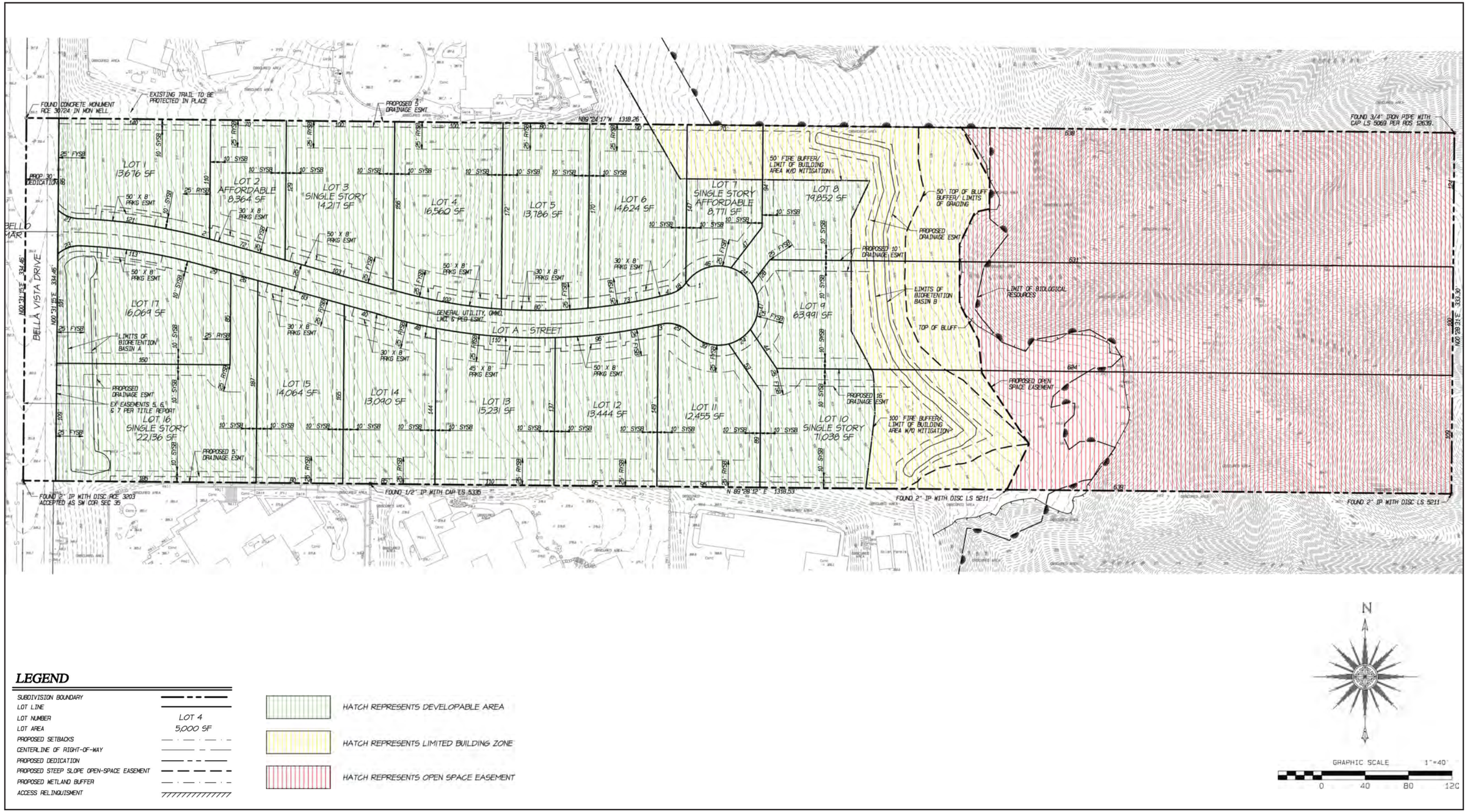
FIGURE 4
Tentative Map

Map Source: Ardolino Coastal Engineering



LEGEND

SUBDIVISION BOUNDARY	
LOT LINE	
LOT NUMBER	LOT 4
LOT AREA	5,000 SF
PROPOSED SETBACKS	
CENTERLINE OF RIGHT-OF-WAY	
PROPOSED DEDICATION	
PROPOSED STEEP SLOPE OPEN-SPACE EASEMENT	
PROPOSED WETLAND BUFFER	
ACCESS RELINQUISMENT	

HATCH REPRESENTS DEVELOPABLE AREA

HATCH REPRESENTS LIMITED BUILDING ZONE

HATCH REPRESENTS OPEN SPACE EASEMENT

N

GRAPHIC SCALE 1"=40'

0 40 80 120

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FIGURE 5
Limits of Grading/Fuel Modification/Open Space Exhibit

Planning Applications

The project includes the processing of planning applications requesting a DB, TM, Design Review Permit (DR), and Coastal Development Permit (CDP).

- The DB application includes a request to allow additional density (residential lots) beyond what is allowed pursuant to the General Plan RR-1 land use designation, in exchange for affordable housing pursuant to State DB Law. As part of the DB request, the Applicant is also requesting waivers to modify City development standards that would physically preclude the construction of the project at the proposed density (California Government Code Section 65915(e) and Encinitas Municipal Code [EMC] Section 30.16.020C ("Density Bonus Regulations").

- The TM application includes a request to subdivide one lot into 17 residential lots and one private street lot. The TM request also includes the creation of a 3.31-acre open space easement.

- The DR application includes a request to exceed the maximum grading thresholds (pursuant to EMC Section 23.08.030.B.14 - General Scope and Exemptions) of four feet of fill or eight feet of cut, based on the natural/existing grade. Specifically, the project proposes 7 feet of fill and 9 feet of cut. Additionally, the DR includes a request for development to encroach into natural slopes greater than 25 percent gradient within the Hillside/Inland Bluff Overlay Zone. Specifically, the project proposes an encroachment of 3,793 sf or three percent into natural slopes greater than 25 percent gradient (see Slope Analysis, Sheet 9 of the project's TM).

- The CDP application includes a request to authorize the subdivision and associated construction activities for the project within the Coastal Zone, and to ensure consistency with the requirements of the City's Local Coastal Program.

Waivers

The project includes waivers for the modification of City development standards that would physically preclude the construction of the project at the proposed density (California Government Code Section 65915(e) and EMC Section 30.16.020C ("Density Bonus Regulations"). Proposed waivers are summarized in Table 1.

Access and Roadways

The project would take access from Bella Vista Drive via a 25-foot-wide paved private street terminating as a cul-de-sac with a paved 36-foot radius. Adjacent to the private street, an easement is proposed for the construction of 17 off-street parking spaces, which would be surfaced with pervious pavers, and a 5-foot-wide decomposed granite walkway. A proposed 12-foot-wide gravel maintenance road (located within a proposed

16-foot drainage easement on the northerly portion of Lot 10) to provide maintenance access to the stormwater facilities, fuel modification area, and open space.

Grading and Retaining Walls

The project requires grading (14,800 cubic yards [cy] of cut and 11,700 cy of fill, with 3,100 cy of export) to create building pads suitable for the construction of future residential structures, a new private street, two drainage basins, curb and gutter, permeable paver parking areas, decomposed granite walkways, and associated underground utilities. Retaining walls are proposed internally between Lots 2 through 8 and Lots 10 through 16, range from 3 to 6 feet in height, and are finished in a brownstone color.

Infrastructure Improvements

To provide utility services to the development, the project would construct public sewer and water mains within the private road to connect to the existing utilities in Bella Vista Drive.

For stormwater facilities, two drainage basins are proposed on-site: one would be on the southwestern side of the project site adjacent to Bella Vista Drive (Basin A), and the other at the eastern side of the project site (Basin B), as shown in the project's Preliminary Grading Plan. Stormwater collected in Basin A would drain through a polyvinyl chloride (PVC) pipe to Bella Vista Drive. Stormwater collected in Basin B would discharge through a PVC pipe to two infiltration pits proposed on the easterly side of the residential lots and west of the proposed open space. Basins A and B feature native and drought-tolerant landscaping. The project would include two 2-foot-wide precast concrete drainage ditches within 5-foot drainage easements that would run along the northern and southern boundaries of the project site. The precast concrete drainage ditches would facilitate site drainage to both the eastern and western portions of the project site. When positive drainage to the private street is not feasible, runoff would be collected in the proposed drainage basins (Basins A and B). Riprap would be placed at the eastern and western ends of the drainage ditch near these drainage basins.

Fire Protection Management

To meet the Encinitas Fire Department (EFD) emergency access requirements, no parking would be allowed within the 25-foot private street (unless within the 17 proposed parking easements) and curbs would be painted red. Signs would be posted to state, "Fire Lane, No Parking," and three fire hydrants are provided to serve the development. The hydrants would be located next to Lot 17 (along Bella Vista Drive), next to Lot 15, and next to Lot 12 (near the cul-de-sac).

FMZs are required for the project and are provided based on the current County of San Diego (County) Consolidated Fire Code relating to Immediate, Intermediate, and Extended Zone requirements:

- Zone 0 or Immediate Zone (0 to 5 feet): This zone would be applicable to all future homes constructed consistent with the TM. Zone 0 is measured from the exterior wall surface or patio, deck, or attachment to building or structure, extending five feet on a horizontal plane. Zone 0 is shown as blue shading around each home pad in Figures 6 through 9 of the project's Fire Protection Plan (FPP; Santa Margarita Fire Consulting, LLC [SMFC] 2024). This zone shall be constructed of continuous hardscape or non-combustible materials. This zone requires removal of combustible materials surrounding the exterior wall area and maintaining the area free and clear of combustible materials. The use of mulch and other combustible materials is prohibited.

- Zone 1 or Intermediate Zone (5 to 50 feet): This zone is applicable to all future homes constructed consistent with the TM. This zone is measured from the immediate edge of Zone 0, extending out in a horizontal plane. Zone 1 is shown as yellow shading around each home pad in Figures 6 through 9 of the project's FPP (SMFC 2024). This zone shall consist of planting low growth, drought-tolerant, and fire-resistant plant species. The height of the plants in this zone starts at 6 inches, adjacent to Zone 0 and extends in a linear fashion up to a maximum of 18 inches at the intersection of Zone 2. Vegetation in this zone shall be irrigated, not exceed 6 feet in height, and be moderate in nature, meeting the requirements as set forth in Section 4.4 of the FPP.

- Zone 2 or Extended Zone (50 to 100 feet): This zone is measured from the immediate edge of Zone 1, extending out in a horizontal plane. Zone 2 is shown as green shading around each home pad in Figures 6 through 9 of the project's FPP (SMFC 2024). This zone consists of planting drought-tolerant and fire-resistant plant species of moderate height.

  Zone 2 boundaries would be permanently marked on the ground (i.e., steel fence posts with baked on painted finishes) to guide annual fuel treatment, maintenance, and inspection. Zone 2 widths are between 50 to 100 feet adjacent to Lots 6 through 10. Specifically, A 50-foot-wide Zone 2 FMZ would be dedicated along the north boundary of Lots 7 and 8, adjacent to the existing open space, and a 100-foot-wide Zone 2 FMZ would be dedicated along the eastern boundaries of Lots 8 through 10. Additionally, Lot 6 would have a small Zone 2 FMZ in the northeast corner of the lot where the project site is adjacent to existing open space.

To provide additional fire protection measures, a 6-foot-tall concrete masonry fire protection wall is proposed in the following locations (see Preliminary Grading Plan, Sheet 5):

- At the edge of the northern FMZ for Lots 6, 7, and 8.
- At the edge of the eastern FMZ for Lots 8, 9, and 10.
- At the southern property line of Lot 10.

As with all homeowners' associations (HOA), the to-be-formed HOA would be required to be set up as a corporation and would be required to adhere to the California Corporations Code. The actions of the HOA would be governed by the project's covenants, conditions, and restrictions and by-laws. Under such set of rules, the HOA would be the owner, maintainer, and financial mechanism for the FMZ areas, which would meet the requirements of Zone 0 and Zone 1. All landscape planting would be limited to species classified as fire resistant by the EFD and would be planted 10 feet from the edge of curb to the center of the tree trunk.

Landscaping

The project's conceptual landscape plan would be compliant with EMC Chapter 23.26 (Water Efficient Landscape Regulations), including the extent and type of irrigation and plantings proposed. As detailed in the conceptual landscape plan, water conservation designs have been included to both reduce land areas needing irrigation, as well as the water demands of plant materials being proposed. Landscaping is proposed to be provided throughout the development, including along the internal private roadway, on slopes, and within the drainage basin areas (located at the eastern and western portion of the project area). Landscaping would consist of a drought-tolerant and contemporary native southern California landscape with a mixture of small trees, shrubs, and ground cover. The HOA would be responsible for continual maintenance of all landscaping within the public right-of-way.

Open Space

As shown in Figure 5, the project includes the dedication of an on-site open space easement in perpetuity over a 3.31-acre area in the eastern portion of the project site containing native habitats and steep slopes. Permanent open space fencing and signage is proposed along the boundary of the easement area (see Section IV – Biological Resources, below).

Project Design Features

The project proposes the following project design features which would be implemented as future development is constructed.

Air Quality/Greenhouse Gas/Energy:

- Installation of rooftop solar.
- Installation of 51 kilowatts (kW) of solar energy generation capacity (3 kW solar per residential unit).
- Installation of one electric vehicle (EV) charging station within each residential unit garage.
- Installation of low-flow water fixtures in all the units.
- Provision of separate waste containers to allow for recycling or pay for a waste collection service that recycles in accordance with Assembly Bill (AB) 341 to achieve a 75 percent waste diversion. All green waste would be diverted from landfills and recycled as mulch.
- Hearths would not be installed as part of the project.
- Tier 4 construction equipment that includes regulated diesel engines that have restricted emission levels of oxides of nitrogen (NO_X) and particulate matter (PM; Tier 4 is the grade of the U.S. Environmental Protection Agency's new emissions standards that all new heavy equipment diesel engines must meet).
- Implementation of a Fugitive Dust Plan during construction.

Biological Resources:

- 3.31-acre open space easement preserving the eastern portion of the project site.

Hazards/Fire Protection:

- Masonry walls shall be installed at the property line of Lots 6 through 10 to increase resistance to radiant heat, flames, and embers.
- Dual-paned, dual-tempered windows shall be installed in all the homes, to increase the home's thermal resistance to fire.
- The Frontline Exterior Wildfire Defense System, Defense System 2, shall be installed on the exterior of homes on Lots 6 through 10 for the purpose of extinguishing any embers that reach the homes and adding thermal resistance to the homes.

- Inclusion of three fire hydrants.

- The project shall create a HOA to manage the common areas and maintain them so that they will not pose a fire threat.

- The City's Loss Prevention and Planning Services promotes the "Ready, Set, Go!" Wildfire preparedness program and the future homeowners shall be made aware of the program's recommendations.

Noise–Construction:

- Construction activity must be limited to the hours of 7 a.m. to 7 p.m., Mondays through Saturdays, as per the EMC.

- Staging areas should be placed as far as possible from residential receivers. Ideally, staging areas would be located toward the center of the project site.

- Place stationary equipment in locations that will have a lesser noise impact on nearby sensitive receivers.

- Turn off equipment when not in use.

- Limit the use of enunciators or public address systems, except for emergency notifications.

- Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured to prevent rattling and banging.

- Schedule work to avoid simultaneous construction activities that both generate high noise levels.

- Use equipment with effective mufflers.

- Minimize the use of backup alarms.

Future Discretionary Actions

Coastal Development Permit

The City is responsible for the issuance of CDPs within the Coastal Zone. Any future development project (i.e., construction of residences within the lots created by the proposed TM) would be subject to relevant certified Local Coastal Program policies.

Design Review Permit

Future development of residences on each lot created by the proposed TM could be subject to the City's DR process.

Subsequent CEQA Review

Any future discretionary action would be subject to subsequent California Environmental Quality Act (CEQA) review. At the time of a future submittal, (i.e., relating to the development of residences within the TM area, etc.), CEQA streamlining, including the preparation of an Addendum to this Mitigated Negative Declaration (MND), could be available.

9. Surrounding land uses and setting:

The project site and surrounding area is situated on an east-facing inland bluff, approximately 0.5 mile west of El Camino Real and 0.5 mile south of La Costa Avenue and Batiquitos Lagoon.

Surrounding lots on the west and south are designated for Rural Residential (RR-1) under the City's General Plan and are zoned Rural Residential (RR-1). Existing development patterns include both small and large lot residential-type land uses immediately to the north, south, and west. Land to the east of the parcel is part of a large swath of open space.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

Permit Type/Action	**Agency**
Landscape Plans	City of Encinitas
Grading Permit	City of Encinitas
Design Review Permit	City of Encinitas
City Right-of-Way Permits, Construction Permits, Excavation Permits, Encroachment Permits	City of Encinitas
Improvement Plans	City of Encinitas
National Pollutant Discharge Elimination System (NPDES) Permit	Regional Water Quality Control Board
General Construction Storm Water Permit	Regional Water Quality Control Board
Waste Discharge Requirements Permit	Regional Water Quality Control Board
Water District Approval	Olivenhain Municipal District
Sewer District Approval	Leucadia Wastewater District
Fire District Approval	Encinitas Fire Department

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1? If so, has consultation begun?

YES	NO
☒	☐

Note: Conducting consultation early in the CEQA process allows tribal governments, public lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and to reduce the potential for delay and conflict in the environmental review process (see Public Resources Code §21083.3.2). Information is also available from the Native American Heritage Commission's Sacred Lands File per Public Resources Code §5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code §21082.3(e) contains provisions specific to confidentiality.

On October 17, 2023, the City sent consultation notification letters to Native American tribes on the City's Master List, pursuant to the requirements of AB 52, pertaining to government-to-government consultation regarding the project. Native American tribes were contacted on October 17, 2023. A meeting was held with a representative of the San Luis Rey Band of Mission Indians on October 30, 2023. Communication is ongoing and will remain open through public review of the Draft MND.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project and involve at least one impact that is a "Potentially Significant Impact" or a "Less Than Significant With Mitigation Incorporated," as indicated by the checklist on the following pages.

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

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature	July 26, 2024 Date
J. Dichoso Printed Name	Senior Planner Title

INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, Less Than Significant With Mitigation Incorporated, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

    a) Earlier Analysis Used. Identify and state where they are available for review.

    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS. Except as provided in Public Resources Code Section 21099 -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Background: A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. What is scenic to one person may not be scenic to another, so the assessment of what constitutes a scenic vista must consider the perceptions of a variety of viewer groups.

The items that can be seen within a vista are visual resources. Adverse impacts to individual visual resources or the addition of structures or developed areas may or may not adversely affect the vista. Determining the level of impact to a scenic vista requires analyzing the changes to the vista as a whole and to individual visual resources.

Less than Significant Impact: As described in the General Plan, the City places a high value on the protection of visual resources and preservation of scenic vistas throughout the community. To this end, the Resource Management Element (RME) of the General Plan encourages the City's establishment of a Scenic/Visual Corridor Overlay to ensure identified views as identified in the General Plan are not compromised by future development (City of Encinitas 1991). The General Plan includes a Visual Resource Sensitivity Map (Figure 3 of the RME). Consistent with the General Plan, EMC Section 30.34.080 applies Scenic/Visual Corridor Overlay Zone regulations to all properties within the scenic view corridor along scenic highways and adjacent to significant viewsheds and vista points as described in the visual resource sensitivity map of the RME of the General Plan. New development could have the potential to obstruct, interrupt, or detract from a scenic vista.

The project site is not located within a Scenic/Visual Corridor Overlay Zone and is not located in any other scenic vista area identified by the City. The project site is located within an existing residential area with single-family residences located north, south, and west of the project site. The project site consists of a vacant parcel with a sloping hillside on the eastern portion of the property. While the eastern portion of the project site is sloped, the project development is proposed on the flatter, western two-thirds of the project site. Existing native habitats and most the project site's steep slopes (greater than 25 percent gradient) would remain undisturbed. As the project site would not be visible from any officially designed scenic vista and would not result in an adverse effect on a scenic vista. Impacts would be less than significant.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: State scenic highways refer to those highways that are officially designated by the California Department of Transportation as scenic (California Department of Transportation–California Scenic Highway Program). Generally, the area defined within a State scenic highway is the land adjacent to and visible from the vehicular right-of-way. The dimension of a scenic highway is usually identified using a motorist's line of vision, but a reasonable boundary is selected when the view extends to the distant horizon. The scenic highway corridor extends to the visual limits of the landscape abutting the scenic highway.

The project site is not within an area visible from a State-designated scenic highway. Pursuant to Policy 4.7 of the RME of the City's General Plan, La Costa Avenue and El Camino Real are designated as scenic roadways in the City's General Plan (City of Encinitas 1991); however, the project site is not visible from La Costa Avenue or El Camino Real as both scenic roadways are located 0.5 mile to the north and east at a lower elevation than the project site. Driving west along La Costa Avenue looking south, there are primarily views of the open space area. As with El Camino Real, driving north and looking west there are also primarily views of open space. Post (future) development of the project site, there is a potential for new construction to be seen from portions of La Costa Avenue and El Camino Real; however, views would be minimal and intermittent due to topography of the existing hillsides, surrounding open space, and proposed landscaping that would screen the project from views.

No tree or rock outcroppings or historic buildings are located on-site.

The project does not propose any off-site improvements and would therefore not change any off-site features having scenic value. Ultimately, the project would result in residential subdivision (and future development of residences) that would be consistent with surrounding residences and is allowed under the existing General Plan land use and zoning designations. As such, the project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway. Impacts would be less than significant.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

☐ Potentially Significant Impact
☒ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: According to Appendix G of the CEQA Guidelines, potential aesthetic impacts are evaluated differently based on whether a project is in a non-urbanized or urban area. Per this threshold, projects located in non-urbanized areas would result in a significant aesthetic impact if the project substantially degraded the existing visual character or quality of public views of the project site and its surroundings (public views are those that are experienced from publicly accessible vantage points).

Projects located in urbanized areas would result in a significant aesthetic impact if a project would conflict with applicable zoning and other regulations governing scenic quality. Because the project is located within an area designated as rural residential and is surrounded by residential land uses, the latter criterion is applied for analyzing potential effects of the project on aesthetic resources.

The project site is within a residential-rural area in the northern part of the city, south of La Costa Avenue. The existing visual character and quality of the project surroundings are characterized primarily by large lot residential uses with surrounding open space. Like surrounding lots, the 10.11-acre project site is designated in the General Plan as RR-1 and zoned RR-1.

The project includes the development of 17 single-family residential lots, one private road, preservation of 3.31 acres in open space, and associated construction/grading and utility improvements. The current zoning for the project site requires a one-acre minimum lot size. The project is invoking an allowable DB pursuant to State and local law that allows a property owner to increase density (the total number of dwelling units) on their property above the maximum set under the City's General Plan in exchange for providing affordable housing. The proposed lots would range in size from 8,634 sf to 79,852 sf. The project would be consistent with the existing character; the project site would support future single-family residential development within designated lots and would retain a portion of the project site as natural vegetation in an open space easement. Since surrounding properties range in similar size, the larger lots on the western side of the project site would allow for a transition of similarly sized lots to the south, adjacent to the project site. The project would also maintain the residential rural character of the area through placement of the residential pads on the flattest portions of the project site to ensure minimal grading and protect the inland bluff and hillside areas through the inclusion of an open space easement.

The project includes retaining walls ranging from three to six feet in height, to be finished in a brownstone color, and constructed internally between Lots 2 through 8 and Lots 10 through 16. Additionally, the project would be visually shielded from public exterior viewpoints due to the topography of the existing hillsides, and further, the project site is screened by the incorporation of landscaping.

Notwithstanding the design of the TM, absent the benefit of individual development plans for the on-site residences, the project could degrade the scenic quality of the project area resulting in a potentially significant impact. Mitigation measure AES-1, detailed below, would be included in the project's mitigation framework to reduce potentially significant impacts to below a level of significance.

Short-term, construction-related, aesthetic impacts would consist primarily of grading activities, presence of construction equipment, and additional signage and warning markers on roadways. While these activities would contrast with the visual character of the surrounding area, the aesthetic impact would be short-term and would not significantly degrade the quality of the project site or its surroundings.

Mitigation Measure:

AES-1: Design Review

Future development within the approved Tentative Map shall undergo review consistent with the Encinitas Municipal Code Chapter 23.08, Design Review. The design review process shall require a determination of compliance of future residential development projects with the provisions of the Encinitas Municipal Code, and the design review standards and guidelines of the City of Encinitas as well as other regulations regarding the physical development of the City [Section 23.08.101(A)(1)].

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

Less than Significant Impact: The project's outdoor lighting would be designed in compliance with the Performance Standards outlined in EMC Chapter 30.40. As such, the outdoor lighting would be minimal, and all lighting would be shielded in such a manner that the light is directed away from streets or adjoining properties. The project would not adversely affect nighttime views or astronomical observations because the project's outdoor lighting fixtures shall be fully shielded so that all emitted sustained light is projected below an imaginary horizontal plane

passing through the lowest point of the luminary, lamp or light source used in the fixture. The luminary, lamp, or light source shall not be directly visible from any adjoining residential property. Therefore, the project would not create a significant new source of substantial light or glare, which would adversely affect daytime or nighttime views in the area. Impacts would be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES -- Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: Portions of the project site were used previously for agricultural purposes; however, agricultural operations had ceased on-site in the mid-1990s. Pursuant to the California Department of Conservation maps, the project is mapped as Other Land. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. No impacts would occur.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project site is designated in the General Plan as RR-1 and zoned as RR-1. The project is proposing a subdivision of land for 17 residential lots, a private street lot, open space easement and associated construction/grading improvements and utility improvements. The project site is not under a Williamson Act Contract nor within proximity to Williamson Act lands. Therefore, the project would not conflict with existing zoning for residential use or with a Williamson Act Contract, resulting in no impact.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), or timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project site is not within an area zoned as forest land, timberland, or for timberland production. Therefore, the project would not conflict with forest land or timberland zoning, resulting in no impact.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project site contains vacant land and does not contain any forest land as defined by Public Resources Code Section 12220(g). Therefore, the project would not result in the loss of forest land or convert forest land to non-forest use, resulting in no impact.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use or conversion of forest land to non-forest use?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project site is classified as Other Land on the most recent Farmland Mapping and Monitoring Program map and does not contain any forest land as defined by Public Resources Code Section 12220(g). Based on the Phase I and Limited Phase II Environmental Site Assessment (ESA; Leighton and Associates, Inc. [Leighton] 2021a), the project site has a history of agricultural use; however, active agriculture ceased on-site in the mid-1990s. The existing environment surrounding the project site includes open space/conservation lands and residential development. There are no active agricultural operations or forestland within the

vicinity of the project site. Therefore, the project would not result in the conversion of farmland to a non-agricultural use or convert forestland to a non-forest use, resulting in no impact.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: The applicable air quality plans include the SIP, RAQS, and the associated transportation control measures. The RAQS and transportation control measures set forth the steps needed to accomplish attainment of State and Federal ambient air quality standards. The San Diego Air Basin (SDAB) is designated a nonattainment area for the Federal and State ozone (O_3) standard. Accordingly, the RAQS was developed to identify feasible emission control measures and provide expeditious progress toward attaining the standards for ozone. The two pollutants addressed in the RAQS are reactive organic gases (ROG) and NO_X, which are precursors to the formation of ozone. Projected increases in motor vehicle usage, population, and new development create challenges in controlling emissions, and, by extension, maintaining and improving air quality. The RAQS was most recently updated in 2022.

The basis for these plans is the distribution of population in the region as projected by the San Diego Association of Governments (SANDAG). Growth forecasting for the City is based in part on the land uses established by the General Plan and used by SANDAG in the development of the regional transportation plans and sustainable communities strategy. As such, projects that propose development that is consistent with the growth anticipated by SANDAG's and/or the General Plan would not conflict with the RAQS. If a project would result in consistent or less intensive growth than what is accounted for in the City's General Plan, then it can be considered consistent with the growth assumptions in the RAQS. In the event a project proposes development that is greater than anticipated in the growth projections, further analysis would be warranted to determine if the project would exceed the growth projections used in the RAQS for the specific subregional area.

The project site is designated as RR-1 in the General Plan and is zoned RR-1. The project is proposing a subdivision of land for 17 residential lots (including two set aside for affordable housing), a private street lot, open space easement and associated construction/grading improvements and utility improvements. The project would allow for the future development of single-family homes. The project is compatible with the General Plan and zoning designations;

however, the DB application includes a request to allow additional density (residential lots) beyond what is allowed pursuant to the General Plan. However, this does not by itself imply that it would conflict with the regional growth projections. The RAQS "emissions inventory, projections, and trends are based on ozone precursor emissions data compiled and maintained by the California Air Resources Board (CARB). Supporting data were jointly developed by CARB, the San Diego Air Pollution Control District [SDAPCD], and [SANDAG], which each play a role in collecting and reviewing the data necessary to generate comprehensive planning emission inventories" (SDAPCD 2022). CARB modeling utilizes the most current growth and emissions control data available to provide comprehensive projections of emissions for each year from 2022 to 2050. Current regional growth projections are accounted for in the RAQS. Therefore, even with the DB, the project would be consistent with the growth projections accounted for in the RAQS. Thus, buildout of the residential homes consistent with the approved TM would not conflict with the RAQs. As such, the project would create a less than significant impact to the RAQS

To further ensure consistency with air quality plans, construction and operational emissions associated with development of the TM were analyzed in the Air Quality Assessment prepared for the project (Ldn Consulting, Inc. 2022a). As stated therein and summarized in Tables 2 and 3 below, emissions from construction and operation of the project would be less than the applicable thresholds for all criteria pollutants; therefore, the project would not contribute to existing air quality violations or result in regional emissions than would exceed the National Ambient Air Quality Standards or California Ambient Air Quality Standards, or result in a cumulatively considerable net increase in criteria pollutants, including ozone precursors (ROG and NO_X). Additionally, the project would be consistent with the surrounding land uses, which includes single-family residential uses of similar densities. Because emissions would be less than the applicable thresholds, and because the project would not result in regional growth not accounted for in the RAQS, the project would not conflict with or obstruct the implementation of the San Diego RAQS or applicable portions of the SIP. Impacts would be less than significant.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

☐ Potentially Significant Impact	☒ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated	☐ No Impacts

Discussion/Explanation:

Less Than Significant Impact: Both the State and the Federal government have established health-based ambient air quality standards for the following criteria air pollutants: ozone; carbon monoxide (CO); NO_X; sulfur oxides (SO_X); PM up to 10 microns in diameter (PM_{10}); PM up to 2.5 microns in diameter ($PM_{2.5}$); and lead (Pb). Ozone is formed by a photochemical reaction

between NO_X and ROG. The net increase in pollutant emissions of a project determines the impact on regional air quality.

Air quality emissions related construction and operation of buildout consistent with the TM, as described below. Emissions were calculated in the Air Quality Assessment prepared for the project (Ldn Consulting, Inc. 2022a).

Construction: Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related air emissions include fugitive dust from grading activities, construction equipment exhaust, architectural coatings, and construction-related trips from worker commute, hauling, and materials delivery. The grading required for the TM would include 14,800 cy cut and 11,700 cy fill over 6.8 acres (gross acres less open space easement area). The project and future construction of the residences consistent with the TM would comply with standard dust control measures and would include the use of Tier 4 diesel construction equipment as a project design feature. Maximum daily construction emissions associated with the project were modeled using the California Emissions Estimator Model software version 2020.4.0. Modeling included fugitive dust reductions measures such as applying water to disturbed areas as these are required under the SDAPCD Rules 52, 54, and 55. Model output results are provided in the Air Quality Assessment (Ldn Consulting, Inc, 2022a). As shown in Table 2, the maximum daily emission levels during construction for each criteria pollutant are projected to be less than the applicable thresholds for all criteria pollutants. Note that although construction emissions were modeled in years 2023 and 2024, these emissions are conservative as statewide regulations result in equipment that is cleaner over time. Impacts would therefore be less than significant.

Table 2
Summary of Worst-case Construction Emissions
(pounds per day)

Year	Pollutant					
	ROG	NO_X	CO	SO_2	PM_{10} (Total)	$PM_{2.5}$ (Total)
2023	0.67	3.57	35.29	0.05	19.87	10.20
2024	48.25	2.46	19.48	0.03	0.12	0.06
Significance Threshold (pounds/day)	***75***	***250***	***550***	***250***	***100***	***55***
Significant Impact?	*No*	*No*	*No*	*No*	*No*	*No*

ROG = reactive organic gases; NO_X = oxides of nitrogen; CO = carbon monoxide; SO_2 = sulfur dioxide; PM_{10} = particulate matter less than 10 microns; $PM_{2.5}$ = particulate matter less than 2.5 microns
SOURCE: Ldn Consulting 2022a.
NOTE: Totals may vary due to independent rounding.

Operation: Mobile source emissions would originate from traffic generated by the future residences constructed consistent with the TM. Additionally, area source emissions would result from the residential use of consumer products, as well as applying architectural coatings and landscaping activities. Energy source emissions would result from the use of natural gas. The project has been designed to include all electric appliances; however, as a conservative air quality analysis, emissions were calculated using default natural gas consumption values. As

shown in Table 3, operational emissions would not exceed the applicable significance thresholds. Thus, the buildout of the residences consistent with the TM would not violate any air quality standard or contribute substantially to an existing or projected air quality violation, result in regional emissions than would exceed the National Ambient Air Quality Standards or California Ambient Air Quality Standards, or result in a cumulatively considerable net increase in criteria pollutants, including ozone precursors (ROG and NO_X).

Table 3
Summary of Project Operational Emissions
(pounds per day)

Source	Pollutant					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer Scenario						
Area Sources	0.96	0.02	1.40	0.00	0.01	0.01
Energy Sources	0.01	0.09	0.04	0.00	0.01	0.01
Mobile Sources	0.45	0.45	4.03	0.01	0.98	0.27
Total	**1.42**	**0.56**	**5.47**	**0.01**	**1.00**	**0.28**
Significance Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Significant Impact?	*No*	*No*	*No*	*No*	*No*	*No*
Winter Scenario						
Area Sources	0.96	0.02	1.40	0.00	0.01	0.01
Energy Sources	0.01	0.09	0.04	0.00	0.01	0.01
Mobile Sources	0.44	0.48	4.14	0.01	0.98	0.27
Total	**1.41**	**0.59**	**5.58**	**0.01**	**1.00**	**0.28**
Significance Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Significant Impact?	*No*	*No*	*No*	*No*	*No*	*No*

ROG = reactive organic compounds; NO_X = oxides of nitrogen; CO = carbon monoxide; SO_X = sulfur oxide; PM_{10} = particulate matter less than 10 microns; $PM_{2.5}$ = particulate matter less than 2.5 microns
SOURCE: Ldn Consulting 2022a.
NOTE: Totals may vary due to independent rounding.

The project would additionally incorporate project design features that would further minimize air emissions during operation that would be included as future project Conditions of Approval. The project would be required to be implement the following project design features related to air quality:

- The project would not install fireplaces or woodburning stoves.
- The project would utilize Tier 4 construction equipment.
- The project would install one EV charging station within each garage unit.

Additionally, the City may require implementation of a fugitive dust plan during construction to ensure dust is controlled through watering and other best practices.

Construction and operational emissions generated by the project would be less than applicable significance thresholds; therefore, the project would not result in a cumulatively considerable

increase in any criteria pollutant for which the region is non-attainment. Impacts would be less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Air quality regulators typically define sensitive receptors as schools (Preschool–12th Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. None of these uses exist in the vicinity of the project; the nearest school is the Capri Elementary School, located 2.3 miles southeast of the project site. Residential uses can also be considered sensitive receptors. Single-family residences are located adjacent to the western, northern, and southern project boundaries. Additionally, a trail is located east of the project site, the users of which could be considered sensitive receptors.

As discussed above, under the response to III.b, emissions associated with the project would be less than applicable thresholds for criteria pollutants. Thus, the project would not expose sensitive receptors to substantial concentrations of criteria pollutants.

Other air pollutants may include diesel exhaust from construction equipment and CO associated with project-generated traffic. Diesel exhaust has been identified by the CARB as a carcinogen. Cancer risk is dependent on the exposure concentration (dose) and duration of exposure. Health risk calculations associated with diesel particulate matter generated during project construction were conducted as a part of the Air Quality Assessment prepared for the project (Ldn Consulting, Inc. 2022a). It was calculated that the inhalation cancer risk would be 4.33 per million exposed at the point of maximum exposure 148 meters away. It should be again noted that a project design feature would be to utilize Tier 4 diesel equipment and would be a condition to the project and is considered a toxics best available control technology. As exposure from diesel-fueled construction vehicles would be short-term and would not result in an excess cancer risk over 10 in a million, project construction equipment is not anticipated to result in substantial cancer risk.

Additionally, the buildout of the TM would not generate traffic that would result in a CO hotspot. A CO hotspot is a localized area where CO standards are exceeded. CO hotspots typically occur because of severe vehicle congestion at signalized intersections of major roadways. A project may worsen air quality and potentially contribute to a CO hotspot by generating traffic that would result in increased congestion as measured by average delay at signalized intersections. As discussed in Section XVII.a below, the project would not result in a substantial impact on traffic volumes or change traffic patterns in such a way as to affect the Level of Service (LOS) or vehicle congestion; thus, the project would not create or make a significant contribution to a CO hotspot.

Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Individual responses to odors are highly variable and can result in various effects, including psychological (i.e., irritation, anger, or anxiety) and physiological (i.e., circulatory and respiratory effects, nausea, vomiting, and headache). Generally, the impact of an odor results from a variety of interacting factors such as frequency, duration, offensiveness, location, and sensory perception.

The frequency is a measure of how often an individual is exposed to an odor in the ambient environment. The intensity refers to an individual's or group's perception of the odor strength or concentration. The duration of an odor refers to the elapsed time over which an odor is experienced. The offensiveness of the odor is the subjective rating of the pleasantness or unpleasantness of an odor. The location accounts for the type of area in which a potentially affected person lives, works, or visits; the type of activity they are engaged in; and the sensitivity of the impacted receptor.

CARB's (2005) Air Quality and Land Use Handbook identifies the sources of the most common odor complaints received by local air districts. Typical sources include facilities such as sewage treatment plants, landfills, recycling facilities, petroleum refineries, and livestock operations.

The project would not include heavy industrial or agricultural uses that are typically associated with odor complaints. During construction, diesel equipment may generate some nuisance odors. Sensitive receptors near the project site include single-family residential uses west, south, and north of the project site, along with trail users to the east; however, exposure to odors associated with project construction would be short term and temporary in nature. Additionally, project construction would be required to utilize Tier 4 diesel equipment to reduce construction exhaust emissions, which would also reduce construction-related odors. Therefore, project impacts would be less than significant.

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

☐ Potentially Significant Impact
☒ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant with Mitigation Incorporated:

Sensitive Habitat

The project site contains 1.11 acres of Diegan coastal sage scrub (CSS) and 1.75 acres of southern mixed chaparral; the remaining acreage (7.25 acres) of the property is designated agricultural/disturbed (Blue Consulting 2024a). As shown in Figure 6, the sensitive habitat is in the easternmost part of the project site. The project would directly impact a total of 6.8 acres of the agricultural/disturbed area within the project site, including grading and maintenance of the FMZ. None of the area supporting the habitat(s) associated with Crotch's bumblebee (*Bombus crotchii*) are proposed to be impacted (Blue Consulting 2024b). No sensitive biological resources are proposed to be impacted (on- or off-site). All sensitive habitats are avoided and preserved within the 3.31 acres of open space (see Figure 5).

The project also includes permanent open space fencing and signage to further reduce potential direct impacts to sensitive habitat. Therefore, significant impacts related to grading or maintained fuel modification zones would be less than significant.

Sensitive Plants

A complete list and explanation as to the potential occurrence of all sensitive plants species with the potential to occur is described in the Biological Assessment Letter Report (Blue Consulting 2024a). A single sensitive plant species, wart-stemmed ceanothus (*Ceanothus verrucosus*) was observed within the CSS, proposed for preservation within the proposed open space. Therefore, impacts to this sensitive plant species would be less than significant.

Image Source: NearMap (flown May 2024)

Project Boundary

Vegetation Communities

- Chaparral
- Diegan Coastal Sage Scrub
- Southern Mixed Chaparral

0 Feet 300

RECON

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FIGURE 6
Vegetation Map

Sensitive Wildlife

A complete list and explanation as to the potential occurrence of all sensitive wildlife with the potential to occur is described in Biological Assessment Letter Report (Blue Consulting 2024a). The subject property is located within mapped occurrences for the following species: Belding's savannah sparrow (*Passerculus sandwichensis beldingi*), western snowy plover (*Charadrius nivosus nivosus*), California least tern (*Sterna antillarum browni*), light-footed Ridgway's rail (*Rallus obsoletus levipes*), and California gnatcatcher (*Polioptila californica*). Although no sensitive species, including Crotch's bumblebee, were observed on-site, due to presence of habitat that could potentially support sensitive species on the eastern natural slopes of the property, special status species such as the California gnatcatcher, could occur on-site, within the proposed open space easement.

Additionally, there is potential for raptors species to nest within trees on the eastern slope of the project site. Many raptor species have been designated as California Species of Special Concern by the California Department of Fish and Wildlife. These species are protected, especially during their critical nesting and wintering stages. Raptors are also protected under the California Department of Fish and Wildlife California Raptor Protection Act (Title 14, Section 670) and the Migratory Bird Treaty Act (16 U.S. Code 703-711). Migratory birds include geese, ducks, shorebirds, songbirds, and many other species which could occur within the open space easement (Blue Consulting 2024). No grading or habitat removal would occur within the open space where sensitive species could occur. Therefore, direct impacts would be less than significant. However, due to the potential presence of raptors and other migratory bird species within the open space, the project could have significant indirect impacts on nesting or breeding birds, including raptors, if construction activity occurs during the general bird breeding season. Mitigation measures **BIO-1** and **BIO-2**, detailed below, would reduce potentially significant impacts to below a level of significance.

Mitigation Measures:

BIO-1: Pre-construction Survey for Nesting Birds and Special-status Avian Species

In order to prevent potential significant indirect impacts to breeding birds/raptors, if grading is proposed during the bird/raptor breeding season (January to July) then a pre-construction survey for active nests on-site and within 500 feet of the footprint shall be performed no more than three days prior to the initiation of construction. If an active nest is identified on-site, then grading shall be postponed until the nest is no longer active.

BIO-2: Temporary Construction Fencing

Fencing along the limit of the open space shall be required during construction.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project site is vacant and mostly disturbed from previous agricultural activities. As shown in Figure 6, the eastern hillsides within the project site support CSS and Southern Mixed Chaparral. No riparian habitat is mapped on-site. As detailed in Section IV.a, above, the project includes the dedication of an on-site open space easement over the eastern 3.31 acres of the project site which would connect to the existing adjacent open space easement areas associated with the adjacent subdivisions. Inclusion of the open space easement would preserve this land in perpetuity thereby avoiding impacts to sensitive habitat. Therefore, impacts to on-site sensitive habitat would be less than significant.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: No State or federally protected wetlands are located on-site. The project would have no impact on jurisdictional waters.

d) Interfere substantially with the movement of any native resident or migratory Fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

☐ Potentially Significant Impact
☒ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

A wildlife corridor can be defined as a linear landscape feature allowing animal movement between two larger patches of habitat. Connections between extensive areas of open space are

integral to maintaining regional biodiversity and population viability. In the absence of corridors, habitats become isolated islands surrounded by development. Fragmented habitats support significantly lower numbers of species and increase the likelihood of local extinction for select species when they are restricted to small, isolated areas of habitat. Areas that serve as wildlife movement corridors are considered biologically sensitive.

Wildlife corridors can be defined in two categories: regional wildlife corridors and local corridors. Regional corridors link large sections of undeveloped land and serve to maintain genetic diversity among wide-ranging populations. Local corridors permit movement between smaller patches of habitat. These linkages effectively allow a series of small, connected patches to function as a larger block of habitat and perhaps result in the occurrence of higher species diversity or numbers of individuals than would otherwise occur in isolation. Target species for wildlife corridor assessment typically include species such as bobcat (*Lynx rufus*), mountain lion (*Puma concolor*), and mule deer (*Odocoileus hemionus*).

To assess the function and value of a particular site as a wildlife corridor, it is necessary to determine what areas of larger habitats it connects, and to examine the quality of the corridor as it passes through a variety of settings. High-quality corridors connect extensive areas of native habitat and are not degraded to the point where free movement of wildlife is significantly constrained. Typically, high-quality corridors consist of an unbroken stretch of undisturbed native habitat.

Less than Significant With Mitigation Incorporated: The project site supports a natural, east-facing slope within the La Costa canyon system, which is itself generally developed and generally surrounded by high-density development. While the Batiquitos Lagoon and Open Space is to the north of the northern property line, the project site is not within an existing recognized habitat corridor (Blue Consulting 2024a)**.** However, the project site is within the City's Multiple Habitat Conservation Program (MHCP) biology corridor, natural sensitivity, and MHCP focus plan area. Sensitive habitat supporting wildlife movement would be within the designated open space adjacent to existing preserved lands creating a usable wildlife corridor. No grading or habitat removal would occur within the open space. Therefore, direct impacts would be less than significant. However, due to the potential presence of raptors and other migratory bird species within the open space, the project could have significant indirect impacts on the wildlife corridor if construction activity occurs during the general bird breeding season. Mitigation measures **BIO-1** and **BIO-2**, detailed above, would reduce potentially significant impacts to below a level of significance.

e) Conflict with any local policies or ordinances that protect biological resources, such as a tree prevention policy or ordinance?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project does not conflict with any local policies or ordinances for biological resources. Policy 3.6 of the RME of the City's General Plan states "Future development shall maintain significant mature trees to the extent possible and incorporate them into the design of development projects." The project does include mature trees located on the eastern natural slope. The project includes the dedication of an on-site open space easement over the eastern 3.31 acres of the project site where the sensitive habitat and mature trees are located. The inclusion of the open space easement would preserve this land in perpetuity. The project does not contain any mature trees with community significance and no trees would be removed as part of the developable portions of the project site. Therefore, impacts would be less than significant.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?

☐ Potentially Significant Impact
☒ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant Impact: The project would not conflict with any local policies or ordinances protecting biological resources, including regional habitat conservation planning, the City General Plan, and the EMC.

Habitat Conservation Planning

The project site is within the boundaries of the North County MHCP. The City is one of the participating jurisdictions, which also include the cities of Carlsbad, Oceanside, Vista, San Marcos, Escondido, and Solana Beach. The Draft Encinitas Subarea Plan (Draft Subarea Plan; City of Encinitas 2001) was prepared in affiliation with the North County MHCP and has not been adopted. However, applicable provisions of this plan are implemented, to the extent practical, when conducting environmental review for development projects in the City.

As shown in Figure 7, the eastern one-third of the project site is mapped as a Softline Focus Planning Area in the Draft Subarea Plan. The softlined areas are those where development and conservation standards and criteria will be applied to achieve the City's projected conservation. The project would place the designated softline preserve portion of the project site within an open space easement, which would be consistent with the Draft Subarea Plan's preserve design. Therefore, the project would not conflict with the MHCP or Draft Subarea Plan.

Image Source: NearMap (flown May 2024)

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Project Boundary **Focused Planning Area**

Hardline Preserve

Softline Preserve

FIGURE 7

Draft Encinitas Subarea Plan

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General Plan

The City's General Plan contains goals and policies related to the protection and preservation of sensitive biological resources, as follows:

RME Goal 9 provides the following, "The City will encourage the abundant use of natural and drought tolerant landscaping in new development and preserve natural vegetation, as much as possible, in undeveloped areas." The project would be consistent with this goal. The project's plant palette would be limited to those species permitted in the Very High Fire Hazard Severity Zone (VHFHSZ), including drought-tolerant plants and native vegetation.

RME Goal 10 provides the following, "The City will preserve the integrity, function, productivity, and long-term viability of environmentally sensitive habitats throughout the City." The project would be consistent with this goal. The project site contains 1.11 acres of CSS and 1.75 acres of southern mixed chaparral, the remaining acreage (7.25 acres) of the project site is designated agricultural/disturbed. Project grading would be limited to the disturbed areas of the project site. The sensitive habitat would be preserved in an open space easement.

Therefore, the project would be consistent with General Plan goals specifically related to sensitive biological resources.

Encinitas Municipal Code

Chapter 30.34 of the EMC applies to the City's Special Purpose Overlay Zones. The project site is regulated by special area regulations associated with the City's Cultural/Natural Resources Overlay (C/NRO) Zone and the Hillside/Inland Bluff Overlay Zone. Section 30.34.050C, provides, "For proposed projects within the C/NRO zone which involve parcels containing ecologically sensitive plant and animal habitats, a survey by a qualified professional biologist shall be submitted by the project applicant to determine the significance of the habitats and the need for project impact mitigation by reservation, re-establishment, or other methods." As required, a site-specific biological assessment was prepared to identify on-site species and habitats and determine whether significant impacts would occur as a result of project implementation. As discussed under Sections IV.a through d, direct impacts to would be less than significant due to project design including the placement of on-site sensitive biological resources within an open space easement. Indirect impacts would be reduced to less than significant through implementation of mitigation measures **BIO-1** and **BIO-2**.

Therefore, the project would not conflict with the provisions of an adopted habitat conservation plan or natural community conservation plan for the City or other approved local, regional, or State habitat conservation plan. Impacts would be less than significant.

VI. ENERGY -- Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact:

Construction-related Energy Usage

During construction, energy use would occur in two general categories: fuel use from vehicles used by workers commuting to and from the construction site, and fuel use by vehicles and other equipment to conduct construction activities. Energy use associated with the project was calculated as part of the air quality and greenhouse gas (GHG) modeling detailed in Section III and the Air Quality Assessment prepared for the project (Ldn Consulting 2022a). Workers associated with project construction would generate trips during the building construction phase. Fuel consumption associated with construction worker commute would be similar of any other typical commute in San Diego County. Fuel use associated with construction workers and materials delivery during construction is necessary to get workers and building materials to the project site and is not considered to be wasteful, inefficient, or unnecessary.

Project construction would include the use of tractors/loaders/backhoes, dozers, excavators, scrapers, cranes, forklifts, generators, welders, pavers, rollers, paving equipment, and air compressors. Consistent with the project's design features, all construction equipment would meet CARB Tier 4 In-Use Off-Road Diesel Engine Standards. Engines are required to meet certain emission standards, and groups of standards are referred to as Tiers. A Tier 0 engine is unregulated with no emission controls, and each progression of standard level (i.e., Tier 1, Tier 2, Tier 3, etc.) generates lower emissions, use less energy, and are more advanced technologically than the previous tier. CARB's In-Use Off-Road Diesel Engine Standards requires that construction equipment fleets become cleaner and use less energy over time. There are no known conditions in the project area that would require nonstandard equipment or unusual construction practices that would increase on-site heavy-duty construction equipment use. Additionally, construction activities would be temporary and short-term and would adhere to all construction best management practices (BMPs). Therefore, project construction would not result in the use of excessive amounts of fuel or other forms of energy, and impacts would be less than significant.

Operation-related Energy Usage

During operation, energy use would be associated with transportation-related fuel use (gasoline, diesel fuel, and EVs), and building-related energy use (electricity). Energy use associated with the project was calculated as part of the air quality and GHG modeling detailed in Section III, Section VIII, and the Air Quality Assessment (Ldn Consulting 2022a).

Transportation-related Energy Use

Buildout of the project and vehicle trips associated with the project would result in transportation energy use. Trips by individuals traveling to and from the project site would result from use of passenger vehicles. Vehicles would be mostly powered by gasoline, with some fueled by diesel or electricity. Based on a single-family trip generation rate of 10 trips per unit, the maximum weekday trip rate from the Draft Vehicle Miles Traveled (VMT) Analysis (LOS Engineering, Inc. 2024a) is 170 average daily trips (ADT). The project would include EV charging in each garage. There is no component of the project that would result in unusually high vehicle fuel use during operation. Therefore, operation of the project would not create a land use pattern that would result in wasteful, inefficient, or unnecessary use of energy, and impacts would be less than significant.

Non-transportation-related Energy Use

Non-transportation energy use would be associated with electricity. Energy use associated with a project is also related to natural gas; however, the project would be all electric and would not include natural gas appliances. Additionally, the project would include the installation of 51 kW of solar energy generation capacity. The project would be required to adhere to State regulations enforced to ensure energy efficiency and reduction of wasteful energy consumption, including the California Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6; California Energy Code [2022 Energy Code]) and the California Green Building Standards Code (CALGreen). The 2022 Energy Code establishes energy-efficiency standards for residential buildings to reduce California's energy consumption. The 2022 Energy Code increases on-site renewable energy generation from solar, increases electric load flexibility to support grid reliability, reduces emissions from newly constructed buildings, reduces air pollution for improved public health, and encourages adoption of environmentally beneficial efficient electric technologies. New construction and major renovations must demonstrate their compliance with the current Energy Code through submission and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission. The 2022 CALGreen institutes mandatory minimum environmental performance standards for all ground-up new construction of non-residential and residential structures. Local jurisdictions must enforce the minimum mandatory Green Building Standards and may adopt additional amendments for stricter requirements. The mandatory measures are related to planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality.

The Renewables Portfolio Standard promotes diversification of the State's electricity supply and decreased reliance on fossil fuel energy sources. Once operational, the project would be served by San Diego Gas and Electric (SDG&E). Based on the most recent annual report, SDG&E has already procured 59 percent (California Public Utilities Commission 2023) renewable energy and is on track to procure 60 percent by 2030 as outlined in SDG&E's 2023 Renewables Portfolio Standard Procurement Plan. Once operational, the project would use electricity to run various appliances and equipment, including space and water heaters, air conditioners, ventilation equipment, lights, and numerous other devices. Generally, electricity use is higher in the warmer months due to increased air conditioning needs. Overall, the project would incorporate energy efficient design measures and construction features to meet California and local standards. Therefore, the construction and operation of the project are not expected to result in the wasteful or inefficient use of energy, and impacts would be less than significant.

b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

☐	Potentially Significant Impact	☒	Less than Significant Impact
☐	Less Than Significant With Mitigation Incorporated	☐	No Impact

Discussion/Explanation:

Less than Significant Impact: Many of the regulations regarding energy efficiency are focused on increasing the energy efficiency of buildings and renewable energy generation, as well as reducing water consumption and VMT. The project would include EV charging capabilities in each garage. The project would be constructed in accordance with energy efficiency standards effective at the time building permits are issued which are currently the 2022 Title 24 and 2022 CALGreen standards. Through compliance with the 2022 Building Energy Efficiency Standards at the time of project construction, the project would implement energy reduction design features and comply with the most recent energy building standards consistent with applicable plans and policies, including installation of rooftop solar, which would provide a source of renewable energy to the project. Therefore, impacts would be less than significant.

VII. GEOLOGY AND SOILS -- Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project site does not lie within an Alquist-Priolo fault zone and the potential for direct surface fault rupture is unlikely. However, the Rose-Canyon Fault lies approximately 4.8 miles southwest of the project site, and the project site lies within the seismically active southern California region. Therefore, it would likely be subjected to ground shaking, exposing potential residences to seismic hazards (Leighton 2021b). Despite the potential of the Rose Canyon Fault to produce moderate to severe ground shaking at the project site, impacts to the project would be reduced through adherence to requirements specified in the Geotechnical Investigation (Leighton 2021b), the Uniform Building Code (UBC), Title 24 of the California Building Code (CBC), and all development regulations of the City, including the Seismic Hazard Mitigation Ordinance. Impacts would be less than significant.

ii. Strong seismic ground shaking?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Refer to responses VII.a.i. To ensure the structural integrity of all structures, the project must conform to the Seismic Requirements as outlined within the CBC, and the recommendations of the site-specific Geotechnical Investigation (Leighton 2021b). Compliance with these regulations and design measures would ensure the project would not result in a potentially significant impact from strong seismic ground shaking. The impacts from strong seismic ground shaking would be less than significant.

iii. Seismic-related ground failure, including liquefaction?

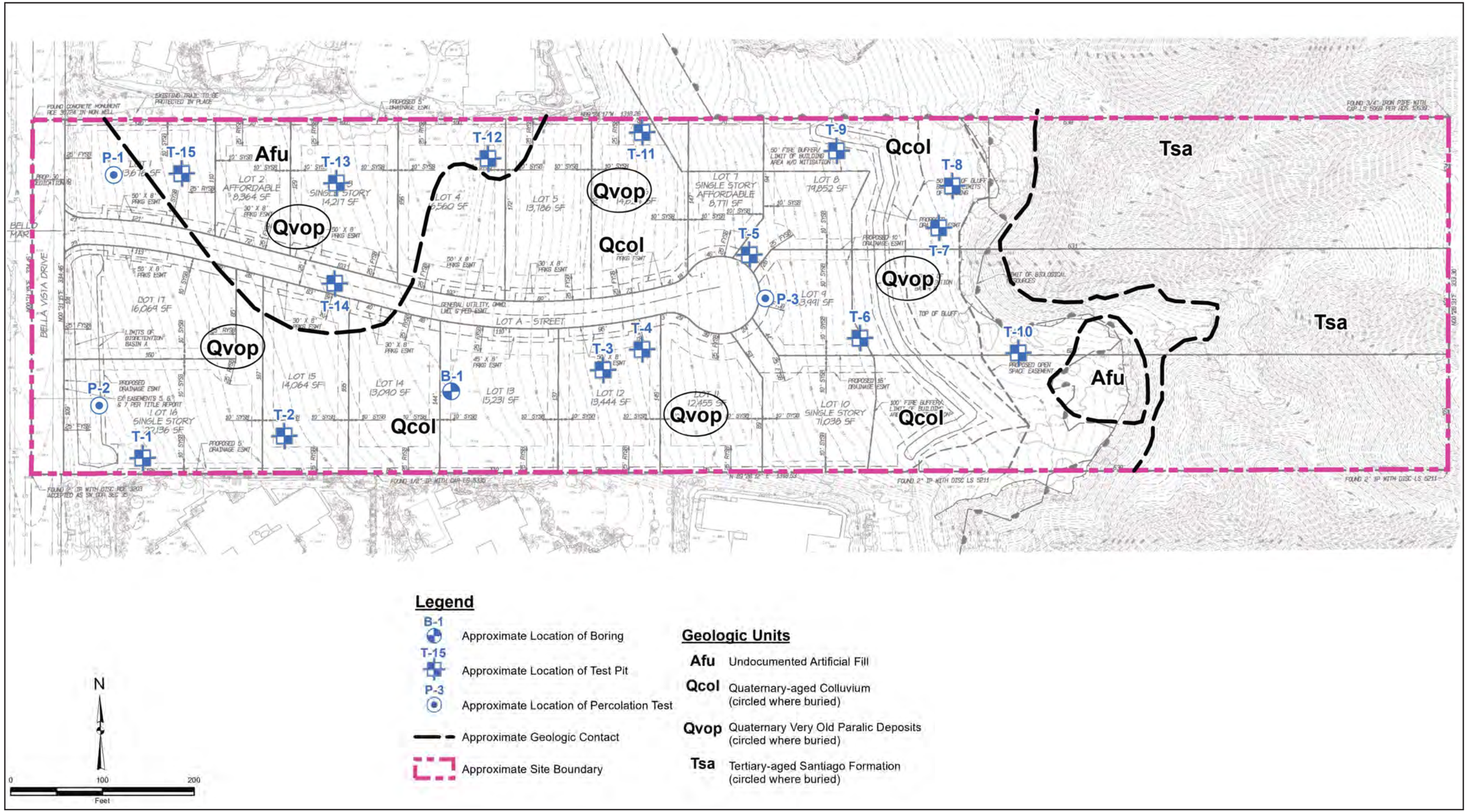
☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Soil liquefaction occurs within relatively loose, cohesionless sands located below the water table that are subjected to ground accelerations from earthquakes. As required by EMC Section 23.24.170 a site-specific soil reports was prepared to describe site conditions and provide recommendations specifically addressing grading procedures, soil stabilization during and post-construction, foundation design, and slope stability (EMC Sections 23.24.170D and 23.24.170F). All recommendations are required to be conditions of project approval and shown on the project grading plans (EMC Section 23.24.170H). According to the Geotechnical Investigation (Leighton 2021b), the majority of the project site has shallow bedrock at the surface and the lack of a high groundwater table; therefore, the potential for liquefaction occurring at the project site is considered unlikely. However, the Geotechnical Investigation identified subsurface undocumented artificial fill (Afu) in two primary locations as shown on the Geotechnical Map (Figure 8). Afu comprises loose, dry, and porous materials that are potentially compressible and consistent with the Geotechnical Report, areas of Afu within the project's development footprint would need to be removed and recompacted to ensure stability within areas of proposed development or future fill (Leighton 2021b). There is an area of Afu that is mapped within the southeastern portion of the project site, within the proposed open space. No development or fill are proposed in this location. Therefore, no grading or remediation at this location would be required.

Consistent with the Geological Assessment, areas of Afu which would be subject to development activities would be recompacted prior to grading activities. The Afu within the open space would remain, as no grading or fill are proposed therein. Therefore, potential impacts related to liquefaction (due to unstable soils within developable areas) would be remediated. Impacts would be less than significant.

Map Source: Leighton and Associates



Legend

- B-1 — Approximate Location of Boring
- T-15 — Approximate Location of Test Pit
- P-3 — Approximate Location of Percolation Test
- Approximate Geologic Contact
- Approximate Site Boundary

Geologic Units

- **Afu** Undocumented Artificial Fill
- **Qcol** Quaternary-aged Colluvium (circled where buried)
- **Qvop** Quaternary Very Old Paralic Deposits (circled where buried)
- **Tsa** Tertiary-aged Santiago Formation (circled where buried)

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FIGURE 8
Geotechnical Map

iv. Landslides?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Landslide-prone areas are generally underlain by formations with high clay content which mobilize when they become saturated with water. Other factors, such as steeply dipping bedding that project out of the face of the slope and/or the presence of fracture planes, will also increase the potential for landslides. No landslides or indications of deep-seated landsliding were indicated at the project site during field exploration or review of available geologic literature, topographic maps, and stereoscopic aerial photographs. Field reconnaissance revealed the project site is generally underlain by favorable oriented geologic structure, consisting of massively bedded sandstone. Therefore, the potential for significant landslides or large-scale slope instability at the project site is considered low (Leighton 2021b). Further, site stabilization and soil compaction required by the project's Geotechnical Investigation and design parameters established by the most recent UBC and the City's Grading, Erosion, and Sediment Control Ordinance would ensure adverse effects associated with landslides would not occur. Impacts would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project would require grading of 14,800 cy of cut and 11,700 cy of fill, 3,100 cy of export, and 11,000 cy of remedial grading to enable construction of the 17-unit subdivision map, roadway, stormwater, landscaping, and utility improvements. No homes are proposed. The project and future development consistent with the TM would be required to comply with the City's Grading Ordinance to minimize the potential for water and wind erosion.

Geologic mapping was performed at the eastern slope to observe the geologic conditions at the project site. The presence of paralic deposits indicates that friable sands are present that are susceptible to erosion due to the nature of the uncemented sand (Leighton 2021b). However, the proposed building pads and associated improvements would be setback at least 50 feet from the existing slopes at the project site; therefore, no further grading would be necessary on the eastern slope.

Geotechnical recommendations call for cut and fill slopes should be provided with appropriate surface drainage features and landscaped with drought-tolerant, slope-stabilizing vegetation as soon as possible after grading to reduce the potential for erosion. Berms should be provided at the top of fill slopes, and brow ditches should be constructed at the top of cut slopes. Inadvertent oversteepening of cut and fill slopes should be avoided during fine grading. If seepage is encountered in slopes, further drainage features may be recommended (Leighton 2021b). Project implementation of the geological recommendations, coupled with adherence to City regulations would ensure that potential impacts from soil erosion or the loss of topsoil would be less than significant.

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 an on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Refer to responses VII.a.iii, IV.a.iv, and VII.b. Impacts would be less than significant.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: According Geotechnical Investigation (Leighton 2021b), the expansion potential of the on-site soil is anticipated to range from very low to low. However, the on-site clayey soil may have a medium to high expansion potential. Therefore, geotechnical observations and/or laboratory testing upon completion of the graded pads is recommended to determine the actual expansion potential of finish grade soils on the project site. This recommendation, and all other recommendations included in the Geotechnical Investigation are required to be conditions of project approval and shown on the project grading plans pursuant to EMC Section 23.24.170H. Additionally, all grading activity would be subject to standard engineering practices contained within the most recent UBC and City regulations. Project implementation of the geological recommendations, coupled with adherence to the UBC and City regulations, would ensure that potential impacts from soil erosion or the loss of topsoil would be less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project does not propose any septic tanks or alternative wastewater disposal systems. The project would connect to the Leucadia Wastewater District. Therefore, the project would have no impact related to the use of septic tanks or alternative wastewater disposal systems.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

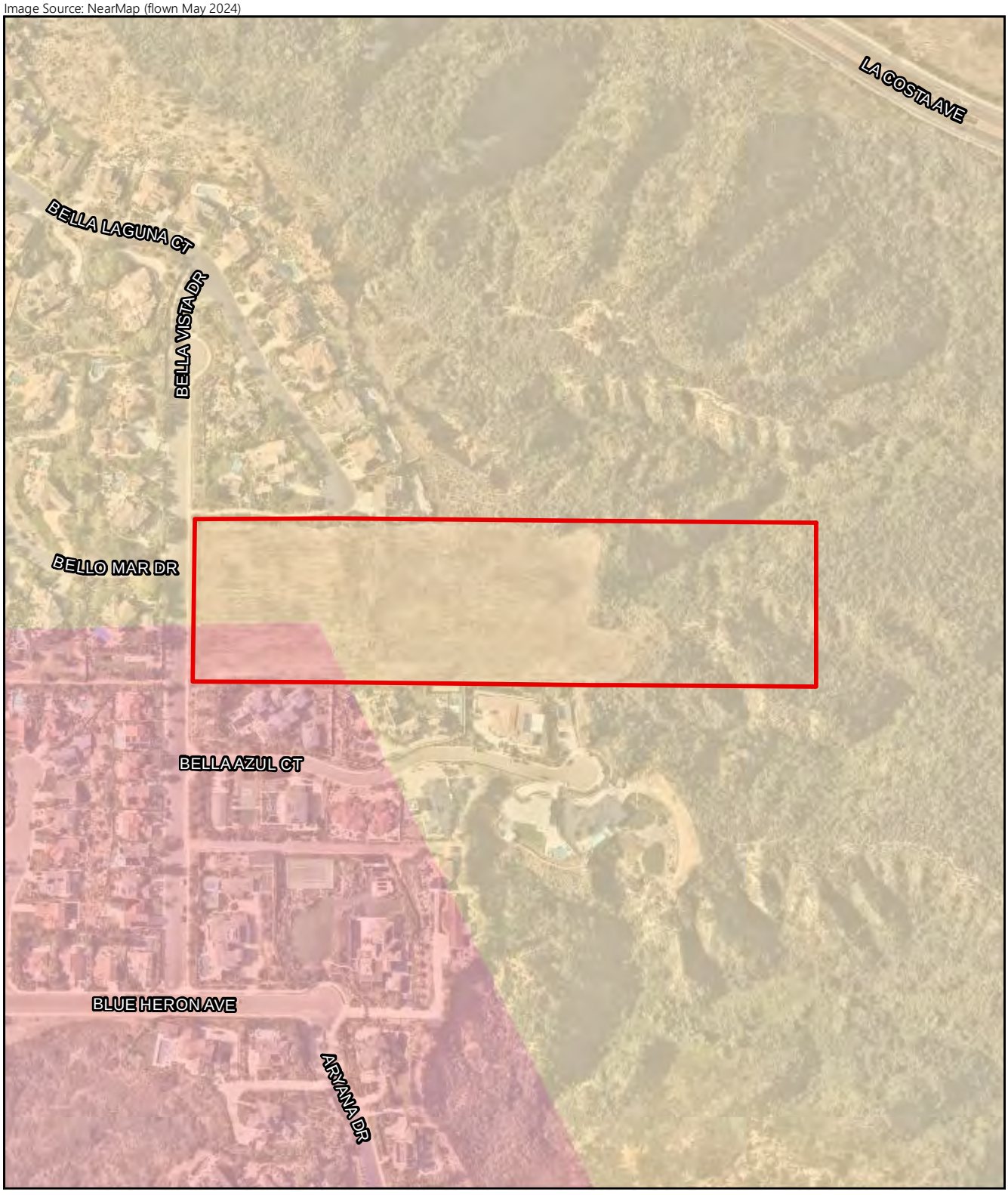
☐ Potentially Significant Impact
☒ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant with Mitigation Incorporated: Impacts on paleontological resources occur when excavation activities encounter fossiliferous geological deposits and cause physical destruction of fossil remains. Fossil remains, fossil sites, fossil-producing geologic formations, and geologic formations with the potential for containing fossil remains are all considered paleontological resources or have the potential to be paleontological resources. Fossil remains are considered important if they are well preserved, identifiable, type/topotypic specimens, age diagnostic, useful in environmental reconstruction, and/or represent new, rare, and/or endemic taxa. The potential for impacts on fossils depends on the sensitivity of the geologic unit and the amount and depth of grading and excavation.

As shown in Figure 9, the project area is underlain by Eocene and Pliocene Marine Sedimentary rocks, which have high sensitivity for paleontological resources. Therefore, impacts to paleontological resources could be significant due to the unanticipated discovery of resources during ground-disturbing activities as well as the potential to damage or destroy paleontological resources that may be present below the ground surface. Mitigation measures **GEO-1** and **GEO-2**, which provide for a Paleontological Data Recovery and Monitoring Plan for the potential discovery of buried resources detailed below, would reduce potentially significant impacts to below a level of significance.

Image Source: NearMap (flown May 2024)



Project Boundary

Eocene - Marine Sedimentary Rocks (Shale, Sandstone, Conglomerate, Minor Limestone; Mostly Well Consolidated.)

Pliocene - Marine Sedimentary Rocks (Sandstone, Siltstone, Shale, and Conglomerate; Mostly Moderately Consolidated.)

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FIGURE 9

Underlying Geological Formations

Mitigation Measures:

GEO-1: Prior to grading permit issuance, during grading and excavation activities, and prior to building permit issuance, the project applicant shall implement a paleontological monitoring and recovery program consisting of the following measures, which shall be included on project grading plans to the satisfaction of the Development Services Department:

a. The project applicant shall retain the services of a qualified paleontologist to conduct a paleontological monitoring and recovery program. A qualified paleontologist is defined as an individual having an M.S. or Ph.D. degree in paleontology or geology, and who is a recognized expert in the identification of fossil materials and the application of paleontological recovery procedures and techniques. As part of the monitoring program, a paleontological monitor may work under the direction of a qualified paleontologist. A paleontological monitor is defined as an individual having experience in the collection and salvage of fossil materials.

b. The qualified paleontologist shall attend the project pre-construction meeting to consult with the grading and excavation contractors concerning the grading plan and paleontological field techniques.

c. The qualified paleontologist or paleontological monitor shall be on site on a fulltime basis during the original cutting of previously undisturbed portions of the underlying very old paralic deposits. If the qualified paleontologist or paleontological monitor ascertains that the noted formations are not fossil-bearing, the qualified paleontologist shall have the authority to terminate the monitoring program.

d. If fossils are discovered, recovery shall be conducted by the qualified paleontologist or paleontological monitor. In most cases, fossil salvage can be completed in a short period of time, although some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances, the paleontologist (or paleontological monitor) shall have the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner.

e. If subsurface bones or other potential fossils are found anywhere within the project site by construction personnel in the absence of a qualified paleontologist or paleontological monitor, the qualified paleontologist shall be notified immediately to assess their significance and make further recommendations.

f. Fossil remains collected during monitoring and salvage shall be cleaned, sorted, and catalogued. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum.

GEO-2: Prior to building permit issuance, a final summary report outlining the results of the mitigation program shall be prepared by the qualified paleontologist and submitted to the Development Services Department for concurrence. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils, as well as appropriate maps.

VIII. GREENHOUSE GAS EMISSIONS -- Would the project

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: State CEQA Guidelines Section 15064.4 states that "the determination of the significance of GHG calls for careful judgment by the lead agency, consistent with the provisions in Section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of greenhouse gas emissions resulting from a project." Section 15064.4(b) further states that a lead agency should consider the following non-exclusive factors when assessing the significance of GHG emissions:

1. The extent to which the project may increase or reduce GHG emissions as compared to the existing environmental setting;

2. Whether the project emissions exceed a threshold of significance that the lead agency applies to the project; and

3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

State CEQA Guidelines Section 15064(h)(1) states that "the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable." A cumulative impact may be significant when the project's incremental effect, though individually limited, is cumulatively considerable.

The City General Plan incorporates smart growth and land planning principles intended to reduce VMT, and thereby reduce GHG emissions. Specifically, the General Plan directed preparation of a Climate Action Plan (CAP) with reduction targets; development of regulations to encourage energy efficient building design and construction; and development of regulations

that encourage energy recovery and renewable energy facilities, among other actions. These planning and regulatory efforts are intended to ensure that actions of the County do not impede AB 32 and Senate Bill (SB) 375 mandates.

The City adopted a CAP in January 2018 and an interim revision in November 2020. The CAP outlines actions that the City will undertake to meet its GHG emissions reduction targets. Implementation of the CAP requires that new development projects incorporate more sustainable design standards and implement applicable reduction measures consistent with the CAP.

Future housing consistent with the TM would be subject to the requirements of the CAP, as applicable. As outlined in the Greenhouse Gas Assessment (Ldn Consulting 2022b), the project has incorporated design features to reduce GHG emissions. The design features below have been incorporated into the project and therefore included in the analysis of GHG emission reduction:

- Installation of low-flow water fixtures in all the units.
- Provision of separate waste containers to allow for recycling or pay for a waste collection service that recycles in accordance with AB 341 to achieve a 75 percent waste diversion. All green waste will be diverted from landfills and recycled as mulch.
- Hearths would not be installed as part of the project.
- Tier 4 construction equipment that includes regulated diesel engines that have restricted emission levels of NO_X and PM.
- Installation of 51 kW of solar energy generation capacity (3 kw solar per residential unit).
- Installation of one EV charging station within each garage residential unit.

The project was analyzed using an alternative approach for consistency with SB 32 using a project-specific locally appropriate efficiency-based threshold based on forecasted population and the allowable emissions which the City must achieve in 2030 to be compliant with SB 32. Based on this approach, the project would be required to generate fewer GHG emissions than 3.9 metric tons of carbon dioxide equivalent (MT CO_2E). The project was found to generate 144.55 MT CO_2E with both annualized construction and annual operation GHG emissions averaging over a project population of 42.67 persons. Given this, the project would have a projected GHG emission rate of 3.39 MT CO_2E per capita (PC) or (144.55 MT CO_2E/42.67 persons). Based on this, the project would generate fewer emissions than a City-specific localized efficiency metric of 3.9 MT CO_2E PC. Although the project does not specifically rely on the City's CAP, the project would be consistent with the CAPs primary goals to reduce 2030 emissions by at least 44 percent. Given this, the project would be found to generate a less than significant impact under CEQA.

Building Energy Use

Energy use emissions are generated by activities within buildings that utilize electricity and natural gas as energy sources. GHGs are emitted during the generation of electricity from fossil fuels off-site in power plants. These emissions are considered indirect but are calculated in association with a building's overall operation. Natural gas usage emits GHGs directly when it is burned for space heating, cooking, hot water heating and similar uses, whereas electricity usage emits GHGs indirectly to the extent that it is generated by burning carbon-based fuels. For the building sector to achieve carbon neutrality, natural gas usage will need to be phased out and replaced with electricity usage, and electrical generation will need to shift to 100 percent carbon-free sources. To support these shifts, new projects need to be built without natural gas and with no inefficient or wasteful energy usage.

The project would result in GHG emissions from energy used in single-family homes. The project would voluntarily include all-electric appliances. By designing the project to fully utilize electric energy, the project would not conflict with the ultimate implementation of the Climate Change Scoping Plan: A Framework for Change (2022 Scoping Plan).

Additionally, the project would include rooftop solar. Additionally, as discussed in detail in Section VI. Energy above, construction and operation of the project are not expected to result in the wasteful or inefficient use of energy. GHG emissions associated with electricity use would be eliminated as California decarbonizes the electrical generation infrastructure as committed to by 2045 through SB 100, the 100 percent Clean Energy Act of 2018. Therefore, the project would contribute its "fair share" of what is required to achieve carbon neutrality of buildings by 2045.

Transportation

A VMT evaluation has been prepared for the project as part of the (LOS Engineering, Inc. 2024a). The Governor's Office of Planning and Research (OPR) guidelines outlined in *Technical Advisory on Evaluating Transportation Impacts in CEQA* note the following: "lead agencies have the discretion to set or apply their own thresholds of significance." The City requested the VMT analysis to be based on the local San Diego Institute of Transportation Engineers (ITE) *Guidelines for Traffic Impact Studies in the San Diego Region* (ITE 2019). The 2019 San Diego ITE guidelines state that projects with less than 1,000 ADT that are consistent with the zoning are presumed to have less than significant VMT impacts. The project, with a calculated trip generation of 170 ADT, is below the above threshold of 1,000 ADT; therefore, according to the San Diego ITE guidelines, the project is presumed to have a less than significant VMT traffic impact. Additionally, as previously discussed, the project would include the installation of an EV charging station in each garage.

Based on the preceding analysis, the project would not conflict with implementation of the CAP and the project would provide its "fair share" contribution towards the statewide goal of carbon neutrality by 2045.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Executive Order (EO) S-3-05 and EO B30-15 established GHG emission reduction targets for the State, and AB 32 launched the CARB Climate Change Scoping Plan that outlined the reduction measures needed to reach the 2020 target, which the State has achieved. As required by SB 32, CARB's 2017 Climate Change Scoping Plan outlines reduction measures needed to achieve the interim 2030 target. AB 1279, the California Climate Crisis Act, codified the carbon neutrality target as 85 percent below 1990 levels by 2045. The 2022 Scoping Plan was adopted in December 2022. The 2022 Scoping Plan lays out a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by AB 1279. As detailed above, the project would provide its "fair share" contribution towards the statewide goal of carbon neutrality by 2045.

Project emissions would decline beyond the buildout year of the project due to continued implementation of Federal, State, and local reduction measures, such as increased Federal and State vehicle efficiency standards, and SDG&E's increased renewable sources of energy in accordance with Renewable Portfolio Standards goals. Based on currently available models and regulatory forecasting, project emissions would continue to decline through at least 2050. Given the reasonably anticipated decline in project emissions that would occur post-construction, the project is in line with the GHG reductions needed to achieve the 2045 GHG emission reduction targets identified by AB 1279.

Appendix D of the 2022 Scoping Plan includes local actions that jurisdictions may take to reduce GHG emissions in line with AB 1279 goals. The three key priority areas identified in the 2022 Scoping Plan are (1) transportation electrification, (2) VMT reduction, and (3) building decarbonization. The project would support transportation electrification by installing EV parking spaces in each residential unit garage. Additionally, the project would have less than significant VMT impacts (see Section XVII). Lastly, the project would include all-electric appliances and would be constructed in accordance with 2022 Title 24 and CALGreen standards.

Additionally, the project would be consistent with the reduction goals specified in the City's CAP. As discussed in Section VIII.a, the project would generate fewer emissions than a City-specific localized efficiency metric of 3.9 MT CO_2E PC and would therefore be in line the CAP's 2030 goal of reducing GHG emissions by 44 percent compared to 2012 levels. The project would incorporate project design features consistent with the CAP reduction strategies including

installing EV charging stations, solar panels, low-flow water fixtures, recycling, and using Tier 4 construction equipment. Therefore, the project would be consistent with the City's CAP.

The project would not conflict with implementation of statewide GHG reduction goals or a plan adopted for the purposes of reducing GHG. Impacts would be less than significant.

IX. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

The analysis in this section is based on the Phase I and Limited Phase II ESA (Leighton 2021a).

Less than Significant: The project consists of a TM to create residential lots (for the future development of single-family homes), one private street lot, and the construction and grading for associated public improvements, stormwater, and utility improvements. The project does not propose any use that would involve the routine transport, use, or disposal of significant hazardous materials. Project construction and typical residential activities may involve the use of small amounts of solvents, cleaners, oils and fuel for equipment, and pesticides/herbicides. However, use of these common hazardous materials in small quantities would not represent a significant hazard to the public or environment and would not involve the routine transport or disposal of hazardous materials. The project would comply with all applicable local, State, and Federal regulations during project construction and operation, resulting in a less than significant impact.

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?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Based on the Phase I and Limited Phase II ESA (Leighton 2021a) the project site was used for agricultural purposes as early as the 1930s through the mid-1990s. During this period, there is a likelihood that the project site was treated with

pesticides and the presence of arsenic is likely resulting in a possibility that residual organochlorine pesticides may be present in shallow soils. The Phase I and Limited Phase II ESA did not identify organochlorine pesticides or arsenic on-site. Therefore, impacts related to release of on-site hazardous materials would be less than significant. At the Applicant's request, a County Department of Environmental Health and Quality, Site Assessment and Mitigation Program consultation was performed to obtain Site Assessment and Mitigation Program concurrence that soil assessment was adequate with data showing that the property can be redeveloped for residential use. On May 18, 2024, the County Department of Environmental Health and Quality issued its concurrence with the contents and findings of the ESA.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project site is approximately 2.3 miles from the nearest school, Capri Elementary School, which is located at 941 Capri Road. Although no schools are located within a quarter mile, construction of the project may require the use of hazardous materials (fuels, lubricants, solvents, etc.), which would require proper storage, handling, use and disposal; however, the project would not routinely transport, use or dispose of hazardous materials. The residential project would not result in the emission of hazardous materials, substances, or waste and does not propose the use or transport of any hazardous materials beyond those used for everyday household purposes. Therefore, the project would not create a significant hazard to the public or environment and impacts would be less than significant.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: A hazardous waste site record search was completed in September 2021, using Environmental Risk Information Services database report and GeoTracker, an online database of hazardous site records maintained by the California State Water Resources Control Board. The project site is not included on a list of known sites containing hazardous materials.

Additionally, no sites in the immediate project vicinity (within a quarter mile) were identified during the record search. Therefore, no impact related to an identified hazardous materials site would occur.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No impact: There are no public or private airports within two miles of the project site, and the project site is outside of an airport land use plan. The closest (public) airport is McClellan-Palomar Airport, approximately 6.3 miles northeast of the project site. Therefore, no impacts associated with a safety hazard or excessive noise for people residing or working in the project area would occur.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

The following sections summarize the project's consistency with applicable emergency response plans or emergency evacuation plans.

i. OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

Less than Significant Impact: The Operational Area Emergency Plan (OAEP) is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The OAEP provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The MJHMP also identifies goals,

objectives, and actions for each jurisdiction in San Diego County, including all cities and the county unincorporated areas.

The project would not interfere with these emergency plans because it would not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out. Therefore, impacts associated with conflicts with an OAEP and MJHMP would be less than significant.

II. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN

No Impact: The County Nuclear Power Station Emergency Response Plan would not be interfered with by the project due to the location of the project and plant as well as the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of the plant is not within the jurisdiction of the City and, as such, a project is not expected to interfere with any response or evacuation. Therefore, no impact regarding potential conflicts with the County Nuclear Power Station Emergency Response Plan would occur.

iii. OIL SPILL CONTINGENCY ELEMENT

No Impact: The Oil Spill Contingency Element would not be interfered with because the project does not propose any use of oil on-site. In the event that an unauthorized release of oil were to occur, the California State Warning Center and the National Response Center would be notified. Therefore, no impact regarding potential conflicts with the Oil Spill Contingency Element would occur

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN

No Impact: The Emergency Water Contingencies Annex and Energy Shortage Response Plan would not be interfered with because the project does not include the alteration of a major water or energy supply infrastructure, such as the California Aqueduct. Therefore, no impact regarding potential conflicts with the Emergency Water Contingencies Annex and Energy Shortage Response Plan would occur.

v. DAM EVACUATION PLAN

No Impact: The Dam Evacuation Plan would not be interfered with because the project is not located within a dam inundation zone. Therefore, no impact regarding potential conflicts with the Dam Evacuation Plan would occur.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project is located within a VHFHSZ (California Department of Forestry and Fire Protection 2024). There are large residential estate homes to the north, west, and south of the project site, and undeveloped native habitat to the east that has the potential to provide fuel for wildland fires. To address potential impacts relating to wildland fires, a FPP was prepared for the project by SMFC (SMFC 2024). The FPP evaluates wildfire potential and provides guidance for the inclusion of project design features to reduce potential fire risk and damage. The analysis below relies on the FPP.

The FPP evaluated anticipated fire behavior in the project vicinity. Based on weather (including Santa Ana conditions), topography, slopes, and adjacent habitat, the Fire Behavior model found that the easternmost portion of the project site would be at the greatest risk of fire, especially Lots 6 through 10, as shown on the TM. Based on the recommendations of the FPP, the project includes the following: FMZ; fire wall; use of internal fire protective construction materials; fire resistant landscaping; adequate water supply; and fire safe street design requirements.

The project includes an FMZ as stated in the project description and detailed in the FPP (see Figure 5). All lots would be subject to FMZ Zone 0 and Zone 1. Lots 8 through 10 would also be subject to Zone 2, with the total FMZ spanning 100 feet. Based on the wildland fire behavior calculations, the 100 feet of defensible space would provide Lots 8 through 10 with more than twice the flame length of protection, and the addition of the masonry wall (see below) would deflect and impede flames and embers. Each lot would be conditioned to identify each lot and future development consistent with the TM would be regulated based on the zones, and all future homes construction would be conditioned to adhere to the FMZ descriptions and required treatments as detailed in the FPP, including restrictions on installation of combustible fencing, gates, patio covers, decks or arbors attached to the homes. All FMZ areas would be maintained by the future HOA.

A 6-foot-tall masonry wall would be constructed along the northern boundary of the project site adjacent to Lots 6 through 8, across the edge of the open space easement, and along the southern boundary of the project site adjacent to Lot 10. The masonry wall would serve as a fire protection measure and would also protect the structures from radiant heat.

All landscaping shall meet the City Water Efficient landscaping requirements, and the City and County Defensible Space Plant list. Landscape Plans would meet all requirements of the 2023

County Consolidated Fire Code Section 4906.3 which provides details of the submittal and approval process, and contents of the plans.

Water supply would be provided by three proposed fire hydrants. The hydrants would be located next to Lot 17 along Bella Vista Drive, next to Lot 15, and next to Lot 12 near the cul-de-sac. The hydrants would be installed and accepted by the EFD; construction or building permits shall not be issued until the fire code official inspects and approves required fire apparatus access and water supply.

To meet the EFD requirements, the 25-foot private street has been designed to meet all-weather driving capabilities, and the turning radius is consistent with City fire code regulations. Additionally, the access road would have unobstructed vertical clearance. Unless within the 17 proposed parking easements, no parking would be allowed along the access road and would include “Fire Lane, No Parking” signage to allow safe emergency egress. Additionally, the access road along Lot 10 shall have an unobstructed vertical clearance of 13 feet, 6 inches.

Future development of homes would be constructed with ignition-resistant construction standards compliant with Chapter 7A of the California Building Code Additionally, all homes would install dual-paned tempered glass and comply with the City’s Residential Fire Sprinkler requirements.

The project is design to reduce exposure of people or structures to a significant risk of loss, injury or death involving wildland fires. Future construction consistent with the TM would be conditioned to include all aforementioned project design features. Additionally, future project plans would be required to be reviewed and approved by the EFD. Therefore, through project design, adherence to fire code regulations, and approval by the fire department, project impacts relating to risks relating to wildfire would be less than significant.

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The existing project site is a vacant lot and contains no structures. The project site has an agricultural history dating back to the 1940s through the mid-1990s and appears never to have contained structures (Brian F. Smith and Associates [BFSA] 2024). Consequently, implementation of the project would not cause a substantial adverse change in the significance of a historical resource. No impact to a historical resource would occur.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

☐ Potentially Significant Impact
☒ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Background: The following General Plan Resource Management (RM) goals are relevant in protecting cultural and paleontological resources in the City:

RM GOAL 7: The City will make every effort to ensure significant scientific and cultural resources in the Planning Area are preserved for future generations.

RM GOAL 7.1: Require that paleontological, historical, and archaeological resources in the planning area are documented, preserved or salvaged if threatened by new development.

RM GOAL 7.2: Conduct a survey to identify historic structures and archaeological/cultural sites throughout the community and ensure that every action is taken to ensure their preservation.

Less than Significant Impact with Mitigation Incorporated: An archaeological records search for the project and the surrounding area within a one-half mile radius was conducted by the South Coastal Information Center (SCIC) at San Diego State University. The SCIC results identified 13 cultural resources within one-half mile of the project, none of which are located within the project boundaries. The results of the SCIC records search also indicate that 49 archaeological investigations have been conducted within a one-mile radius of the subject property. The SCIC reported that 11 of these studies included the subject property. None of the previous studies conducted within or adjacent to the project have identified any resources within the subject property (BFSA 2024). A Sacred Lands File search was requested from the Native American Heritage Commission (NAHC) to list potentially sacred or ceremonial sites or landforms on or near the project, which provided negative results. Additional historic resources were also consulted; none indicated the presence of archaeological resources within the project site. Lastly, a field survey of the property was conducted on February 8, 2022. The cultural resources survey conducted did not result in the identification of any previously unrecorded prehistoric or historic resources (BFSA 2024).

Although no archaeological resources were identified within the project site, the project is located near Los Batiquitos Lagoon, which is known to have been extensively exploited by the prehistoric population. Therefore, there remains a potential for buried cultural resources to be discovered during construction resulting in a potentially significant impact to archeological resources.

Mitigation measures **CR-1** through **CR-4**, detailed below, would reduce potentially significant impacts to below a level of significance.

Mitigation Measures:

CR-1: Grading Monitor

Prior to issuance of a grading permit, the applicant or owner and/or contractor shall provide a written and signed letter to the City's Director of Development Services stating that a qualified archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, as well as a traditionally and culturally affiliated (TCA) Native American monitor, have been retained at the applicant or owner and/or contractor's expense to implement the monitoring program, as described in the Pre-excavation Agreement. A copy of the letter shall be included in the grading plan submittals for the grading permit.

CR-2: Cultural Resources Monitoring and Treatment Plan

The archaeologist shall prepare a Cultural Resources Monitoring and Treatment Plan (CRMTP) to the satisfaction of the lead agency. The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc.

CR-3: Pre-construction Cultural Resources Awareness Training

A qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall provide pre-construction cultural resources awareness training to all construction personnel. Training will include appropriate protocol following the unanticipated discovery of any archaeological deposits during construction. A qualified professional archaeologist shall be retained to monitor all ground-disturbing activity associated with the project.

CR-4: Implementation of CRMTP

The CRMTP shall be conducted to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during the construction of the proposed project. The monitoring shall consist of the full-time presence of an archaeological monitor, who is a professional archaeologist working under the direction of the qualified archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, and a TCA Native American monitor for, but not limited to, any clearing or grubbing of vegetation; tree removal; demolition and/or removal of remnant foundations or pavements; abandonment and/or installation of infrastructure; grading or any other ground-disturbing or altering activities, including the placement of imported fill materials (note: all fill materials shall be absent of any and all cultural resources); and related road improvements. Other tasks of the monitoring program shall include the following:

1. The archaeological monitor and TCA Native American monitor shall attend all applicable pre-construction meetings with the contractor and/or associated subcontractors.

2. The archaeological monitor shall maintain ongoing collaborative consultation with the TCA Native American monitor during all ground-disturbing or altering activities, as identified above.

3. The archaeological monitor and/or TCA Native American monitor may halt ground-disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, ground-disturbing activities shall be halted within a 50-foot radius of the discovery to allow a determination of potential significance, the subject of which shall be determined by the archaeological monitor and the TCA Native American monitor, in consultation with the San Luis Rey Band of Mission Indians, San Pasqual Band of Mission Indians, and Rincon Band of Luiseño Indians. Ground-disturbing activities shall not resume until the qualified archaeologist, in consultation with the TCA Native American monitor, deems the cultural resource or feature has been appropriately documented and/or protected. At the discretion of the archaeological monitor, the location of ground-disturbing activities may be relocated elsewhere on the project to avoid further disturbance of cultural resources. The qualified archaeologist shall be called to evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgement. The following notifications shall apply, depending upon the nature of the find:

    a. If the qualified archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.

    b. If the qualified archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, they shall immediately notify the City and landowner. The City shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the California Register of Historical Resources. Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the site is either: 1) not eligible for the California Register of Historical Resources; or 2) the treatment measures have been completed to its satisfaction.

4. The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible, a Data Recovery Plan may be authorized by the City as the lead agency under CEQA. If data recovery is required, then the tribes that were consulted during the AB 52 process shall be notified and consulted in drafting and finalizing any such recovery plan.

5. The archaeological monitor and/or TCA Native American monitor may also halt ground-disturbing activities around known archaeological artifact deposits or cultural features if, in their respective opinions, there is the possibility that they could be damaged or destroyed.

6. If the find includes human remains, or remains that are potentially human, the archaeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeological monitor shall notify the San Diego County Medical Examiner's Office (per §7050.5 of the Health and Safety Code). The provisions of §7050.5 of the California Health and Safety Code, §5097.98 of the California Public Resources Code, and AB 2641 will be implemented. If the medical examiner determines the remains are Native American and not the result of a crime scene, they will notify the NAHC, who then will designate a Native American Most Likely Descendant (MLD) for the project (§5097.98 of the Public Resources Code). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, NAHC may mediate (§5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§5097.98 of the Public Resources Code). This will also include recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county agency in which the property is located (AB 2641). Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.

CR-5: Pre-excavation Agreement

Prior to the issuance of a grading permit, and subject to approval of terms by the City, the applicant or owner, and/or contractor shall enter into a Pre-excavation Agreement with a TCA tribe. The purpose of this agreement shall be to formalize protocols and procedures between the applicant or owner and/or contractor and the TCA tribe for the protection and treatment of, but not limited to, such items as Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas, and cultural items located and/or discovered through the cultural resource mitigation monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, soil surveys, grading, or any other ground-disturbing activities.

CR-6: Final Monitoring Report

A final monitoring report documenting the field and analysis results and interpreting any discovered artifact and research data obtained during the monitoring phase shall be completed and submitted to the satisfaction of the lead agency prior to the issuance of any building permits.

The report will include Department of Parks and Recreation Primary and Archaeological Site Forms if applicable and will also be provided to any consulting tribe.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

☐ Potentially Significant Impact
☒ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant with Mitigation Incorporated: As stated in Section V.b, the Sacred Lands File search was negative for potentially sacred or ceremonial sites on or near the project site. Nonetheless, due to the project site's proximity to Los Batiquitos Lagoon, which is known to have been extensively exploited by the prehistoric population, it is possible that grading activity could result in the discovery of Native American human remains resulting in a potentially significant impact. Implementation of mitigation measures **CR-4** and **CR-5**, detailed above, would reduce potentially significant impacts to below a level of significance.

X. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: A Preliminary Hydrology, Hydraulics, and Stormwater Treatment Study (Ardolino Coastal Engineering, Inc. [Ardolino] 2024a) and Priority Development Project Storm Water Quality Management Plan (SWQMP; Ardolino 2024b) have been prepared to demonstrate project compliance with all water quality standards and waste discharge/requirements.

The project site is in the Carlsbad Hydraulic Unit, San Marcos Hydrologic Area, Batiquitos Sub Area (904.51). Section 303(d) of the Clean Water Act authorizes the U.S. Environmental Protection Agency to publish a list of impaired waters. These are waters which do not meet water quality standards set for the water body. Water quality standards are assigned based on the use of the particular waterbody (e.g., recreation or protection of aquatic life), establish water quality criteria to protect the waterbody, and adopt requirements to protect and maintain healthy waters. Project site receiving waters (those within the path of storm water runoff) include Batiquitos Lagoon and Encinitas Creek. According to the 2020 Section 303(d) list, there are no impaired

water bodies downstream of the project site that are associated with the Pacific Ocean Shoreline in this basin. Nonetheless, the project would be required to protect these receiving waters from potential pollutants which could add to the already impaired status. Specifically, pollutants expected from the project could include sediments, nutrients, heavy metals, organic compounds, trash and debris, oil and grease, and pesticides.

The project has been designed to minimize pollutant runoff. The project would maintain natural drainage pathways (see Section X.c), construct an on-site stormwater collection system, and require landscaping pursuant to the City's plant palette for native and/or drought-tolerant species. To further ensure project pollutants would not contribute to water quality impairment in downstream receiving waters, the project would implement construction, source control and structural BMPs.

The SWQMP includes a list of required construction BMPs that would be implemented by the project. Such BMPs include vegetation stabilization planting, hydraulic stabilization hydroseeding, silt fencing, fiber rolls, and spill prevention/control measures that would preserve water quality. Source Control BMPs are measures that are effective at stopping and/or redirecting pollutants prior to entering the storm sewer system. Examples of source control BMPs to be applied by the project could include on-site storm drain inlets, storm drain stenciling, and protection of trash storage areas from rainfall and wind.

Structural BMPs are stationary and permanent BMPs that are designed, constructed, and operated to collect, treat, infiltrate, and/or convey stormwater. The project storm water system includes treatment control BMPs in the form of two on-site drainage basins: one located on with southwestern side of the project site adjacent to Bella Vista Drive (Basin A) and another at the eastern side of the project site (Basin B). Stormwater collected in Basin A would drain through a PVC pipe out to Bella Vista Drive. Stormwater collected in Basin B would drain via a PVC pipe that outlets to infiltration pits on the easterly side of the development. These two drainage basins would include native and drought-tolerant landscaping. The drainage basins and infiltration pits would be effective for the removal of toxicity and selenium and would be sized to handle peak flows. The on-site stormwater facilities would be maintained and funded by the future HOA.

Implementation of pollutant control measures would ensure that the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Impacts would be less than significant.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project would obtain its water supply from the Olivenhain Municipal Water District, which obtains water from surface reservoirs or other imported water sources. The project would not use any groundwater for any purpose, including irrigation and domestic or commercial demands. In addition, the project does not involve operations that would interfere substantially with groundwater recharge such as regional diversion of water to another groundwater basin or diversion or channelization of a stream course or waterway with impervious layers, such as concrete lining or culverts, for substantial distances (e.g., one-quarter mile). These activities and operations can substantially affect rates of groundwater recharge. Furthermore, the project incorporates required stormwater BMPs in the form of detention basins and a modular wetland system that would ensure water infiltration continues to occur, supporting the underlying groundwater basin. Therefore, impacts to groundwater resources or groundwater management would be less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surface, in a manner which would:

(i) result in substantial erosion or siltation on- or off-site;

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: A Preliminary Hydrology, Hydraulics, and Stormwater Treatment Study (Ardolino 2024a) has been prepared for the project and the following analysis is based on this study. There are no streams or rivers on the project site. Existing drainage generally flows to the east and west. The western portion of the project site drains to Bella Vista Drive. The eastern portion of the project site drains to the open space to the east. In the existing condition, preliminary hydrology calculations are based on the identification of two on-site systems: System 10 and System 20. The existing 100-year peak flow rates are shown in Table 4.

Two drainage basins are maintained adjusted for the on-site development and to assist in maintenance of 100-year peak flow rates. In the post-development condition, peak discharges for System 10 would drain to Basin A and System 20 would drain to Basin B. The project site would continue to drain to the east and the west either along proposed curb or via a shared drainage pipe running along the southwesterly edge of the property. Stormwater collected in Basin A drains out through a PVC pipe out to Bella Vista Drive. Basin B will discharge out via a PVC pipe that outlets to infiltration pits on the easterly side of the development. Table 5 summarizes the peak flow rates under proposed development conditions.

Table 4 Existing Conditions: Hydrology Summary			
System	Area (acres)	Discharge (cubic feet per second)	Time of Concentration (minutes)
10	2.75	6.60	8.04
20	3.48	10.27	5.84
SOURCE: Ardolino Coastal Engineering, Inc. 2024a			

Table 5 Proposed Conditions: Hydrology Summary			
System	Area (acres)	Discharge (cubic feet per second)	Time of Concentration (minutes)
10 (Drains to Treatment Basin A)	2.72	10.20	11.60
20 (Drains to Treatment Basin B)	3.51	13.04	9.80
SOURCE: Ardolino Coastal Engineering, Inc. 2024a			

The proposed development and proposed storm drain design would be capable of not only safely conveying the 100-year storm runoff flow, but has included many instruments into the storm drain system design to ensure that the discharge from the project site is of the best possible quality and would not pose any significant impact or threats to the water quality of the Pacific Ocean, the public storm drain system, or the eastern inland bluff. In addition, the proposed development and storm drain improvements would not significantly alter the existing drainage patterns. As shown in Table 5, under post-construction conditions, although discharge rates would increase, the absorption time of peak discharge would increase, thereby slowing the rate of run-off. Any increase in storm water runoff would be detained and would not increase the potential for flooding or create an increase in erosion.

Thus, the project would maintain existing drainage patterns and would not result in downstream erosion or siltation. Ultimately, construction and permanent BMPs would be implemented in compliance with regulations. Therefore, potential erosion or siltation on- or off-site as a result of the project's drainage patterns would be less than significant.

(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: As detailed in the Preliminary Hydrology Study (Ardolino 2024a) and summarized in response X.d.ii above, the project would not substantially alter the existing

drainage pattern of the project site or the area. As summarized in Tables 4 and 5, the two proposed drainage basins would be designed to retain project flows and slow down runoff rates. Thus, the project would not increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site and impacts would be less than significant.

(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

- ☐ Potentially Significant Impact
- ☐ Less Than Significant With Mitigation Incorporated
- ☒ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project would increase the amount of on-site runoff due to an increase in the amount of impermeable surface area. However, the proposed drainage basins would be designed to retain additional runoff volumes in the post-development condition (Ardolino 2024b).

The project would match existing drainage patterns. The existing project site consists of two drainage basins. The project would maintain two on-site basins to collect run-off from project development and convey the flow for biofiltration and treatment before discharging into public storm drains.

Overall, the hydrology study concludes that there will be no negative impact to the downstream storm drain facilities or an increased potential of flooding. The project would ensure that all storm water quality issues are addressed to the maximum extent practical, the peak discharge for the project site would be utilized to adequately size the components of the storm drain system for the project. Therefore, the project would result in a less than significant impact related to runoff volume and exceeding the capacity of the storm drain system.

(iv) impede or redirect flood flows?

- ☐ Potentially Significant Impact
- ☐ Less Than Significant With Mitigation Incorporated
- ☒ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less than Significant Impact: As discussed above in Sections X.c.i through X.c.iii, the project would maintain existing drainage patterns to the maximum extent practical. The on-site drainage system would collect run-off from project development and convey the flow for biofiltration and treatment before discharging into public storm drains. Impacts would be less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project site is not located within Federal Emergency Management Agency, County Floodplain, County Floodway, or Dam Inundation flood zones. In addition, the project site is not located within a tsunami or seiche inundation zone. Therefore, no impacts would occur.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project would implement required BMPs consistent with the requirements of the City's BMP Design Manual, which addresses post-construction stormwater requirements. As described in Section X.a, the project includes site design, source control, and structural, BMPs selected to slow runoff from the project site and control erosion and sedimentation and satisfy waste discharge requirements. The SWQMP (Ardolino 2024b) specifies and describes the implementation process of all BMPs that would address equipment operation and materials management, reduce erosion, and minimize stormwater runoff. The proposed BMPs would be consistent with regional surface water, storm water and groundwater planning and permitting process. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be less than significant.

XI. LAND USE AND PLANNING -- Would the project:

a) Physically divide an established community?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project would not have an impact on the physical arrangement of an established community. The project would create 17 residential lots (for the future development of single-family homes), one private street lot, and the construction and grading for associated public improvements, stormwater, and utility improvements, which would be compatible with the surrounding single-family residential land use. The project would provide access from existing roadways and would not include any features that could physically divide a community. The project would not require the introduction of new infrastructure such as major roadways or water supply systems, or utilities to the area. Therefore, the project would not significantly disrupt or divide the established community, and impacts would be less than significant.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

☐	Potentially Significant Impact	☒	Less than Significant Impact
☐	Less Than Significant With Mitigation Incorporated	☐	No Impact

Discussion/Explanation:

Less than Significant Impact:

City of Encinitas General Plan

The project site is designated RR-1 in the City's General Plan Land Use Policy Map. The purpose of this land use designation is to ensure the rural character of the area (City of Encinitas 1991). Generally, the density under this designation would be one dwelling unit per acre, or 10 residences. The project would create 17 residential lots (for the future development of single-family homes), one private street lot, and the construction and grading for associated public improvements, stormwater, and utility improvements, which would be within the allowable lot count pursuant to the City's General Plan and DB regulations. Specifically, the project would allow future development of 15 market rate lots and two lots for affordable units, both of which are very low income. DB is a State law that allows a property owner to increase density (the total number of dwelling units) on their property above the maximum set under a jurisdiction's General Plan. EMC Section 30.16.020C includes the City's adoption of DB regulations consistent with California Government Code Sections 65915, et seq. The project meets the requirement for DB under State and City standards because it proposes at least five units and sets aside 18 percent of the total units restricted to very low-income residents.

Per State DB Law, projects proposing affordable housing shall be entitled to unlimited waivers in addition to any concession/incentive the project is otherwise entitled to provided that none of the findings contained in California Government Code Section 65915 (e)(1) can be made. The

Applicant is not requesting any concessions/ incentives. As discussed in the project description above, the project includes waivers for the modification of City development standards that would physically preclude the construction of the project at the proposed density (California Government Code Section 65915(e)). The project includes a request to waive development standards contained in EMC Section 30.16.010, as detailed in Table 1 (see the section titled *City of Encinitas Municipal Code*, below).

The allowance for the additional density and development waivers is consistent with State and local DB regulations and would not result in a conflict with any plan, policy, or regulation purpose of avoiding or mitigating an environmental effect. As detailed throughout this Initial Study, all potentially significant impacts would be avoided or otherwise reduced to less than significant levels through the inclusion of project design features or implementation of mitigation measures.

The following provides a summary of the project's consistency with applicable General Plan Land Use policies that would be most relevant to the project:

- POLICY 1.12: The residential character of the City shall be substantially single-family detached housing.
    - The property's General Plan Use Designation and zoning is Rural Residential (RR-1). The Rural Residential 1 land use/zoning designation is intended to provide for the development of single-family detached units. The project proposes creation of 17 residential lots (for the future development of single-family homes), one private street lot, and the construction and grading for associated public improvements, stormwater, and utility improvements consistent with this General Plan policy.

- POLICY 2.10: Development shall not be allowed prematurely, in that access, utilities, and services shall be available prior to allowing the development.
    - Service availability forms have been provided which indicate adequate water, fire, schools, and wastewater treatment facilities would be available to serve the project.

- POLICY 3.2: The City will designate land use categories/zones for residential development, which provide housing opportunities for all segments of society at densities consistent with the goals of this Element.
    - The project would create 17 residential lots (for the future development of single-family homes), one private street lot, and the construction and grading for associated public improvements, stormwater, and utility improvements to accommodate 15 market rate lots and two lots for affordable units, both of which qualifies as "very low income." The State DB Law and EMC Section 30.16.020C allow for an increase in density (above the allowable density allotted in the City's

General Plan) in exchange for affordable housing. By providing two affordable lots as part of this development project, a more attainable housing option is available within the community. The project provides affordable housing opportunities when compared to a typical all market-rate development project.

- POLICY 6.5: The design of future development shall consider the constraints and opportunities that are provided by adjacent existing development.

    - The project proposes residential development adjacent to existing residential development. The project would conform to the City's Design Standards and Guidelines applicable to residential development. The project also sets aside 3.31 acres of open space, providing an opportunity to preserve sensitive habitat and steep slopes over 25 percent gradient.

- POLICY 8.6: Significant natural features shall be preserved and incorporated into all development. Such features may include bluffs, rock outcroppings, natural drainage courses, wetland and riparian areas, steep topography, trees, and views.

    - The project has steep slopes over 25 percent gradient and supports dense native sensitive habitat in the easternmost portion of the project site which would be placed within an open space easement for preservation in perpetuity. The mature trees within the open space easement would be protected from future removal. Additionally, while no public view would be affected by the project, views to and from the project site would be preserved through on-site landscaping and lot configuration that would be complementary to the surrounding community.

- POLICY 8.7: Non-developable or constrained areas should be evaluated for possible use as open space or recreational use.

    - The steep and densely vegetated portion of the project site would be placed in an open space easement for preservation in perpetuity.

City of Encinitas Municipal Code

The project is zoned RR-1 and subject to development standards set forth in EMC Section 30.16.010(A)(1). As detailed above, the project would be allowed density at a higher maximum than stated within the EMC because it includes an application for DB, consistent with State and City regulations. Also as stated above, the project requests City approval of waivers, as allowed under the State DB Law. As designed, the project requires deviations (waivers) from front and side yard setbacks, net lot area, lot width, lot depth, and a request to construct a private street (where a public street would typically be required), as identified in Table 1. City approval of the waivers would set aside two lots required to be affordable to "very low" income households, in alignment with the policies of the General Plan and State DB Law. The waivers do not require changes to the existing land use or zoning that apply to the subject property and would not

conflict with any plan, policy, or regulation purpose of avoiding or mitigating an environmental effect. The project would be consistent with all relevant EMC requirements as summarized:

- EMC Chapter 9.32, et seq., Noise Abatement and Control, provides regulations setting noise level standards throughout the City, including acceptable construction noise and hours of operation (EMC Section 9.32.410). Additionally, EMC Chapter 30.40 establishes performance standards applicable to minimizing noise levels to ensure noise generated on-site does not exceed allowable levels (EMC Section 30.40.010(A)).

    - The project is a residential development which does not include surface parking lot areas or major noise producing equipment. As detailed in Section XIII, the project would include noise related project design features to ensure construction noise would be minimized and not exceed City thresholds/noise standards for construction. Additionally, although residential units would include heating, ventilation, and air conditioning units, noise generated by these units would be consistent with the surrounding single-family uses and are not anticipated to exceed EMC limits.

- EMC Section 10.02.010, Fire Map, identifies those land areas within the City considered to be VHFHSZs.

    - In 2022, the City adopted the 2021 International Fire Code and 2022 California Fire Code as the Fire Code for the City to regulate and govern the safeguarding of life and property from fire hazards and related events (EMC Section 10.04.010). As detailed in the FPP, the project would be consistent with the standards of the Fire Code including FMZs, the construction of fire walls, required use of non-combustible building materials within FMZ Zone 0, and adequate access and turnaround radii.

- EMC Section 23.24.170, Soil Engineering Report, requires preparation of a report addressing site conditions including on-site soils and geological conditions.

    - The project's Geotechnical Report (Leighton 2021b) complies with all requirements of the EMC and provides recommendations which would be implemented during future grading activities to ensure grading procedures result in adequate soil stabilization during and post-construction, foundation design, and slope stability.

- EMC Chapter 30.34 (Special Purpose Overlay Zones) is intended to protect environmentally significant areas, as well as indicate those areas where development standards are more stringent to minimize potential hazards to future development. A special study is required within this zone.

    - The project is located within a Hillside/Inland Bluff Overlay Zone, as defined by EMC Section 30.34.030, which applies to all areas within the Special Study Overlay Zone where a site-specific slope analysis indicates that 10 percent or more of the natural area of a parcel of land exceeds 25 percent slope. The project's slope analysis shows 28 percent of the project site contains slopes over 25 percent. The majority of the steep slopes over 25 percent or hillside/inland bluff would be preserved within the project's open space easement; however, project grading and improvements would still result in a minor encroachment into slopes greater than 25 percent by 3,793 square feet (3 percent of the overall slopes greater than 25 percent). The maximum allowable encroachment into slopes greater than 25 percent is 10 percent per a DR.

XII. MINERAL RESOURCES -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No impact: No known mineral resource recovery sites occur or are designated within or adjacent to the project site. Therefore, the project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State. No impact would occur.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project site is not in an area designated by the State for locally important mineral resources and is not utilized for mineral resource production. As such, the project would not

result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impact would occur.

XIII. NOISE -- Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant: The Noise Element of the City's General Plan contains policies to serve as guides for identifying noise levels and reducing or avoiding adverse noise effects on residents. The Noise Element states that noise levels at outdoor use areas of residential areas should not exceed 60 Community Noise Equivalent Level (CNEL). The EMC also regulates noise standards. The project proposes a TM to create 17 residential lots (for the future development of single-family homes), one private street lot, and the construction and grading for associated public improvements, stormwater, and utility improvement. The following analysis is based on the potential additional noise associated with buildout of the lots.

Construction Noise

Construction of the project would generate noise. Noise associated with grading and construction could potentially result in short-term noise impacts to adjacent residential properties. A variety of noise-generating equipment would be used during the construction phase of the project such as scrapers, backhoes, front-end loaders, among others. The project would be required to comply with EMC Section 9.32.410 of the which restricts the operation of construction equipment to the hours of 7 a.m. to 7 p.m., Mondays through Saturdays. The EMC also states that it is unlawful to operate construction equipment that exceeds a noise level of 75 A-weighted decibels [dB(A)] for more than eight hours during any 24-hour period when measured at residential property lines.

Construction equipment with a diesel engine typically generates maximum noise levels from 70 to 95 dB(A) average noise level (L_{eq}) at a distance of 50 feet (Federal Highway Administration 2006 and 2008; Federal Transit Authority [FTA] 2018). During construction, equipment moves to different locations and goes through varying load cycles, and there are breaks for the operators and for non-equipment tasks, such as measurement. Although maximum noise levels may be 70 to 95 dB(A) at a distance of 50 feet during most construction activities, hourly average noise levels would be less. Table 6 summarizes typical construction equipment noise levels and duty cycles.

Table 6 Typical Construction Equipment Noise Levels		
Equipment	Noise Level at 50 Feet [dB(A) L_{eq}]	Typical Duty Cycle
Auger Drill Rig	85	20%
Backhoe	80	40%
Blasting	94	1%
Chain Saw	85	20%
Clam Shovel	93	20%
Compactor (ground)	80	20%
Compressor (air)	80	40%
Concrete Mixer Truck	85	40%
Concrete Pump	82	20%
Concrete Saw	90	20%
Crane (mobile or stationary)	85	20%
Dozer	85	40%
Dump Truck	84	40%
Excavator	85	40%
Front End Loader	80	40%
Generator (25 kilovolt amps or less)	70	50%
Generator (more than 25 kilovolt amps)	82	50%
Grader	85	40%
Hydra Break Ram	90	10%
Impact Pile Driver (diesel or drop)	95	20%
In situ Soil Sampling Rig	84	20%
Jackhammer	85	20%
Mounted Impact Hammer (hoe ram)	90	20%
Paver	85	50%
Pneumatic Tools	85	50%
Pumps	77	50%
Rock Drill	85	20%
Roller	74	40%
Scraper	85	40%
Tractor	84	40%
Vacuum Excavator (vac-truck)	85	40%
Vibratory Concrete Mixer	80	20%
Vibratory Pile Driver	95	20%

dB(A) L_{eq} = A-weighted decibels average noise level
SOURCE: Federal Highway Administration 2006 and 2008; Federal Transit Authority 2018

The loudest phase of construction is generally the grading phase. During grading, the simultaneous use of a loader and an excavator would generate a noise level of 82 dB(A) L_{eq} at 50 feet. As construction equipment will move around the project site over the course of each day, equipment noise levels were calculated from the center of the lot to evaluate the average distance to receivers while the equipment moves around on site. The closest residential receivers are located approximately 165 feet from the center of the project site. A noise level of 82 dB(A) L_{eq} at 50 feet would attenuate to 72 dB(A) L_{eq} at 165 feet. Thus, construction noise levels are not anticipated to exceed 75 dB(A) L_{eq} at the adjacent property lines. With work hours limited to those allowable by the City, temporary construction noise would not exceed the applicable thresholds of the EMC. Due to the close proximity of adjacent residential properties, the following measures would be implemented as a project design feature:

- Construction activity must be limited to the hours of 7 a.m. to 7 p.m., Mondays through Saturdays, as per the EMC.
- Staging areas should be placed as far as possible from residential receivers. Ideally, staging areas would be located toward the center of the project site.
- Place stationary equipment in locations that will have a lesser noise impact on nearby sensitive receivers.
- Turn off equipment when not in use.
- Limit the use of enunciators or public address systems, except for emergency notifications.
- Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured to prevent rattling and banging.
- Schedule work to avoid simultaneous construction activities that both generate high noise levels.
- Use equipment with effective mufflers.
- Minimize the use of backup alarms.

Stationary Noise

Based on the RR-1 zoning for the project site and surrounding zoning, property line noise level limits within Section 30.40 of the EMC would be a one-hour average sound level of 50 dB(A) L_{eq} from 7:00 a.m. to 10:00 p.m. and 45 dB(A) L_{eq} from 10:00 p.m. to 7:00 a.m. The project would not result in a significant source of stationary noise as there would be no surface parking lot areas or major noise producing equipment associated with residential uses. Residential units would include heating, ventilation, and air conditioning units; however, noise generated by these units would be consistent with the surrounding single-family uses and are not anticipated to exceed EMC limits. Impacts related to stationary noise would therefore be less than significant.

Traffic Noise

On-site Compatibility

The Noise Element of the City's General Plan establishes noise compatibility criteria for various land uses. Single-family residential uses are considered "normally acceptable" with noise levels up to 60 CNEL, "conditionally acceptable" with noise levels from 60 to 70 CNEL, "normally unacceptable" with noise levels from 70 to 75 CNEL, and "clearly unacceptable" with noise levels greater than 75 CNEL. The interior noise level standard for residential uses is 45 CNEL. The project site is located in a residential area next to residential streets that do not carry a significant amount of traffic The busiest roadway in the vicinity of the project site is La Costa Avenue; however, this roadway is more than 1,000 feet from the project site and noise levels at this distance are not anticipated to exceed the City's compatibility standards.

Off-site Traffic Increases

The project would increase traffic volumes on local roadways. However, the project would not substantially alter the vehicle classifications mix on local or regional roadways nor would the project alter the speed on an existing roadway or create a new roadway. Thus, the primary factor affecting off-site noise levels would be increased traffic volumes. While changes in noise levels would occur along any roadway where project-related traffic occurs, for noise assessment purposes, noise level increases are assumed to be greatest nearest the project site, as this location would represent the greatest concentration of project-related traffic. A substantial noise increase is defined as an increase of 3 decibels (dB) above existing conditions.

Based on a trip generation rate of 10 trips per dwelling unit, the project is anticipated to generate 170 daily trips. Typically, a project would have to double the traffic volume on a roadway in order to have a significant direct noise increase of 3 dB or more or to be major contributor to the cumulative traffic volumes. Existing traffic volumes on project area roadways would range from 527 ADT on Bella Vista Drive to 2,212 ADT on Quail Hollow Drive (LOS Engineering, Inc. 2024). An increase of 170 trips on Bella Vista Drive would result in a noise increase of 1.2 dB, which would not be an audible change in noise levels. Noise level increase on all other roadways would be less. Therefore, the project would not result in the exposure of noise sensitive land uses to significant noise levels, and impacts would be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact:

Human reaction to vibration is dependent on the environment the receiver is in, as well as individual sensitivity. For example, outdoor vibration is rarely noticeable and generally not considered annoying. Typically, humans must be inside a structure for vibrations to become noticeable and/or annoying (FTA 2018).

The property line ground vibration limits for operational sources are summarized in Table 7. As stated in Section 30.40.10(B) of the EMC, "Every use shall be so operated that the ground vibration generated at any time and measured at any point along the lot line of the lot on which the use is located shall not be perceptible and shall not exceed the following."

Table 7
Ground Vibration Limits

Adjacent Zone	Vibration Level (inches per second)	
	Impact	Steady-State
Residential	0.006	0.003
Commercial	0.010	0.005
Light Industrial	0.040	0.020
Public/Semi-Public	0.010	0.005
SOURCE: Chapter 30.40 Section 30.40.010(B) of the Encinitas Municipal Code		

The limits specified in Table 7 apply to operational sources of groundborne vibration. As a future residential use, the project is not anticipated to be a source of operational groundborne vibration. For construction activities, based on best available data, impacts for hydraulic breakers, or hammers, and other non-transient sources such as those associated with project construction shall be considered significant if the peak particle velocity (PPV) exceeds 0.2 inch per second (in/sec).

Construction activities produce varying degrees of ground vibration depending on the equipment and methods employed. While ground vibrations from typical construction activities rarely reach levels high enough to cause damage to structures, special consideration must be made when sensitive or historic land uses are near the construction site. Construction activities that typically generate the highest levels of vibration are blasting and impact pile driving. However, the project would not include blasting or pile driving. The equipment that would be used during construction with the greatest potential to generate vibration would be loaded trucks. According to the FTA, loaded trucks generate vibration levels of 0.076 in/sec PPV at 25 feet, which would exceed 0.2 PPV in/sec at distances 10 feet or closer. The nearest building is located approximately 10 feet from the edge of the project footprint. A loaded truck would not be located immediately adjacent to the building due to physical constraints. Rather, they would be located either on the adjacent roads or on the project site at distances greater than 10 feet from the adjacent buildings. All

other construction equipment operating on-site would generate vibration levels that are less than a loaded truck. Therefore, the project would not generate excessive groundborne vibration or groundborne noise levels, and impacts would be less than significant.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project site is not near a private airstrip or within two miles of McClellan-Palomar Airport (the nearest airport). Further, as shown in Exhibit III-5, Compatibility Policy Map: Airport Influence Area the project is not within the Airport Influence Area for McClellan-Palomar Airport (Airport Land Use Commission 2010, amended 2021). Therefore, the project would not result in excessive noise levels for people residing or working in the project area concerning an airport or private airstrip. Impacts would be less than significant.

XIV. POPULATION AND HOUSING -- Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project would receive a DB consistent with State and City regulations. In conjunction with the DB, two of the proposed 17 single-family residential units would be dedicated as affordable. The project is consistent with the City's General Plan designation (RR-1) and the zoning (RR-1) and requires no changes to land use designation nor require a rezone to support the proposed TM. The housing would be consistent with planned growth under the adopted 2021-2029 Sixth Cycle Housing Element, which supports the City's Regional Housing Needs Assessment of providing an additional 1,554 housing units, 838 of which are required to serve low- or very-low-income housing needs. Additionally, the project site has access to existing water, sewer, and storm water infrastructure from Bella Vista Drive. Impacts related to population growth would be less than significant.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

Discussion/Explanation:

No Impact: The project consists of a TM to create 17 residential lots (for the future development of single-family homes), one private street lot, and the construction and grading for associated public improvements, stormwater, and utility improvement. Implementation of the project would not require the removal of existing housing. Thus, the project would have no impact related to displacing existing housing or necessitating the construction of new housing.

XV. PUBLIC SERVICES

a) 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, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for any of the public services:

i. Fire protection?
ii. Police protection?
iii. Schools?
iv. Parks?
v. Other public facilities?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

i. Fire protection

Less than Significant Impact: The project would be served by the EFD. A service availability form has been received which indicates adequate facilities would be available to serve the project. No new fire facilities or expansion of facilities would be required to serve the project. Therefore, impacts associated with the provision of fire protection services would be less than significant.

ii. Police protection

Less than Significant Impact: Law enforcement services would be provided by the County Sheriff's Department from its North Coastal Station. The station is located at 2175 North El Camino Real, approximately 2.5 miles southeast of the project site. The station currently has adequate resources to respond to emergencies at the project site. The project consists of a TM for the future development of 17 single-family residences. Although the project would result in an increase in density, the project site is located in a developed area within the city where police protection services are already provided. The project would not require the construction of new police protection facilities. Impacts associated with the provision of police protection services would be less than significant.

iii. Schools

Less than Significant Impact: The project consists of a TM for the future development of 17 single-family residences. The occupants of these units may have children that would attend Encinitas Union School District and San Dieguito Union High School District schools. The project applicant would pay all new development impact fees in compliance with Community Facilities Mitigation Fee Resolution 2005-71. Additionally, the project would comply with Government Code Section 65995 and Education Code Section 53080, which allows school districts to impose mitigation fees on new development as a method of addressing increased enrollment. SB 50 states that statutory fees are the exclusive means of considering and mitigating school impacts caused by development projects. The payment of the statutorily fee amounts provides "full and complete mitigation of the impacts of any legislative or adjudicative act . . . on the provision of adequate school facilities" (SB 50). The school districts would collect the developer fees for projects within its service area to support costs of construction and expansion of school facilities. The project would pay applicable fees in effect at the time of building permit issuance, thereby ensuring impacts associated with the construction of new school facilities would be less than significant.

iv. Parks

Less than Significant Impact: The project consists of a TM for the future development of 17 single-family residences. Pursuant to EMC Section 23.98.050.C, the applicant would be required to pay an in-lieu fee for park and recreation purposes. No new or expanded park facilities would be required as a result of the project. Impacts would be less than significant.
v. Other Public Facilities

Less than Significant Impact: The analysis within Sections XX.i through XX.iv concluded that the project would have a less than significant impact related to fire protection, police protection, and schools and a less than significant impact to parks. The project would not result in an impact to any other public facilities including, but not limited to, libraries and hospitals. No significant impacts to other public facilities would occur with project implementation as the project is served by cable, electric, and telephone service providers. Impacts would be less than significant.

XVI. RECREATION

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?

- ☐ Potentially Significant Impact
- ☐ Less Than Significant With Mitigation Incorporated
- ☒ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Refer to Section XV.a.iv. While some residents and visitors are likely to visit existing neighborhood and regional parks, the project would not generate a significant increase in demand on these or other recreational facilities that would either result in or increase physical deterioration of the facility. Impacts would be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

- ☐ Potentially Significant Impact
- ☐ Less Than Significant With Mitigation Incorporated
- ☐ Less than Significant Impact
- ☒ No Impact

Discussion/Explanation:

No Impact: The project consists of a TM for the future development of 17 single-family residences but does not include recreational facilities. Refer also to response XV.a.iv. No impact would occur.

XVII. TRANSPORTATION -- Would the project:

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

- ☐ Potentially Significant Impact
- ☐ Less Than Significant With Mitigation Incorporated
- ☒ Less than Significant Impact
- ☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The City relies on the San Diego Traffic Engineers' Council (SANTEC) and the ITE Guidelines for Traffic Impact Studies (TIS) in the San Diego Region to evaluate potential impacts of a project on the roadway network. According to the SANTEC/ITE

Guidelines, a TIS should be prepared for all projects which generate traffic greater than 1,000 total ADT or 100 peak hour trips. Based on the VMT Analysis (LOS Engineering, Inc. 2024a) and Local Transportation Analysis (LTA; LOS Engineering, Inc. 2024b) the project would generate approximately 170 ADT based on the trip generation rates for single-family detached residential land uses cited in SANDAG's *Brief Guide to Vehicular Traffic Generation Rates for the San Diego Region* (SANDAG 2002). Based on the small volume of trips generated by the project, a TIS was not required; however, an LTA was prepared to fulfill the EMC Section 23.08.060 requirement of a traffic analysis for projects with more than 2,000 sf of building area and/or any residential project with five or more units. The LTA was also prepared to determine if traffic from the project would conflict with the City's General Plan Circulation Element policies.

Relevant General Plan policies that address circulation relative to the project include the following:

- POLICY 1.2: Endeavor to maintain LOS C as a basic design guideline for the local system of roadways understanding that the guideline may not be attainable in all cases.

- POLICY 1.3: Prohibit development which results in Level of Service E or F at any intersection unless no alternatives exist and an overriding public need can be demonstrated.

LOS is a professional industry standard by which the operating conditions of a given roadway segment or intersection are measured. LOS is defined on a scale of A to F, where LOS A represents the best operating conditions and LOS F represents the worst operating conditions.

The following intersections were included in this study:

1) Saxony Road/Quail Hollow Drive (unsignalized)
2) Swallowtail Road/Quail Hollow Drive (unsignalized)
3) Bella Vista Drive/Blue Heron Avenue (unsignalized)
4) Bella Vista Drive/Bello Mar Drive (unsignalized)

The LTA included calculations of existing traffic volumes and LOS analysis for the following study area segments:

1) Bella Vista Drive from Bello Mar Drive to Blue Heron Avenue
2) Swallowtail Road from Blue Heron Avenue to Quail Hollow Drive
3) Quail Gardens Drive east of Swallowtail Road
4) Quail Hollow Drive from Saxony Road to Swallowtail Road

Under the existing conditions, the study area intersections and segments were calculated to operate at LOS C or better. The LTA concluded that under existing conditions and including project conditions, the study intersections and segments were calculated at LOS C or better for this project area.

The LTA concluded there would be no conflicts with the City's General Plan Circulation Element policies 1.2 and 1.3, which promote an adequate roadway system and maintenance of LOS C. In addition, no conflicts with the City's Active Transportation Plan were identified because the project would take access from the existing Bella Vista Drive and would not conflict with any existing or planned bicycle or pedestrian facilities. A private street would be constructed with concrete walkways on each side of the street, allowing for pedestrian use. The project would not conflict with adopted policies, plans, and programs regarding public transit, bicycle, and pedestrian facilities, and impacts would be less than significant.

b) Would the project conflict or be consistent with CEQA Guidelines section 15064.3, subdivision (b)?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

In December 2018, new CEQA guidelines were approved that shifted traffic analysis from delay and operations to VMT when evaluating transportation impacts under CEQA. This change in methodology was a result of SB 743, which changed the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 requires the OPR to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must promote the reduction of GHG emissions, the development of multi-modal transportation networks, and a diversity of land uses. CEQA Guidelines Section 15064.3 states that, generally, VMT is the most appropriate measure of transportation impacts, and a project's effect on automobile delay shall not constitute a significant environmental impact. Land use projects that decrease VMT in the project area compared to existing conditions should be presumed to have a less than significant transportation impact. If existing models or methods are not available to estimate the VMT for the particular project being considered, a lead agency may analyze the project's VMT qualitatively. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's VMT. To help clarify the CEQA Guidelines and SB 743, OPR developed the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (December 2018). The advisory contains technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures. The OPR provides this technical advisory as a resource for the public to use at their discretion. The OPR guidelines note the following: "... local-serving retail development tends to shorten trips and reduce VMT. Thus, lead agencies generally may presume such development creates a less-than significant transportation impact." Locally serving retail/service projects generally improve the convenience of retail close to home and have the effect of reducing vehicle travel.

Less than Significant Impact: Per CEQA Guidelines Section 15064.3, *Determining the Significance of Transportation Impacts*, land use projects would be evaluated based on VMT.

As discussed in the VMT Analysis (LOS Engineering, Inc. 2024a), the VMT analysis is based on the San Diego ITE guidelines, which identify that projects with less than 1,000 ADT and are consistent with the zoning have less than significant VMT impacts. As discussed above, traffic associated with project operation has an estimated trip generation of 170 ADTs, which is below the threshold of 1,000 ADT. Therefore, according to the San Diego ITE Guidelines, the project is presumed to have a less than significant VMT traffic impact.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project would not include sharp curves or dangerous intersections. Instead, Bella Vista Drive would provide access to the proposed residential development and connect to the proposed 25-foot-wide private street, which would terminate as a cul-de-sac with a 36-foot-wide radius and would be constructed to meet private road standards. No changes would be made to the alignment of existing streets.

In addition, the project would not place incompatible uses (e.g., farm equipment) on existing roadways. Therefore, the project would not significantly increase hazards due to design features or incompatible uses. Impacts would be less than significant.

d) Result in inadequate emergency access?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project would not generate traffic volumes that would impede emergency access. To meet the EFD requirements, the proposed 25-foot private street would terminate as a cul-de-sac with a 36-foot-wide radius that is adequate for emergency vehicle circulation and turnaround. An 8-foot-wide parking easement and signage stating “Fire Lane, No Parking” would be proposed to ensure parking on street is within the parking easement. The project would not alter any established emergency vehicle routes or otherwise interfere with emergency access. Therefore, impacts regarding inadequate emergency access would be less than significant.

XVIII. TRIBAL CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code §21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of Historical Resources as defined in Public Resources Code §5020.1(k), or

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☒ No Impact

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

☐ Potentially Significant Impact
☒ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant The City initiated consultation with California Native American tribes traditionally and culturally affiliated with the project site consistent with the requirements of AB 52 on October 17, 2023. Communication is ongoing and will remain open through public review of the Draft MND. Implementation of mitigation measures **CR-1** through **CR-4**, detailed in Section V.b would reduce potentially significant impacts associated with tribal cultural resources to below a level of significance.

XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project involves the extension of wastewater and water pipelines. The project proposes a new connection to the existing Olivenhain Municipal Water District water line along Bella Vista Drive that would be established at the project entrance to supply water to the project. The project would construct a new sewer line that would connect to an existing Leucadia Sewer District line in Bella Vista Drive. Service availability forms have been provided which indicate adequate water and wastewater treatment facilities would be available to serve the project. The project would construct new on-site stormwater facilities (two drainage basins). Impacts associated with the construction of these facilities are included in the evaluation of the project. As analyzed throughout this Initial Study, all potentially significant impacts associated with the project would be avoided or reduced to less than significant levels through project design features or implementation of mitigation measures.

The project is not proposing hearths or any other appliances that would use natural gas. Therefore, natural gas would not be provided to the project site and all appliances would be electric with the electricity coming from on-site solar or SDG&E. Telecommunications would be provided by existing facilities near the project site. Therefore, with the inclusion of mitigation (biological and cultural resources) the project would have a less than significant impact associated with the construction of new or expanded facilities.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Water service for the project would be provided by the Olivenhain Municipal Water District. A Service Availability Letter from the Olivenhain Municipal Water District has been provided, indicating adequate water resources and entitlements would be available to serve the potable water demands of the project. The limited water required during the construction phase would be trucked in, as necessary. The project's Landscaping Plan includes the use of drought-tolerant plants and low volume irrigation systems, and adherence to EMC Chapter 23.26 Water Efficient Landscape Regulations would ensure project water use would be conserved to the greatest degree possible. Therefore, the project would not require new entitlements and existing water supplies would be adequate to serve the project. Impacts would be less than significant.

c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Wastewater service for the project would be provided by the Leucadia Wastewater District. A Service Availability Letter from the Leucadia Wastewater District has been provided indicating adequate wastewater service capacity would be available to serve project demands. Therefore, the project would not interfere with any wastewater treatment provider's service capacity.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The California Public Resources Code requires each city in the State to divert at least 50 percent of its solid waste from landfill disposal through source reduction, recycling, composting, and transformation. The City has developed solid waste and recycling requirements which ensure compliance with State requirements through the implementation of numerous waste reduction and recycling programs, policies, and outreach projects. The project would comply with these requirements. Due to compliance with existing regulations, existing landfills capacity would be adequate to serve the project's waste disposal needs and impacts would be less than significant.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: Refer to response XIX.e.

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

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

The project site is within a VHFHSZ. Additionally, the project site is adjacent to vacant, densely vegetated land where wildfires could originate and spread to the developed areas resulting in the need for evacuation. However, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency response plan or emergency evacuation plan. The project would adhere to City's Emergency Operations Plan (EOP) to guide the integration and coordination of City agencies that would be required during an emergency. The EOP identifies emergency management practices, evacuation routes and assistance, and describes the overall responsibilities of Federal, State, regional, and City entities. The EOP specifically identifies wildfire as a known hazard and includes planning, mitigation, response, and recovery preparations to reduce and prevent risks. The EOP includes steps for education, coordination, and responsibilities for emergency situations throughout the City. When an emergency is imminent, the City's Emergency Operations Center would follow EOP protocol including notification, and application of emergency processes such as evacuation.

In addition to City action, the project would be required to meet City zoning and CBC requirements related to standards for road dimension, design, grades, and other fire safety features. Additionally, the project includes the following project design features related to fire protection:

- Masonry walls shall be installed at the property line of Lots 6 through 10 to increase resistance to radiant heat, flames, and embers;
- Dual-paned, dual-tempered windows shall be installed in all the homes, to increase the home's thermal resistance to fire;
- The Frontline Exterior Wildfire Defense System, Defense System 2, shall be installed on the exterior of homes on Lots 6 through 10 for the purpose of extinguishing any embers that reach the homes and adding thermal resistance to the homes;
- Inclusion of three fire hydrants;

- Paved project access street totaling 24 feet with a 36-foot cul-de-sac that would provide a 28-foot turning radius;
- An 8-foot-wide parking easement and signage stating “Fire Lane, No Parking” would be constructed to ensure parking on street is within the parking easement;
- The project shall create an HOA to manage the common areas and maintain them so that they will not pose a fire threat; and
- The City’s Loss Prevention and Planning Services promotes the “Ready, Set, Go!” Wildfire preparedness program and the future homeowners shall be made aware of the program’s recommendations.

Additional regulations the project would adhere include:

- City Water Efficient Landscape Plans consistent with City requirements;
- City Fire Code requirements for water supply/hydrants, private street widths, turning radius, and vertical clearance; and
- Ignition-resistant construction standards compliant with the CBC.

Therefore, the project would be supported by project design and the availability of emergency services during an emergency response or an emergency evacuation which would prevent impairment of an adopted emergency response plan or emergency evacuation plan. As a result, the project would not substantially impair an adopted local or countywide emergency response or evacuation plan and impacts would be less than significant.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentration from a wildfire or the uncontrolled spread of a wildfire?

☐ Potentially Significant Impact	☒ Less than Significant Impact
☐ Less Than Significant With Mitigation Incorporated	☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The FPP considers the property location, topography, geology, combustible vegetation (fuel types), climatic conditions and fire history as part of the assessment. In addition, the FPP addresses water supply, access, structural ignitability and ignition-resistive building features, fire protection systems and equipment, impacts to existing emergency services, defensible space, and vegetation management. Based on the above factors and analysis, the FPP identifies areas for hazardous fuel reduction treatments and

recommends, the types and methods of such treatment, as well as measures that the property owners would take to reduce the probability of ignition of structures throughout the development.

Project Site Conditions

The approximately 10-acre project site includes a variety of terrain. The western two-thirds of the property comprise a relatively flat portion of the property which was previously utilized for agriculture. The eastern one-third of the property comprises natural steep canyon slopes that support sensitive habitat, as identified in Section IV of this Initial Study. Normal weather conditions on-site consist of an onshore flow from the southwest at five to ten miles per hour. This weather condition has a slightly higher temperature and higher humidity than the Santa Ana winds. The project site is adjacent to designated open space and the eastern portion of the project site is within a canyon with downward steep slopes. However, as discussed in Section IV, due to the surrounding area being primarily developed the project site is relatively isolated and does not qualify as a critical wildlife linkage or corridor. As discussed in Section IV, the project includes the dedication of an on-site open space easement that would be implemented as a condition of the project over the eastern 3.31 acres that would connect to the adjacent open space areas and would protect this land in perpetuity and avoid impacts to sensitive habitat.

Analysis

The open space and area to the east of the project site is a threat to burn and under worse case, Santa Ana wind, fire behavior predicts flame lengths of 37.5 feet (SMFC 2024). There is uninterrupted vegetation east of the project site to El Camino Real and La Costa Drive.

To evaluate the on-site conditions, fire behavior modelling has been conducted for the project through BehavePlus 5.05.5 Fire Behavior Prediction and Fuel Modeling System by Patricia L. Andrews and Collin D. Bevins. The BehavePlus Fire behavior computer modeling system was developed by the U.S. Department of Agriculture–Forest Service research scientists at the Intermountain Forest Fire Laboratory, Missoula, Montana, and is utilized by wildland fire experts nationwide. Fire behavior parameters for the project were calculated for the hazardous native vegetation/fuels historically located on- and off-site. These calculations were the basis recommended fuel modifications for the project site development and for consideration of the wildfire threat to the proposed development.

The behavior model found that the easternmost portion of the project site is at the greatest threat to wildland fire under Santa Ana Wind conditions, especially Lots 6 through 10, as shown on the TM. Based on the analysis, a 100-foot FMZ would be required.

As previously stated above, and within Section IX.g, Hazards and Hazardous Materials, the FPP incorporated additional project design features that would be implemented as conditions of project approval and would provide additional protections in addition to the proposed FMZs. Additionally, the project's approval would be conditioned on project review and acceptance of all project plans would be required by the EFD. Therefore, through project design, adherence to fire

code regulations, and approval by the EFD, project impacts relating to risks relating to wildfire would be less than significant.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: The project consists of a TM to create 17 residential lots (for the future development of single-family homes), one private street lot, and the construction and grading for associated public improvements, stormwater, and utility improvements. The project would not require the installation or maintenance of infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. As a result, impacts associated would be less than significant.

d) Expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

☐ Potentially Significant Impact
☐ Less Than Significant With Mitigation Incorporated
☒ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less than Significant Impact: As described above, the project site is located adjacent to and partially within a VHFHSZ per the City Very High Fire Hazard Severity Zone Map adjacent to vacant land. Therefore, the natural environment of the project site would be prone to wildfires and downslope or downstream flooding as a result of runoff, post-fire instability or drainage. The project would be reviewed by the approved by the EFD to ensure that the project complies with local, State, and Federal standards for land use, zoning, and construction. Adherence to County and City regulations, and emergency and evacuation plans (including the countywide MJHMP that identifies risks and ways to minimize damage by natural and manmade disasters) would reduce the potential for impacts to people or structures from significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be less than significant.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

☐ Potentially Significant Impact
☒ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant With Mitigation Incorporated: Implementation of the project has the potential to result in significant impacts to biological resources and cultural resources as discussed in Sections IV and V of this Initial Study. Given the implementation of the recommended mitigation measures, potential impacts to biological and cultural resources would be mitigated to a less than significant level. Therefore, the project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, and impacts would be less than significant.

As a result of this evaluation, there is no substantial evidence that, after mitigation, significant effects associated with this project would result. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

☐ Potentially Significant Impact
☒ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant With Mitigation Incorporated: As described in Section III, impacts related to air quality would be less than significant. Air quality is a regional issue and the cumulative study area for air quality impacts encompasses the SDAB as a whole. Therefore, the

cumulative analysis addresses regional air quality plans and policies, such as the RAQS, as well as the project's contribution to a net increase of any criteria pollutant for which the SDAB is listed as a non-attainment area. As described in Section III.b, the project would not result in construction or operational emissions in excess of the applicable significance thresholds for all criteria pollutants. Consequently, the project would not result in an increase in emissions that are not already accounted for in the RAQS and cumulative impacts would be less than significant. The analysis of GHG emissions in Section VIII is a cumulative analysis by nature as the issue of GHG emissions is a global issue. As detailed therein, the project would not contribute to a cumulatively considerable impact to the global cumulative GHG emissions impact. No cumulative impact would result related to issues of geology and soils, hazards and hazardous materials, or hydrology and water quality because like the project, each individual project would be subject to local and State regulations that ensure impacts related to these issues are avoided.

Cumulative impacts require consideration of development that may be occurring in the localized area to determine whether the project, in combination with other development, would significantly contribute to a cumulative impact. Past, present, and reasonably future projects were researched to identify projects that could contribute to a potentially significant cumulative impact. Table 8 includes projects that are either currently in processing with the City or were recently approved and may not have been constructed yet. Figure 10 identifies the location of each of these projects by the number listed in the table showing an approximate one-mile radius.

Therefore, the project's contribution to a potential cumulative impact would be less than significant and the project has been determined not to meet this Mandatory Findings of Significance.

As described in this Initial Study, all impacts would be mitigated to a level less than significant. Air quality is a regional issue and the cumulative study area for air quality impacts encompasses the SDAB as a whole. Therefore, the cumulative analysis addresses regional air quality plans and policies, such as the RAQS, as well as the project's contribution to a net increase of any criteria pollutant for which the SDAB is listed as a non-attainment area.

Table 8
Cumulative Project List

Map No.	HEU Site No. (if applicable)	Project Name	Location	Development Proposed-Units	Status
1	Portion = Site 2	Cannon Property (Piraeus)	Piraeus Street and Plato Place	149	Approved
2	--	Encinitas Beach Resort (Alila Marea Resort)	Highway 101/La Costa Avenue	130-room hotel with 5,827 sf restaurant/bar	Constructed/ Operational
3	--	516 La Costa Development	516 La Costa Avenue	17 room hotel/ 3,089 sf restaurant	Under Review
4	--	Weston Subdivision	510 La Costa Avenue	46 single-family residential units	Under Construction
5	9	Echter Property (Fox Point Farms)	1150 Quail Gardens Drive	250	Under Construction
6	AD2a, AD2b, and AD2c	Quail Meadows Apartments	Mays Hollow Lane, 225 Quail Gardens Drive	485[2]	Under Review
7	Portion = Site 7	Marea Village (Jackel Properties)	1950 Highway 101	94 for-lease apartments/ 34-room boutique hotel/ 18,261 sf mixed-use development	Approved
8	8a	Rancho Santa Fe Parcels (Gaffey/Goodsen)	2220, 2230, and 2228 Encinitas Boulevard	283[1]	Approved
9	AD8	Vulcan & La Costa Avenue	1967 North Vulcan Avenue	68[2]	Under construction
10	12	Sunshine Gardens	630 Encinitas Boulevard	140[1]	Under Construction
11	--	Moonlight Mixed Use	154, 184, and 196 North Coast Highway 101	50,408 Commercial Area proposed with 45 residential units	Approved
12	--	NINE7ZERO PCH Leucadia	978 North Coast Highway	Mixed Use with 9 residential units	Under Review
13	5	Moonlight Station	550-590, 696 Encinitas Boulevard	202	Approved
14	AD31	Clark Avenue Apartments	662, 672, and 682 Clark Avenue and 556 Union Street	199	Approved

SF = square feet; HEU = (General Plan) Housing Element Update
[1] Denotes the number of DUs that would theoretically be constructed with application of the density bonus allowance and/or as previously approved by the City.
[2] Denotes the number of DUs proposed with the application as currently being processed through the City.
Source: City of Encinitas 2013 - 2021 General Plan Housing Element Update; Table C-2: Net Acreage and Unit Yield Per Site; Correspondence with City of Encinitas, Planning Division, September 2022; Local Transportation Assessment (Intersecting Metrics 2022; available under separate cover)

Image Source: NearMap (flown May 2024)

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FIGURE 10
Cumulative Projects

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐ Potentially Significant Impact
☒ Less Than Significant With Mitigation Incorporated
☐ Less than Significant Impact
☐ No Impact

Discussion/Explanation:

Less Than Significant With Mitigation Incorporated: The project would not have a significant impact related to any issue areas that could result in adverse effects to human beings either directly or indirectly. Impacts related to air quality and noise would be less than significant and no impact related to geology and soils, hazards and hazardous materials, or hydrology and water quality would occur because the project would comply with local and State regulations that ensure impacts related to these issues are avoided. Compliance with fire codes ensures impacts related to wildfire would be avoided. Therefore, the project would not cause substantial adverse effects on human beings, either directly or indirectly, and the project has been determined not to meet this Mandatory Findings of Significance.

XXII. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

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