NOTICE OF EXEMPTION

To: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260
San Diego CA 92101
MS: A-33

From: **CITY OF CARLSBAD**
Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008
(442) 339-2600

Subject: Filing of this Notice of Exemption is in compliance with Section 21152b of the Public Resources Code (California Environmental Quality Act).

Project Number and Title: PUD 2024-0005 / CDP 2024-0024 / MS2024-0005 (DEV2024-0025) - 2618 JEFFERSON - LAGUNA VIDA

Project Location - Specific: 2618 Jefferson St.

Project Location - City: Carlsbad **Project Location - County:** San Diego

Description of Project: The project involves the processing of a Planned Development Permit, Coastal Development Permit, and Minor Subdivision to demolish an existing single-family residence, a detached garage, and a detached tiny home, followed by the construction of four detached single-family condominiums creating four dwelling units. The development offers three different unit types. The two interior units will be 3,001 square feet in size, the unit closest to the street will be 2,466 square feet in size, and the rear unit will be the largest at 3,299 square feet. Each of the units will be three stories and include an attached two-car garage and accessed from a common drive aisle off Jefferson Street. The project also provides three on-site visitor parking stalls.

Name of Public Agency Approving Project: City of Carlsbad

Name of Person or Agency Carrying Out Project: Sebastian Beingolea

Name of Applicant: Stephen Dalton Architects

Applicant's Address: 444 SOUTH CEDROS AVENUE, STUDIO 185, SOLANA BEACH, CA, 92008

Applicant's Telephone Number: (925) 708-3638

Name of Applicant/Identity of person undertaking the project (if different from the applicant above):

Exempt Status: Categorical Exemption: Class 32, Section 15332 (In-Fill Development Projects)

Reasons why project is exempt: The project is consistent with the general plan as well as the zoning ordinance in terms of land use, density, and development standards. The project is within the city limits, is less than five acres in size, and is surrounded by urban uses. Because the site contains only non-native and ornamental vegetation, the site has no value as habitat for endangered, rare, or threatened species. Approval of the project would not result in any significant effects relating to traffic (project is calculated

to generate less than 110 average daily trips (ADT)), noise (as verified by the Noise Study prepared by Birdseye Planning Group dated February 2025, Exhibit 1), air quality (as verified by the Air Quality/Greenhouse Gas Study by Birdseye Planning Group dated August 2024, Exhibit 2), or water quality.

Finally, the subject site is served by public and private utilities, including the city's water, sewer, and electrical utilities. The subject site has access and is served directly from Jefferson St. which is an existing developed roadway with existing utilities. Water infrastructure in the vicinity of the Project site is maintained and operated by CMWD. Sewer service is currently provided by the City of Carlsbad to the Project site via the existing public sewer system in the vicinity of the Project. Water service for domestic and fire protection uses would be provided via the existing water connections to the existing public water system. Furthermore, the Project would pay the required water connection fees to help offset the Project's contribution to the city's water collection infrastructure needs. For sewer, according to City of Carlsbad Utilities Department staff, the sewer lines adjacent to the site need to be upsized along the Project's flow path (in pipes downstream of the Project site, north of Laguna Dr.) to accommodate the Project's addition of 3 units and other future growth in the area. Utilities staff indicated that facilities to service the proposed Project are reasonably expected to be available within the next five years. The city's Capital Improvement Plan (CIP) will address this system deficiency and support system reliability prior to Project occupancy. Wastewater generated by the proposed Project would be conveyed to the Encina Water Pollution Control Facility (EWPCF), located in Carlsbad, for treatment and then disposal through the ocean outfall or delivery to the adjacent Carlsbad Water Recycling Facility for reuse. As the Project's addition of 3 residences would represent a fraction of a percent of the population served by the city, wastewater generated by the Project would represent a small fraction of the available capacity of the city. The Developer would pay required sewer capacity and connection fees to help offset the Project's contribution to the city's wastewater collection infrastructure needs and would require approval of sewer permits prior to connection to the sewer system. (The Municipal Code includes regulations that require the city to assure available sewer capacity for new projects and fees for improvements to the infrastructure system.) Therefore, the proposed Project wastewater flows do not exceed the capacity of existing or planned wastewater conveyance systems and there would be adequate treatment capacity for the Project, prior to occupancy, in addition to existing commitments.

Exceptions to Exemptions

CEQA Section 15300.2 – Exceptions

Planning staff evaluated all the potential exceptions to the use of Categorical Exemptions for the proposed project (in accordance with CEQA Guidelines Section 15300.2) and determined that none of these exceptions apply as explained below:

a. **Location**. "Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies."

   Response – The location exception is not applicable to Class 32 Exemptions for In-Fill Development Projects.

b. **Cumulative Impact** - "All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant."

Response – In identifying projects that may contribute to cumulative impacts, the CEQA Guidelines allow the use of a list of past, present, and reasonably anticipated future projects, producing related or cumulative impacts, including those that are outside of the control of the lead agency. The Project is not considered to have a significant growth-inducement impact because it is located in a predominantly developed portion of the city and is of the same form, size and scale of recent development in the vicinity of the Project site, and of that which is permitted by the General Plan and Zoning Ordinance. There is no evidence to conclude that significant impacts will occur based on past project approvals or that the proposed Project's impacts are cumulatively considerable when evaluating any cumulative impacts associated with construction air quality, noise, transportation, or water quality in the area surrounding the proposed Project. Accordingly, the Project's incremental impacts, when considered together with the impacts of the related projects, would not result in a cumulatively considerable contribution to a significant cumulative impact.

The Project, and all future projects, will be required to comply with all applicable local, regional, and state laws, regulations, and guidelines, and any significant conflicts would be mitigated or resolved through the city discretionary review and approval. As described above, any potential impact cause by the Project's construction and operation would continue to be less than significant and would not contribute significantly to regional cumulative impact in the broader project region. Therefore, this exception does not apply.

c. **Significant Effect** - "A categorical exemption shall not be used for any activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances."

Response – There are no unusual circumstances that would have a significant impact on the environment due to the Project. The Project does not involve any unusual circumstances. In regard to biological resources, the Project is not located within an existing or proposed Hardline Conservation Areas or Standards Areas of the Habitat Management Plan.

d. **Scenic Highway** - "A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR."

Response – Jefferson Street is not considered a historical and scenic corridor throughout Carlsbad, is not a highway officially designated as a State Scenic Highway, nor is it visible from a Carlsbad historical or scenic corridor or State Scenic Highway. The Project site is also surrounded on all sides by existing residential structures. Therefore, implementation of the Project will result in similar visual conditions compared with a no project scenario.

e. **Hazardous Waste Site** - "A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code."

Response – The Project site is not identified on the Department of Toxic Substance Control geoportal map as a Cleanup, Hazardous Waste, or Inspection site. Furthermore, there is no indication that the site has had any previous uses associated with hazardous materials, such as dry-cleaning or gas station.

f. **Historical Resources** - "A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource."

Response – A Historical Resources Report for the structures on the property was prepared by PanGIS, Inc. (Exhibit 3, dated July 16, 2025), to determine if the Project would impact any historical resources pursuant to CEQA. The report concluded that none of the buildings on the project site are listed or eligible to be listed in any national, state, or local landmark or historic district programs. As such, development of the Project would not cause a substantial adverse change in the significance of a historical resource, and this exception does not apply.

Carlsbad Municipal Code Section 19.04.070(C) - Exceptions

Exceptions. Even though a project may otherwise be eligible for an exemption, no exemption shall apply in the following circumstances:

1. Grading and clearing activities affecting sensitive plant or animal habitats, which disturb, fragment or remove such areas as defined by either the California Endangered Species Act (Fish and Game Code Sections 2050 et seq.), or the Federal Endangered Species Act (16 U.S.C. Section 15131 et seq.); sensitive, rare, candidate species of special concern; endangered or threatened biological species or their habitat (specifically including sage scrub habitat for the California Gnatcatcher); or archaeological or cultural resources from either historic or prehistoric periods;

   Or

2. Parcel maps, plot plans and all discretionary development projects otherwise exempt but which affect sensitive, threatened, or endangered biological species or their habitat (as defined above), archaeological or cultural resources from either historic or prehistoric periods, wetlands, stream courses designated on U.S. Geological Survey maps, hazardous materials, unstable soils, or other factors requiring special review, on all or a portion of the site. (Ord. NS-593, 2001)

   Response – The Project site is located in a developed part of the city and is surrounded by residential uses. The Project site contains three existing buildings and landscaping with only non-natives and ornamental vegetation with no value as habitat for endangered, rare, or threatened species. Furthermore, the site is not within mapped areas of potential critical habitat as depicted in the City's General Plan.[1]

   A Historical Resources Report (Exhibits 3), prepared by PanGIS, Inc., concluded that none of the buildings on the Project site are listed or eligible to be listed in any national, state, or local landmark or historic district programs. Although the likelihood that intact archaeological or cultural resources exist on the Project site is low due to previous site disturbance, an Archaeological Survey Report (PanGIS, Inc., dated July 2024, Exhibit 4) was provided and found no archeological resources or within the project site. A Paleontological Resource Impact Evaluation Report (Paleo Resource Specialists, August 2024, Exhibit 5) was provided although a survey was not performed due to the surface of the project already being previously developed and consisting of fill material. Nonetheless, the Project will be conditioned to require archaeological, Native American, and paleontological monitoring of ground-

1 City of Carlsbad. 2015 City of Carlsbad General Plan – Open Space, Conservation, and Recreation Element. Adopted September 2015. https://www.carlsbadca.gov/home/showpublisheddocument/3424/637434861099030000

disturbing activities during project construction in compliance with standard city regulatory procedures outlined in the Carlsbad Tribal, Cultural, and Paleontological Resources Guidelines (City of Carlsbad 2017). Therefore, earth-moving activities associated with the Project would not affect archaeological or cultural resources from either historic or prehistoric periods.

Hazardous materials, unstable soils or other factors requiring special review do not apply or are not found within this project location.

Lead Agency Contact Person: Edward Valenzuela **Telephone:** 442-339-2624

Eric Lardy, City Planner — Date: 10/21/25

Date received for filing at OPR: