



CITY OF ESCONDIDO
PLANNING DIVISION
201 NORTH BROADWAY
ESCONDIDO, CA 92025-2798
760-839-4671

Notice of Exemption

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

From: City of Escondido
Planning Division
201 North Broadway
Escondido, CA 92025

Project Title/Case No: Four Tunas Minor Plot Plan/PL25-0034

Project Location - Specific: On the north side of West Washington Avenue, east of North Escondido Boulevard, south of West Mission Avenue, west of North Broadway, addressed as 601 North Broadway, Unit D (Assessor's Parcel Number: 229-180-69-00).

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

Description of Project: A Minor Plot Plan for outdoor heaters, amplified music, and speakers in a permitted outdoor patio area at an existing restaurant in the S-P (Specific Plan) zone, with a General Plan land use designation of SPA 9 (Downtown Specific Plan – Centre City Urban District).

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Mark Maus, MEM Designs

Address: 456 Devonshire Glen, Escondido, CA 92027

Telephone: 619-701-9763

☒ Private entity ☐ School district ☐ Local public Agency ☐ State agency ☐ Other special district

Exempt Status:

The project is categorically exempt pursuant to CEQA Guidelines section 15301 (Existing Facilities).

Reasons why project is exempt: The project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion or existing or former use. The primary use of the facilities is a restaurant that is permitted by right in the underlying zoning district, and the Project is to allow an ancillary use to the restaurant consisting of outdoor heaters, amplified music, and speakers in a permitted existing outdoor patio area. A noise study was prepared by Eilar Associates, Inc. on June 5, 2025, which substantiates that the proposed project is in compliance with the City's Noise Ordinance, and the City's General Plan Community Protection Element, and does not pose a significant impact to the project site and adjacent neighborhood.

Furthermore, the Project does not trigger any of the exceptions that disqualify the use of an exemption pursuant to CEQA Guidelines Section 15300.2:

Exceptions to Exemption Criteria	Justification
<i>(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 all instances, except where the</i>	The Project is not pursuing a Class 3,4,5,6, or 11 Categorical Exemption; therefore, this exception is not applicable to the Project.

<i>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.</i>	
<i>(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.</i>	No individually significant impacts would result from the proposed Project, therefore, no cumulatively considerable impacts related to traffic, noise, air quality, or water quality are anticipated to occur. As the Project is within the City's Downtown area in a fully developed retail center, and is utilizing an existing restaurant space, no significant impacts are anticipated to occur. Further, the provided noise analysis cited no significant noise impacts to the surrounding areas. Therefore, this exception does not apply, and the Project is potentially eligible for a Categorical Exemption.
<i>(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.</i>	As detailed in the analysis above, no significant environmental effects related to traffic, noise, air quality, or water quality would occur as a result of Project implementation. The Project is consistent with the specific plan, zoning and land use designations for the site, and would be consistent with the vision for the Downtown Specific Plan Centre City Urban District, to provide a high-quality mix of entertainment, retail and restaurant uses to link the area to other downtown districts. The Project site is within an urban area and is not known to contain unique resources. There are no unusual circumstances or unusual activities proposed by the Project that would result in significant environmental effects. Therefore, this exception would not apply and the Project is potentially eligible for a Categorical Exemption.
<i>(d) Scenic Highways. 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.</i>	The Project site is not located along a designated state scenic highway, nor would the Project damage scenic resources such as trees, historic buildings, rock outcroppings, or similar resources within a highway officially designated as a state scenic highway. The closest officially designated state scenic highway is the portion of SR 52 approximately 18 miles south of the project site (California Department of Transportation 2024). Therefore, this exception would not apply, and the Project is potentially eligible for a Categorical Exemption.
<i>(e) Hazardous Waste Sites. 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.</i>	The Project site is located in a developed commercial center, which is not listed on EnviroStor and GeoTracker databases compiled pursuant to Section 65962.5 of the Government Code. These databases did not reveal any hazardous materials cases on the project site (Department of Toxic Substances Control 2024; State Water Resources Control Board 2024). As the Project site is not contained on the lists compiled pursuant to Section 65962.5 of the Government Code, this exception does not apply and the Project is potentially eligible for a Categorical Exemption.

(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.*

The existing commercial building was constructed in 1988, and the outdoor covered patio was constructed in 2020. Neither structure is listed in the National Register of Historic Places or the California Register of Historical Resources. Because the structures are less than 50 years old, it is presumed not to be of the age to be considered a historic resource under CEQA. As such, this exception does not apply, and the Project is potentially eligible for a Categorical Exemption.

Lead Agency Contact Person:

Area Code/Telephone/Extension: 760-839-4531

Signature: _____

Melissa DiMarzo
Assistant Planner II

12/3/25
Date

☒ Signed by Lead Agency

Date received for filing at OPR:

☐ Signed by Applicant