APPENDIX A:
Assembly Bill 130 Housing Development Project CEQA Exemption Evaluation Checklist

CITY OF CARLSBAD

PUBLIC RESOURCES CODE SECTION 21080.66 (ASSEMBLY BILL 130) HOUSING DEVELOPMENT PROJECT CEQA EXEMPTION EVALUATION CHECKLIST

SALK AVENUE APARTMENTS

February 2026

California Assembly Bill (AB) 130, signed into law by Governor Gavin Newsom on June 30, 2025, and codified in Public Resources Code (PRC) Section 21080.66, establishes a statutory exemption from the California Environmental Quality Act (CEQA) for qualifying "housing development projects" that meet certain criteria and requirements. This Exemption Evaluation Checklist documents the eligibility of the proposed Salk Avenue Apartments Project (project) for this CEQA exemption.

PROJECT INFORMATION

1. Project Title

Salk Avenue Apartments

2. Lead Agency Name and Address

City of Carlsbad
Community Development Department
1635 Faraday Avenue
Carlsbad, California 92008

3. Contact Person and Phone Number

Kyle Van Leeuwen, Senior Planner
City of Carlsbad, Community Development Department
442-339-2611
Kyle.vanleeuwen@carlsbadca.gov

4. Project Sponsor's Name and Address

Hanover R.S. Limited Partnership
Joe Gambill
11611 San Vicente Blvd. Suite 740
Los Angeles, CA 90049

5. Project Location

The approximately 9.8-acre project site is located on vacant, undeveloped land in the City of Carlsbad (City), California, south of Salk Avenue, west of El Camino Real, east of College Boulevard, and north of Faraday Avenue (Assessor's Parcel Number 212-021-04-00). The project occurs within Township 12 South, Range 04 West of the San Luis Rey 7.5-minute United States Geological Survey (USGS) topographic quadrangle map.

6. General Plan Designation

The project site is designated as Residential, 23-30 Dwelling Units Per Acre (du/ac) (R-30) and is located in the Fenton Carlsbad Center Specific Plan (FCCSP) under the City of Carlsbad General Plan.

7. Zoning

The project site is zoned as Residential Density-Multiple (RD-M).

8. Description of Project

The project proposes a multi-family residential development on an approximately 9.8-acre vacant site located on Salk Avenue, east of College Boulevard and west of El Camino Real within the FCCSP area of the City (Assessor's Parcel Number is 212-021-04-00). The site currently consists of a vacant graded pad.

The project proposes 397 multi-family residential dwelling units. The project site has a General Plan land use designation of Residential (R-30), which allows between 23 and 30 du/ac. The R-30 land use designation would allow up to 294 units on the project site (i.e., 294 units is the base density). However, the project qualifies for a 35 percent density bonus, pursuant to California Government Code Section 65915 and Carlsbad Municipal Code Chapter 21.86, because 59 units (or 20 percent of the base density) of the total dwelling units would be restricted to low-income households. As such, a density bonus of 103 units was applied to the base density of 294 units, for a total of 397 dwelling units proposed by the project. This equates to a proposed density of 40.5 du/ac.

The breakdown of the proposed 397 residential apartment units is as follows:

Unit Types	Number of Unit Types	Average Square Footage
Studio	4	643
1-Bedroom	253	744
2-Bedroom	112	1,110
3-Bedroom	28	1,371
Total	**397**	**--**

The proposed residential complex would be Type III-A construction (i.e., exterior walls would be built with non-combustible materials) and would include one 5-story building with a maximum building height of 59 feet, with allowed architectural projections up to 74 feet, 7 inches. The gross building area would total approximately 416,152 square feet. The residential complex would include approximately 27,000 square feet of outdoor open space areas, including courtyards, private balconies, and residential amenities such as a swimming pool and pool deck courtyard, and interior courtyards.

Interior amenities would include fitness facilities, co-working space, and a media room. Landscaping would occur throughout the development and would include drought-resistant and ignition-resistant trees, shrubs, vines, plants, and groundcover. Additionally, retaining walls ranging from approximately 4 to 9 feet in height would be erected along the perimeter of the proposed development.

Parking

A total of 541 vehicular parking spaces are proposed both at-grade and within a five--level above-ground parking structure with rooftop parking. The parking structure would total approximately 107,300 square feet. The parking structure would include 70 electric vehicle charging stations. An additional five spaces are proposed as drop-off, delivery, and van accessible spaces near the main entrance of the residential complex.

Utilities

The project would include off-site tie-in connections to existing water (including dedicated pipelines for potable, recycled, and fire), sewer, storm water, electricity, and natural gas in Salk Avenue adjacent to the project site. Once utility tie-ins are completed, Salk Avenue would be repaved.

Other off-site improvements would include replacement of approximately 875 linear feet of sewer pipeline beneath College Boulevard between El Camino Real and Sunny Creek Road.

Fire Safety

In addition to the proposed Type III-A construction, the project would include drought-resistant and ignition-resistant landscaping. A 60-foot-wide fuel modification area would encompass the proposed residential building in accordance with the City's Landscape Manual (2016). Fuel modification zones would be maintained during routine landscape maintenance. The City Fire Department has reviewed and preliminarily approved the proposed fuel modification zones for the project.

Further, the proposed project driveway and internal access road width would meet the requirements for fire apparatus. As such, it is anticipated that the project would meet fire safety requirements pursuant to the City Fire Department and the City Municipal Code. A final fire protection plan is required to be approved under the California Fire Code before building permit issuance. The plan's final review and approval by the City Fire Department would ensure that the proposed fire protection and suppression systems meet the necessary safety and performance standards as required by applicable law and code.

Construction

The main phases of construction would include site preparation and grading, foundations and building construction, and finishing. The total construction duration is anticipated to be 22 months. Cut and fill (site grading) would be balanced on the site (23,500 cubic yards of cut and fill, resulting in no soil export or import).

9. Surrounding Land Uses and Setting

Light industrial buildings are adjacent to the project site to the east and south, and a private driving range and golf facility are adjacent to the west. A Scripps medical office building borders the project site to the north, opposite Salk Avenue. The site is within the FCCSP, which was developed to address the need for a full mix of office and medical facilities in the City, to serve both residents and the daily workforce, as well as provide housing close to jobs, including housing affordable to lower-income households.

Surrounding land uses near the proposed off-site sewer line within College Boulevard include a residential community immediately east of College Boulevard and a planned residential community will be constructed in a currently vacant, graded area immediately west of College Boulevard.

10. Agency Approvals

Agency	Discretionary Action
Lead Agency	
City of Carlsbad	Adoption of the Focused IS/MND and approval of the project Issuance of a Site Development Permit
Trustee Agency	
California Department of Fish and Wildlife (CDFW)	Consultation and potential issuance of an Incidental Take Permit for species protected by the state Endangered Species Act if Crotch's bumble bee occur on-site
Responsible Agency	
San Diego Regional Water Quality Control Board	Issuance of National Pollutant Discharge Elimination System Permit Construction General Permit and approval of Stormwater Pollution Prevention Plan

DETERMINATION

Based on the evaluation included in this checklist, the subject project does not qualify for a statutory exemption from CEQA pursuant to PRC Section 21080.66. The proposed project narrowly fails to qualify for the AB 130 CEQA exemption due to a single disqualifying condition.

EVALUATION OF EXEMPTION CRITERIA AND REQUIREMENTS

The table on the following pages identifies the criteria and requirements that a project must meet to qualify for a statutory exemption from CEQA pursuant to PRC Section 21080.66, along with an evaluation of the project's compliance with all such criteria and requirements.

PRC Section 21080.66 Housing Development Project CEQA Exemption Evaluation Checklist	
Criteria and Requirements	**Evaluation**
21080.66(a) ***Without limiting any other statutory or categorical exemption, this division [CEQA] does not apply to any aspect of a housing development project, as defined in subdivision (b) of Section 65905.5 of the Government Code, including any permits, approvals, or public improvements required for the housing development project, as may be required by this division, if the housing development project meets all of the following conditions [see rows 21080.66(a)(1-8), below]:*** Additional Description/Referenced Code Section(s) Government Code Section 65905.5(b) reads in relevant part: *...(3) (A) "Housing development project" has the same meaning as defined in paragraph (2) of subdivision (h) of Section 65589.5. [see below]* *(B) "Housing development project" includes, but is not limited to, projects that involve no discretionary approvals and projects that involve both discretionary and nondiscretionary approvals.* *(C) "Housing development project" includes a proposal to construct a single dwelling unit. This subparagraph shall not affect the interpretation of the scope of paragraph (2) of subdivision (h) of Section 65589.5. [see below]* Government Code Section 65589.5(h)(2) reads: *"Housing development project" means a use consisting of any of the following:* *(A) Residential units only.* *(B) Mixed-use developments consisting of residential and nonresidential uses that meet any of the following conditions:* *(i) At least two-thirds of the new or converted square footage is designated for residential use.* *(ii) At least 50 percent of the new or converted square footage is designated for residential use and the project meets both of the following:* *(I) The project includes at least 500 net new residential units.*	The project would consist of only residential use, and therefore, would meet the provision that at least two-thirds of new square footage is designated for residential use, pursuant to Government Code Section 65589.5(h)(2)(B)(i).

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(II) No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except a portion of the project may be designated for use as a residential hotel, as defined in Section 50519 of the Health and Safety Code. *(iii) At least 50 percent of the net new or converted square footage is designated for residential use and the project meets all of the following:* *(I) The project includes at least 500 net new residential units.* *(II) The project involves the demolition or conversion of at least 100,000 square feet of nonresidential use.* *(III) The project demolishes at least 50 percent of the existing nonresidential uses on the site.* *(IV) No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except a portion of the project may be designated for use as a residential hotel, as defined in Section 50519 of the Health and Safety Code.* *(C) Transitional housing or supportive housing.* *(D) Farmworker housing, as defined in subdivision (h) of Section 50199.7 of the Health and Safety Code.*	
21080.66(a)(1) ***(A) Except as provided in subparagraph (B), the project site is not more than 20 acres.*** ***(B) The project site or the parcel size for a builder's remedy project, as defined in paragraph (11) of subdivision (h) of Section 65589.5 of the Government Code, or the project site or the parcel size for a project that applied pursuant to paragraph (5) of subdivision (d) of Section 65589.5 of the Government Code as it read before January 1, 2025, is not more than five acres.***	The project site is 9.78 acres and as such, satisfies the condition of not being more than 20 acres. The project is not a builder's remedy project. Therefore, the project site meets the criteria set forth in Section 21080.66(a)(1)(A) and (B).
21080.66(a)(2) ***The project site meets either of the following criteria:*** ***(A) Is located within the boundaries of an incorporated municipality.***	The project is located within the boundaries of the City. Therefore, the project site meets the criteria set forth in Section 21080.66(a)(2)(A).

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(B) Is located within an urban area, as defined by the United States Census Bureau.	
21080.66(a)(3) ***The project site meets any of the following criteria:*** ***(A) Has been previously developed with an urban use.*** ***(B) At least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses.*** ***(C) At least 75 percent of the area within a one-quarter mile radius of the site is developed with urban uses.*** ***(D) For sites with four sides, at least three out of four sides are developed with urban uses and at least two-thirds of the perimeter of the site adjoins parcels that are developed with urban uses.*** Additional Description/Referenced Code Section(s) Per 21080.66 (f)(3): *(3) "Urban use" means any current or previous residential or commercial development, public institution, or public park that is surrounded by other urban uses, parking lot or structure, transit or transportation passenger facility, or retail use, or any combination of those uses.*	The project site is located in the FCCSP and is bounded by a private driving range and golf facility to the west and office buildings to the south and east, all of which qualify as "Urban Uses" per Section 21080.66(f)(3). At least 75 percent of the project site is thus adjacent to urban uses and within one-quarter mile of urban uses, and the project site is surrounded on three sides by urban uses. Therefore, the project site meets the criteria set forth in Section 21080.66(a)(3)(B), (C), and (D).
21080.66(a)(4) ***(A) The project is consistent with the applicable general plan and zoning ordinance, as well as any applicable local coastal program as defined in Section 30108.6. For purposes of this section, a housing development project shall be deemed consistent with the applicable general plan and zoning ordinance, and any applicable local coastal program, if there is substantial evidence that would allow a reasonable person to conclude that the housing development project is consistent.*** ***(B) If the zoning and general plan are not consistent with one another, a project shall be deemed consistent with both if the project is consistent with one.***	The project site is not located within the coastal zone. The project site has a General Plan land use designation of Residential (R-30), which allows between 23 and 30 du/ac, and a zoning designation of Residential Density-Multiple (RD-M), which implements the R-8 (Residential 4-8 du/ac), R-15 (Residential 11.5-15 du/ac), R-23 (Residential 19-23 du/ac), R-30 (Residential 26.5-30 du/ac), R-35 (Residential 32.5-35 du/ac, and R-40 (Residential 37.5-40 du/ac) land use designations of the General Plan. The R-30 land use designation would allow up to 294 units on the project site (i.e., 294 units is the base density). However, the project qualifies for a 35 percent density bonus, pursuant to California Government Code Section 65915 and Carlsbad Municipal Code Chapter 21.86, because 59 units (or 20 percent of the base density) of the total dwelling units would be restricted to low-income households (i.e.,

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(C) The approval of a density bonus, incentives or concessions, waivers or reductions of development standards, and reduced parking ratios pursuant to Section 65915 of the Government Code shall not be grounds for determining that the project is inconsistent with the applicable general plan, zoning ordinance, or local coastal program.	60 percent of AMI). As such, a density bonus of 103 units was applied to the base density of 294 units, for a total of 397 dwelling units proposed by the project. This equates to a proposed on-site density of 40.5 du/ac. Under State Density Bonus Law (Government Code Section 65915(f)(5)), the granting of a density bonus shall not require, or be interpreted, in and of itself, to require a General Plan amendment. The amount of density bonus a project is eligible for is determined based on the amount of on-site affordable units and the income level of affordable units provided in the project pursuant to State Density Bonus Law. Therefore, the project site meets the criteria set forth in Section 21080.66(a)(4)(A), (B), and (C). **References:** *City of Carlsbad, General Plan Land Use Map, https://www.carlsbadca.gov/home/showpublisheddocument/18761/638639185832030000, updated July 2024.* *City of Carlsbad, General Plan Zoning Map, https://www.carlsbadca.gov/home/showpublisheddocument/246/638636302563818331, updated July 2024.* *City of Carlsbad, Local Coastal Program, published 2019.*
21080.66(a)(5) ***The project will be at least one-half of the applicable density specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2 of the Government Code.*** Additional Description/Referenced Code Section(s) Government Code Section 65583.2(c)(3)(B): *The following densities shall be deemed appropriate to accommodate housing for lower income households:* *(i) For an incorporated city within a nonmetropolitan county and for a nonmetropolitan county that has a micropolitan area: sites allowing at least 15 units per acre.*	The project site is in the City, which is located within San Diego County, a metropolitan county. The project would provide 397 units, which would result in 40.5 units per acre. Therefore, the project meets the criterium set forth in 21080.66(a)(5)(iv).

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(ii) For an unincorporated area in a nonmetropolitan county not included in clause (i): sites allowing at least 10 units per acre. *(iii) For a suburban jurisdiction: sites allowing at least 20 units per acre.* *(iv) For a jurisdiction in a metropolitan county: sites allowing at least 30 units per acre.* Government Code Section 65583.2(d)defines metropolitan county, nonmetropolitan county, and nonmetropolitan county with a micropolitan area as follows: *(d) For purposes of this section, a metropolitan county, nonmetropolitan county, and nonmetropolitan county with a micropolitan area shall be as determined by the United States Census Bureau. A nonmetropolitan county with a micropolitan area includes the following counties: Del Norte, Humboldt, Lake, Mendocino, Nevada, Tehama, and Tuolumne and other counties as may be determined by the United States Census Bureau to be nonmetropolitan counties with micropolitan areas in the future.*	
21080.66(a)(6) ***The project satisfies the requirements specified in paragraph (6) of subdivision (a) of Section 65913.4 of the Government Code.*** Additional Description/Referenced Code Section(s) Government Code Section 65913.4(a)(6): *The development is not located on a site that is any of the following:* [See rows A-K, below.]	See items A-K, below.
(A) [Coastal Zone] *(i) An area of the coastal zone subject to paragraph (1) or (2) of subdivision (a) of Section 30603 of the Public Resources Code.* *(ii) An area of the coastal zone that is not subject to a certified local coastal program or a certified land use plan.* *(iii) An area of the coastal zone that is vulnerable to five feet of sea level rise, as determined by the National Oceanic and Atmospheric Administration, the Ocean Protection Council, the United States Geological*	The project site is not located in the coastal zone. **Reference:** *City of Carlsbad, Local Coastal Program, published 2019, accessed November 18, 2025.*

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Survey, the University of California, or a local government's coastal hazards vulnerability assessment. *(iv) In a parcel within the coastal zone that is not zoned for multifamily housing.* *(v) In a parcel in the coastal zone and located on either of the following:* *(I) On, or within a 100-foot radius of, a wetland, as defined in Section 30121 of the Public Resources Code.* *(II) On prime agricultural land, as defined in Sections 30113 and 30241 of the Public Resources Code.*	
(B) [Prime Farmland or Farmland of Statewide Importance] *Either prime farmland or farmland of statewide importance, as defined pursuant to the United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.*	The project site is not located on a site that is classified as Prime Farmland or Farmland of Statewide Importance. **Reference:** *California Department of Conservation, California Important Farmland Finder, https://maps.conservation.ca.gov/DLRP/CIFF/, accessed November 18, 2025.*
(C) [Wetlands] *Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).*	There are no state or federally protected wetlands as defined in the United States Fish and Wildlife Service Manual on or near the project site or off-site improvement areas. **Reference:** *Biological Resources Technical Letter Report for the Salk Avenue Apartments Project in Carlsbad, San Diego County, Michael Baker International, February 5, 2026.*
(D) [Very High Fire Hazard Severity Zone] *Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within the state responsibility area, as defined in Section 4102 of the Public Resources Code. This subparagraph does not apply to sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development,*	The project site is not located within a Very High Fire Hazard Severity Zone. **Reference:** *CAL FIRE, Fire Hazard Severity Zones Maps, Fire Hazard Severity Zone Viewer, https://fire-hazard-severity-zones-rollout-calfire-forestry.hub.arcgis.com/pages/access-map, accessed November 18, 2025.*

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including, but not limited to, standards established under all of the following or their successor provisions: *(i) Section 4291 of the Public Resources Code or Section 51182, as applicable.* *(ii) Section 4290 of the Public Resources Code.* *(iii) Chapter 7A of the California Building Code (Title 24 of the California Code of Regulations).*	
(E) [Hazardous Waste Sites] *A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless either of the following apply:* *(i) The site is an underground storage tank site that received a uniform closure letter issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code based on closure criteria established by the State Water Resources Control Board for residential use or residential mixed uses. This section does not alter or change the conditions to remove a site from the list of hazardous waste sites listed pursuant to Section 65962.5.* *(ii) The State Department of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency making a determination pursuant to subdivision (c) of Section 25296.10 of the Health and Safety Code, has otherwise determined that the site is suitable for residential use or residential mixed uses.*	The project site is not listed as a hazardous waste site by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code. **Reference:** *Department of Toxic Substances Control (DTSC), Envirostor Online Database, https://www.envirostor.dtsc.ca.gov/public/map/, reviewed November 20, 2025.* *California State Water Resources Control Board, GeoTracker, https://geotracker.waterboards.ca.gov/map/, reviewed November 20, 2025.*
(F) [Earthquake Fault Zone] *Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local*	The project site is not mapped in an earthquake fault zone. **Reference:** *California Geological Survey, Earthquake Zones of Required Investigation Map, https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/, accessed November 18, 2025.*

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building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.	
(G) [Special Flood Hazard Area] *Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:* *(i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.* *(ii) The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.*	The project site is not within a special flood hazard area. **Reference:** *FEMA, Flood Service Map Service Area (FIRM Map No. 06073C0769G), https://msc.fema.gov/portal/home, effective date May 16, 2012, accessed November 20, 2025.*
(H) [Regulatory Floodway] *Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the*	The project site is not mapped within a regulatory floodway. **Reference:** *FEMA, Flood Insurance Rate Map (FIRM Map No. 06073C0769G), https://msc.fema.gov/portal/home,. effective date May 16, 2012, accessed November 20, 2025.*

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application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.	
(I) [Conservation Lands in a Natural Community Conservation Plan] *Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.*	The project site is covered by the City of Carlsbad Habitat Management Plan, which serves as the Natural Community Conservation Plan for the City. However, the project site is not within a HMP Conservation Area, HMP Proposed Hardline Conservation Area, Standards area, or otherwise identified for conservation, which are identified in the Habitat Management Plan for conservation. **Reference:** *City of Carlsbad, City of Carlsbad Habitat Management Plan, https://www.carlsbadca.gov/home/showpublisheddocument/1600/638366818940500000, amended December 1999.*
(J) [Habitat for Protected Species] *Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).*	Habitat for protected species is present on the project site. The northwestern portion of the project site contains habitat suitable for protected species including coastal California gnatcatcher (*Polioptila californica californica*, federally threatened, state species of concern), Crotch's bumble bee (*Bombus crotchii*; state candidate endangered), and thread-leaved brodiaea (*Brodiaea filifolia*; federally threatened, state endangered, California Rare Plant Rank 1B.1). However, the entirety of this potential habitat lies outside of the development footprint. Because the proposed project is unable to satisfy this qualifying condition, the AB 130 CEQA exemption cannot be granted. An initial study must be prepared to study the environmental consequences of the project, limited to evaluating the effects upon the environment that are caused solely by this single condition. **Reference:** *Biological Resources Technical Letter Report for the Salk Avenue Apartments Project in Carlsbad, San Diego County, Michael Baker International, February 5, 2026.*

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(K) [Conservation Easement] *Lands under conservation easement.*	The project site is not under a conservation easement.
21080.66(a)(7) ***The project does not require the demolition of a historic structure that was placed on a national, state, or local historic register before the date a preliminary application was submitted for the project pursuant to Section 65941.1 of the Government Code.***	The are no existing structures on the project site.
21080.66(a)(8) ***For a project that was deemed complete pursuant to paragraph (5) of subdivision (h) of Section 65589.5 of the Government Code on or after January 1, 2025, no portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging. For the purposes of this section, "other transient lodging" does not include either of the following:*** ***(A) A residential hotel, as defined in Section 50519 of the Health and Safety Code.*** ***(B) After the issuance of a certificate of occupancy, a resident's use or marketing of a unit as short-term lodging, as defined in Section 17568.8 of the Business and Professions Code, in a manner consistent with local law.***	The project does not contain hotel, motel, bed and breakfast inn, or other transient lodging components.
21080.66(b) Tribal Notification/Consultation and Measures for Tribal Cultural Resources **PRC section 21080.66(b) requires the local government to complete a notification/consultation process with each California Native American tribe traditionally and culturally affiliated with the project site. PRC section 21080.66(b) also requires that certain measures and additional enforceable agreements be made binding conditions of project approval. PRC section 21080.66(b) is provided in its entirety in the "Additional Subsections of PRC Section 21080.66" portion of this document for reference.**	Because the project site contains habitat for protected species (refer to item J), tribal consultation is occurring via the AB 52 process undertaken with preparation of a project-specific Focused IS/MND. The City mailed US Postal Service-certified mail and emailed letters to the Desert Cahuilla Indians, Mesa Grande Band of Diegueno Mission Indians, Rincon Band of Luiseño Indians, and San Luis Rey Band of Mission Indians on January 5, 2026 to initiate the AB 52 notification process. Consultation, if requested by a tribe, will occur concurrently with public and agency review of the Focused IS/MND. The City will not adopt the IS/MND until any requested consultations are complete or otherwise closed.

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Criteria and Requirements	**Evaluation**
21080.66(c)(1) ***(A) The local government shall, as a condition of approval for the development, require the development proponent to complete a phase I environmental assessment, as defined in Section 78090 of the Health and Safety Code.*** ***(B) If a recognized environmental condition is found, the development proponent shall complete a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.*** ***(C) If a release of a hazardous substance is found to exist on the site, the release shall be removed or any effects of the release shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.*** ***(D) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.***	A Phase I Environmental Site Assessment was conducted for the project site and no recognized environmental conditions, hazardous substances, or potential for exposure to significant hazards from surrounding properties were found to exist. **Reference:** *Phase I Environmental Site Assessment Report, Assessor's Parcel Number 212-021-04, Carlsbad CA, Verdantas Inc., March 10, 2025.*
21080.66(c)(2) ***For any housing on the site located within 500 feet of a freeway, all of the following shall apply:*** ***(A) The building shall have a centralized heating, ventilation, and air-conditioning system.*** ***(B) The outdoor air intakes for the heating, ventilation, and air-conditioning system shall face away from the freeway.*** ***(C) The building shall provide air filtration media for outside and return air that provides a minimum efficiency reporting value of 16.***	The project site is not within 500 feet of a freeway.

PRC Section 21080.66 Housing Development Project CEQA Exemption Evaluation Checklist	
Criteria and Requirements	**Evaluation**
(D) The air filtration media shall be replaced at the manufacturer's designated interval. ***(E) The building shall not have any balconies facing the freeway.***	
21080.66(d)(1) ***Notwithstanding any other law, all construction workers employed in the execution of a housing development project exempt from this division pursuant to this section where 100 percent of the units within the development project are dedicated to lower income households, as defined by Section 50079.5 of the Health and Safety Code, shall be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate, regardless of whether the housing development project is a public work.***	Not applicable, as the proposed residential units are not 100 percent dedicated to lower income households.
21080.66(d)(2) ***Notwithstanding any other law, the labor standards of paragraph (8) of subdivision (a) of Section 65913.4 of the Government Code shall apply to buildings over 85 feet in height above grade in any housing development project exempt from this division pursuant to this section.***	The maximum height of the project is 59 feet, with corner elements up to approximately 75 feet. As project height would not exceed 85 feet, the labor standards do not apply.
21080.66(d)(3) ***(A) Notwithstanding any other law, the labor standards of Article 4 (commencing with Section 65912.130) of Chapter 4.1 of Division 1 of Title 7 of the Government Code shall apply for projects of 50 units or greater in the City and County of San Francisco that are not covered by paragraph (2), for any construction craft where at least 50 percent of the units in market-rate multifamily housing projects that received their certificate of occupancy between 2022 and 2024, inclusive, were built by workers that were paid not less than the general prevailing rate of per diem wages.***	Not applicable, as the project site is not within the City or County of San Francisco.

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Criteria and Requirements	**Evaluation**
(B) For purposes of this section, "market-rate multifamily housing development project" means a housing development project of greater than 10 units where less than 95 percent of the units are dedicated to lower income households, as defined by Section 50079.5 of the Health and Safety Code. ***(C) (i) The eligibility of this subparagraph, by classification, will be determined by the Department of Industrial Relations and published on its internet website by January 1, 2026.*** ***(ii) In making a determination of eligibility pursuant to this subparagraph, the Director of Industrial Relations shall obtain and consider data from the labor organizations and employers or employer associations concerned no later than October 1, 2025.*** ***(iii) To determine the number of market-rate multifamily housing projects that received their certificate of occupancy in a given year, the Department of Industrial Relations shall use the annual progress report data as reported by the jurisdiction pursuant to Section 65400 of the Government Code.***	