CITY OF VISTA
CALIFORNIA

# DRAFT INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION P21-0130

**Project Name:** 1205 Melrose Way 15-Lot Residential Subdivision Project

**Project Location:** 1205 Melrose Way, on the north side of the street between South Melrose Drive to the east and McGavran Drive on the west, in the city of Vista

**APNs:** 166-184-10-00, 166-184-09-00, and 166-183-17-00

**Project Applicant:**
Zoran Djordjevich
551 Lynwood Drive
Encinitas, CA. 92024
760-497-8761

**Lead Agency:**
City of Vista
Community Development Department, Planning Division
200 Civic Center Drive
Vista, California 92084
Raffi Mangassarian, Associate Planner
(760) 643-5424

**Public Review Period:** May 18, 2022 to June 6, 2022

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This Draft Initial Study/Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). It is available for a 20--day public review period as shown above.

Comments regarding this document should focus on the sufficiency of the document in identifying and analyzing the potential impacts on the environment that may result from the proposed project, and the ways in which any significant effects are avoided or mitigated. **All comments must be made in writing** and addressed to Mr. Raffi Mangassarian, Associate Planner, City of Vista Planning Division, 200 Civic Center Drive, Vista, California 92084. Comments may be sent by e-mail to: rmangassarian@cityofvista.com.

Comments must be received in the Planning Division office no later than 5:00 P.M. on the last day of the public review period noted above.

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# Chapter 1

# INTRODUCTION

## CEQA Overview

The City of Vista (COV) Planning Division has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to evaluate the potential environmental consequences associated with the proposed 1205 Melrose Way 15-lot Residential Subdivision Project ("project"). As part of the permitting process, the proposed project is required to undergo an environmental review pursuant to CEQA. One of the main objectives of CEQA is to disclose to the public and decision makers the potential environmental effects of proposed activities. CEQA requires that the lead agency prepare an Initial Study (IS) to determine whether an Environmental Impact Report (EIR), Negative Declaration (ND), or a Mitigated Negative Declaration (MND) is needed. The COV's Planning Division is the lead agency for the proposed project under CEQA, and per State CEQA Guidelines Section 15070 has determined that an MND would be prepared. A description of the proposed project is found in Chapter 2 of this document.

## Authority

The preparation of this IS/MND is governed by two principal sets of documents: CEQA (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). Specifically, the preparation of an IS and an MND is guided by the State CEQA Guidelines; Section 15063 describes the requirements for an IS, and Sections 15070–15073 describes the process and requirements for the preparation of an MND. Where appropriate and supportive to an understanding of the issues, reference will be made either to the CEQA statutes or State CEQA Guidelines. This IS/MND contains all of the contents required by CEQA, which includes a project description, a description of the environmental setting, potential environmental impacts, mitigation measures for any significant effects, consistency with plans and policies, and names of preparers.

## Scope

This IS/MND evaluates the proposed project's effects on the following resource topics:

- aesthetics
- agriculture and forest resources
- air quality
- biological resources
- cultural and tribal cultural resources
- energy
- geology and soils
- greenhouse gas emissions
- hazards and hazardous materials
- hydrology and water quality
- land use planning
- mineral resources
- noise
- population and housing
- public services
- recreation
- transportation
- utilities and service systems
- wildfire
- mandatory findings of significance

# Chapter 2

# ENVIRONMENTAL SETTING AND PROJECT DESCRIPTION

## Project Overview

The proposed 1205 Melrose Way Residential Subdivision project involves the approval of a General Plan Amendment, Zone Change, Tentative Subdivision Map, and Density Bonus for a 15-unit single family residential development project. The proposed project would allow for the demolition of all existing structures onsite and the construction of 15 new lots with single family residences on a graded and disturbed and partially developed site.

The subject property is located within the central, urbanized northern portion of Vista (see Figure 1- City Location Map in Attachment A). Specifically, the property is located at 1205 Melrose Way, on the north side of the street between South Melrose Drive on the east and McGavran Drive to the west in the city of Vista (see Figures 2 and 3 – Aerial Photo of Existing Property and Surrounding Land Uses and Arial Photo of the Existing Site in Attachment A).

The project site is 2.55 gross acres in size and is comprised of three parcels (APN: 166-184-10-00, 166-184-09-00, and 166-183-17-00). A portion of the project site is currently occupied by an existing single-family residence with associated hardscape and landscape. The remainder of the project site area is undeveloped or vacant. All existing structures on-site would be demolished and removed as part of project construction.

The property has a *General Plan 2030 Update (GP 2030)* (City of Vista, 2012a) land use designation of LD (Low Density Residential) and a zoning designation of E-1 (Estates Residential). Melrose Way, which is adjacent to the southern boundary of the subject property, is designated as a two-lane light collector according to the COV Circulation Element. It is currently built as a 2-lane striped roadway with a posted speed limit of 35 miles per hour. Curbside parking is generally not supported along the street within the project frontage.

The proposed project would include a private roadway within the project site which would provide a new connection between McGavran Drive to the west of the site and Melrose Way. The new project roadway will create a new side-street stop-controlled intersection along Melrose Way. The proposed project will construct the missing sidewalks on the northside of Melrose Way, along its frontage, and would also construct a sidewalk along the westside of the private roadway.

## Existing Environmental Setting

### CITY OF VISTA

The city of Vista is a largely built-out, predominantly low-density residential community located approximately seven miles inland from the Pacific Ocean in northern San Diego County. Clusters of urbanizing higher density areas are scattered throughout the central portion of the city and along arterial roads. Vista is located in the rolling topography of the western foothills of the San Marcos Mountains, with elevations ranging from approximately 200 feet to about 750 feet above mean sea level (AMSL). Pleasant views are found from various points throughout the city with some higher elevations offering captivating vistas of the Pacific Ocean to the west. In addition to the pleasing topography of the mountains and hills,

the city is lushly vegetated from the low-level creek beds to the steep slopes of the foothills, which also contributes to the overall beauty of the community. The city also has two major creeks that flow through its boundaries, Buena Vista Creek and Agua Hedionda Creek.

### PROJECT SITE

The project site consists of three parcels which total 2.55 acres in size. The project site is in the southern part of the city near and is on the west side of Melrose Drive and approximately one mile south of CA-78 freeway (see Figure 1). The project site is currently occupied by a single-family home with related hardscape and landscape as shown in Figure 2 – Aerial Photo of Existing Property and Surrounding Land Uses in Attachment A.

The project site elevation ranges from 368 feet above mean sea level (AMSL) in the southeastern portion of the site to 355 feet AMSL in the northeastern portion of the site with relatively flat topography. The project site has a slight downward slope to the northeast corner of the site to a concrete ditch on the adjacent property.

The existing impervious coverage of the structures on-site is 0.175 acres which is less than ten percent of the total parcel acreage, according to the 2021 *Storm Water Quality Management Plan* (*SWQMP*) prepared by Pasco Laret Suiter & Associates (PLS, 2021a). Access to the project site would be provided by a new private roadway along Melrose Way as shown in Figure 4, Proposed Site Plan, in Attachment A.

According to the *Phase I ESA* prepared for the project (Geosoils, 2021b), the project site has previously been used as an orchard from at least 1939, and by 1975 was no longer being used for this purpose. There were no improvements on the property until the residential structure was built in 1964. Currently, the home is occupied, and the tenants are using a portion of the rear yard to store various items including patio furniture, a bar-b-que, several storage sheds, a few cars, and lumber. The front of the house has a patio area and a few garden areas including vegetables near the eastern property margin.

According to the *Biological Resources Report* (Bio Report) prepared for the project (Helix, 2021), although the site is mostly undeveloped, the property character is disturbed, and no natural vegetation or native habitats were observed on-site. Non-native and ornamental species are the dominant plants found in the study area. Disturbances on-site includes evidence of regular mowing of the undeveloped/weedy areas. Further information on this topic can be found in Section IV - Biological Resources in Chapter 3 of this document.

Hydrologically, the project site is situated within the Buena Vista Hydrologic Subarea (HSA 904.22) and the Agua Hedionda Hydrologic Subarea (904.31) the Carlsbad Hydrologic Unit (HU) (904.0). According to the *SWQMP* (PLS, 2021a), in the existing condition, the northwesterly portion of the site sheet flows southwest to northeast to a concrete ditch on the adjacent property that runs along the property line. The remaining portion of the site generally slopes from south to north toward the northeasterly corner to a concrete ditch on the adjacent property. Both ditches ultimately drain to a storm drain that flows north in existing storm drain infrastructure in Breeze Hill that flows north through the County Complex to Melrose Drive. It then flows north in Melrose Drive where it outfalls into Buena Vista Creek located north of Hacienda Drive. Buena Vista Creek outlets into Buena Vista Lagoon, and ultimately the Pacific Ocean. Additional information on this topic can be found in Section X - Hydrology and Water Quality in Chapter 3 of this document.

According to the *Preliminary Geotechnical Investigation* (Geotech Report) prepared for the project site by GeoSoils, Inc. (GeoSoils, 2021a), the site is characterized as being underlain by Cretaceous-age granitic

bedrock belonging to the Southern California Batholith, with a relatively thin layer of Quaternary-age colluvium (topsoil) at the surface. Although not directly encountered during field explorations, localized undocumented artificial fill is likely associated with the existing residence. Additional information on this topic can be found in Section VII. Geology and Soils.

## Surrounding Land Uses

Immediately surrounding land uses consist of the Vista Samoan Seventh Day Adventist Church, meeting hall, appurtenant structures and parking lot are located to the east followed by Breeze Hill Elementary School; a single-family home and condominiums are located to the north of the site; vacant land is located to the west-northwest of the site and existing single family residential land uses are located to the west and to the south across Melrose Way. The project site is located in a mixed residential and institutional neighborhood in the southern portion of the City (see Figure 2 – Aerial Photo of Existing Property and Surrounding Land Uses in Attachment A).

The closest existing public school to the site is located immediately east of the Vista Samoan Seventh Day Adventist church that is adjacent to the eastern property boundary. The school is the Breeze Hill Elementary School located at 1111 Melrose Way. The closest fire station to the project site is Vista Fire Station #1 located approximately one mile to the north at 175 North Melrose Drive. The closest police station is the San Diego County Sheriff's Office located at 325 South Melrose Drive. Buena Vista Creek is located approximately 1 mile north of the site. North County Transit District's Sprinter station at the Vista Transit Center is located approximately 2 miles to the northeast, and the McClellan-Palomar Airport is located approximately 6 miles to the southwest. The project site is located within the service areas of the COV sewer system, and the Vista Irrigation District (VID).

## Proposed Project Description

The Applicant seeks approval of a General Plan Amendment (GPA), Zone Change (ZC), Tentative Subdivision Map (TSM) and Density Bonus to construct one affordable residential unit for a total of 15-single family residences on the project site as shown in the site plan (See Figure 4 - Proposed Site Plan in Attachment A). The 15 residential lots would range in size from 3,585 square feet (SF) to 5,618 SF as shown in Table 1 below and could accommodate single family homes with three to four bedrooms. However, no homes are proposed to be built at this time.

| Table 1 - Proposed Project Lot Area Summary Table<br>Lot Number and Square Footage (SF) | | | |
|---|---|---|---|
| Lot 1 | 5,411 SF | Lot 10 | 3,585 SF |
| Lot 2 | 5,605 SF | Lot 11 | 3,756 SF |
| Lot 3 | 5,607 SF | Lot 12 | 3,895 SF |
| Lot 4 | 5,609 SF | Lot 13 | 3,656 SF |
| Lot 5 | 5,611 SF | Lot 14 | 4,082 SF |
| Lot 6 | 5,613 SF | Lot 15 | 4,702 SF |
| Lot 7 | 5,616 SF | Lot A (water quality basin) | 7,599 SF |
| Lot 8 | 5,618 SF | Private Street A | 20,400 SF |

| | | | |
|---|---|---|---|
| Lot 9 | 5,360 SF | Private Street B | 12,868 SF |

Development of the proposed project would include demolition and removal of all existing structures on-site, grading, utility connections and drainage improvements, landscaping, and vehicular parking and private roadway access off Melrose Way. There would be 60 on-site parking spaces, including 30 spaces in two-car garages, and 30 additional guest parking spaces on-site. Additional site improvements would a tot lot, storm drain biofiltration basin (Lot A), retaining walls, sidewalks, and perimeter fencing. In addition, the proposed project would include an off-site emergency access road connection to existing McGavran Drive and additional related grading to the northwest as well as infrastructure connections/improvements to the south along the project frontage along Melrose Way.

The required discretionary approvals are described below:

- General Plan Amendment: Per Chapter 18.48.020 of the Vista Development Code, this application is required in order to change the existing GP 2030 Update land use designation from Low Density Residential (LD) to Medium Low Density Residential (MLD).
- Zone Change: Per Chapter 18.06.020 of the Vista Development Code, this amendment to the Zoning Map is required to change the existing zoning of the subject property from Estate Residential (E-1) to Single Family Residential (R-1) to allow the 15-lot residential subdivision.
- Tentative Subdivision Map: Per Chapter 17.12 of the Vista Development Code, a Tentative Subdivision Map is required for any projects proposing to subdivide land with more than four lots to ensure that the project is consistent with the City's GP 2030 and any applicable Specific Plans, soils and grading ordinances and other development standards.
- Density Bonus: Per Chapter 18.90 in the Vista Development Code, this regulation applies to projects that qualify for a density bonus under State Density Bonus Law (Government Code sections 65915-65918). If a housing project qualifies for a density bonus, it can be developed at a density exceeding the limits ordinarily set by the Vista Development Code and the Vista General Plan. Housing developments that qualify for a density bonus include projects which provide affordable housing; qualifying projects can receive concessions which reduce costs by relaxing zoning requirements; and qualifying projects can receive waivers to achieve the increased density provided by the density bonus.

#### OVERALL SITE PLAN

The proposed project would be developed under the proposed new land use designation of MLD (Medium Low Density Residential) (up to 5 dwelling Units (DU)/Acre (AC) in the *GP 2030* (adopted 2012), and the new zoning designation of Single-Family Residential (R-1) (4.356 Dwelling Units per Acre) that the applicant seeks approval for (see Section XI. Land Use and Planning for additional information). However, the applicant will be exceeding the allowable density of the R-1 zone by taking advantage of the State of California residential density bonus allowances which allows for one cost related concession of the development standards, as well as waivers from development standards, to achieve the density that is desired that the applicant seeks approval for, by providing one very-low income residential unit.

Future development of this proposed subdivision would be limited to a maximum of two stories (including ground floor, two-car garages). Access to the site would be through a main entry point along Melrose Way, as shown in Figure 4, Proposed Site Plan, in Attachment A.

The project would be developed in a single phase. In general, site development would consist of demolition, excavation and grading, installing wet and dry utilities, project driveway and the street frontage improvements, grading for the 15 building pads, and installing landscaping. According to the Applicant, project construction is estimated to be completed in approximately eighteen months.

**SITE DEVELOPMENT**

*Demolition & Grubbing*

The initial stage of site work is anticipated to involve demolition and removal of the existing on-site structure, driveway, foundation, and all other associated improvements and vegetation, etc. from all areas of the project site. This initial phase of the project is estimated to take 10 days to complete.

*Grading*

The second stage of development is expected to consist of surface grading of the project site. Cut and fill grading is necessary to achieve design grades with maximum planned cuts and fills anticipated to be on the order of ± three to five feet. Preliminary calculations of the overall mass grading of the project site are estimated at 2,602 cubic yards of cut, 4,034 cubic yards of import for a total grading volume of 6,636 cubic yards of earthwork. Grading is estimated to take approximately 10 days to complete.

The site is generally flat. Currently the high point on the site is 368 AMSL. Temporary and permanent erosion control measures, such as vegetative protection, are required for all cut and fill slopes as detailed in Sections 17.56.280 (F), 17.56.290 (J), and 17.56.330 of the COV's Development Code. See Sections VII. Geology and Soils and X. Hydrology and Water Quality for additional discussion of these issues.

*Wet & Dry Utilities*

The third stage of site development is anticipated to include the installation of wet and dry utilities, construction of the private roadway, and street improvements (sidewalks) along Melrose Way in the public right of way. New PVC (poly vinyl chloride) sewer mains would be connected to the existing COV sewer main located in Melrose Way. New sewer laterals would be extended from the new on-site mains and stubbed in each residential lot. New water service lines and meters would be extended onto the project site from the existing water main. Three new fire hydrants would be added within the subdivision near Lot 1 at the new site entrance, near Lots 8 and 9 and near Lot 13. The Vista Fire Department (VFD) would verify the final locations of all required fire safety elements during review of the precise grading plans.

According to the *SWQMP* (PLS, Inc., 2021a), the proposed drainage plan would not significantly alter the existing on-site flow patterns. The proposed storm drain system would be composed of permeable pavers, storm drainpipes, a biofiltration basin at the northeastern corner of the site to maintain the pre-developed runoff characteristics.

A biofiltration basin (sizing per the County's *Hydromodification Management Plan*, (2011) was selected as the treatment control Best Management Practices (BMPs) because of their effectiveness at treating sediment, trash and fine particles. The runoff rate comparison from pre-development to post-development shows a decrease in flow on-site due to the demolition and removal of impervious surfaces and the installation pervious surfaces. The biofiltration facilities proposed on-site would further modify outflow by stage storage to hold back peak runoff rates in the post development condition. Storm water would be released in a controlled manner with erosion control to the downstream reach. The biofiltration basin would be installed during the initial construction phase of the development at the northeast corner of the site as (Lot A) on the Site Plan included in Attachment A. See Section X, Hydrology and Water Quality for additional discussion and information on drainage improvements and water quality treatment.

Existing overhead electric lines and a power pole located on-site would be placed underground. All electrical service to the building sites would be installed underground and other dry utilities such as telephone, gas, etc. would also be connected from existing service lines along the street. The Proposed Project will not construct, change, or improve any off-site transportation facilities. The Proposed Project will provide access via a new private roadway located along the eastern edge of the property. The private roadway will be designed and constructed based on City of Vista Roadway standards. The private roadway will create a new side-street stop-controlled intersection along Melrose Way. The Proposed Project will also construct the missing sidewalks on the north side of Melrose Way along the length of project frontage. Other anticipated improvements include the installation of a tot-lot onsite near streetlights as well as curbs and gutters.

*Site Development and Amenities*

There would be 15 building pads constructed on the project site to allow future construction of 15 new single-family homes. Architectural design has not yet been determined. All of the homes would be two-stories over two-car, ground floor garages. It is anticipated that the structures would be founded on conventional continuous, isolated spread foundations or appropriate combinations thereof with slab-on-grade. The buildings would be constructed per the requirements of the California Building Code (CBC) that is in effect at the time building plans are submitted for permit approvals (including CALGreen and accessibility requirements). The proposed project would include 60 parking spaces: 30 parking spaces in garages plus 20 guest parking spaces.

*Landscaping*

The final stage of site development would be the installation of landscaping. A total of 0.27 acres (11,979 SF) of landscaping is proposed. The overall landscape concept plan for the proposed project would consist of a variety of native and non-native evergreen and deciduous trees, shrubs, and groundcover that would be planted on site to provide shade, color, and visual integration with the surrounding landscape and on-site architecture (see Figure 5 – Conceptual Landscape Plan in Attachment A). Planting within the biofiltration basin is required to assist in the holding and treatment of storm water runoff. Plant selection is based on the Water Efficient Landscaping Ordinance in the COV's Development Code, Chapter 18.56. All the proposed plant species would be drought tolerant and require low to moderate water use. The Maximum Applied Water Allowance for the proposed project (MAWA) and the Estimated Total Water Use (ETWU) is detailed in Table 2-2 Landscape Water Requirements, below.

## Table 2-2 Landscape Water Requirements

**ETWU (Annual Gallons Required) =**
***Eto x 0.62 x ETAF x Area***

**MAWA (Annual Gallons Allowed) =**
***(ETo)(0.62)[(ETAF x LA) + ((1- ETAF) x SLA)]***

**ETo** - see Appendix A in Water Efficient Landscape Design Manual. **(ETO = 51.1)**
**0.62** is the conversion factor to gallons per sq. ft.
**ETAF** is Plant Factor/Irrigation Efficiency.
**Area** is the Landscaped Area for each hydrozone.

**LA** is the total landscape of all hydrozone areas in sq. ft.
**SLA** is the total special landscape area in square feet.
**ETAF** is 0.42 for all areas

**WATER EFFICIENT LANDSCAPE WORKSHEET**

**REFERENCE EVAPOTRANSPIRATION (ETo)____ 51.1**

| Hydrozone # / Planting **(a)** Description | Plant Factor (PF) | Irrigation **(b)** Method | Irrigation Efficiency **(c)** (IE) | ETAF (PF/IE) | Landscape Area In Square Feet | ETAF x Area | Estimated Total Water Use **(d)** (ETWU) |
|---|---|---|---|---|---|---|---|
| **Regular Landscape Areas** | | | | | | | |
| H1- PRIVATE YARD SLOPES | 0.3 | Rotor | 0.75 | 0.40 | 2,316 | 926 | 29,350 |
| H2- BASIN | 0.3 | Rotor | 0.75 | 0.40 | 4,243 | 1,697 | 53,771 |
| H3- PARKWAYS & COMMON AREAS | 0.3 | Drip | 0.90 | 0.33 | 3,980 | 1,327 | 42,031 |
| H-4 STREET TREES | 0.3 | Drip | 0.90 | 0.33 | 1,320 | 440 | 13,940 |
| H-6 STREET TREES | 0.5 | Drip | 0.90 | 0.56 | 120 | 67 | 2,112 |
| | | | | **Totals** | 11,979 | 4,457 | 141,205 |
| **Special Landscape Areas** | | | | | | | |
| H-5 RECREATIONAL TURF | | | | 1.0 | 727 | | 727 |
| | | | | **Totals** | | 0 | |
| | | | | | | Estimated Total Water Use **(ETWU) Total** | 141,932 |
| | | | | | | Maximum Water Allowance **(MAWA)(e)** | 159,398 |
| | | | | | | Irrigation Efficiency **(IE) Average**** | 0.38 |

****Average Irrigation Efficiency for overall irrigation system shall meet or exceed 0.75 (total of all efficiency ratings divided by number of hydrozones).**

## ETAF CALCULATIONS

Average ETAF for Regular Landscape Areas must be 0.42 or below for residential areas and 0.42 or below for non-residential areas. ***Provide Totals based on information calculated in Worksheet above.***

| **Regular Landscape Areas** | | ***Totals*** |
|---|---|---|
| Total ETAF x Area | (B) = | 4,457 |
| Total Area | (A) = | 11,979 |
| **Average ETAF** | **(B) ÷ (A) =** | 0.37 |

| **All Landscape Areas** | | ***Totals*** |
|---|---|---|
| Total ETAF x Area | (B+D) = | 4,457 |
| Total Area | (A+C) = | 11,979 |
| **Site wide ETAF** | (B+D) ÷ (A+C) | 0.37 |

*Source: Howard Associates, Landscaping Plan Set, Sheet 2 of 2, June 25, 2021*

As shown in Table 2-2 Landscape Water Requirements, the total ETWU for the proposed landscape plan would be 141,932 gallons per year, some 17,466 gallons per year less than the MAWA.

### ADDITIONAL APPROVALS

Besides review under CEQA, the applicant and/or contractor of the proposed project would be required to obtain the following additional approvals and/or permits from the COV: Right-of-Way Permit, Grading Permit, Landscape Construction Plan, and Building and Occupancy Permits. These approvals require meeting certain Conditions of Approval prior to obtaining the required permits. In addition, all Conditions of Approval and mitigation measures in this document must be satisfactorily completed. Other public agency approvals are cited on page 3-1.

### TRIBAL CONSULTATION

California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to CEQA Statute § 21080.3.1. COV staff conducted notification and consultation with these Tribes per the requirements of CEQA Statute § 21080.3.2. The mitigation measures in Section V. Cultural Resources were a result of the consultation process.

# Chapter 3

# INITIAL STUDY ENVIRONMENTAL CHECKLIST

## Project Information

**Project Title:** **1205 Melrose Way 15-Lot Residential Subdivision Project**

**Lead Agency Name and Address:** City of Vista
Community Development Department
Planning Division
200 Civic Center Drive
Vista, California 92084

**Contact Person:** Raffi Mangassarian, Associate Planner
(760) 643-5424
Rmangassarian@cityofvista.com

**Project Location:** 1205 Melrose Way, on the north side of the street between South Melrose Drive to the east and McGavran Drive on the west, in the city of Vista

**Project Applicant:** Zoran Djordjevich
551 Lynwood Drive
Encinitas, CA. 92024
760-497-8761

**General Plan Designation:** Existing – Low Density Residential (LD)
Proposed - Medium Low Density Residential (MLD)

**Zoning Designation:** Existing - E-1 (Estate Residential)
Proposed - R-1 (Single-Family Residential)

**Description of Project:** See Chapter 2, Proposed Project Description.

**Surrounding Land Uses and Setting:** See Chapter 2, Proposed Project Description.

**Other Public Agency Approvals:** Submittal of a Notice of Intent (NOI) to the Regional Water Quality Control Board (RWQCB) and preparation of a Storm Water Quality Management Plan (SWQMP) in accordance with the requirements of the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit.

## Environmental Factors Potentially Affected

Based upon the initial evaluation presented in the following IS, it is concluded that the proposed project would not result in significant adverse environmental impacts.

**ENVIRONMENTAL DETERMINATION**

On the basis of the initial evaluation of the attached Initial Study:

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

☒ I find that although the 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 the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ 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.

Raffi Mangassarian, Associate Planner — May 18, 2022 (Date)

The signature below signifies that the applicant has read and accepts the mitigation measures detailed in the final Mitigated Negative Declaration.

Applicant or Owner — Date

## 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 would 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, 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. "Negative Declaration: 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 Analyses 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 Measures Incorporated," describe the mitigation measures which 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. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. 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

**IMPACT TERMINOLOGY**

The following terminology is used to describe the level of significance of impacts:

- A finding of *no impact* is appropriate if the analysis concludes that the project would not affect the particular topic area in any way.
- An impact is considered *less than significant* if the analysis concludes that it would not cause substantial adverse change to the environment and requires no mitigation.
- An impact is considered *less than significant with mitigation incorporated* if the analysis concludes that it would not cause substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the applicant.
- An impact is considered *potentially significant* if the analysis concludes that it could have a substantial adverse effect on the environment.

| I. Aesthetics<br>*Except as provided in Public Resources Code Section 21099, would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| • Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☐ | ☒ |
| • Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☐ | ☒ |
| • 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 a 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? | ☐ | ☐ | ☒ | ☐ |
| • Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | ☐ | ☐ | ☒ | ☐ |

## *DISCUSSION*

**a - b. NO IMPACT.** Visual resources can be valued both objectively and subjectively based on their uniqueness, prominence, quality, relationship to community identity, and economic contributions, such as to land values and tourism. Visual resources are important from an aesthetic perspective when, based on the characteristics listed above, they are identified as containing significant scenic value. Within this understanding, a scenic vista can be defined as the public view of an area that is visually or aesthetically unique, such as a valley or a mountain range. A review of the San Luis Rey and San Marcos USGS maps of the project area, as well as the review of General Plan of Vista did not identify a scenic vista that could be viewed within the project area (i.e., adjacent to the project site). As a result, the construction of the proposed project would not result in significant impacts on a scenic vista.

The proposed project would not substantially damage scenic resources or historic buildings within a state scenic highway. The existing 2.55-acre project site (see Figure 1 – City Location Map in Attachment A) is located in a developed area of the city immediately adjacent to Melrose Way, which is not identified as a

state scenic highway. Consequently, project implementation would not substantially damage scenic resources, and significant impacts would not occur.

**c. Less than Significant Impact.** The proposed project would not substantially degrade the existing visual character or quality of the project site or surroundings. The visual character of the existing site is defined by the existing residence on-site, pavements, landscaping, and vehicle parking. The visual character of the immediately surrounding area is largely defined by the surrounding single-family and multi-family residences, a church, and a school that surround the site.

As noted in the Proposed Project Description section in Chapter 2 of this document, the project involves redevelopment of the site with a 15-lot residential subdivision. The project includes streetside improvements along the project frontage on Melrose Way including curb, gutter, and sidewalk and a 10-foot setback from the edge of the roadway and landscaping, including 24-inch box street trees to screen the project from the roadway. As depicted in Figure 5 – Conceptual Landscape Plan in Attachment A, the overall landscape plan for the project site would consist of a variety of native and non-native evergreen and deciduous trees, shrubs, and groundcover that would be planted along the project's frontage as well as internally within the community along the internal roadway which would help provide visual integration with the surrounding landscape and community. Although the proposed project would change the existing visual character of the site through site redevelopment, the change would be in keeping with the surrounding community character of neighboring residential development and could upgrade the visual quality of the existing property. Accordingly, project implementation would result in less than significant impacts.

**d. Less than Significant Impact.** Construction of the project would include the installation of new entry lights placed at the project frontage along Melrose Way as well as streetlights along the internal roadway. Conditions of Approval will require that the new lights would be specified to match COV standards for streetlights in the Development Code (e.g., approximate minimum height of 12 feet, shielded and directed away from residential property boundaries, etc.). As a result, the installation of the new entry lights would not create a significant, substantial source of light or glare within the project area. In addition, architectural plans for the buildings would be reviewed by the COV's Building Department and Planning Division prior to the issuance of building permits, including whether the exterior building materials or exterior lights would produce substantial glare. Conformance with the Development Code, permit plan checks, and reviews by COV Staff would ensure that substantial lighting and glare impacts from future building and site development would not be created. Therefore, the proposed project would not create a substantial source of light or glare and significant impacts would not occur with project implementation.

| II. Agriculture and Forest Resources<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |
| • Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ |
| • Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | ☐ | ☐ | ☐ | ☒ |
| • Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |
| • Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |

## *DISCUSSION*

**a - e. NO IMPACT.** The existing 2.55-acre site has a *GP 2030* land use designation of Low Density Residential (LD) and a zoning designation of E-1 (Estates Residential). Portions of the site have been previously operated as an orchard from approximately 1939 to 1975, according to the Phase I ESA prepared for the project (GeoSoils, 2021b). The project site is not currently used as farmland and it is not identified as Prime Farmland, Unique Farmland or Farmland of Statewide Importance on the most recent maps of the California Department of Conservation's Farmland Mapping and Monitoring Program. The project site is located within an urbanized area of the city which supports residential and commercial uses as well as a church and school. The project site is not located in an area designated as forest land or timberland, and it

is not currently in active agricultural use, or under a Williamson Act contract. As a result, project development would not convert any farmland to non-agricultural use, or forest land to non-forest use, or conflict with existing agricultural, or timberland zoning or Williamson Act contracts. Therefore, implementation of the proposed project would not result in significant impacts to agricultural or forestry resources.

| III. Air Quality<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☒ | ☐ |
| • 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? | ☐ | ☐ | ☒ | ☐ |
| • Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☒ | ☐ |
| • Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | ☐ | ☐ | ☒ | ☐ |

The discussion below is based on the findings contained within the *Air Quality Technical Report (AQ Report*) (RCH Group, 2021a) prepared for the proposed project. This report is on file and available for review with the COV's Planning Division.

## *DISCUSSION*

**a. LESS THAN SIGNIFICANT IMPACT.** The San Diego Air Basin's (SDAB's) air quality plans include the Regional Air Quality Strategy (RAQS) and the State Implementation Plan (SIP). Both air quality plans contain strategies for the region to attain and maintain the ambient air quality standards. The proposed project would require a Zone Change, General Plan Amendment, and Density Bonus. While the proposed project is not consistent with the existing zoning or land use designation, the addition of 15 dwelling units (14 net dwelling units) and the associated minor generation of criteria pollutants would not conflict with or obstruct implementation of the SDAB's air quality plans. As noted in Impact b) below, construction and operational associated with the proposed project would be below all San Diego Air Pollution Control District (SDAPCD) significance thresholds. Furthermore, the proposed project would be required to comply with applicable SDAPCD Rules and Regulations. Therefore, this impact would be less than significant.

**b. LESS THAN SIGNIFICANT IMPACT.** Air quality impacts can result from the construction and operation of the proposed project. Construction impacts include emissions associated with demolition, site preparation, grading, building construction, paving, and architectural coating. Operational impacts include emissions associated with the proposed project, including vehicle trips, at full buildout.

Air emissions were calculated using the California Emissions Estimator Model (CalEEMod) Version 2020.4.0 (California Air Pollution Control Officers Association [CAPCOA], 2021). CalEEMod is a tool used to estimate air emissions resulting from land development projects. The model generates emissions from two

basic sources: construction and operational sources. SDAPCD significance thresholds for air quality impacts are shown in Table AQ-1 below.

**TABLE AQ-1 SCREENING-LEVEL CRITERIA FOR AIR QUALITY IMPACTS**

| Pollutant | Total Emissions | | |
|---|---|---|---|
| **Construction Emissions** | | | |
| | **Lb. Per Day** | | |
| Coarse Particulate Matter ($PM_{10}$) | 100 | | |
| Fine Particulate Matter ($PM_{2.5}$)[1] | 55 | | |
| Oxides of Nitrogen (NOx) | 250 | | |
| Oxides of Sulfur (SOx) | 250 | | |
| Carbon Monoxide (CO) | 550 | | |
| Volatile Organic Compounds (VOC)[2] | 137 | | |
| **Operational Emissions** | | | |
| | **Lb. Per Hour** | **Lb. Per Day** | **Tons Per Year** |
| Coarse Particulate Matter ($PM_{10}$) | --- | 100 | 15 |
| Fine Particulate Matter ($PM_{2.5}$)[1] | --- | 55 | 10 |
| Oxides of Nitrogen (NOx) | 25 | 250 | 40 |
| Oxides of Sulfur (SOx) | 25 | 250 | 40 |
| Carbon Monoxide (CO) | 100 | 550 | 100 |
| Lead and Lead Compounds | --- | 3.2 | 0.6 |
| Volatile Organic Compounds (VOC)[2] | --- | 137 | 15 |

*Source: RCH Group, 2021a * SDAPCD*

*$PM_{2.5}$ is not currently regulated under SDAPCD Rule 20.2. $PM_{2.5}$ thresholds are based on SCAQMD significance thresholds of 55 lbs./day for construction and operation and 10 tons/year for operation.*
*2 VOC's are not regulated under SDAPCD Rule 20.2. VOC thresholds are based on City of San Diego's Significance Determination Thresholds.*

### CONSTRUCTION-RELATED EMISSIONS

Construction-related activities are temporary, finite sources of air emissions. Typical sources of construction-related air emissions include:

- Exhaust from construction equipment and worker automobiles, delivery trucks, and material-hauling trucks.
- Fugitive dust from earthmoving activities and equipment travel on unpaved surfaces.
- Fugitive VOC emissions from architectural coating.

Fugitive dust emissions vary greatly during construction and are dependent on the amount and type of activity, silt content of the soil, and the weather. Vehicles moving over unpaved surfaces, excavation, earth movement, grading, and wind erosion from exposed surfaces are all sources of fugitive dust.

Heavy-duty construction equipment is usually diesel powered. In general, emissions from diesel-powered equipment contain more NOx, SOx, and PM than gasoline-powered engines. However, diesel-powered engines generally produce less CO and less VOC than gasoline-powered engines. Standard construction equipment includes dozers, rollers, scrapers, backhoes, loaders, paving equipment, and heavy trucks.

Proposed project construction would last for approximately 18 months. Demolition would be required to remove the existing structures onsite. Site preparation and grading activities would follow and would require approximately 4,034 cubic yards of soil import, requiring approximately 252 haul truck round trips. Building construction, paving, and architectural coating phases would follow.

Table AQ-2 provides a summary of the emission estimates for construction of the proposed project, as calculated with the CalEEMod. Refer to the *AQ Report* for detailed model output files. As shown in Table AQ-2, emissions associated with construction are below the significance thresholds for all construction phases and pollutants. Construction of the proposed project would be short-term and temporary. Thus, the emissions associated with construction of the proposed project would be less than significant.

**TABLE AQ-2 ESTIMATED CONSTRUCTION EMISSIONS**

| Emission Source | ROG[1] | $NO_X$ | CO | $SO_X$ | $PM_{10}$ | $PM_{2.5}$ |
|---|---|---|---|---|---|---|
| | | | lbs./day | | | |
| **Demolition** | | | | | | |
| Fugitive Dust | - | - | - | - | 0.96 | 0.15 |
| Off-road Diesel | 1.47 | 14.32 | 13.46 | 0.02 | 0.68 | 0.63 |
| Haul Trucks | 0.01 | 0.58 | 0.16 | 0.00 | 0.08 | 0.02 |
| Worker Travel | 0.04 | 0.02 | 0.31 | 0.00 | 0.11 | 0.03 |
| **TOTAL** | **1.52** | **14.92** | **13.93** | **0.03** | **1.83** | **0.83** |
| Significance Criteria | 137 | 250 | 550 | 250 | 100 | 55 |
| Significant? | No | No | No | No | No | No |
| **Site Preparation** | | | | | | |
| Fugitive Dust | - | - | - | - | 0.90 | 0.10 |
| Off-road Diesel | 1.30 | 14.28 | 9.78 | 0.02 | 0.54 | 0.50 |
| Worker Travel | 0.02 | 0.01 | 0.19 | 0.00 | 0.07 | 0.02 |
| **TOTAL** | **1.32** | **14.29** | **9.97** | **0.03** | **1.51** | **0.61** |
| Significance Criteria | 137 | 250 | 550 | 250 | 100 | 55 |
| Significant? | No | No | No | No | No | No |
| **Grading** | | | | | | |
| Fugitive Dust | - | - | - | - | 6.57 | 3.37 |
| Off-road Diesel | 1.33 | 14.47 | 8.70 | 0.02 | 0.60 | 0.56 |
| Haul Trucks | 0.19 | 10.99 | 3.02 | 0.05 | 1.56 | 0.49 |
| Worker Travel | 0.03 | 0.02 | 0.24 | 0.00 | 0.08 | 0.02 |
| **TOTAL** | **1.55** | **25.47** | **11.96** | **0.07** | **8.82** | **4.44** |
| Significance Criteria | 137 | 250 | 550 | 250 | 100 | 55 |
| Significant? | No | No | No | No | No | No |
| **Building Construction** | | | | | | |

| Emission Source | ROG[1] | $NO_X$ | CO | $SO_X$ | $PM_{10}$ | $PM_{2.5}$ |
|---|---|---|---|---|---|---|
| lbs./day | | | | | | |
| Off-road Diesel | 1.71 | 13.62 | 14.21 | 0.03 | 0.61 | 0.59 |
| Vendor Trucks | 0.00 | 0.09 | 0.03 | 0.00 | 0.01 | 0.00 |
| Worker Travel | 0.01 | 0.01 | 0.12 | 0.00 | 0.04 | 0.01 |
| **TOTAL** | **1.73** | **13.72** | **14.37** | **0.03** | **0.67** | **0.60** |
| Significance Criteria | 137 | 250 | 550 | 250 | 100 | 55 |
| Significant? | No | No | No | No | No | No |
| **Paving** | | | | | | |
| Off-road Diesel | 0.84 | 8.10 | 11.71 | 0.02 | 0.40 | 0.37 |
| Worker Trips | 0.04 | 0.02 | 0.34 | 0.00 | 0.12 | 0.03 |
| **TOTAL** | **0.88** | **8.13** | **12.04** | **0.02** | **0.52** | **0.40** |
| Significance Criteria | 137 | 250 | 550 | 250 | 100 | 55 |
| Significant? | No | No | No | No | No | No |
| **Architectural Coatings Application** | | | | | | |
| Fugitive VOC | 136.10 | - | - | - | - | - |
| Off-road Diesel | 0.18 | 1.22 | 1.81 | 0.00 | 0.06 | 0.06 |
| Worker Trips | 0.00 | 0.00 | 0.02 | 0.00 | 0.01 | 0.00 |
| **TOTAL** | **136.28** | **1.22** | **1.83** | **0.00** | **0.07** | **0.06** |
| Significance Criteria | 137 | 250 | 550 | 250 | 100 | 55 |
| Significant? | No | No | No | No | No | No |
| | | | | | | |
| Maximum Daily Emissions | **136.28** | **25.47** | **14.37** | **0.07** | **8.82** | **4.44** |
| Significance Criteria | 137 | 250 | 550 | 250 | 100 | 55 |
| Significant? | No | No | No | No | No | No |

*Source: RCH Group, 2021a*

1 *CARB uses the term "reactive organic gases" (ROG) to measure organic gases, which is also contained in the CalEEMod results. The City of San Diego uses the term VOC ('volatile organic compounds") to describe organic gases in its Significance Determination Thresholds.*

### OPERATION-RELATED EMISSIONS

Long-term emissions of air pollutants occur from operational sources. The main source of proposed project operational emissions would be vehicle trips, as well as other minor emissions from energy use, landscaping equipment, and areas sources (i.e., application of paints, cleaning chemicals, etc.). The Project would generate approximately 150 vehicle trips per day. Emissions from operation of the Project were estimated using the CalEEMod. As shown in Table AQ-3, operational emissions from the proposed project would be below the significance criteria for all pollutants. Thus, the emissions associated with operations would be less than significant.

**TABLE AQ-3 ESTIMATED OPERATIONAL EMISSIONS**

| Emission Source | ROG | $NO_X$ | CO | $SO_X$ | $PM_{10}$ | $PM_{2.5}$ |
|---|---|---|---|---|---|---|
| **Summer, lbs./day** | | | | | | |
| Area Sources | 1.34 | 0.01 | 1.24 | <0.01 | <0.01 | <0.01 |
| Energy Use | <0.01 | 0.08 | 0.03 | <0.01 | <0.01 | <0.01 |

| Emission Source | ROG | $NO_X$ | CO | $SO_X$ | $PM_{10}$ | $PM_{2.5}$ |
|---|---|---|---|---|---|---|
| Mobile Sources | 0.42 | 0.41 | 3.73 | <0.01 | 0.91 | 0.25 |
| **TOTAL** | **1.77** | **0.51** | **5.00** | **0.01** | **0.92** | **0.26** |
| Significance Criteria | 137 | 250 | 550 | 250 | 100 | 55 |
| Significant? | No | No | No | No | No | No |
| **Winter, lbs./day** | | | | | | |
| Area Sources | 1.34 | 0.01 | 1.24 | <0.01 | <0.01 | <0.01 |
| Energy Use | <0.01 | 0.08 | 0.03 | <0.01 | <0.01 | <0.01 |
| Mobile Sources | 0.41 | 0.45 | 3.83 | <0.01 | 0.91 | 0.25 |
| **TOTAL** | **1.76** | **0.54** | **5.10** | **0.01** | **0.92** | **0.26** |
| Significance Criteria | 137 | 250 | 550 | 250 | 100 | 55 |
| Significant? | No | No | No | No | No | No |
| **Annual, tons/year** | | | | | | |
| Area Sources | 0.24 | <0.01 | 0.11 | <0.01 | <0.01 | <0.01 |
| Energy Use | <0.01 | 0.01 | <0.01 | <0.01 | <0.01 | <0.01 |
| Mobile Sources | 0.07 | 0.08 | 0.69 | <0.01 | 0.16 | 0.04 |
| **TOTAL** | **0.32** | **0.10** | **0.80** | **<0.01** | **0.16** | **0.05** |
| Significance Criteria | 15 | 40 | 100 | 40 | 15 | 10 |
| Significant? | No | No | No | No | No | No |

*Source: RCH Group, 2021a*

As indicated in Table AQ-2 and AQ-3, construction and operational emissions from the proposed project would be below significance thresholds. Because the proposed project's emissions are less than significance thresholds, the emissions during construction and operations would not be expected to result in a cumulatively considerable impact to air quality. Therefore, the proposed project would have a less-than-significant impact.

**c. LESS THAN SIGNIFICANT IMPACT.** Impacts to sensitive receptors includes schools, hospitals, resident care facilities, daycare centers, residents, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The primary emissions of concern for land development projects are toxic air contaminants (TACs).

As stated in the *AQ Report, c*onstruction of the proposed project would result in minor emissions of TACs from construction equipment and motor vehicles (RCH Group, 2021a). The proposed project is a residential development and is not a major source of TACs. Therefore, impacts to sensitive receptors would be less than significant.

**d. LESS THAN SIGNIFICANT IMPACT.** The proposed project is a residential project without any sources of objectionable odors that would affect a substantial number of people. Therefore, odor impacts would be less than significant.

| IV. Biological Resources<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| 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, U.S. Fish and Wildlife Service, or NOAA Fisheries? | ☐ | ☒ | ☐ | ☐ |
| • 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? | ☐ | ☐ | ☐ | ☒ |
| • 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? | ☐ | ☐ | ☐ | ☒ |
| • 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? | ☐ | ☐ | ☐ | ☒ |
| • Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☐ | ☒ |
| • Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☒ |

The discussion below is based on the findings contained within the *Biological Resources Letter Report* (Bio Report) (Helix, 2021a) prepared for the proposed project. This report is on file and available for review with the COV's Planning Division.

## *DISCUSSION*

### a. LESS THAN SIGNIFICANT IMPACT WITH MITIGATION.

As stated in the Existing Environmental Setting section in Chapter 2 of this document, the 2.55-acre project site is currently occupied by an existing single-family home, driveway, landscaping, and has been previously operated as an orchard. A general biological survey was conducted by a biologist on September 9, 2021. The survey study area comprised of the project property and a 100-foot surrounding buffer, which was surveyed on foot and with the aid of binoculars. The survey included mapping of vegetation communities, habitat assessments for special status species, and identification of other sensitive biological resources that occur or have potential to occur in the study area.

The site supports marginally suitable nesting habitat for raptors in the area such as Cooper's hawk (Accipiter cooperii), which could use the non-native trees on-site for nesting. However, no raptors or raptor nests were detected on-site during the survey. Potential impacts to special status plants and animals are not expected.

Because the project site contains trees, shrubs, and other vegetation that provide suitable nesting habitat for common birds, including raptors, protected under the MBTA and CFG Code, the project could result in adverse impacts (both direct and/or indirect) to nesting if project activities such as demolition, clearing, grubbing, or grading are implemented during the general nest season (January 15 to September 15) and nesting is found in the area. Impacts to nesting birds, including raptors, would be a violation of the MBTA and CFG Code and are considered significant. Potential impacts to nesting birds and raptors would be avoided or reduced to less than significant levels through implementation of mitigation measure BIO-1.

#### Mitigation Measure

**BIO-1:** Pre-Construction Surveys for Avian Nesting. Project construction activities (demolition, grading, clearing, grubbing) shall be conducted between September 16 and January 31, which is outside of the nesting season for birds and raptors. If initial grading and vegetation removal activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird nesting season (January 15 to September 15), the project applicant shall retain a qualified biologist to conduct a pre-construction survey for nesting birds and raptors. The survey shall be completed no more than three days prior to the beginning of demolition or other construction impacts. If the survey concludes no active bird or raptor nesting, then project activities shall be allowed to proceed without any further requirements. If active bird nests are confirmed to be present during the pre-construction survey, then a buffer zone shall be established by the biologist. Construction activities shall avoid any active nests until a qualified biologist has verified that the young have fledged, or the nest has otherwise become inactive.

### b. - f. No IMPACT.

There are no wetlands or riparian corridors onsite. No potentially jurisdictional resources were observed on-site during the survey. The project site is entirely uplands. No aquatic features (e.g., drainages, ponds/pools, riparian, or wetland vegetation) were found on-site.

Vegetation was mapped on a 1-inch equals 150 feet scale map with a 2019 aerial photograph base. The project site supports two vegetation communities/habitats: disturbed habitat and developed land. Disturbed habitat includes land cleared of vegetation (e.g., dirt roads), land containing a preponderance of non-native plant species such as ornamentals or ruderal exotic species that take advantage of disturbance (previously cleared or abandoned landscaping), or land showing signs of past or present animal usage that removes any capability of providing viable habitat. Within the project site, disturbed habitat consists of bare ground and undeveloped areas that predominantly support non-native plant species such as: Russian thistle (Salsola tragus), black mustard (Brassica nigra), and non-native grasses.

Developed land includes areas that have been constructed upon or otherwise covered with a permanent, unnatural surface and may include, for example, structures, pavement, irrigated landscaping, or hardscape to the extent that no natural land is evident. These areas no longer support native or naturalized vegetation (Helix, 2021a). Developed land occurs mapped for the project site includes an existing single-family residence and associated areas, ornamental landscaping, and paved/concrete areas of the site.

A total of 14 plant species were observed within the project site during the general biological survey, of which 12 species are non-native. Sensitive vegetation communities are those considered rare within the local region or sensitive by CDFW; are listed as sensitive under a regional planning program (MHCP for example); support sensitive plants or animals; and as defined by Section 15380 of the State CEQA Guidelines. They are considered sensitive because they have been depleted, are naturally uncommon, or support sensitive species. No sensitive vegetation communities were observed on-site during the field survey.

Special status plant species have been afforded special status and/or recognition by the USFWS and/or CDFW. They also include species listed in the CNPS' Inventory of Rare and Endangered Plants. Rare plant status is often based on one or more of three distributional attributes: geographic range, habitat specificity, and/or population size. No sensitive plant species were observed on the project site. Based on the disturbed site conditions and lack of natural/suitable habitat, no other sensitive plant species are expected to occur or have potential to occur on-site.

A total of nine animal species, including eight bird and one mammal species, were observed or detected within the project site during the general biological survey. No sensitive animal species were observed or detected within the project site during biological surveys, and no federal or state listed species are expected to occur on-site.

The project site is not located within any known or reported local or regional wildlife corridors. The project site does not function as or contribute to a local or regional wildlife corridor. The site is relatively small, does not support native habitat, and is bounded on all sides by urban development. The project site does not provide connectivity to larger contiguous open space areas beyond the site.

The project site is a redevelopment project on an infill parcel that does not serve as a wildlife corridor, and it is unlikely to serve as a wildlife nursery site due to the lack of any native vegetation on-site. Common urban-adapted native species may use the site, but these impacts would generally not be considered significant.

Vista has experienced a high degree of urbanization, and only a few areas of natural habitat (890.8 acres out of a total of 10,250.8 acres) remain within the city, with most concentrated along major watercourses such as Buena Vista Creek and Agua Hedionda Creek. Vegetation on the 2.55-acre property is sparse, and consists primarily of turf, and other ornamental landscape species including shrubs planted near the existing residence on-site. Therefore, implementation of the proposed project would not have any project-specific impacts on biological resources including sensitive habitats, plants and wildlife, or wildlife corridors.

The project site does not contain any biological resources that are protected by local policies such as a tree preservation policy or ordinance. In addition, although the City is not actively developing a MHCP Subarea Plan, per the GP 2030 Update all projects are required to comply with the standards and mitigation ratios of the MHCP. Consequently, implementation of the proposed development would not conflict with any local policies or ordinances protecting biological resources, and no impacts would occur with the development of the proposed project.

| V. Cultural and Tribal Cultural Resources<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5? | ☐ | ☐ | ☐ | ☒ |
| • Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | ☐ | ☒ | ☐ | ☐ |
| • Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074? | ☐ | ☒ | ☐ | ☐ |
| • Disturb any human remains, including those interred outside of formal cemeteries? | ☐ | ☒ | ☐ | ☐ |

The discussion below is based on the findings contained within the *Cultural Resources Survey* (*Cultural Report*) (Helix, October 2021b) prepared for the proposed project. This report is on file and available for review with the COV's Planning Division.

## *DISCUSSION*

**a. NO IMPACT.** As stated in the *Cultural Report* (Helix, 2021b), a cultural resources study including a records search, Sacred Lands File search, Native American outreach, a review of historic aerial photographs and maps, and a pedestrian survey was conducted for the project area. This report details the methods and results of the cultural resources study and has been prepared to comply with the California Environmental Quality Act (CEQA) and Section 106 of the National Historic Preservation Act (NHPA), as amended.

No buildings appear in the project site on the 1901 San Luis Rey map, though the Buena Vista Creek is recorded to the north, and the Southern California Railroad (Escondido Branch) is recorded to the north and northeast of the project area. Additionally, a road is recorded to the south and east of the project area. The 1938 aerial photograph shows Melrose Way to the south of the project area, which appears to have been cleared for agricultural purposes. By the time the 1946 aerial was taken and 1948 San Luis Rey (1:24,000) topographic map was made, an orchard was planted in the area surrounding the property. Additionally, a structure is seen in the southwest corner of the project area on the 1946 and 1947 aerial photographs. A new structure is seen on the 1964 aerial photograph – this structure appears to be the residence that currently exists on the property.

The existing residence on-site does not appear to be significant to the California Register as it lacks the necessary criteria for inclusion as it is not associated with events important to California, or local Vista history, and is not associated with lives of persons important to our past, and they do not embody the

distinctive characteristic of a type, region, or method of construction. Additionally, the structure lacks the potential to yield information important to state or local history. Therefore, implementation of the proposed project would have no impacts on historic resources.

**b - c. Less than Significant with Mitigation Incorporated.** As noted above, the records search obtained from the South Coastal Information Center (SCIC) on August 23, 2021, indicated that 73 previous cultural resources studies have been conducted within one mile of the project area, two of which overlap with the project area. The records search results also indicated that a total of 34 cultural resources have been previously recorded within one mile of the project area; however, no sites have been recorded within the project site.

The field investigations included an intensive pedestrian survey of the project area by an archaeologist and a Native American monitor on August 24, 2021. The survey did not result in the identification of any cultural material within the project area.

A representative from Saving Sacred Sites, a Native American monitoring company with the San Luis Rey Band of Mission Indians, indicated that because Saving Sacred Sites is very familiar with the project area, a pedestrian survey by them was not needed for this study, but monitoring for inadvertent discoveries would be required during proposed construction. Additional tribal consultation was also coordinated by the City per the requirements of SB 18 and AB 52.

#### Impacts on Archeological Resources

As noted above, a field investigation that consisted of pedestrian surveys of the project site were conducted on August 24, 2021 (Helix, 2021b). There were no newly identified archaeological resources found on or adjacent to the project site.

Based on a review of the SCIC records search, reviews of maps and aerials photos, as well as the pedestrian surveys of the site, no effects on known significant archeological resources under CEQA are anticipated. Nevertheless, given the cultural sensitivity of the general area as described above and in the *Cultural Report* (Helix, 2021b), there is a potential for unknown subsurface cultural resources (pre-contact and historic) to be discovered during ground disturbing activities (such as grading) during the development of the project. The inadvertent discovery of unknown subsurface archeological resources would be a potentially significant impact under CEQA. However, with the implementation of Mitigation Measures CR-1 to CR-5 listed below, potentially significant impacts to these archaeological resources would be reduced to less than significant levels.

#### Impacts on Tribal Cultural Resources

As discussed in the *Cultural Report* (Helix, 2021b), no newly identified tribal cultural resources found on or adjacent to the project site. Based on a review of the SCIC records search, reviews of maps and aerials photos, as well as the pedestrian surveys of the site, no effects on known significant tribal cultural resources under CEQA are anticipated. However, as noted in the *Cultural Report* (Helix, 2021b), the site as having the potential for unknown tribal cultural resources and recommended Native American monitoring during construction.

City staff also consulted with California Native American tribal representatives per the requirements of SB 18 and AB 52 on the potential impacts of the project. It was agreed that there could be impacts to unknown tribal cultural resources during project construction resulting in an inadvertent discovery, which would be a potentially significant impact under CEQA. Therefore, based on the fact that the surrounding area is generally rich in cultural and tribal cultural resources, Native American monitoring would be

required during the initial ground disturbing activities during project construction. As a result, with the implementation of Mitigation Measures CR-1 through CR-5 noted below, potentially significant impacts to unknown tribal cultural resources would be reduced to less than significant impacts.

**MITIGATION MEASURES**

**CR-1** Cultural resource mitigation monitoring shall be conducted on the site 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 a Qualified Archaeologist and a traditionally and culturally affiliated (TCA) Native American Monitor associated with a TCA tribe for, but not limited to, any clearing or grubbing of vegetation, tree removal, demolition and/or removal of remnant foundations, pavements, abandonment and/or installation of infrastructure; grading or any other ground disturbing or altering activities, including the placement of any imported fill materials (note: all fill materials shall be absent of any and all cultural resources); and any related road improvements, including, but not limited to, the installation of infrastructure, realignments, and/or expansions to parking lots. Other tasks of the monitoring program shall include the following:

- The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc.
- The Qualified Archaeologist and TCA Native American Monitor shall attend at least one pre-construction meeting with the Contractor and/or associated Subcontractors (e.g., Grading Contractor) and a representative from the City of Vista's Engineering or Community Development departments to present the archaeological monitoring program as presented in these measures.
- The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American Monitor during all ground disturbing or altering activities, as identified above. The Contractor or Grading Contractor shall notify the Director of Community Development & Engineering, preferably through e-mail, of the start and end of all ground-disturbing activities.
- The Qualified Archaeologist 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 directed away from these deposits for a short time to allow a determination of potential significance, the subject of which shall be determined by the Qualified Archaeologist and the TCA Native American Monitor. If a determination is made that he unearthed artifact deposits or tribal cultural resources are considered potentially significant, the consulting TCA Tribe(s) shall be notified and consulted in regards to the respectful and dignified treatment of those resources. 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 Qualified Archaeologist's discretion, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources.

- 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, culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a data recovery plan may be authorized by the City as the Lead Agency under CEQA. If data recovery is required, then the consulting TCA Tribe(s) shall be notified and consulted in drafting and finalizing any such recovery plan.

**CR-2** Prior to the submission of a grading plan to City staff for review, the Applicant or Owner, and/or Contractor shall enter into a Pre-Excavation Agreement with a Traditionally and Culturally Affiliated Native American Tribe ("TCA Tribe"). A copy of the agreement shall be included in the grading plan submission. 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, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, off-site infrastructure installation, grading, and all other ground disturbing activities.

**CR-3** Prior to the release of the Grading Bond, a Monitoring Report and/or Evaluation Report, which shall comply with Government Code Section 6254(r), shall be submitted by the Qualified Archaeologist, along with the TCA Native American Monitor's notes and comments, to the City Planner for the project administrative record.

**CR-4** All cultural materials that are associated with burial and/or funerary goods shall be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission (NAHC) per California Public Resources Code Section 5097.98.

**CR-5** Recovered cultural material of historic significance, but not of tribal significance, shall be curated with accompanying catalog, photographs, and reports to a San Diego curation facility that meets federal standards per 36 CFR Part 79. Materials of Native American origin should be catalogued in the field by the archaeologist with the TCA monitor present. No materials are to leave the project site. The cultural material can then be returned to the Tribe(s) for reburial on the project site as detailed below. Recovered cultural material of tribal cultural significance shall be repatriated as stipulated in the pre-excavation agreement as described in CR-2.

Onsite Resource Reburial: Upon completion of all ground-disturbing and grading activities on the Project site, the TCA monitor and representatives from the Tribe(s) will rebury any resources recovered from the Project site in an open space area that will remain free from any active recreational uses or any further excavation or ground disturbance. Any reburial site shall be culturally appropriate and explicitly approved in writing by the consulting Tribe(s). The reburial location will be covered first by a layer of geomat and then backfilled with clean fill dirt. Once reburial activities are completed, the site will be protected via a restrictive covenant or similar deed restriction that prohibits future excavation or disturbance of the reburial location.

### IMPACTS ON HUMAN REMAINS

The project site does not lie near any dedicated cemeteries. Further, as explained above, archaeological resources and tribal cultural resources have not been identified within or in the immediate vicinity of the project site. However, although disturbance of human remains is unlikely, it is possible that construction activity could inadvertently discover previously unknown vestiges. This would be considered a potentially significant impact under CEQA. However, implementation of Mitigation Measure CR-6 would ensure that human remains were treated with dignity and as specified by law, which would reduce this impact to a less than significant level.

### Mitigation Measure

**CR-6** As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American monitor) shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission would then make a determination as to the Most Likely Descendent. If Native American remains are discovered, the remains shall be kept *in situ* ("in place"), or in a secure location in close proximity to where they were found, until after the Medical Examiner makes its determination and notifications, and until after the Most Likely Descendant is identified. The analysis of the remains shall only occur on-site in the presence of a Most Likely Descendant. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply, and the mediation process will occur with NAHC. In the event that mediation is not successful, the landowner shall rebury the remains at a location free from future disturbance (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

| VI. Energy<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | ☐ | ☐ | ☒ | ☐ |
| • Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | ☐ | ☐ | ☒ | ☐ |

## *DISCUSSION*

### a. LESS THAN SIGNIFICANT IMPACT.

#### BACKGROUND

*Building Energy Conservation Standards*

Energy conservation standards for new residential and nonresidential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the California Energy Commission) in June 1977 and are updated every three years (Title 24, Part 6, of the California Code of Regulations). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. On June 10, 2015, the California Energy Commission (CEC) adopted the 2016 Building Energy Efficiency Standards, which went into effect on January 1, 2017. On May 9, 2018, the CEC adopted the 2019 Building Energy Efficiency Standards, which went into effect on January 1, 2020. The 2022 Building Energy Efficiency Standards will be adopted during 2021 and will go into effect January 1, 2023.

The 2016 Standards improved upon the previous 2013 Standards for new construction of and additions and alterations to residential and nonresidential buildings. Under the 2016 Standards, residential buildings are 28 percent more energy efficient and nonresidential buildings are five percent more energy efficient than under the 2013 Standards. Buildings that are constructed in accordance with the 2013 Building Energy Efficiency Standards are 25 percent (residential) to 30 percent (nonresidential) more energy efficient than the prior 2008 standards as a result of better windows, insulation, lighting, ventilation systems, and other features.

The 2019 Standards (which went into effect on January 1, 2020) improve upon the 2016 Standards. Under the 2019 Standards, residential buildings are expected to be about seven percent more energy efficient compared to the 2016 Standards, and when the required rooftop solar is factored in for low-rise residential construction, residential buildings built to meet the 2019 Title 24 standards would use about 53 percent less energy than those built to meet the 2016 Standards.

*Senate Bill 350*

SB 350 was signed into law in September 2015 and establishes tiered increases to the Renewable Portfolio Standard—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. SB 100 (discussed below) was signed into law September 2018 and increased the required Renewable Portfolio Standards.

*Senate Bill 100*

On September 10, 2018, Governor Brown signed SB 100. Under SB 100, the total kilowatt-hours of energy sold by electricity retailers to their end-use customers must consist of at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also establishes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

#### CONSTRUCTION-RELATED ENERGY IMPACTS

*Fuel*

Construction of the proposed project would require consumption of petroleum fuels (gasoline and diesel fuel) by construction workers travelling to and from the site, transportation of site and building materials, and equipment for demolition, site preparation, grading, building construction, paving and architectural coating activities. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities except where electricity is available and feasible, thus electricity use during construction is considered to be minor.

The computer modeling of the project's air pollutant emissions described in detail in Section III, Air Quality, utilized standard fuel consumption estimates to calculate that project construction activities would require approximately 42,000 gallons of diesel fuel[1]. Statewide retail diesel sales in 2017 totaled 1.74 billion gallons[2]. Construction would occur for approximately 18 months; thus project construction would consume approximately 0.002 percent of diesel that is consumed annually in the State. This increase in diesel fuel consumption would be temporary, of relatively short duration, and would cease once project construction is completed. This minor increase in fuel consumption would not require the development of new petroleum supplies or construction of new production or distribution facilities. Energy usage at the project site during construction would be temporary in nature. Energy usage during construction of the project would only utilize the energy required, and would not be wasteful, inefficient, or unnecessary. Therefore, construction energy impacts would be less than significant, and mitigation is not required.

#### OPERATIONS-RELATED ENERGY IMPACTS

The proposed project would construct 15 dwellings units (14 net dwelling units). However, site specific data was not available to quantify existing energy use at the project site. Implementation of the proposed project could increase the demand for electricity and natural gas at the project site relative to the existing condition, as discussed below.

1 Fuel usage is estimated using the CalEEMod output for $CO_2$, and a $kgCO_2$/gallon conversion factor, as cited in the *U.S. Energy Information Administration Voluntary Reporting of Greenhouse Gases Program*, https://www.eia.gov/environment/pdfpages/0608s(2009)index.php.
2 California Energy Commission, California Retail Fuel Outlet Annual Reporting (CEC-A15) Results, 2019. http://www.energy.ca.gov/almanac/transportation_data/gasoline/piira_retail_survey.html.

*Electricity*

Electricity would be used for multiple purposes including home heating and cooling, lighting, appliances, electronics, drip irrigation, etc. Additionally, the supply, conveyance, treatment, and distribution of water would indirectly result in electricity usage. Estimated electricity use for the proposed project is shown in Table E-1 below.

**TABLE E-1 PROPOSED ELECTRICITY USE**

| Residential Units | Rate[1] (kWh) Per Year | Total (kWh) |
|---|---|---|
| Proposed – 15 homes | 7,834 | 117,515 |

*1. Proposed project calculations based on RCH Group 2021a. kWh = kilowatt hour*

As seen in Table E-1, at buildout once all 15 homes have been constructed, the proposed project would result in total electricity consumption of 117,515 kWh assuming compliance with the 2019 Title 24 standards. The homes may also exceed energy efficiency code requirements through project design. Therefore, the project's electricity demand may be lower than the calculations presented above. In addition to the measures that are part of 2019 Title 24 standards, the project may include the following sustainability measures, which include energy efficiency measures, in its design:

- Photovoltaic solar rooftop installation
- Low-water-use appliances, in-home fixtures, and irrigation
- Low VOC (volatile organic compound) paints
- A community recycling program
- Energy Star appliances
- Energy-efficient LED lighting; appliance; and heating, ventilation, and air conditioning (HVAC) design
- Building insulation elements installed under the Home Energy Rating System rating agency
- Drought-tolerant landscaping

Although electricity consumption could increase due to the construction of the 15 homes compared to existing conditions, the proposed project is anticipated to be highly energy efficient due to Title 24 requirements, including additional energy efficiencies that may be realized through implementation of the design measures outlined above. Therefore, the proposed project's electricity consumption would not be considered wasteful, unnecessary or inefficient. As a result, project impacts would be less than significant.

*Natural Gas*

Natural gas is anticipated to be used for home heating and appliances. Estimated natural gas use for the proposed project is shown in Table E-2 below.

**TABLE E-2 PROPOSED NATURAL GAS USE**

| Residential Units | Rate [2] (kBTU) Per Year | Total (kBTU/yr.) |
|---|---|---|
| Proposed – 15 homes | 21,581 | 323,722 |

*1. Proposed project calculations based on RCH Group 2021a. kBTU = Thousand British Thermal Units. A cubic foot of natural gas has 1,015 BTUs.*

As seen in Table E-2 above, although natural gas consumption could increase due to the construction of the 15 homes compared to existing condition, the proposed project is anticipated to be highly energy efficient due to Title 24 requirements, including additional energy efficiencies that may be realized through implementation of the design measures outlined above. Therefore, the project's natural gas consumption would not be considered wasteful, unnecessary or inefficient. As a result, project impacts would be less than significant.

*Fuel*

Once the project is completed and occupied, gasoline and diesel fuel would continue to be consumed by residents, visitors, delivery vehicles, etc. traveling to and from the site. The proposed project would generate approximately 150 daily trips requiring approximately 15,700 gallons of gasoline per year. Statewide retail sales of gasoline in 2017 totaled 13.9 billion gallons[3]. Project operations would consume approximately 0.0001 percent of gasoline that is purchased at retail annually in the State. This minor increase in fuel consumption would not require the development of new petroleum supplies or construction of new production or distribution facilities. Project operations would not consume energy resources in a wasteful or inefficient manner and would therefore have a less than significant impact on the consumption of energy resources.

**b. LESS THAN SIGNIFICANT IMPACT.**

Electricity and natural gas are supplied to the project site by SDG&E. The sources of power for SDG&E include 33 percent renewable energy sources (solar, wind, and hydroelectric). Although the proposed project could result greater electricity and natural gas consumption compared to the existing condition, implementation of the proposed project would provide energy efficient residential development that meets current Title 24 Standards at the time of project construction, which includes energy efficiency measures, sustainable design measures, and incorporates best practices for water conservation, and implementation of green construction methods. Furthermore, the proposed project would not require new or expanded energy generation or infrastructure facilities. As a result, the proposed project would not have an adverse effect on State or local plans for renewable energy or energy efficiency, and impacts would be less than significant.

3 California Energy Commission, California Retail Fuel Outlet Annual Reporting (CEC-A15) Results, 2019. http://www.energy.ca.gov/almanac/transportation_data/gasoline/piira_retail_survey.html.

| VII. Geology and Soils<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| 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. | ☐ | ☐ | ☐ | ☒ |
| ii) Strong seismic ground shaking? | ☐ | ☐ | ☒ | ☐ |
| iii) Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☒ | ☐ |
| iv) Landslides? | ☐ | ☐ | ☒ | ☐ |
| • Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☒ | ☐ |
| • Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | ☐ | ☐ | ☒ | ☐ |
| • 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? | ☐ | ☐ | ☒ | ☐ |
| • 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? | ☐ | ☐ | ☐ | ☒ |

| | | | | |
|---|---|---|---|---|
| • Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☐ | ☐ | ☒ |

Portions of the discussion below are summarized and based on the findings contained within the *Preliminary Geotechnical Investigation (Geotech Report)* (GeoSoils, 2021a) and *Phase 1 ESA & Limited Phase II Testing* (GeoSoils, 2021b) prepared for the proposed project. These reports are on file and available for review with the COV's Planning Division.

## *DISCUSSION*

**a1. NO IMPACT.** The purpose of the Alquist-Priolo Earthquake Fault Zoning Act is to mitigate the hazard of surface faulting by preventing the construction of buildings used for human occupancy over an area with known faults. Unlike damage from ground shaking, which can occur at great distances from the fault, impacts from fault rupture are limited to the immediate area of the fault zone where the fault breaks along the grounds surface. As discussed in the *Geotech Report* (GeoSoils, 2021a), the project site does not contain, nor is it adjacent to, an Alquist-Priolo Special Study Zone Area. Therefore, impacts from fault rupture would not be expected to occur within the project area, and no impacts would arise from implementing the project.

**a2 – a3. LESS THAN SIGNIFICANT IMPACT.** The project area, like most of southern California, is subject to strong ground shaking from seismic events. Consequently, when the project is occupied, it could expose people and/or structures to potential impacts associated with seismic ground shaking. The ground motion characteristics of any future earthquakes in the region would depend on the characteristics of the generating fault, the distance to the epicenter, the magnitude of the earthquake, and the site-specific geologic conditions. Major faults in the region could be a source of a strong seismic-related movement at the project site. The closest known active fault is the Rose Canyon fault zone located about 9.9 miles (16 kilometers) southwest of the site. The site is not located in an Alquist-Priolo Earthquake Fault Zone. No active faults are known to underlie or project toward the site. Therefore, the probability of fault rupture is less than significant (GeoSoils, 2021a).

The 15-lot residential subdivision project proposed to be built on the site would be constructed in compliance with the seismic safety standards set forth in the California Building Code (CBC), as amended.[4] Compliance with the CBC would include the incorporation of: 1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; 2) proper building footings and foundations; and 3) construction of the building structure so that it would withstand the effects of strong ground shaking. In addition, the COV's Building Department would review the building plans through building plan checks, issuance of building permits, and inspection of the residences during construction, which would ensure that all required CBC seismic safety measures are incorporated into all of the new homes. Compliance with the CBC and the Building Department's review process, permit application, and inspection would result in less than significant impacts, and no mitigation measures are required.

The proposed project would not expose people and structures to potential seismic-related ground failure, including liquefaction. Liquefaction is a phenomenon in which a saturated cohesionless soil causes a

4 The CBC incorporates relevant sections of the Uniform Building Code of the International Conference of Building Officials.

temporary transformation of the soil to a fluid mass, resulting in a loss of support. Groundwater was not encountered during site investigations done for the *Geotech Report* (GeoSoils, 2021a) and according to the SWQMP (PLS, 2021a) is estimated to be greater than 20 feet below the ground surface. Because of the relatively dense/stiff nature of the soil materials underlying the site and the lack of shallow groundwater, the potential for liquefaction or seismically induced dynamic settlement at the site is considered low. Compliance with the CBC would include the incorporation of seismic safety features to minimize any potential for significant effects as a result of seismic-related ground failure, resulting in less than significant impacts.

**a4. LESS THAN SIGNIFICANT IMPACT.** According to the *Geotech Report* (GeoSoils, 2021a), the site is relatively flat with no evidence of landslides or slope instabilities. The potential for landslides or slope instabilities to occur at the site is considered less than significant given the relatively flat nature of the site and built-up nature of the surrounding community and general lack of slopes or hillsides or other steep terrain. Based on the *Geotech Report*, the subsurface conditions were explored by excavating four exploratory borings to a depth of about six feet below the existing ground surface. A GeoSoils representative logged the trenches and collected samples of the materials encountered for laboratory testing. Selected samples from the trenches were tested to evaluate pertinent soil classification and engineering properties to assist in developing geotechnical conclusions and recommendations. The material encountered in the trenches consists of topsoils consisting of silty and sandy clays, dark gray brown and dark olive brown, damp to moist with organic materials to a depth of two to two and a half feet. These soils were underlain by native soils consisting of weathered granitics with silty and sandy clays, light olive brown and medium brown in color, damp, stiff, salt and pepper rock fragments with visible quartz grains. Depth of refusal ranged between three and half feet to six feet. The *Geotech Report* (GeoSoils, 2021a) notes that the main soils/geotechnical considerations affecting the planned development are the presence of potentially compressible soils, corrosive soils and expansive soils and earthwork recommendations are provided. Groundwater was not observed in the trenches. Therefore, implementation of the proposed project would not be adversely affected by landslides originating on-site, resulting in less than significant impacts.

**b - d. LESS THAN SIGNIFICANT IMPACT.** As discussed above, the material encountered within the test trenches consists of topsoil consisting of loose, moist, dark brown silty and clayey sands to a depth of two to two and a half feet. These soils were underlain by native soils consisting of weathered granitics to a depth of refusal ranging from three and a half feet to six feet.

Based on the soil tests, the main geotechnical considerations affecting the planned development are the presence of compressible, corrosive, and expansive soils on-site. These materials are considered unsuitable, in their present condition, for the support of settlement sensitive improvements. It is recommended in the *Geotech Report* (GeoSoils, 2021a) that any unsuitable soils be removed and recompacted or replaced with imported soils. Groundwater was not encountered in any of the exploratory trenches.

As required under the City's Grading Ordinance (Municipal Code Chapter 17.56), the recommendations in the *Geotech Report* (GeoSoils, 2021a), or any additional geotechnical studies, must be followed during grading and site preparation activities. With implementation of these recommendations, as well as the required application of standard erosion control measures and storm water construction BMPs, less than significant impacts are anticipated regarding soil erosion or loss of topsoil during project construction.

As stated in the *Geotech Report* (GeoSoils, 2021a), the potential for on-site or off-site landslides, lateral spreading, liquefaction, or seismically induced dynamic settlement to occur is considered low, and therefore impacts are considered less than significant.

As noted above, all of the underlying soils possess potentials for corrosivity, expansion and compression. Given the remedial grading requirements and other recommendations in the *Geotech Report* (GeoSoils, 2021a) that the COV requires in submittals for the Grading Permit, less than significant soils impacts would arise.

**e. NO IMPACT.** The proposed project would tie into existing sewers, avoiding the need to use septic tanks or alternative wastewater disposal systems. Any existing on-site septic systems would be removed from the site during the first phase of the project. Therefore, no impacts would occur.

**f. NO IMPACT.** The probability of discovering paleontological resources depends on the geologic formation being excavated, and the depth and volume of the excavation. Sedimentary rocks, such as those found in coastal areas, usually contain fossils. Granite rocks, such as those found in inland areas, generally will not contain fossils. According to the *Geotech Report* (GeoSoils, 2021a), in general, the site is characterized as being underlain by Cretaceous-age granitic bedrock belonging to the Peninsular Ranges / Southern California Batholith, with a relatively thin layer of Quaternary-age colluvium (topsoil) at the surface.

According to the *GP 2030 PEIR* (City of Vista, 2012b), the project site is in "Southwest Vista" which is an area with zero sensitivity due to the underlying geologic deposits of the Peninsular Ranges Batholith which occur generally south of SR-78, west of Melrose Drive, east of Pomelo Drive, and north of Melrose Way. Geologic deposits of the Batholith occur over a large portion of the city. Based on information from these two sources, the Project site is located within the Batholith - a large mass of intrusive igneous rock. The rock that underlays the site is granite of Cretaceous age (145 to 66 million years before present). Therefore, the site has zero paleontological sensitivity and no impacts to fossils would occur with project implementation.

| VIII. Greenhouse Gas Emissions<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☒ | ☐ |
| • Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☒ | ☐ |

The discussion below is based on the findings contained within the *Greenhouse Gas Emissions Technical Report (GHG Report)* (RCH Group, 2021b) prepared for the proposed project. This report is on file and available for review in the COV's Planning Division office.

## *DISCUSSION*

### a - b. LESS THAN SIGNIFICANT IMPACT.

#### BACKGROUND

Global climate change is a change in the average weather of the earth, which can be measured by wind patterns, storms, precipitation, and temperature. The earth's climate is in a state of constant flux with periodic warming and cooling cycles. Causes of global climate change can be attributed to naturally occurring events or processes and human activities.

The greenhouse effect is responsible for maintaining a habitable climate on Earth. The greenhouse effect is a collection of atmospheric gases called greenhouse gases (GHGs) that insulate the Earth and help regulate its temperature. These gases allow solar radiation into the Earth's atmosphere but act as insulation preventing radiative heat from escaping and warming the Earth's atmosphere. GHGs influence the amount of heat trapped in the Earth's atmosphere and play a critical role in determining the earth's surface temperature.

Since the Industrial Revolution around 1750, human activities including fossil fuel combustion, industrial processes, deforestation, landfills, and development have contributed GHGs to the atmosphere. GHG emissions caused by humans (i.e., anthropogenic) intensify the greenhouse effect leading to an unnatural warming trend of the Earth's climate, known as global climate change or global warming. There is strong scientific consensus that it is "extremely likely" that most of the changes in the world's climate during the last 50 years are the result of anthropogenic GHG emissions. This has led to a warming trend of the earth's atmosphere and oceans, with corresponding effects on global circulation patterns and climate (RCH Group, 2021b).

#### GREENHOUSE GASES AND GLOBAL WARMING POTENTIALS

Although there are dozens of GHGs, California state law defines GHGs as the following seven compounds: carbon dioxide ($CO_2$), methane ($CH_4$), nitrous oxide ($N_2O$), hydrofluorocarbons (HFCs), perfluorocarbons

(PFCs), sulfur hexafluoride ($SF_6$), and nitrogen trifluoride ($NF_3$) (California Health and Safety Code Section 38505(g)).

GHGs have varying global warming potential (GWP), which is a comparison of the global warming impacts of different gases. GWP is a measure of how much energy the emissions of 1 ton of a gas will absorb over a given period of time, relative to the emissions of 1 ton of carbon dioxide ($CO_2$). The larger the GWP, the more that a given gas warms the Earth compared to $CO_2$. The GWP for $CH_4$ and $N_2O$ is 25 and 298 respectively.[5]

### REGULATORY FRAMEWORK

The *GHG Report* (RCH Group, 2021b) identifies a number State and local requirements, regulations, and standards regarding GHG emissions.

### STATE OF CALIFORNIA

The following subsections highlight certain legislation, regulations and standards that have been adopted by the State of California to address global climate change issues.

Solid Waste Sources - The California Integrated Waste Management Act of 1989, as modified by AB 341, requires each jurisdiction's source reduction and recycling element to include an implementation schedule that shows: (1) diversion of 25 percent of all solid waste by January 1, 1995, through source reduction, recycling, and composting activities; (2) diversion of 50 percent of all solid waste on and after January 1, 2000; and (3) diversion of 75 percent of all solid waste on or after 2020, and annually thereafter. The California Department of Resources Recycling and Recovery (CalRecycle) is required to develop strategies, including source reduction, recycling, and composting activities, to achieve the 2020 goal.

CalRecycle published a discussion document, entitled *California's New Goal: 75 Percent Recycling,* which identified concepts that would assist the State in reaching the 75 percent goal by 2020. Subsequently, in August 2015, CalRecycle released the *AB 341 Report to the Legislature*, which identifies five priority strategies for achievement of the 75 percent goal: (1) moving organics out of landfills; (2) expanding recycling/manufacturing infrastructure; (3) exploring new approaches for State and local funding of sustainable waste management programs; (4) promoting State procurement of post-consumer recycled content products; and (5) promoting extended producer responsibility.

California Code of Regulations Title 24 - Although not originally intended to reduce greenhouse gas emissions, Title 24 of the California Code of Regulations, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow for the consideration and possible incorporation of new energy efficiency technologies and methods. Energy efficient buildings require less electricity, natural gas, and other fuels. Electricity production from fossil fuels and on-site fuel combustion (typically for water heating) results in GHG emissions. Therefore, increased energy efficiency results in decreased GHG emissions. Accordingly, Title 24 in the CALGreen Building Code is now a part of the statewide strategy for reducing GHG emissions and is the only statewide plan for reduction of GHG emissions that every local agency must adopt in a public hearing by adopting the state building code. Consistent with CALGreen, the state recognized that GHG reductions would be achieved through buildings that exceed minimum energy-efficiency standards, decrease consumption of potable water, reduce sold waste during construction and operation, and incorporate sustainable

5 U.S. Environmental Protection Agency, September 9, 2013, http://www.epa.gov/climatechange/ghgemissions/.

materials. Compliance with Title 24 of the CALGreen Building Code is thus a vehicle to achieve statewide electricity and natural gas efficiency targets, and lower GHG emissions from waste and water transport sectors. The Title 24 Building Energy Efficiency Standards were updated in 2019 and buildings whose permit application are dated on or after January 1, 2020 must comply with the 2019 Standards.

Pavley Standards - California AB 1493 (Pavley) enacted on July 22, 2002, required the CARB to develop and adopt regulations that reduce greenhouse gases emitted by passenger vehicles and light duty trucks for model years 2009–2016, which are often times referred to as the "Pavley I" standards. The CARB obtained a waiver from the USEPA that allows for implementation of these regulations notwithstanding possible federal preemption concerns.

Executive Order (EO) S-3-05 - EO S-3-05, signed by Governor Schwarzenegger on June 1, 2005, calls for a reduction in GHG emissions to 1990 levels by 2020 and for an 80 percent reduction in GHG emissions below 1990 levels by 2050. EO S-3-05 also calls for the California EPA (CalEPA) to prepare biennial science reports on the potential impact of continued GCC on certain sectors of the California economy. The first of these reports, "Our Changing Climate: Assessing Risks to California", and its supporting document "Scenarios of Climate Change in California: An Overview" were published by the California Climate Change Center in 2006.

Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 - In September 2006, Governor Schwarzenegger signed AB 32 into law. AB 32 required that, by January 1, 2008, the California Air Resources Board (CARB) shall determine what the statewide GHG emissions level was in 1990 and approve a statewide GHG emissions limit that is equivalent to that level, to be achieved by 2020. The CARB adopted its *AB 32 Scoping Plan* in December 2008, which provided estimates of the 1990 GHG emissions level and identified sectors for the reduction of GHG emissions. In 2011, the CARB developed a *Supplement to the AB 32 Scoping Plan* which updated the emissions inventory based on current projections and included adopted measures such as the Pavley Fuel Efficiency Standards and 20 percent Renewable Portfolio Standard (RPS) requirement.

In 2014, the CARB published its *First Update to the Climate Change Scoping Plan.* This update indicated that the State is on target to meet the goal of reducing GHG emissions to 1990 level by 2020. The *First Update* tracks progress in achieving the goals of AB 32 and lays out a new set of actions that will move the State further along the path to achieving the 2050 goal of reducing emissions to 80 percent below 1990 levels. While the *First Update* discusses setting a mid-term target, the plan does not yet set a quantifiable target toward meeting the 2050 goal.

In January 2017, the CARB released the draft of *the 2017 Climate Change Scoping Plan Update: The Proposed Strategy for Achieving California's 2030 Greenhouse Gas Target* (*Second Update*). This update addresses the statewide emissions reduction target established pursuant to Senate Bill (SB) 32 and Executive Order B-30-15, as discussed below. The major elements of the *Second Update*, as proposed in the CARB's January 2017 draft, include (but are not limited to) achieving the following milestones by 2030: a 50 percent Renewable Portfolio Standard (discussed below); a more stringent Low Carbon Fuel Standard (discussed below) that requires an 18 percent reduction in carbon intensity; deploying additional near-zero and zero emissions technologies in the transportation sectors; increasing the stringency of the SB 375 (discussed below) reduction targets for 2035; a 20 percent reduction in GHG emissions from the refinery sector; and, continued deployment of a declining emissions cap under the Cap-and-Trade Program.

Senate Bill (SB) 97 - SB 97, enacted in 2007, amends the CEQA statute to clearly establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. SB 97 directed the Governor's Office of Planning and Research (OPR) to develop draft CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of OPR published a technical advisory on CEQA and climate change on June 19, 2008. The guidance did not include a suggested threshold but stated that the OPR had asked the CARB to "recommend a method for setting thresholds which will encourage consistency and uniformity in the CEQA analysis of greenhouse gas emissions throughout the state."

The OPR technical advisory does recommend that CEQA analyses include the following components:

- Identification of greenhouse gas emissions;
- Determination of significance; and
- Mitigation of impacts, as needed and as feasible.

On December 31, 2009, the California Natural Resources Agency adopted the proposed amendments to the State CEQA Guidelines. These amendments became effective on March 18, 2010.

SB 375 – The Sustainable Communities and Climate Protection Act of 2008 (SB 375) finds that GHGs from autos and light trucks can be substantially reduced by new vehicle technology, but even so "it will be necessary to achieve significant additional greenhouse gas reductions from changed land use patterns and improved transportation. Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32." Therefore, SB 375 requires that regions with metropolitan planning organizations adopt sustainable communities' strategies, as part of their regional transportation plans, which are designed to achieve certain goals for the reduction of GHG emissions from mobile sources.

SB 375 also includes CEQA streamlining provisions for "transit priority projects" that are consistent with an adopted sustainable communities' strategy. As defined in SB 375, a "transit priority project" shall: (1) contain at least 50 percent residential use, based on total building square footage and, if the project contains between 26 and 50 percent nonresidential uses, a floor area ratio of not less than 0.75; (2) provide a maximum net density of at least 20 dwelling units per acre; and (3) be within 0.5 mile of a major transit stop or high-quality transit corridor.

Low Carbon Fuel Standard - Executive Order S-1-07 requires a 10 percent or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by the CARB by 2020. In 2009, the CARB approved the Low Carbon Fuel Standard regulations, which became fully effective in April 2010. The regulations were subsequently re-adopted in September 2015 in response to related litigation.

Advanced Clean Cars Program - In 2012, the ARB approved the Advanced Clean Cars (ACC) program, a new emissions-control program for model years 2017–2025. (This program is sometimes referred to as "Pavley II.") The program combines the control of smog, soot, and GHGs with requirements for greater numbers of zero-emission vehicles. By 2025, when the rules will be fully implemented, new automobiles will emit 34 percent fewer GHGs.

Zero Emission Vehicles - Zero emission vehicles (ZEVs) include plug-in electric vehicles, such as battery electric vehicles and plug-in hybrid electric vehicles, and hydrogen fuel cell electric vehicles. In 2012, Governor Brown issued Executive Order B-16-2012, which calls for the increased penetration of ZEVs into California's vehicle fleet in order to help California achieve a reduction of GHG emissions from the transportation sector equaling 80 percent less than 1990 levels by 2050. In addition, the Executive Order also requires the California Public Utilities Commission to establish benchmarks that will: (1) allow over 1.5

million ZEVs to be on California roadways by 2025, and (2) provide the State's residents with easy access to ZEV infrastructure. CALGreen requires new residential construction to be pre-wired to facilitate the future installation and use of electric vehicle chargers (Section 4.106.4 of 2019 CALGreen Standards).

EO B-30-15 - In April 2015, Governor Brown signed Executive Order B-30-15, which established the following GHG emission reduction goal for California: by 2030, reduce GHG emissions to 40 percent below 1990 levels. This Executive Order also directed all state agencies with jurisdiction over GHG-emitting sources to implement measures designed to achieve the new interim 2030 goal, as well as the pre-existing, long-term 2050 goal identified in Executive Order S-3-05.

Senate Bill 32 and Assembly Bill 197 - Enacted in 2016, SB 32 codifies the 2030 emissions reduction goal of Executive Order B-30-15 by requiring the ARB to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030. SB 32 was coupled with a companion bill: AB 197. Designed to improve the transparency of the CARB's regulatory and policy-oriented processes, AB 197 created the Joint Legislative Committee on Climate Change Policies, a committee with the responsibility to ascertain facts and make recommendations to the Legislature concerning statewide programs, policies and investments related to climate change. AB 197 also requires the ARB to make certain GHG emissions inventory data publicly available on its web site; consider the social costs of GHG emissions when adopting rules and regulations designed to achieve GHG emission reductions; and include specified information in all Scoping Plan updates for the emission reduction measures contained therein.

#### CITY OF VISTA

General Plan 2030 Update - In February 2012, the COV adopted *GP 2030* (City of Vista, 2012a) and certified the accompanying Program EIR (*PEIR*) (City of Vista, 2012b). The *GP 2030 PEIR* included Mitigation Measure MCC1, which required the COV to implement a quantified Climate Action Plan (CAP) within 24 months of adoption of GP 2030. GP 2030 includes a Resource Conservation and Sustainability Element, which includes the following: "RCS Goal 2: Reduce GHG emissions from community activities and municipal facilities and operations within the COV boundaries to support the State's efforts under Assembly Bill 32, Senate Bill 375, and other State and federal mandates, and to mitigate the community's contributions to global climate change." The GP 2030 policy that applies to the project includes the following:

> *RCS Policy 2.7: Through California Environmental Quality Act (CEQA) documents, evaluate and disclose the contribution new projects could have on climate change and require mitigation measures as appropriate.*

Climate Action Plan - The COV adopted its 2021 CAP in 2021, which updates the previously adopted 2012 CAP. The 2021 CAP provides a comprehensive roadmap to address the challenges of climate change in the Vista. COV dedicated resources and partnered with the San Diego Association of Governments (SANDAG) to create the 2021 CAP. The 2021 CAP includes a 2012 baseline GHG emissions inventory, which indicates Vista emitted 603,000 metric tons of CO2e in 2012, an increase from the approximately 547,000 metric tons of CO2e in 2005.

The 2021 CAP notes that the city would achieve its 2020 emissions reduction target under business-as-usual (BAU) conditions; thus, the primary focus of the 2021 CAP is on reducing emissions by 2030, consistent with state mandates. The 2021 CAP puts in place a number of locally-based strategies and measures to reduce GHG emissions from municipal and community activities and achieve reduction targets.

### THRESHOLDS OF SIGNIFICANCE

According to the California Natural Resources Agency (July 2009), "due to the global nature of GHG emissions and their potential effects, GHG emissions will typically be addressed in a cumulative impacts analysis." Significance criteria were developed in Appendix G of the CEQA Guidelines.

In the *GP 2030 PEIR* (City of Vista 2012b), the following criteria were used to establish the significance of GCC emissions:

The project would have a significant impact if it would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.
- Expose property and persons to the physical effects of climate change, including but not limited to flooding, public health, wildfire risk or other impacts resulting from climate change.

The California Resources Agency adopted an Amendment to the State CEQA Guidelines to assist lead agencies in determining the significance of impact from GHG emissions. State CEQA Guidelines Section 15064.4, CEQA Guidelines for Determining the Significance of Impacts from Greenhouse Gas Emissions, states the following:

> *a) The determination of the significance of greenhouse gas emissions calls for a 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. A lead agency shall have discretion to determine, in the context of a particular project, whether to:*
>
> *1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or*
>
> *2) Rely on a qualitative analysis or performance-based standards.*
>
> *b) A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:*
>
> *1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;*
>
> *2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project;*

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 greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.*

The COV Interim Policy on Evaluating GHG Emissions (City of Vista, 2016b) indicates that projects that are estimated to produce GHG emissions at or under the "bright line" threshold of 1,185 metric tons of $CO_2e$ would have a less than significant impact on climate change. The project's emissions were evaluated based on this threshold.

### GHG IMPACTS

As discussed in the *GHG Report* (RCH Group, 2021b), GHG emissions associated with the proposed project were estimated for six categories of emissions: (1) construction emissions; (2) area sources; (3) energy use, including electricity and natural gas usage; (4) water use, including consumption, use, and treatment; (5) solid waste management, and (6) mobile vehicles. The complete emissions inventory is included in the Appendix of the *GHG Report* (RCH Group, 2021b).

### EXISTING GHG EMISSIONS

The project site currently generates GHG emissions associated with the existing residence, which is likely very minor. Therefore, this analysis conservatively assumes the existing baseline generates zero GHG emissions and no credit is factored into the GHG analysis for existing emissions.

### CONSTRUCTION GHG EMISSIONS

Construction GHG emissions include emissions from heavy construction equipment, haul trucks and worker trips. GHG emissions from construction of the proposed project were estimated using the California Emissions Estimator Model (CalEEMod). Construction of the proposed project would generate approximately 427 metric tons of $CO_2e$ over the approximately 18-month construction period. Table GHG-1 below presents the construction-related emissions associated with construction of the proposed project.

Per guidance from the SCAQMD, construction emissions are amortized over a 30-year period to account for the contribution of construction emissions over the lifetime of the proposed project. Amortizing the emissions from construction of the proposed project over a 30-year period would result in an annual contribution of approximately 14 metric tons of $CO_2e$. These emissions are added to operational emissions to account for the contribution of construction to GHG emissions for the lifetime of the proposed project.

**TABLE GHG-1 ESTIMATED CONSTRUCTION GHG EMISSIONS**

| Construction Phase | $CO_2e$ Emissions metric tons |
|---|---|
| Total Construction Emissions | 427 |

*Source:RCH Group, 2021b*

### OPERATIONAL GHG EMISSIONS

The proposed project includes the operation of 15 dwelling units. Under the operation of the proposed project, the relevant emissions would include direct emissions from mobile source emissions and indirect emissions from electricity use and other sources. Emissions were estimated using the methodologies described below. 2025 was assumed to be the first year of full operation.

*Area Sources* - The CalEEMod calculation of area sources accounts for hearths and wood stoves, consumer products, area architectural coatings and landscaping equipment. Preliminary design of the proposed development does not include any hearths or woodstoves, and therefore none were included in the CalEEMod.

*Energy Use* - The CalEEMod Model assumes a baseline of 2019 Title 24 standards. The baseline energy use provides a conservative estimate of current energy requirements relative to future energy requirements. Title 24 standards were updated in 2019 and will continue to be periodically updated likely improving energy efficiency. The Model utilized default GHG intensity for electricity purchased from the standard energy provider (San Diego Gas & Electricity).

*Water Usage* - The CalEEMod estimates the land use contribution of GHG emissions associated with supplying and treating water and wastewater.

*Vehicle Emissions* - Emissions were calculated by the CalEEMod. The CalEEMod assumed the project would generate ten trips per dwelling unit per day.

*Solid Waste* - Solid waste disposal produces GHG emissions from anaerobic decomposition in landfills, incineration, transportation of waste, and disposal. Solid waste generation rates were estimated from CalEEMod Model, and GHG emissions from solid waste management were estimated using the model, assuming landfilling of solid waste with flaring.

### OPERATIONAL GHG EMISSIONS SUMMARY

Table GHG-2 presents the annual GHG emissions that would be generated by the proposed project. These include GHG emissions associated with all of the sources described above.

**TABLE GHG-2 ESTIMATED OPERATIONAL GHG EMISSIONS (FIRST YEAR OF OPERATION - 2025)**

| Emission Source | Annual Emissions (Metric tons $CO_2e$ per year) |
|---|---|
| Area Sources | 0.2 |
| Energy Use | 46.3 |
| Vehicle Trips | 139.5 |
| Solid Waste Disposal | 8.9 |
| Water/Wastewater Conveyance | 6.1 |
| Amortized Construction Emissions | 14 |
| Total $CO_2$ Equivalent Emissions | 215 |
| Significance Threshold | 1,185 |

*Source: RCH Group, 2021b*

As shown in Table GHG-2, the total $CO_2e$ emissions from the proposed project would be approximately 215 metric tons per year. The GHG emissions associated with the proposed project would therefore be below the COV's "bright line" threshold of 1,185 metric tons of $CO_2e$. Because the emissions are below the screening threshold, impacts would be less than significant, and no further analysis is required.

### HORIZON YEARS 2030 AND 2050

As described above, Executive Order B-30-15 established a statewide emissions reduction target of 40% below 1990 levels by 2030, which has been implemented by SB 32. This measure was identified to keep the State on a trajectory needed to meet the 2050 goal of reducing GHG emissions to 80% below 1990 levels by 2050 pursuant to Executive Order S-3-05.

Further analyses were conducted to provide information on future GHG emissions in the years 2030 and 2050. Tables GHG-3 and GHG-4 present estimated emissions for 2030 and 2050 for the proposed project. Because there is no information on increases in energy efficiency regulations through Title 24, nor any information on additional plans and programs that may be implemented pursuant to SB 32, Tables GHG-3 and GHG-4 take into account the following additional GHG measures beyond the 2020 analysis:

- Various state regulations that reduce GHG emissions from vehicle trips assumed within CalEEMod.
- Implementation of the 60% RPS by 2030, and net zero GHG emissions for SDG&E by 2045.

**TABLE GHG-3 SUMMARY OF ESTIMATED 2030 OPERATIONAL GHG EMISSIONS**

| Emission Source | Annual Emissions (Metric tons $CO_2e$ per year) |
|---|---|
| Area Sources | 0.2 |
| Energy Use | 34.4 |
| Vehicle Trips | 125.5 |
| Solid Waste Disposal | 8.9 |
| Water/Wastewater Conveyance | 4.2 |
| Amortized Construction Emissions | 14 |
| **Total $CO_2$ Equivalent Emissions** | **187** |

*Source: RCH Group, 2021b*

**TABLE GHG-4 SUMMARY OF ESTIMATED 2050 OPERATIONAL GHG EMISSIONS**

| Emission Source | Annual Emissions (Metric tons $CO_2e$ per year) |
|---|---|
| Area Sources | 0.2 |
| Energy Use | 1.4 |
| Vehicle Trips | 113.4 |
| Solid Waste Disposal | 8.9 |
| Water/Wastewater Conveyance | 1.3 |

| | |
|---|---|
| Amortized Construction Emissions | 14 |
| **Total $CO_2$ Equivalent Emissions** | **139** |

*Source: RCH Group, 2021b*

Tables GHG-3 and GHG-4 present the estimated GHG emissions for 2030 and 2050 with these measures in place. Because there is no efficiency metric recommended by the COV beyond 2020, no calculation of the efficiency of the project has been made. However, the emissions from the proposed project would be further reduced in 2030 and 2050 from the 2025 proposed project emissions with implementation of the RPS and further reductions in GHGs from vehicles. Therefore, the proposed project would not conflict with the state's goals to reduce GHG emissions.

#### CONCLUSIONS

Emissions of GHGs were quantified for both construction and operation of the proposed project. The proposed project's GHG emissions would be below the COV's "bright line" threshold of 1,185 metric tons of $CO_2e$. Through the mobile source emission regulatory framework, Title 24 energy efficiency requirements, and RPS, emissions would be reduced further for the proposed project to a level that is consistent the State's goals. Therefore, the proposed project would not result in a cumulatively considerable global climate change impact, and impacts related to GHG emissions would be less than significant.

| IX. Hazards and Hazardous Materials<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☒ | ☐ | ☐ |
| • 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? | ☐ | ☒ | ☐ | ☐ |
| • Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☒ | ☐ | ☐ |
| • Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☒ |
| • 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? | ☐ | ☐ | ☐ | ☒ |
| • Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
| • Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | ☐ | ☐ | ☐ | ☒ |

The discussion below is summarized and based on the findings contained within the *Phase 1 Environmental Site Assessment & Limited Phase II Testing Report, (Phase I ESA*) (GeoSoils, 2021b). The report is on file and available for review in the COV's Planning Division office.

## *DISCUSSION*

**a - c. LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.** As previously stated in this document, the project site is 2.55 gross acres in size, and is comprised of three parcels that contains a single residence and related supporting facilities. According to the Phase I ESA (GeoSoils, 2021b), the closest existing public school to the site is the Breeze Hill Elementary School located at 1111 Melrose Way which is just east of, and adjacent to, the church that abuts the eastern property line.

The project site is generally flat, with a slight slope toward the northeast. The project site is developed and disturbed and is located in an urbanized, part of the City that includes both residential, commercial and institutional (i.e., church and school) land uses.

Based upon the field reconnaissance of the property, questionnaire reply by the property owner, review of historic land use utilizing readily available historical photographs and topographic maps, the project site has been used as an orchard from at least 1939, and by 1975 was no longer being used for this purpose (GeoSoils, 2021b). There were no improvements on the property until the residential structure was built in 1964. Currently, the home is occupied, and the tenants are using a portion of the rear yard to store plastic barrels, patio furniture, a bar-b-que, several storage sheds, a few cars, lumber, wood cuttings, and chopped wood. The lower half of the property is discontinuously covered in wood chips, and the upper half is vegetated by wild grasses. There are a few granitic rock outcrops across the site. The front of the house has a patio area and a few gardens, and areas of non-commercial vegetables near the eastern property margin (GeoSoils, 2021b).

During the GeoSoils March 2, 2021 site reconnaissance, scattered piles of woodchip debris were observed. Indications of hazardous wastes or petroleum contamination was not apparent; however, these piles were not disturbed. No visible evidence of onsite hazardous materials/waste and/or petroleum contamination within the property was encountered and there were no readily visible evidence of underground storage tanks (USTs) within the property according to the Phase I ESA (GeoSoils, 2021b).

All existing structures on-site are proposed to be demolished and removed as part of project development. Based on the age of the building on-site, asbestos-containing materials (ACM) and lead based paints (LBP) may be present inside or outside the buildings according to the Phase I ESA (GeoSoils, 2021b). The potential presence of ACM and LBP on the project site is a potentially significant impact and mitigation is required. Implementation of Mitigation Measure HAZ-1 would ensure that impacts are reduced to less than significant levels.

### MITIGATION MEASURES

**HAZ-1** Prior to demolition of the existing structure on-site, the Applicant and/or Owner shall conduct testing for the presence of ACM and LBP. If the testing determines that ACM and/or LBP are present on-site, removal of these potential hazardous building materials shall occur in accordance with all regulatory procedures prior to on-site demolition activities. Any materials exported from the site must be properly managed and transported to an appropriately permitted facility if it is characterized as a regulated or hazardous waste.

Existing on-site sewage disposal is provided by sewer and there are not anticipated to be any on-site septic systems (GeoSoils, 2021b).

Typically, residential uses do not generate, store, dispose of, or transport quantities of hazardous substances. Likewise, construction equipment that would be used to build the proposed project also has the potential to release relatively small amounts of oils, greases, solvents, and other finishing materials through accidental spills. While the release of any of these materials could have the potential to impact surrounding land uses, a release of a significant amount of these hazardous substances is not likely due to the relatively small amount of material that would be stored or used on-site.

Nevertheless, federal, State, and local regulations would be in effect to reduce the effects of such potential hazardous materials spills. In addition, the Vista Fire Department (VFD) enforces city, State, and federal hazardous materials regulations for the COV through plan check reviews of Site Development Plans, Building Plans, etc. The COV's Uniform Fire Code (Chapter 16.40 of the Municipal Code) adopts the State of California's Fire Code, which includes regulations concerning hazardous materials spill mitigation, and containment and securing of hazardous materials containers to prevent spills. In addition, the State Fire Marshal enforces oil and gas pipeline safety regulations, and the federal government enforces hazardous materials transport pursuant to its interstate commerce regulation authority. Compliance with all of these requirements is mandatory as standard permitting conditions during plan reviews and inspections of completed projects and would minimize the potential for the accidental release or upset of the noted hazardous materials, thus ensuring public safety.

The closest existing public school to the project site is just east of the site at 1111 Melrose Way (Breeze Hill Elementary School). As stated above, while operation of the proposed project would not result in a release of any significant amounts of hazardous substances that could cause a public health hazard to this school, there is the potential for construction activities to expose construction workers and other land uses and residents to hazardous materials given the findings/results and recommendations contained in the Phase I ESA (GeoSoils, 2021b). This would be a potentially significant impact and mitigation is required. Implementation of Mitigation Measure HAZ-1 (above) would reduce these impacts to less than significant levels.

**d – g. NO IMPACT.**

The *Phase I ESA* (GeoSoils, 2021b) notes that records indicate the presence of several close-proximity (one-mile radius) businesses or operations that are identified as using, storing, generating, or discharging of hazardous materials. Based on the expected materials used at the site and close-proximity sites, current governmental regulations regarding the use of hazardous materials, the stratigraphic conditions, drainage gradients and elevations, the probability of significant on-site contamination from these off-site sources should be considered to be low (GeoSoils, 2021b).

According to the *Phase I ESA* (GeoSoils, 2021b) federal, State and local environmental databases were reviewed by Environmental Data Resources Inc. for information pertaining to documented and/or suspected releases of regulated hazardous substances and/or petroleum products within specified search distances, including the Cortese List database.

As stated in the Surrounding Land Use section in Chapter 2 of this document, the McClellan- Palomar Airport is located approximately six miles to the southwest; however, the project site is not located within the vicinity of a private airstrip. According to the *McClellan Palomar Airport Land Use Compatibility Plan* (San Diego County Regional Airport Authority, adopted 2010), the proposed project site is not located

within a safety hazard area. Therefore, implementation of the proposed project would not result in a safety hazard for future residents living at the project site.

The proposed project would not impair or physically impact any adopted emergency response plan or evacuation plan. Primary access to and from the site would be provided vis the new roadway that would connect with Melrose Way. Secondary/emergency access to and from the site would be provided via a connection to McGavran Drive. The proposed project would not require the closure of any public or private streets or roadways and would not impede access of emergency vehicles to the project site or any surrounding areas.

The project has been reviewed by the VFD, and it would provide all required emergency access in accordance with the requirements of the VFD. Therefore, significant impacts to emergency response are not anticipated to occur.

The project site is not located within a Very High Fire Severity Zone; therefore, the proposed project would not be subject to defensible space requirements of the California Fire Code. In addition, the future homes built on the site would be subject to the building construction requirements of the Fire Code. Accordingly, no significant risk of loss, injury or death would arise to people or structures from wildland fires where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

| X. Hydrology and Water Quality<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | ☐ | ☐ | ☒ | ☐ |
| • Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin? | ☐ | ☐ | ☒ | ☐ |
| • 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 surfaces, in a manner which would: | ☐ | ☐ | ☒ | ☐ |
| (i) result in substantial erosion or siltation on- or off-site; | ☐ | ☐ | ☒ | ☐ |
| (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; | ☐ | ☐ | ☒ | ☐ |
| (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 | ☐ | ☐ | ☒ | ☐ |
| (iv) impede or redirect flood flows? | ☐ | ☐ | ☒ | ☐ |
| • In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | ☐ | ☐ | ☒ | ☐ |
| • Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | ☐ | ☐ | ☒ | ☐ |

The discussion below is summarized and based on the findings contained within the *Storm Water Quality Management Plan* (*SWQMP*) and the *Preliminary Hydrology Study* (*Drainage Report*) both by Pasco Laret Suiter & Associates, Inc. March 2021a and March 2021b, respectively, which were prepared for the proposed project. The reports are on file and available for review in the COV's Planning Division office.

## *DISCUSSION*

**a - e. LESS THAN SIGNIFICANT IMPACT.** The entire existing 2.55-acre site is flat and has been previously graded and disturbed and is occupied by a single-family residence and related improvements. Hydrologically, the project site is situated within the Buena Vista Hydrologic Subarea (HSA 904.22) and the Agua Hedionda Hydrologic Subarea (904.31) the Carlsbad Hydrologic Unit (HU) (904.0). According to the SWQMP (PLS, 2021a), in the existing condition, the northwesterly portion of the site sheet flows southwest to northeast to a concrete ditch on the adjacent property that runs along the property line. The remaining portion of the site generally slopes from south to north toward the northeasterly corner to a concrete ditch on the adjacent property. Both ditches ultimately drain to a storm drain that flows north in existing storm drain infrastructure in Breeze Hill that flows north through the County Complex to Melrose Drive. It then flows north in Melrose Drive where it outfalls into Buena Vista Creek located north of Hacienda Drive. Buena Vista Creek outlets into Buena Vista Lagoon, and ultimately the Pacific Ocean.

### POLLUTANTS OF CONCERN AND HYDROLOGIC CONDITIONS OF CONCERN

According to the *SWQMP* (PLS, 2021a), the primary pollutants of concern that could be generated by the development of the proposed project consist of pesticides and sediment. Secondary pollutants of concern include nutrients, heavy metals, organic compounds, trash and debris, oxygen demanding substances, oil and grease, and bacteria and viruses. As stated in the *SWQMP* (PLS, 2021a), potential hydrologic conditions of concern have to do with impacts to the hydrologic regime resulting from development. This typically includes increased runoff volume and velocity; reduced infiltration; increased flow frequency, duration, and peaks; faster time to reach peak flow; and water quality degradation. Specifically, a change to the hydrologic regime of a priority project site is considered a condition of concern if the change impacts downstream channels and habitat integrity.

### POTENTIAL WATER QUALITY IMPACTS

As previously noted, the applicant seeks approval of a General Plan Amendment (GPA), Zone Change (ZC), Tentative Subdivision Map (TSM) and Density Bonus to construct a 15-lot residential subdivision project on 2.55-acre project site. The future 15 homes are anticipated to consist of single-family homes with attached two-car garages and backyards. Development also includes utility connections, drainage improvements, landscaping, vehicular parking and roadway access off Melrose Way and secondary access from McGavran Drive. The project includes 30 garage parking spaces, and 30 guest spaces. Additional site improvements include a common recreation area (tot-lot) that includes a shade structure, benches, turf area, play structure, and bike racks.

The project site elevation is approximately 368 to 355 feet above mean sea level (AMSL) with relatively flat topography. The project site has a slight slope to the northeast. According to the *Hydrology Study* (PLS, 2021b), in the existing condition, the northwesterly portion of the site sheet flows southwest to northeast to a concrete ditch on the adjacent property that runs along the property line and flows to the north. The remaining portion of the site generally slopes from south to north toward the northeasterly corner to a concrete ditch on the adjacent property and flows to the east. Both ditches ultimately drain to a storm drain that flows north and ultimately into existing storm drain infrastructure in Breeze Hill Rd that continues

flowing to the north through the County Complex to Melrose Drive. The storm drain continues to flow northerly in Melrose Drive where it outfalls into Buena Vista Creek located north of Hacienda Drive. Buena Vista Creek outlets into Buena Vista Lagoon, and ultimately the Pacific Ocean.

The existing impervious coverage of the structures on-site is 7,630 SF (0.175 acres) which represents less than 10 percent of the total parcel acreage, according to the *SWQMP* (PLS 2021a). According to the SWQMP (PLS, 2021a), the proposed drainage plan would not significantly alter the existing on-site flow patterns. The proposed storm drain system would be composed of permeable tree wells, permeable pavers and gravel, storm drainpipes and a biofiltration basin to maintain the pre-developed runoff characteristics.

A biofiltration basin (sizing per the County's Hydromodification Management Plan, (2011) was selected as the treatment control Best Management Practices (BMPs) because of their effectiveness at treating sediment, trash, and fine particles. The biofiltration basin is designed for stormwater treatment, hydromodification management, and to mitigate for the 100-year 6-hour storm event.

Proposed storm water pipes would collect runoff from the impervious areas within the drainage management areas to the biofiltration facility on-site. The runoff rate comparison from pre-development to post development shows a decrease in flow on-site due to the demolition and removal of impervious surfaces and the installation pervious surfaces. The biofiltration basin proposed on-site would further modify outflow by stage storage to hold back peak runoff rates in the post development condition. Storm water would be released in a controlled manner with erosion control to the downstream reach. One biofiltration basin would be installed during the initial construction phase of the development along the northeastern property line.

According to the *SWQMP* (PLS, 2021a), BMPs would be implemented during construction and post-construction activities to address potential water quality impacts due to project development. Selected BMPs from the COV's *BMP Design Manual (2016a)* would be applied to reduce pollutants to maximum levels (see Table HWQ-1 for Post-Construction BMPs incorporated into the project's design).

#### CONSTRUCTION ACTIVITIES

Short-term erosion impacts during the construction phase of the project would be prevented through implementation of an erosion control plan. A grading and erosion control plan, and a SWPPP, is required in accordance with the COV's *Grading Ordinance* (Development Code Chapter 17.56) and the current NPDES General Construction Activities Permit and must be submitted for plan check and approval by the City Engineer, as well as the Planning Division, prior to final approval of the project.

The erosion control plan would include construction BMPs such as:

- Silt Fence, Fiber Rolls, or Gravel Bag
- Street Sweeping and Vacuuming
- Storm Drain Inlet Protection
- Stabilized Construction Entrance/Exit
- Vehicle and Equipment Maintenance, Cleaning, and Fueling
- Hydroseeding
- Material Delivery and Storage

- Stockpile Management
- Spill Prevention and Control
- Solid Waste Management
- Concrete Waste Management

In addition, in accordance with the requirements of the most recent NPDES General Construction Activities Permit, a Notice of Intent filed with the SWRCB and preparation of a SWPPP would also be required before project construction commences.

#### POST-CONSTRUCTION ACTIVITIES

In accordance with the COV's *BMP Design Manual (2016a)*, as detailed in the COV's *Stormwater Standards Manual* (Municipal Code Chapter 13.18, Stormwater Management and Discharge Control Program) and the requirements of the Municipal Separate Storm Sewer System (MS4) (San Diego RWQCB Order R9-2013-0001 as amended by R9-2015-001 and R9 2015-0100), all new and significant redevelopment projects that are categorized as "priority" development projects (PDP) are required to incorporate post-construction (or permanent) Low Impact Development (LID) Site Design, Source Control, and Treatment Control (Structural) BMPs, and Hydromodification measures into the project's design. The proposed project meets several of the "priority project" categories – including new development of more than 10,000 SF or greater of impervious surface; therefore, the proposed project is classified as a priority project.

Under post-development conditions, the impervious surface from the proposed project would consist of 1.36 acres of the site (or 59,386 SF), which would be due to the addition of the new private roadway, building foundations, parking spaces and sidewalks, and roadway improvements along Melrose Way. As a result, the project site would consist of approximately 48 percent of impervious surfaces. Pervious surfaces on-site would include landscape areas (including those along Melrose Way) and the biofiltration basin.

#### TYPES OF POST-CONSTRUCTION BMPS

LID Site Design BMPs are intended to minimize impervious surfaces and promote infiltration and evaporation of runoff before it can leave the location of origination by mimicking the natural hydrologic function of the site. Integrated Management Practices (IMPs) facilities are used in conjunction with LID BMPs as they provide small-scale treatment, retention, and/or detention that are integrated into site layout, landscaping, and drainage design. Source Control BMPs are intended to minimize, to the maximum extent practicable, the introduction of pollutants and conditions of concern that may result in significant impacts generated from site runoff to off-site drain systems. Treatment Control BMPs are intended to treat storm water runoff before it discharges off-site. According to the COV's *Stormwater Standards Manual* (2015), specific localized treatment control BMPs are more effective at reducing or minimizing pollutants of concern than other types of BMPs. Each type of BMP that would be implemented is shown in Table HWQ-1, below.

**TABLE HWQ-1 PROPOSED PROJECT BMPS**

| Type of BMP | Description of BMP |
|---|---|
| **LID Site Design** | **Maintain Natural Drainage Pathways and Hydrologic Features**: Site drainage mimics the existing condition drainage patter and discharge points. |

| Type of BMP | Description of BMP |
|---|---|
| | **Minimize Impervious Areas**: Streets and sidewalks designed to minimum widths, provided public safety is not compromised |
| | **Runoff Collection**: Onsite runoff will be effectively collected, conveyed and discharged via proposed storm drain and a biofiltration basin is proposed onsite. |
| | **Landscaping with Native or Drought Tolerant Species**: The project will be landscaped with native and drought tolerant plant species. |
| | **Impervious Area Dispersion**: Roof drains designed to discharge to landscape. -Storm water biofiltration basin will effectively receive and treat runoff from impervious areas prior to discharging to the storm drain system. |
| **Source Control** | Landscape/Outdoor Pesticide Use: Landscape/outdoor pesticides will be applied per local requirements. |
| | **Prevent Illicit Discharges into the MS4:** Storm drain stenciling, or signage will be provided that prohibits illicit discharge to on-site storm drain inlets and structural BMPs. All sewer lines will be connected to the separate sanitary sewer system. |
| | **Storm Drain Stenciling or Signage**: Storm drain stenciling, or signage will be provided at each storm drain inlet, and at each inlet to the structural BMPs. |
| | **Protect Trash Storage Areas from Rainfall, Run-On, Runoff, and Wind Dispersal:** Trashcans will be stored in garages |
| | **Need for future indoor & structural pest control**: Provide integrated pest management information to owners, lessees and operators. |
| | **Plazas, Sidewalks and Parking lots:** Patios, sidewalks, and parking areas will be swept and kept free of trash and debris. |
| | **Additional BMPs Based on Potential Sources of Runoff Pollutants**: Site will provide prohibitive dumping placards and/or signage and maintain legibility. Signage posted at public access points to deter prohibitive dumping. Condensate drain lines and roofing to drain to landscaped areas. |
| **Treatment Control** | **Biofiltration Basin with** Hydromodification Capacity: Stormwater from rooftops will drain into a biofiltration basin on-site. |

*Source: SWQMP (PLS, 2021a)*

Prior to designing LID and/or Treatment Control BMPs into the proposed project, the Drainage Management Areas (DMAs) for the project site were defined.[6] The project site is defined into two DMA. The proposed drainage pattern would be similar to the existing drainage pattern with some modifications to incorporate the BMPs into the project design to mimic Pre-Development storm water runoff and quality.

Per the *Preliminary Hydrology Study* (PLS, 2021b), the project site consists of two drainage basins. The proposed project would not substantially change the overall drainage patterns or discharge points. The proposed residential lots and the proposed private streets and access roads will drain to proposed stormwater infrastructure that will outlet into the proposed biofiltration treatment basin. Stormwater will either be caught in a subdrain system, or overflow into the 36" grate inlet where it will all outlet to a proposed storm drain pipe that flows northwest to outlet into an existing concrete drainage ditch, as it does in the existing drainage condition. A self-mitigating slope located in the northeast corner of the site will drain toward an existing concrete ditch that flows north, as it does in the in the existing drainage condition. Off-site drainage that flows on-site will be captured in proposed brow ditches that outlet to both existing concrete ditches.

6 DMAs are areas delineated on a map of the development site showing how drainage is detained, dispersed, or directed to Integrated Management Practices.

The runoff rate comparison from pre-development to post development shows a decrease in flow due to the demolition of impervious surfaces and the installation pervious surfaces. The biofiltration basin proposed on-site would further modify the outflow by stage storage to hold back peak runoff rates in the post development condition.

Storm water would be released in a controlled manner with adequate erosion control protection to the downstream reach. This development including the designed measures would not adversely affect the current property and surrounding parcels. The proposed development would not substantially alter existing drainage patterns in a manner which would increase erosion or siltation onsite or offsite, all streams or rivers would not be altered. This development would not alter the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite.

#### HYDROLOGY/DRAINAGE IMPACTS

Groundwater was not encountered during site investigations done for the *Geotech Report* (GeoSoils, 2021a) and according to the SWQMP (PLS, 2021a) is estimated to be greater than 20 feet below the ground surface. Consequently, significant impacts to groundwater resources are not anticipated with development of the project.

Under existing (or pre-developed) conditions less than ten percent of the site is impervious (0.175 acres), with the remaining 90 percent of the site made up of pervious areas including the landscaped areas and unpaved portions of the site (PLS, 2021a).

Under the proposed (or post-developed) conditions, the project pervious areas of the site would be 1.49 acres (64,824 SF) due to the installation of a biofiltration basin and landscaping proposed to be installed on-site. Impervious surfaces of the site would be 1.36 acres (59,386 SF) due to the anticipated construction of the private driveway, residential building foundations, parking spaces and sidewalks, and roadway improvements along Melrose Way according to the SWQMP (PLS, 2021a). The biofiltration basin is detailed in the subject project grading plans and has been sized according to the County of San Diego requirements in the PDP SWQMP (PLS, 2021a).

In the developed condition, the proposed project would not substantially change the overall drainage patterns or discharge points and the site would continue to drain to the northeast.

The 100-year storm water discharge rate under existing conditions is estimated at 4.53 CFS. The 100-year storm water discharge rate under post-development conditions is estimated at 2.55 CFS, which is less than the existing (pre-developed) condition. According to the *SWQMP* (PLS, 2021a), the runoff rate comparison from pre-development to post development shows a decrease in flow on-site due to the demolition of impervious surfaces and the installation pervious surfaces and better management of surface runoff. The biofiltration basin proposed on-site would further modify the outflow by staging storage to hold back peak runoff rates in the post development condition. Storm water would be released in a controlled manner with erosion control protection to the downstream reach. This development including the designed mitigation measures would not adversely affect the current property and surrounding parcels. The proposed development would not substantially alter existing drainage patterns in a manner which would increase erosion or siltation onsite or offsite, all streams or rivers would not be altered. This development would not alter the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite. Therefore, development of the proposed project would have a less than significant impact on water quality standards or waste discharge requirements.

### FLOOD HAZARD, TSUNAMI AND SEICHE IMPACTS

The project site is not identified on the COV's GIS map as an area within a 100- year flood plain according to the *Preliminary Hydrology Study* (PLS, 2021b). Therefore, no habitable structures are proposed within the 100-year flood hazard area, which would impede or redirect flood flows. The project would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of the failure of a levee or dam, as there are no levees or dams impacted by the project site.

In addition, the project site does not have the potential to produce mudflows due to the relatively flat to moderately sloped topography of the site, and it is not in proximity to the ocean or other water bodies to be affected by a tsunami or seiche. Consequently, significant impacts would not occur.

### WATER QUALITY CONTROL PLAN AND GROUNDWATER MANAGEMENT PLAN IMPACTS

As discussed above, biofiltration was selected as the treatment control BMP because of their effectiveness at treating sediment, trash, and fine particles. The basin would consist of an earthen, vegetated, and lined swale to convey storm water from the impervious and pervious areas within the drainage management areas. The runoff rate comparison from pre-development to post development shows a decrease in flow on-site due to the demolition of impervious surfaces and the installation pervious surfaces. The biofiltration basin proposed on-site would further modify the outflow by stage storage to hold back peak runoff rates in the post development condition. The biofiltration basin would be installed during the initial construction phase of the development. The size of the basin was determined by various hydrologic model calculations that include detention volume for a 100-year storm event, drainage area size/contribution, and LID BMP requirements. Therefore, with the biofiltration system in place, the 100-year storm water discharge rate for the site would be reduced from 4.53 to 2.55 CFS. As a result, the proposed project would result in less than significant impacts to the capacity of existing or planned storm water drainage systems, or in providing substantial additional sources of polluted runoff or degrading water quality.

Groundwater was not encountered during site investigations done and according to the SWQMP (PLS, 2021a) is estimated to be greater than 20 feet below the ground surface. Consequently, significant impacts to groundwater resources are not anticipated with development of the project.

| XI. Land Use and Planning<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Physically divide an established community? | ☐ | ☐ | ☐ | ☒ |
| • 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? | ☐ | ☐ | ☒ | ☐ |

## *DISCUSSION*

**a. NO IMPACT.** The project site is 2.55 acres in size and is comprised of three parcels that have been previously disturbed and/or developed as shown in Figure 3, Aerial Photograph of the Existing Site (Attachment A). The site is currently occupied by a single-family residence and related improvements. The proposed project involves a request for approval of a General Plan Amendment (GPA), Zone Change (ZC), Tentative Subdivision Map (RSM), and Density Bonus to construct a 15-lot residential subdivision on-site. Development also includes utility connections, drainage improvements, landscaping, vehicular parking, and direct primary access via a new internal roadway from Melrose Way and secondary/emergency access to and from the site via McGavran Drive. The project includes 30 garage parking spaces, and 30 guest spaces. Additional site improvements include a tot-lot recreation area that includes a play structure, benches, turf area, sidewalks along Melrose Way and within the subdivision, private yards and the installation of wet and dry utilities, and landscaping. With approval of the above-noted discretionary permits, the proposed project is designed to not disrupt or divide the physical arrangement of the community.

The proposed project is essentially an urban infill and redevelopment project, and the project site is surrounded by existing development. Immediately surrounding land uses consist primarily of residences to the west and south and north and a church and school to the east. Land uses immediately surrounding the subject property, including their respective General Plan land use and Zoning designations, are found below in Table LU-1.

**TABLE LU-1 IMMEDIATELY SURROUNDING LAND USES**

| Direction | Land Use | General Plan Land Use Designation | Zoning Designation |
|---|---|---|---|
| **North** | Residential & Vacant | Medium High Density Residential (MHD) | (R-M (15) Multi-Family Residential |
| **South** | Single Family Residences | Low Density Residential (LD) | (E-1) Estate Residential |
| **East** | Church & School | Low Density Residential (LD) & Civic Activity (CA) | (E-1) Estate Residential & (C-A) Civic Activity |
| **West** | Single Family | Low Density Residential (LD) | (E-1) Estate Residential |

| | | | |
|---|---|---|---|
| | Residences | | |

As indicated in Table LU-1, existing land use and zoning designations immediately adjacent to the north, west and south are similar to the proposed single family residential designations of the project.

**TABLE LU-2 CONSISTENCY WITH POLICIES IN THE LUCI ELEMENT OF THE GP 2030 UPDATE**

| LUCI Goals & Policies | Project Description | Consistent (Y/N)? |
|---|---|---|
| GOAL 1: Increase the level of design quality and preserve and enhance Vista's identity and image. | | |
| Policy 1.1: Require the application of the *City of Vista Design Guidelines*, including site design, architecture, lighting, and signage, when reviewing and approving new development and redevelopment. | As described in the Proposed Project Description and shown in Figures 4 and 5, the site design and landscape architecture meets or exceeds all design guidelines and standards. | Y |
| Policy 1.6: Encourage undergrounding of utilities and discourage new electric and communications lines to be added to existing aboveground utility systems. | All new electric and communication lines that serve the project would be placed underground. | Y |
| GOAL 2: Preserve and enhance the characteristics and features of neighborhoods that share common development patterns, topography, major streets, and zoning patterns. | | |
| Policy 2.2: Provide flexibility in development standards to accommodate and enhance neighborhood variations within the City while ensuring that site and building design, landscaping and other amenities reflect neighborhood characteristics. | The proposed 15-lot residential subdivision would be required to be developed with high-quality architectural design to compliment the community. The project provides for integration within the community through project frontage enhancements including roadway improvements, public sidewalks and street trees to enhance this part of the City. | Y |
| GOAL 3: Preserve and protect existing residential neighborhoods from actions, activities, or land uses that may have an adverse impact upon the enjoyment of the residential living environment. | | |
| Policy 3.1: Require all new development to be designed to minimize impacts on adjoining residential neighborhoods. | The proposed development would provide landscaped setbacks from the adjacent development to help integrate the project into the visual pattern of the surrounding community and potential effects of the project would be reduced to less than significant. | Y |
| Policy 3.2: Mitigate unacceptable levels of noise, odors, pollution, dust, light, and glare upon residential areas and other sensitive receptors, such as schools and day care centers. | The project's Mitigated Negative Declaration (MND) provides avoidance or mitigation measures to ensure that all impacts are reduced to less than significant levels. | Y |
| GOAL 4: Promote sustainable and smart growth land use patterns and development regulations and guidelines. | | |
| Policy 4.9: Ensure that new development complies with the California Green Building Standards Code (the CALGreen Code) to promote sustainable design and construction practices and positive environmental impacts in planning and design, energy efficiency, water efficiency and conservation, and material | The project is conditioned to comply with all applicable building codes and standards (which includes application sections of the CALGreen Code) in affect at the time of construction. Also, each home would be required to comply with all applicable building codes and standards in affect at the time of construction, including the CALGreen Code. | Y |

| LUCI Goals & Policies | Project Description | Consistent (Y/N)? |
|---|---|---|
| conservation and resource efficiency. | | |

**b. LESS THAN SIGNIFICANT IMPACT.** The applicant seeks approval of a General Plan Amendment (GPA), Zone Change (ZC), Tentative Subdivision Map (TSM) and Density Bonus to redevelop the site with a 15-unit single-family residential development on an urban, infill 2.55-acre project site. The proposed project's consistency with *GP 2030* (adopted 2012), the Zoning Ordinance, and other land use plans and policies, and the surrounding land uses is discussed below.

**GENERAL PLAN 2030 UPDATE**

*Land Use and Community Identity Element*

As stated in Chapter 2, the project site is currently designated as Low Density Residential (LD) and is proposed to be Medium Low Density Residential (MLD) which requires a GPA to accomplish under the *GP 2030* (City of Vista, 2012). The project has been designed to be consistent with the proposed *GP 2030* land use designations for the site. The Applicant has requested a density bonus and waivers for certain development standards in exchange for providing affordable housing on-site. Waivers include those that pertain to lot size, parking, setbacks, roadway and storm drain easement widths, and retaining walls. The goals and policies that apply to the proposed project are explained above.

The proposed project would provide a total of new 15 single family residences, enabling the City to help meet its share of the Regional Housing Need Allowance (RHNA) as proscribed by the San Diego Association of Governments (SANDAG) and the state Department of Housing and Community Development (HCD) for the 6th cycle Housing Element Update for the 2021-2029 planning horizon.

The project would be accessed from Melrose Way, and would be connected to existing wastewater, water, and utility systems. Future development would be two stories (not exceeding a height of 35 feet) and two stories over ground floor two-car garages, which would utilize wood frame construction (or similar methods) on a conventional slab-on-grade foundation. Therefore, the proposed development would be compatible with the residential character of the surrounding areas within the city and would also be consistent with the land use designation in the Land Use and Community Identity Element of *GP 2030* (City of Vista, 2012a) with approval of a ZPA. As a result, significant impacts would not occur.

*Circulation Element*

The property is located at 1205 Melrose Way, on the north side of the street between South Melrose Drive to the east and McGavran Drive to the west. Melrose Way, which is adjacent to the subject property, is designated as a 2-lane collector roadway according to the COV Circulation Element. It is currently built as a 2-lane striped roadway. Primary access to and from the project site would be from Melrose Way and emergency access to and from the site would be from McGavran Drive.

As shown in the Table TT-2 in Section XVII (Transportation and Traffic) below, the Proposed Project is anticipated to generate 150 daily vehicular trips. As shown in Table TT-2, Projects that generate less than 500 daily vehicle trips (if inconsistent with adopted General Plan) are screened out from conducting a Vehicle Miles Travelled (VMT) impact analysis. As such, the Proposed Project would be considered to have a less than significant impact.

Section 6.0 of the City's *Transportation Impact Analysis Guidelines* prescribes the methods for screening out development projects based on size and differs from the small project screening criteria outlined in the California Governor's Office or Planning and Research's (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018 (Technical Advisory). Therefore, to be conservative, a VMT analysis was also conducted for the Proposed Project.

A site based VMT analysis was conducted for the Proposed Project utilizing the SANDAG Series 14 Transportation Forecast Screening Map (Base Year 2016 Conditions). Based on the census tract in which the project site is located (197.01), the Proposed Project is expected to generate an average VMT per Capita of 16.1 miles per day. This is 15.1% lower than the average regional VMT per Capita (19.0 miles) that is generated within the San Diego Region. Therefore, as outlined in Table TT-1 in Section XVII, Transportation (below), the Proposed Project will have a less than significant VMT related impact. As such, the Proposed Project will not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) (Intersecting Metrics, 2021).

As noted in Table TT-1 in Section XVII (Transportation and Traffic), the proposed project trip generation at full build-out would be 150 ADT. However, the existing site is also currently generating trips associated with the existing single-family home that is occupied on-site. The project is a redevelopment project and an urban infill project surrounded by existing residential and commercial uses. According to Office of Planning and Research (OPR) Guidelines, any project generating less than 110 daily trips should be considered less than significant. The proposed project includes 15 single family lots (a net increase of 14 as there is one single family home on-site now) that would be anticipated to generate 10 daily trips for a total of 150 daily trips. This is a State of California recommendation. The City of Vista has established SB-743-compliant final VMT guidelines (adopted in October 2020) with a threshold of 500 ADT for non-general plan consistent projects such as the proposed project. Therefore, based both on current OPR VMT guidance as well as the City's own VMT thresholds the proposed project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) and VMT impacts would be less than significant (Intersecting Metrics, 2021).

*Housing Element*

As mentioned above, the proposed project includes approval of a General Plan Amendment (GPA), Zone Change (ZC), Tentative Subdivision Map (TSM), and a Density Bonus to construct a 15-lot residential subdivision on previously occupied, developed, and active project site.

The proposed project meets or is compatible with two goals of the Housing Element: Goal 1.0 - Maintain and Enhance the Quality of Residential Neighborhoods in Vista and Conserve the Existing Supply of Affordable Housing; and Goal 2.0 - Encourage Adequate Provision of a Wide Range of Housing by Location, Type of Unit, and Price to Meet the Existing and Future Needs of Vista Residents. By developing new housing on a redeveloped urban infill site, with the new 15-unit residential community, the proposed project is compatible with Goal 1.0. Therefore, the proposed project would be compatible with the 5th cycle (adopted 2012) and the current in-progress Draft 6th cycle Housing Element of *GP 2030*, and significant impacts would not occur.

*Resource Conservation and Sustainability Element*

The applicable goals and policies that apply to the proposed project are as follows:

**RCS Goal 2** Reduce GHG emissions from community activities and municipal facilities and operations within the city boundaries to support the State's efforts under Assembly Bill 32, Senate Bill

375, and other state and federal mandates, and to mitigate the community's contributions to global climate change.

RCS Policy 2.7 Through California Environmental Quality Act (CEQA) documents, evaluate and disclose the contribution new projects could have on climate change and require mitigation measures as appropriate.

**RCS Goal 4** Preserve, protect, and enhance water quality in watersheds to which the City contributes storm water and urban runoff.

RCS Policy 4.6 Require the incorporation of Low Impact Development (LID) techniques in accordance with current storm water regulations to manage storm water and urban runoff, reduce runoff and pollution, reduce the footprint of development on the parcel, and assist in maintaining the existing hydrology of the site.

**RCS Goal 12** Acknowledge, preserve, and protect the City's Native American heritage.

RCS Policy 12.2 In collaboration with NAHC and the San Luis Rey Band of Mission Indians, adopt procedures for protecting significant archeological features, and apply to projects requiring discretionary City approval.

RCS Policy 12.3 Ensure that the San Luis Rey Band of Mission Indians is notified of any proposed discretionary planning or grading applications affecting lands with potential archaeological resources.

The proposed project meets RCS Policy 2.7 and Goal 2 through the GHG Emissions analysis prepared in Section VIII, Greenhouse Gas Emission in this CEQA document. As described in Section X, Hydrology and Water Quality of this document, the design of the proposed project incorporates a number of LID techniques and facilities that meets RCS Policy 4.6 and Goal 4. As described in Section V, Cultural Resources, representatives of local native American tribes assisted in the cultural resources data collection and records search efforts conducted as part of the preparation of the cultural resources report and contributed to the procedures for protecting unknown potentially significant archeological features (RCS Policies 12.3 and 12.2). Therefore, implementation of the proposed project would be consistent with the goals and policies of the RCS Element of the *GP 2030*, and impacts would be less than significant.

#### OTHER GENERAL PLAN ELEMENTS

The proposed project would be conditioned to comply with all applicable noise standards and required mitigation measures, would be adequately served by existing public services, and would require compliance with the COV's building, and fire codes and with the seismic regulations within the CBC. The 2.55-acre project site does not contain any designated open space. Consequently, no inconsistencies with the COV's Noise Element, Public Safety Element, and Healthy Vista Elements are anticipated as a result of project implementation, and significant impacts would not occur.

*Habitat Conservation Plan or Natural Community Preservation Plan*

The city is part of the North County Multiple Habitat Conservation Program (MHCP), which is a comprehensive conservation planning process developed to identify and protect critical habitats for a wide range of plant and animal species within a 20,000-acre preserve system in North San Diego County. However, the COV has not yet adopted an MHCP sub-area plan. Instead, to implement the provisions of the MHCP within Vista, a Biological Preserve Overlay (BPO) has been created and identified as the City's

regional habitat preservation system in the *GP 2030 Update*. The project site is not within or adjacent to any land that has a BPO designation. Therefore, the development of the proposed project would not conflict with the provisions of the MHCP, and impacts related to the MHCP would not occur.

**ZONING ORDINANCE**

As stated above, the applicant is proposing a development project that requires a zoning change from the existing E-1 (Estates Residential) designation to R-1 (Single-Family Residential) plus a density bonus to allow 15 single family homes including one affordable housing unit to be provided on-site. The City's Development Code identifies the requirements for permitted uses; building heights; front, side, and rear yard setbacks; lot coverage; and utilities under the R-1 designation. The proposed 15 lot residential subdivision would meet the requirements for the permitted use of a single-family residential community on this site with the density bonus and requested waivers of development standards as allowed by State Law.

The project site is 2.55 acres. The allowable number of units that could be built with the proposed R-1 zoning (allows 5 dwelling units per acre) is 12.75 units. The applicant is proposing to designate one residence for very low-income families. This element of the project entitles the applicant a density bonus which allows additional units to be developed on-site.

*Yard Setbacks*

The Applicant has requested waivers to some development standards as allowed by State Law for projects providing affordable housing. Below are the requested setbacks.

- Front - 20 feet minimum
- Sides – 5 feet minimum
- Rear - 10 feet minimum

*Building Height*

No building or structure shall exceed two stories or 35 feet in height, whichever is the lesser.

*Utilities*

All electrical and communication conduit and outdoor conductor service facilities shall be installed underground within the boundaries of the building site for which a building permit for a single-family dwelling is requested.

As discussed in various sections of this document, the architectural plans would be reviewed again by the Building Department and the City Planner prior to the applicant obtaining building permits for consistency with the Zoning Ordinance. The proposed project would be developed with the proposed new land use designation of Medium Low Density Residential (MLD) – 5 du/ac, in the GP 2030 (adopted 2012), and the new zoning designation of Single-Family Residential (R-1). However, the applicant will be exceeding the allowable density of the R-1 zone by taking advantage of the State of California residential density bonus allowances which allows for one cost related concession of the development standards, as well as waivers from development standards, to achieve the density that the applicant seeks approval for, by providing one very-low income residential unit. As a result, significant impacts would not occur.

| XII. Mineral Resources<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| 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? | ☐ | ☐ | ☐ | ☒ |
| • 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? | ☐ | ☐ | ☐ | ☒ |

## *DISCUSSION*

**a - b. NO IMPACT.** The California Department of Conservation's Division of Mines and Geology does not identify the project site as an area with high potential for aggregate or mineral resources. In addition, the GP 2030 (adopted 2012) does not identify the project site as a locally important mineral resource recovery site. As a result, implementation of the proposed project would not result in the loss of availability of a regionally or locally known mineral resource; therefore, significant impacts would not occur.

| XIII. Noise<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| 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? | ☐ | ☒ | ☐ | ☐ |
| • Generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ |
| • 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? | ☐ | ☐ | ☒ | ☐ |

The discussion below is based on the findings contained within the *Noise Technical Report (Noise Study)* (RCH Group, 2021c) prepared for the proposed project. The document is on file and available for review in the COV's Planning Division office.

## *DISCUSSION*

### a. LESS THAN SIGNIFICANT WITH MITIGATION

### NOISE DESCRIPTORS

Sound is mechanical energy transmitted by pressure waves through a medium such as air. Noise is defined as unwanted sound. Sound pressure level has become the most common descriptor used to characterize the "loudness" of an ambient sound level. Sound pressure level is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 to 140 dB corresponding to the threshold of pain. Decibels are measured using different scales, and it has been found that A- weighting of sound levels best reflects the human ear's reduced sensitivity to low frequencies, and correlates well with human perceptions of the annoying aspects of noise. The A-weighted decibel scale (dBA) is cited in most noise criteria. All references to dB in this report will be A-weighted unless noted otherwise.

Several time-averaged scales represent noise environments and consequences of human activities. The most used noise descriptors are the equivalent A–weighted sound level over a given time period (Leq)[7]; average day–night 24-hour average sound level (Ldn)[8] with a nighttime increase of 10 dB to account for sensitivity to noise during the nighttime; and community noise equivalent level (CNEL)[9], also a 24-hour average that includes both an evening and a nighttime sensitivity weighting.

### NOISE ATTENUATION

Stationary point sources of noise, including construction equipment, attenuate (lessen) at a rate of 6 to 7.5 dB per doubling of distance from the source, depending on ground absorption. Soft sites attenuate at 7.5 dB per doubling because they have an absorptive ground surface such as soft dirt, grass, or scattered bushes and trees. Hard sites have reflective surfaces (e.g., parking lots or smooth bodies of water) and therefore have less attenuation (6.0 dB per doubling). A street or roadway with moving vehicles (known as a "line" source), would typically attenuate at a lower rate, approximately 3 to 4.5 dB each time the distance doubles from the source, which also depends on ground absorption. Physical barriers located between a noise source and the noise receptor, such as berms or sound walls, will increase the attenuation that occurs by distance alone.

### REGULATORY FRAMEWORK

*City of Vista General Plan, Noise Element*

The Noise Element of the COV's *GP 2030* includes a noise/land use compatibility matrix for assessing the suitability of different categories of planned land uses based on exterior noise level exposure (Table NE-3 from the COV's *GP 2030*). For Single Family Residential land uses, the Noise Element specifies exterior noise levels up to 65 dB, CNEL as normally acceptable and up to 70 dB, CNEL as conditionally acceptable. Noise levels exceeding 70 dB, CNEL are generally unacceptable for Single Family Residential land uses.

In addition, the COV defines specific maximum noise levels that shall not be exceeded for both interior and exterior use areas. A proposed project shall not generate noise levels that exceed these standards. The COV extends the provisions of the State of California Noise Insulation Standards (Title 24), limiting interior noise levels to 45 dB CNEL for Single Family Residential development. Table NOI-1, Interior and Exterior Noise Guidelines, provides maximum noise level limits for various types of land uses.

7 The Equivalent Sound Level (Leq) is a single value of a constant sound level for the same measurement period duration, which has sound energy equal to the time–varying sound energy in the measurement period.
8 Ldn is the day–night average sound level that is equal to the 24-hour A-weighted equivalent sound level with a 10-decibel penalty applied to night between 10:00 p.m. and 7:00 a.m.
9 CNEL is the average A-weighted noise level during a 24-hour day, obtained by addition of 5 decibels in the evening from 7:00 to 10:00 p.m., and an addition of a 10–decibel penalty in the night between 10:00 p.m. and 7:00 a.m.

**TABLE NOI-1 INTERIOR AND EXTERIOR NOISE GUIDELINES**

| Land Use | Maximum Noise Level ($L_{DN}$ or CNEL, dBA) | |
|---|---|---|
| | Interior[1,2] | Exterior |
| Residential – Single Family, Multi-family, Duplex | 45 | 65[3] |
| Residential – Nursing Homes, Hospital | 45 | 65[3] |
| Private Offices, Church Sanctuaries, Libraries, Board Rooms, Conference Rooms, Theaters, Auditoriums, Concert Halls, Meeting Halls, etc. | 45 | - |
| Schools | 45 | 65[4] |
| General Offices, Reception, Clerical, etc. | 50 | - |
| Bank Lobby, Retail Store, Restaurant, Typing Pool, etc. | 60 | - |
| Manufacturing, Kitchen, Warehousing, etc. | 65 | - |
| Parks, Playgrounds, etc. | - | 65[4] |
| Golf Courses, Outdoor Spectator Sports, Amusement Parks, etc. | - | 70[4] |

*Notes:*
*1 Noise standard with windows closed. Mechanical ventilation shall be provided per UBC requirements to provide a habitable environment.*
*2 Indoor environment excluding bathrooms, toilets, closets, and corridors.*
*3 Outdoor environment limited to rear yard of single-family homes, multi-family patios and balconies (with a depth of 6 feet or more) and common recreation areas.*
*4 Outdoor environment limited to playground areas, picnic areas, and other areas of frequent human use.*
*LDN=Day-Night Level; CNEL=Community Noise Equivalent Level; dBA=A-weighted decibel*

*City of Vista Noise Ordinance (Municipal Code, Chapter 8.32, Noise Control)*

Sections 8.32.010 through 8.32.060 of the COV's Municipal Code pertain to noise requirements and enforcement of violations. The COV has adopted the County's Noise Ordinance for the purpose of controlling excessive noise levels, including noise from construction activities.

Table NOI-2, Applicable Exterior Property Line Noise Limits, lists the applicable exterior property line noise limits. This table is specific to the COV and replaces the table in Section 36.404 of the County noise ordinance. It is unlawful for any person to cause or allow the creation of any noise to the extent that the one-hour average sound level at any point on or beyond the boundaries of the property exceeds these limits. The sound level limit at a location on a boundary between two zones is the arithmetic mean of the respective limits for the two zones.

**TABLE NOI-2 APPLICABLE EXTERIOR PROPERTY LINE NOISE LIMITS**

| Zone | Time | Applicable Limit One-hour Average Sound Level (dBA) |
|---|---|---|

| | | |
|---|---|---|
| A-1, E-1, O, OSR<br>R-1B, MHP | 7:00 a.m. – 10:00 p. m.<br>10:00 p.m. – 7:00 a. m. | 50<br>45 |
| R-M | 7:00 a.m. – 10:00 p.m.<br>10:00 p.m. – 7:00 a.m. | 55<br>50 |
| C-1, C-2, O-3, C-T, OP, M-U and Downtown Specific Plan | 7:00 a.m. – 10:00 p.m.<br>10:00 p.m. – 7:00 a.m. | 60<br>55 |
| M-1, I-P, all areas of the Vista Business Park Specific Plan and Specific Plan 14 | Any time | 70 |

*Source: City of Vista Municipal Code Section 8.32.40*

*A-1 = Agricultural; C-1 = Commercial; C-2 = Commercial; C-T = Commercial Transient; E-1 = Estate; I-P = Industrial; MHP = Mobile Home Park; M-U = Mixed Use; O = Open Space; O-3 = Office Park; OP = Office Professional; OSR = Open Space Residential; R-1B = Residence; R-M = Multi-Residential*

The adopted County Noise Ordinance also stipulates controlling construction noise. San Diego County Code Sections 36.408 and 36.409, Construction Equipment, state that, except for emergency work, it shall be unlawful for any person to operate or cause to be operated, construction equipment:

a) Between 7:00 p.m. and 7:00 a.m.

b) On Sunday or a holiday. For the purposes of this section, a holiday means January 1, the last Monday in May, July 4, the first Monday in September, December 25, and any day appointed by the President as a special national holiday or the Governor of the State as a special State holiday. A person may, however, operate construction equipment on a Sunday or holiday between the hours of 10:00 a.m. and 5:00 p.m. at the person's residence or for the purpose of construction of a residence for himself or herself, provided that the operation of construction equipment is not carried out for financial consideration or other consideration of any kind and does not violate the limits in Sections 36.409 and 36.410.

c) Except for emergency work, it shall be unlawful for any person to operate construction equipment or cause construction equipment to be operated, that exceeds an average sound level of 75 dBA for an 8-hour period, between 7:00 a.m. and 7:00 p.m., when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received.

Section 36.410 of the County's ordinance provides additional limitation on construction equipment beyond Section 36.404 pertaining to impulsive noise. Except for emergency work or work on a public road project, no person shall produce or cause to be produced an impulsive noise that exceeds the maximum sound level shown in Table NOI-3*,* Maximum Sound Levels (Impulsive), when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is received, for 25 percent of the minutes in the measurement period.

**TABLE NOI-3 MAXIMUM SOUND LEVELS (IMPULSIVE)**

| Occupied Property Use | Decibels (dBA) $L_{MAX}$ |
|---|---|
| Residential, village zoning or civic use | 82 |
| Agricultural, commercial or industrial use | 85 |

*Source: County of San Diego Municipal Code Section 36.410*

The minimum measurement period for any measurements is one hour. During the measurement period, a measurement must be conducted every minute from a fixed location on an occupied property. The measurements must measure the maximum sound level during each minute of the measurement period. If the sound level caused by construction equipment or the producer of the impulsive noise exceeds the maximum sound level for any portion of any minute, it will be deemed that the maximum sound level was exceeded during that minute.

### ENVIRONMENTAL SETTING

*Baseline Noise Levels*

As stated in the *Noise Study* (RCH Group, 2021c), to quantify existing ambient noise levels, RCH Group conducted two long-term (72-hour) and several short-term (10-minute noise measurements) at the project site. Site visits for short-term noise measurements were conducted on Monday, August 30, 2021 and Friday, September 3, 2021. A total of nine ambient noise measurements were collected for approximately 10-minute periods at six locations in the project vicinity. Two long-term (72-hour) noise measurements were also conducted at two locations on the project site from 12:00 a.m. on August 31, 2021 to 11:59 p.m. on September 2, 2021. The first long term noise measurement location (Site 1 in the *Noise Study*) was along the southern property line of the project site, approximately 25 feet north of the centerline of Melrose Way, which had a CNEL of 58-59 dB for all three days. The second long term noise measurement location (Site 2 in the *Noise Study*) was in the central/west area of the project site, which had a CNEL of 52 for all three days. See *Noise Study* for more details including a noise measurement location figure, short term noise measurement data for additional sites, and detailed noise meter output data.

The existing noise environment is characterized by residential neighborhood and traffic sounds from Melrose Way and South Melrose Drive. Other minor noise sources included birds chirping, dogs barking, and landscaping (RCH Group, 2021c).

*Sensitive Land Uses*

Noise-sensitive land uses (or sensitive receptors) are where frequent human use occurs and a lower level of sound is beneficial such as residences, schools, churches, hospitals, parks, hotels, libraries, or similar facilities where quiet is important. There are residences immediately north and west of the project site. The Vista Samoan Seventh-Day Adventist Temple is immediately east of the project site. Breeze Hill Elementary School is approximately 350 feet east of the eastern boundary of the project site. Residences are also located to the north, west, and south opposite of Melrose Way.

### METHODOLOGY

The following equipment was used to measure existing noise levels at the project site:

- One Larson Davis SoundTrack LxT Sound Level Meter
- Two Metrosonics db308 Sound Level Meters
- Windscreens, tripod, and other standard equipment.

Sound Level Meters were all calibrated before and after the measurements.

The Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) Version 1.1 was used to evaluate the impacts of construction noise on nearby sensitive receptors (see *Noise Study* for more details) (RCH Group, 2021c).

### NOISE IMPACTS

Potential noise impacts associated with the proposed project are primarily related to the short-term operation of conventional heavy-duty construction equipment, and long-term operational noise typical of residential land uses.

*Construction Noise Impacts*

Project construction activities would include demolition of the existing residence on-site and construction of the Project. Construction activities would occur during the construction hours contained in the adopted County of San Diego Noise Ordinance Sections 36.408 and 36.409 between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction is permitted on Sundays or on holidays.

Demolition and construction activities would require the use of numerous pieces of noise-generating equipment, such as excavating machinery (e.g., backhoes, excavators, front loaders, etc.) and other construction equipment (e.g., compactors, pavers, concrete mixers, trucks, etc.). The noise levels generated by construction equipment would vary greatly depending upon factors such as the type and specific model of the equipment, the operation being performed, the condition of the equipment. The nearest receptors to the construction would be the adjacent residential properties to the west, north, and northwest and the adjacent church to the east (80 feet away) and Breeze Hill Elementary School to the east (400 feet away). These are the distances from the center of the project site to the receptor property lines. The maximum noise levels at 80 and 400 feet for various types of construction equipment that could be used during construction are provided in Table NOI-4.

**TABLE NOI-4 CONSTRUCTION EQUIPMENT NOISE LEVELS**

| Construction Equipment | $L_{MAX}$ at 50 feet | $L_{MAX}$ at 80 feet[1] | $L_{MAX}$ at 400 feet[2] |
|---|---|---|---|
| Backhoe | 78 | 73 | 55 |
| Compactor (ground) | 83 | 78 | 60 |
| Compressor | 78 | 73 | 55 |
| Concrete Mixer Truck | 79 | 74 | 56 |
| Concrete Saws | 90 | 85 | 65 |
| Dozer | 82 | 77 | 59 |
| Dump Truck | 76 | 71 | 53 |
| Excavator | 74 | 69 | 51 |
| Flat Bed Truck | 77 | 72 | 54 |
| Front End Loader | 76 | 71 | 53 |
| Generator | 80 | 75 | 57 |
| Grader | 81 | 76 | 58 |

| | | | |
|---|---|---|---|
| Jackhammer | 81 | 76 | 58 |
| Paver | 85 | 80 | 62 |
| Roller | 80 | 75 | 57 |
| Tractor | 84 | 79 | 61 |
| Vibratory Concrete Mixer | 79 | 74 | 56 |
| Welder | 73 | 68 | 50 |

*Source: Federal Highway Administration (FHWA) Roadway Construction Noise Model User's Guide, 2006.*

*Notes:*
*1 This is the distance from the center of the Project site to the nearest residential and church property lines.*
*2 This is the distance from the center of the Project site to the nearest school property line.*

Construction equipment would not all operate at the same time or location. Furthermore, construction equipment would not be in constant use during the 8-hour operating day. A dozer and an excavator may be working on the project site simultaneously but would not be working in close proximity to one another at a given time due to the nature of their respective operations. An excavator, loader, and dump truck were analyzed together for construction noise impacts (due to their likelihood of being used in conjunction with one another) using the FHWA's RCNM (See *Noise Report* for construction noise modeling). Based on these assumptions, grading operations using an excavator, loader, and dump truck at the nearest residential or church property line would be approximately 75.8 dB, Leq at 80 feet. These noise levels could potentially exceed the COV's Noise Ordinance standard of 75 dB, Leq (8-hour standard). As a result, Mitigation Measure NOI-1 would be required to reduce noise levels from project construction to a less-than-significant level.

*OPERATIONAL NOISE IMPACTS*

As previously stated, existing 24-hour noise levels at Site 1 are 58-59 dB, CNEL and 52 dB, CNEL at Site 2 (See *Noise Report*). Therefore, the project site is less than 65 dB and would be within the Normally Acceptable range for Single Family Residential uses. Interior noise levels would be considered significant if they exceed 45 dB CNEL. Residential building facades typically provide a minimum exterior-to-interior noise reduction of 25 dB with windows closed (RCH Group, 2021c). Interior noise levels would be well below the 45 dB, CNEL threshold for interior noise standards in the General Plan. Therefore, the project would be compatible with normally acceptable exterior and interior noise level planning criteria. In summary, the project site is noise appropriate for single family residential use. The effect of existing noise on the project would result in a less-than-significant impact.

The project would result in approximately 150 vehicle trips per day. The proposed project would result in a negligible increase in operational traffic noise on Melrose Way (See *Noise Report, RCH, 2021c*). Thus, traffic noise from project operations would result in a less-than-significant impact.

The proposed project would include heating, ventilating, and air conditioning equipment (HVAC). Noise generated by HVAC varies significantly depending on the equipment type, capacity, location, and enclosure design. Noise levels up to 60 dBA at a distance of 15 feet are typical for HVAC equipment (RCH Group, 2021c). Final Project design and development review would comply with the City's Exterior Property Line Noise limits outlined in Section 8.32.40 and would implement design features for mechanical equipment to not exceed the City's noise limits. Final design of the HVAC equipment would need to meet the most conservative threshold, which is the maximum nighttime (10:00 p.m.–7:00 a.m.) outdoor noise level of 45

dBA as measured at the adjacent receiving property. Therefore, noise impacts from stationary equipment from the project would result in a less-than-significant impact.

NOI-1 Construction Noise Management Plan: Noise levels from Project-related demolition, grading, and construction activities shall not exceed the noise limit specified in San Diego County Code (adopted by City of Vista) Sections 36.408 and 36.409 of 75 dBA (8-hour average), when measured at the boundary line of the property where the noise is located or any occupied property where noise is being received. A Construction Management Plan shall be submitted to the City of Vista Planning Division for approval prior to issuance of the Grading Permit. The following measures may be included to reduce construction/demolition noise:

- Construction equipment shall be properly outfitted and maintained with manufacturer-recommended noise-reduction devices.
- Diesel equipment shall be operated with closed engine doors and equipped with factory- recommended mufflers.
- Mobile or fixed "package" equipment (e.g., arc-welders and air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment.
- Electrically powered equipment shall be used instead of pneumatic or internal-combustion powered equipment, where feasible.
- Unnecessary idling of internal combustion engines (e.g., in excess of 5 minutes) shall be prohibited.
- Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise sensitive receptors.
- The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be used for safety warning purposes only.
- No project-related public address or music system shall be audible at any adjacent sensitive receptor.
- Prior to construction activities, designate a "Construction Noise Coordinator" who shall be responsible for responding to local complaints about construction noise. The Construction Noise Coordinator shall determine the cause of the complaint and shall require that reasonable measures be warranted to correct the problem be implemented (potentially including temporary noise barriers). The telephone number for the Construction Noise Coordinator shall be conspicuously posted at the construction site.
- Prior to construction activities, notify the adjacent church and residences of the construction schedule in writing and provide them with the contact information of the Construction Noise Coordinator.

**b. LESS THAN SIGNIFICANT IMPACT.** Construction activities have the potential to result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and operations

involved. At the highest levels of vibration, damage to structures is primarily architectural and rarely results in any structural damage. A peak particle velocity (ppv) threshold of 0.5 inches per second or less is sufficient to avoid structural damage (RCH Group, 2021c). Project construction would utilize typical construction equipment and would not generate significant sources of vibration such as pile driving and/or blasting. Vibrational effects from typical construction activities are only a concern within 25 feet of existing structures (RCH Group, 2021c). Construction would not occur within 25 feet of an existing off-site structure. Therefore, vibration impacts would be less than significant.

**c. Less Than Significant Impact.** The project site is subject to some distant aircraft noise, though the project site is not within the vicinity of a public airport or private airstrip, or within an airport land use plan. The nearest airport is the McClellan-Palomar Airport, located approximately six miles to the southwest. At this distance, airport noise impacts would be less than significant.

| XIV. Population and Housing<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| 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)? | ☐ | ☐ | ☐ | ☒ |
| • Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |

## *DISCUSSION*

**a - b. NO IMPACT.** The project proposes to redevelop a 2.55-acre urban infill site and future construction of 15 new-single family homes including one designated affordable residence. Each of the homes would be able to accommodate three or four bedrooms. The COV is currently updating its General Plan Housing Element, a process that is required by state law, which demonstrates how the City's share of regional growth (i.e., regional housing needs allowance or RHNA) would be accommodated for the next eight years. The planning cycle for the *Housing Element Update* that is currently underway is 2021-2029.

The State forecasts the need for housing based on population projections, and then each region must show how it will accommodate that need. This includes updating the City's housing policies and designating space for the State's allocation of 2,561 new housing units by 2029, of which 1,205 units need to be affordable for people with very low to moderate incomes.

As stated in Chapter 2 of this document, all necessary utilities such as sewer, water, electricity, etc. are available either on-site or within the adjacent street of Melrose Way. The proposed project requires a General Plan Amendment, Zone Change, and Density Bonus to support the proposed site redevelopment of the project site. Therefore, with these required approvals in place, project construction would not result in potentially growth-inducing effects by extending utilities into an undeveloped area or displace substantial numbers of existing housing or people. As a result, significant direct or indirect population growth, or the need for replacement housing, would not occur with project implementation.

| XV. Public Services<br>*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 objectives for any of the public services:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| 1. Fire protection? | ☐ | ☐ | ☒ | ☐ |
| 2. Police protection? | ☐ | ☐ | ☒ | ☐ |
| 3. Schools? | ☐ | ☐ | ☒ | ☐ |
| 4. Parks? | ☐ | ☐ | ☐ | ☒ |
| 5. Other public facilities? | ☐ | ☐ | ☐ | ☒ |

## *DISCUSSION*

### a1 – a3. LESS THAN SIGNIFICANT IMPACT.

#### FIRE PROTECTION SERVICES

The proposed project would result in less than significant impacts to fire protective services. The project site is 2.55 acres in size and is comprised of three parcels and is an urban infill project. There is an existing occupied single-family home on the project site. The project consists of grading the site to support the construction of a 15-lot residential subdivision. Primary access, and emergency access, to the site would be provided via Melrose Way and McGavran Drive, respectively.

The new homes are required to meet all of the applicable fire codes set forth by the State Fire Marshal, the VFD, and the COV's building code. Implementation of the proposed project may result in a slight incremental increase in the demand for emergency services; however, the size and location of the project would not place an undue hardship on the fire department since they are presently servicing the site and surrounding community. The closest fire station to the project site is located approximately one mile to the north at 175 North Melrose Drive. In addition, the VFD reviewed the Tentative Subdivision Map for the proposed project and provided recommendations to reduce potential impacts to fire protective services. These recommendations are included in the Conditions of Approval for the project. The VFD would also review the building and precise grading plans when they are submitted to the COV and would also identify and provide additional recommendations to reduce any potential impacts. In addition, prior to final project approval, the COV Fire Marshal would verify that the project has been designed to conform to code. Therefore, implementation of the proposed project would not exceed the capacity of VFD to serve the site with existing fire protection services and resources.

#### POLICE PROTECTIVE SERVICES

The proposed project would not result in significant impacts on police protective services. Increased demand for police protection is not expected since they are presently servicing the project site and general

project areas as well as the areas adjacent to, and across the street from, the site. For that reason, the proposed project would not exceed the capacity of the Vista Sheriff's Department to provide police protective services to the proposed project, and impacts would be less than significant.

#### SCHOOLS

The new homes that would be built as a result of the implementation of the proposed project would not result in a significant direct increase in the city's population as development of the site given the size of the project. The project requires a General Plan Amendment and a Zone Change. However, the project would result in a small incremental increase in the city's population that could place cumulative demands on VUSD schools or school operations, which would require additional school facilities. However, with payment of the Residential Development School Fee as a condition of building permit approval, which is authorized by Section 17620 of the Education Code and based on $3.79 per SF of assessable space (as of June 2020), no significant cumulative impacts to VUSD facilities are anticipated to arise.

**a4 – a5. NO IMPACT.** The project site is located along Melrose Way, which is currently maintained by the City's Department of Public Works. The proposed project includes roadway enhancements including paving, curb and gutters and landscaping in front of the project frontage along Melrose Way. Primary access, and emergency access, to the site would be provided via Melrose Way and McGavran Drive, respectively. As a result, no significant impacts on the condition of the road are anticipated from project implementation.

Due to the relatively small size of the proposed project, no impacts on libraries, senior centers, or other public facilities are anticipated. Consequently, significant impacts would not occur.

| XVI. Recreation<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| 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? | ☐ | ☐ | ☒ | ☐ |
| • 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? | ☐ | ☐ | ☒ | ☐ |

## *DISCUSSION*

**a - b. LESS THAN SIGNIFICANT IMPACT.** The project would not significantly affect any property currently zoned for recreational or open space use. The project consists of redeveloping a 2.55 acre, developed urban infill site with a 15-lot residential community. A small demand on existing recreational resources may be expected with any residential development within the city. However, this impact would not lead to a substantial physical deterioration of recreational facilities because the new residential community that would be built on the site are required to be consistent with the proposed *GP 2030* land use and zoning designations of Medium Low Density Residential (MLD) and R-1 (Single-Family Residential) and each home includes a front yard and a back yard and the project includes an on-site tot-lot to further address any incremental recreational need that may be generated by the project.

Recreational amenities available for use by the future project residents include private back yards and a tot-lot which will be a common recreation area to be located at the northeast area of the site that would be fenced and would include a play structure, concrete benches and seating area, shade trees, bicycle rack and turf area. As a result, potential impacts to recreational resources would be less than significant.

The project does not propose the development of any public recreational facilities. As stated above, a small demand on existing recreational resources may be expected with any residential development within the city; however, this impact is anticipated to be minimal, and would not require the expansion of existing recreational facilities or the construction of new recreational facilities that might adversely affect the environment. As with all residential development projects in the COV, as a condition of approval, the applicant will be required to pay all COV development fees, including a Park Fee. However, due to the size, scope and nature of the proposed project, less than significant impacts would occur with project implementation.

| XVII. Transportation/Traffic<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | ☐ | ☐ | ☐ | ☒ |
| • Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | ☐ | ☐ | ☒ | ☐ |
| • Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☐ | ☒ |
| • Result in inadequate emergency access? | ☐ | ☐ | ☒ | ☐ |

## *DISCUSSION*

**a – NO IMPACT.** The Proposed Project will not construct, change, or improve any off-site transportation facilities. The Proposed Project will provide access via a new private roadway located along the eastern edge of the property. The private roadway will be designed and constructed based on City of Vista Roadway standards. The private roadway will create a new side-street stop controlled intersection along Melrose Way, which will also be designed and constructed based on City standards, as well as comply with Americans with Disabilities Act (ADA) standards. Additionally, the Proposed Project will construct the missing sidewalks on the north side of Melrose Way, along its frontage, as is required by Circulation Element Policy 6.4[10]. The Proposed Project will also construct a sidewalk along the westside of the private roadway, as is required by Circulation Element Policy 6.7[11]. Based on Figure 6-1 of the *City of Vista Bicycle Master Plan, January 2015,* there are currently no planned bicycle facilities along Melrose Way or on other roadways that are adjacent to the Proposed Project site; therefore, the Proposed Project is not required to construct or improve any bicycle facilities. Similarly, there are no transit facilities or services along Melrose Way or on other roadways that are adjacent to the project site; as such, the Proposed Project will not have an effect or impact on any local or regional transit services.

[10]CE Policy 6. 4: Require proposed developments to install sidewalks and wheelchair ramps that comply with ADA standards adjacent to all roadways within each development (*City Vista General Plan 2030, December 2011*).

[11] CE Policy 6. 7: Require developers to provide facilities for pedestrian travel such as sidewalks, design developments to provide pedestrian access to the development via sidewalks and avoid requiring that pedestrians use driveways to access development (*City Vista General Plan 2030, December 2011*).

Since the Proposed Project is not anticipated to make any changes to off-site transportation facilities and will design all of its internal transportation facilities to be consistent with City of Vista Standards, it will not conflict with any identified program, plan, ordinance, or policy addressing the circulation system.

### b – Less than Significant Impact.

#### Threshold

The City of Vista developed and adopted their *Transportation Impact Analysis* Guidelines in December 2020 to establish transportation impact thresholds that are consistent with *CEQA Guidelines section 15064.3, subdivision (b)(2).* Section 6.0 of the guidelines established the vehicle miles traveled (VMT) significance thresholds, which determine when a land use development project would be associated with a significant VMT related impact. These thresholds are displayed below in Table TT-1.

**TABLE TT-1: CITY OF VISTA VMT BASED THRESHOLDS[1]**

| Project Type | Metric | Significance Threshold[1] |
|---|---|---|
| Residential | Resident VMT / Capita | 15 % below regional average |
| Commercial | Employee VMT / Employee | 15 % below regional average |
| Industrial | Employee VMT / Employee | 15 % below regional average |
| Retail[2] | Net increase in the regional VMT | Net increase in regional VMT |
| Mixed-Use | Evaluate each land use separately | Based on proposed land use |
| Redevelopment[3] | Based on the proposed land use | Based on the proposed land use |

*Source: City of Vista Transportation Impact Analysis Guidelines, December 2020, Table 6-3*

*Notes*

1. *The City may request the applicant to analyze VMT using a more localized threshold if the project requires.*
2. *Locally serving retail is presumed to decrease VMT however retail projects over 50,000 square feet are considered regionally serving.*
3. *A redevelopment project that reduces VMT is presumed to have less than a significant impact and is screened out. The removal of affordable housing will require VMT analysis.*

Section 7.0 of the City's *Transportation Impact Analysis Guidelines* establish screening criteria which identify specific project types that are associated with VMT reducing characteristics, thus resulting in a less than significant impact. Table TT-2 displays the City's screening criteria.

## TABLE TT-2: SCREENED OUT PROJECTS

| Project Type |
|---|
| Projects located in a Transit Priority Project Areas or Smart Growth Opportunity Area as identified in the most recent SANDAG Regional Plan and is consistent with the General Plan at the time of project application[1,2]. |
| Projects located in a low-VMT generating area identified on the most recent SANDAG SB 743 VMT Screening map |
| Locally serving K-12 schools |
| Day care centers |
| Local parks |
| Locally serving retail uses less than 50,000 square feet, including: gas stations, banks, restaurants, grocery stores, and shopping centers |
| Community institutions (Public libraries, fire stations, local government) |
| Locally serving hotels (e.g. non-destination hotels, non-regionally serving) |
| Student housing projects on or adjacent to college campuses |
| Local serving community colleges that are consistent with the assumptions noted in the most recent SANDAG Regional Transportation Plan/Sustainable Communities Strategy |
| Affordable housing projects[3] |
| Assisted living facilities |
| Senior housing (as defined by HUD) |
| Transit projects |
| Bike projects |
| Pedestrian projects |
| Safety improvement projects (e.g. RRFBs and high visibility crosswalks at uncontrolled locations, pedestrian count down timers, additionally projects identified through the Highway Safety Improvement Program) |
| Safe Routes to School |
| Projects generating less than 500 daily vehicle trips (if inconsistent with adopted General Plan) |
| Projects generating less than 1,000 daily vehicle trips (if consistent with adopted General Plan) |

*Source: City of Vista Transportation Impact Analysis Guidelines, December 2020, Table 7-1*

*Notes*

1. *Projects located in a TPA must be able to access the transit station within a ½ mile walking distance or a 6 minute walk continuously without discontinuity of sidewalk or obstructions to the route. Qualifying transit stops means a site containing an existing rail transit station served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods (OPR, 2017). A high-quality transit corridor may also be considered if a corridor with fixed route bus service has service intervals no longer than 15 minutes during peak commute hours (OPR, 2017).*
2. *Look up in the most recent SANDAG Transit Priority Project Areas map and the SANDAG Smart Growth Concept Map (North County Subregion).*
3. *If a project is a mix of affordable housing and market rate housing or unscreened use, only the affordable housing component would qualify as screened out. Additionally, any removal of affordable housing automatically requires CEQA VMT analysis.*

### DAY TO DAY OPERATIONS

*Trip Generation*

Table TT-3 displays the anticipated daily and peak hour trip generation for the Proposed Project. Trip generation rates were derived from SANDAG's (*Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region (April 2002)*.

**TABLE TT-3: PROPOSED PROJECT TRIP GENERATION**

| Land Use | Units | Trip Rate | ADT | AM | | | | | PM | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | % | Trips | Split | In | Out | % | Trips | Split | In | Out |
| Single Family Housing | 15 DU | 10/DU | 150 | 8% | 12 | (3:7) | 4 | 8 | 10% | 15 | (7:3) | 11 | 4 |

As shown in the table, the Proposed Project is anticipated to generate 150 daily vehicular trips. As shown in Table TT-2, Projects that generate less than 500 daily vehicle trips (if inconsistent with adopted General Plan)[12] are screened out from conducting a VMT impact analysis. As such, the Proposed Project would be considered to have a less than significant impact.

### VMT ANALYSIS

As noted in Section 6.0 of the City's *Transportation Impact Analysis Guidelines*, the prescribed method for screening out development projects based on size, differs from the small project screening criteria outlined in the California Governor's Office or Planning and Research's (OPR) *Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018* (Technical Advisory)[13]. Therefore, although not required as the project could be screened out from a VMT analysis as noted above, to be conservative, a VMT analysis was conducted for the Proposed Project to quantify potential project VMT.

A site based VMT analysis was conducted for the Proposed Project utilizing the SANDAG Series 14 Transportation Forecast Screening Map (Base Year 2016 Conditions)[14]. Based on the census tract in which the project site is located (197.01), the Proposed Project is expected to generate an average VMT per Capita of 16.1 miles per day. This is 15.1% lower than the average regional VMT per Capita (19.0 miles) that is generated within the San Diego Region. Therefore, as outlined in Table TT-1, the Proposed Project will have a less than significant VMT related impact. As such, the Proposed Project will not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

### PROJECT CONSTRUCTION

Construction worker VMT is not newly generated; instead, it is redistributed throughout the regional roadway network based on the different work sites in which construction workers travel to each day. Therefore, construction workers are not generating new VMT each day, only redistributing it. It is important to note that construction traffic is temporary and is not expected to significantly increase VMT in the region over any length of time. This redistribution is considered to have a nominal and momentary effect on the regional and citywide daily VMT. Consequently, it is assumed that there will be no major changes in

[12] he Proposed Project includes a zoning change within the project site from E-1 to R-1. Therefore, the Proposed Project is not consistent with the City's General plan.

[13]The OPR Technical Advisory recommends using a screening threshold of 110 trips per day based on ITE Trip Generation rates, as compared to the City of Vista which recommends using a threshold of 1,000 or 500 daily trips (See Table X.2) using SANDAG's trip generation rates.

[14] https://sandag.maps.arcgis.com/apps/webappviewer/index.html?id=5b4af92bc0dd4b7babbce21a7423402a

regional circulation during construction of the Proposed Project, resulting in no conflicts or inconsistencies with CEQA Guidelines section 15064.3, subdivision (b).

**c. NO IMPACT.** The Proposed Project will not change any off-site transportation facilities and all on-site transportation facilities will be constructed to City of Vista standards. Additionally, the Proposed Project land uses (15 single family homes) are consistent with the surrounding land uses (also single-family homes) within the area. Therefore, since the Proposed Project will maintain similar land uses on the project site and does not intend to make any off-site changes to the transportation network, it will not increase hazards due to a change in geometric design features or through the creation of incompatible uses.

**d. LESS THAN SIGNIFICANT IMPACT.** The implementation of the Proposed Project will not result in any changes to the adjacent transportation network. Additionally, the private roadway within the Proposed Project site will provide a new connection between McGavran Drive and Melrose Way, resulting in an additional path of travel for emergency vehicles, thus improving emergency access within the area. Therefore, the implementation of the Proposed Project will not result in inadequate emergency access to the Project Site or any adjacent land uses.

| XVIII. Utilities and Service Systems<br>*Would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ |
| • Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | ☐ | ☐ | ☒ | ☐ |
| • 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? | ☐ | ☐ | ☒ | ☐ |
| • 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? | ☐ | ☐ | ☒ | ☐ |
| • Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | ☐ | ☐ | ☒ | ☐ |

## *DISCUSSION*

### a. – c. LESS THAN SIGNIFICANT IMPACT.

#### RELOCATED, NEW OR EXPANDED UTILITY OR SERVICE SYSTEM INFRASTRUCTURE

The proposed project would result in the future construction of a 15-lot residential subdivision on an existing, urban, infill site in a built-up/urbanized area of the city. The project is essentially an urban infill development project, with existing development on all sides. All wet and dry public utilities, facilities and infrastructure are in place and available to serve the project site without the need for relocated, new or expanded facilities. While new utility and service connections would need to be extended to and from the

project site (e.g., sewer, storm water runoff, electrical, etc.), these new connections would not result in a need to modify the larger off-site infrastructure.

As a result, implementation of the proposed project would have a less than significant impact on water, wastewater treatment, storm water drainage, electrical power, natural gas, or telecommunications facilities or infrastructure.

**SUFFICIENT WATER SUPPLY**

Redevelopment of the project site would increase the demand for potable water that is needed to serve the proposed 15 new single-family homes proposed to be developed on-site. Water service for the project would be provided by the Vista Irrigation District (VID or District) from the water main in Melrose Way. The District is a member agency of the San Diego County Water Authority (SDCWA). VID imports approximately 70 percent of its potable water supply from SDCWA, who in turn buys it from the Metropolitan Water District of Southern California (MWD). The remaining 30 percent of VID's supply is from Lake Henshaw, which is fed through precipitation from the San Luis Rey watershed. Proposed project water usage was developed with the computer modeling (CalEEMod) of the project's air quality and GHG emissions described in detail in Section III Air Quality and Section VIII, Greenhouse Gas Emissions. Based on CalEEMod, the project would consume approximately 1.5 million gallons of water annually.

Water supplies necessary to serve the demands of the proposed project, along with existing and other projected future users, and the actions necessary to develop these supplies (e.g., conservation via Senate Bill 7 of the Seventh Extraordinary Session (or SBX 7-7), efficiency standards, etc.) have been identified in the Urban Water Management Plans (UWMPs) of VID, the SDCWA, and MWD. California's urban water suppliers are required to prepare UWMPs in compliance with the Urban Water Management Planning Act (California Water Code §10610 et seq.) and the Water Conservation Bill of 2009 (SBX 7-7). UWMPs are prepared every five years by urban water suppliers to support their long-term resource planning and ensure adequate water supplies are available to meet existing and future water demands over a 20-year planning horizon, including the consideration of various drought scenarios and Demand Management Measures. The passage of SBX 7-7 in 2009 was enacted to require retail urban water agencies within California to achieve a 20 percent reduction in urban per capita water use by December 31, 2020 (Water Code Section 10608.20). As a result, SBX 7-7 also requires that UWMPs report base daily per capita water use (baseline), urban water use target, interim urban water use target, and compliance daily per capita water use. VID, SDCWA, and MWD calculate future demands within their respective service areas based on SANDAG's projected population and growth rate projections; SANDAG's projections are based on the land use policies in the general plans of the jurisdictions within San Diego County. These projections provide consistency between retail and wholesale agencies' water demand projections, thereby ensuring that adequate supplies are being planned for existing and future water users.

According to VID's *2015 Urban Water Management Plan* (*UWMP*) (June 2016), VID will use local water resources whenever possible; however, if there is a shortfall, they would rely on SDCWA supplies. In the analysis of a normal water supply year, as described in VID's *2015 UWMP* (June 2016), if SDCWA, MWD, and VID supplies are developed as planned and SBX 7-7 conservation targets are achieved, no shortages are anticipated within VID's service area in a normal year through 2040. That would mean that the District's entire projected potable water supply would meet the entire projected SBX 7-7 water demand of 24,147-Acre Feet in 2040.

In the analysis of a single-dry year through 2040, VID's *2015 UWMP* (June 2016) findings indicated that if SDCWA, MWD and VID supplies are developed as planned and SBX 7-7 conservation targets are achieved,

no shortages are anticipated within VID's service area. However, for multiple-dry year reliability analyses, the conservative planning assumption used in VID's *2015 UWMP* (June 2016) expects that MWD would be allocating supplies to its member agencies. As a result, some level of shortage could be potentially experienced. As stated above, when shortages occur in VID's resources, the SDCWA would use various measures to cover the shortfall, as described below.

The SDCWA was established pursuant to legislation adopted by the California State Legislature in 1943 for the primary purpose of supplying imported water to San Diego County for wholesale distribution to its member agencies. These imported water supplies consist of water purchases from MWD, core water transfers from Imperial Irrigation District (IID) and canal lining projects that are wheeled through MWD's conveyance facilities to the SDCWA's pipelines (or aqueducts), and spot water transfers that are pursued on an as-needed basis to offset reductions in supplies from MWD. Following the major drought in California of 1987 - 1992, which led to severe water supply shortages throughout the state, the SDCWA and its member agencies vigorously developed plans to minimize the impact of potential shortages by diversifying its supplies and strengthening its conservation programs. SDCWA's *2015 UWMP* (June 2016) identifies a diverse mix of water resources projected to be developed over the next 25 years to ensure long-term water supply reliability for the region. For example, existing and planned supplies from the Imperial Irrigation District transfer, canal lining projects are considered "verifiable" sources, and planned supplies from the new seawater desalination project in Carlsbad would be considered a drought-resilient supply.

The SDCWA, as a wholesale supplier, is also required by law to support its retail member agencies' efforts to comply with SBX 7-7 through a combination of regionally and locally administered active and passive water conservation measures, programs, and policies, as well as the use of recycled water. Examples of active measures and programs include residential and commercial water use surveys and education programs. Examples of passive measures include programs that encourage long-term behavior change towards measurable reductions in outdoor water use; increase the landscape industry's basic knowledge regarding the interdependency between water efficiency design, irrigation design, and maintenance; and participation on statewide, national, and industrial committees to advance behavior-based conservation strategies. Additional passive programs and policies include outreach activities, plumbing code changes, legislation, and conservation-based rate structures.

According to the SDCWA's *2015 UWMP* (June 2016) section on water supply reliability, under a single dry-year assessment using a very conservative assumption regarding limited Metropolitan supplies during a single dry water year and assuming SDCWA and member agency supplies are maintained and developed as planned, along with achievement of the additional conservation target, no shortages are anticipated within the Water Authority's service area in a single dry year until 2035. These shortages would be eliminated should MWD supplies approach the supply levels projected in their *2015 UWMP* Single Dry Year Supply Capability. With the previous years leading up to the single dry year being wet or average hydrologic conditions, MWD should have adequate supplies in storage to cover potential shortfalls in core supplies and would not need to allocate. Therefore, it is anticipated that the SDCWA would be able to meet VID's increased demands during a single-dry water year. For SDCWA's 2015 *UWMP* (June 2016) multiple dry-year reliability analysis, the conservative planning assumption is that MWD will be allocating supplies to its member agencies. Because it is uncertain in the future how MWD will allocate supplies to its member agencies, the analysis in SDCWA's *2015 UWMP* (June 2016) assumes supplies are allocated based on preferential right to MWD supplies. If a shortage occurs, the SDCWA plans to utilize action measures in its Water Shortage and Drought Response Plan. These actions include dry-year supplies, carryover storage, and regional shortage management measures to fill the shortfall. The SDCWA's dry-year supplies and

carryover storage are components of managing potential shortages within the region and for increasing supply reliability for the region. The dry-year supplies assist in minimizing or reducing potential supply shortages from MWD. Over the last five years the SDCWA has developed a carryover storage program to manage supplies more effectively. This includes in-region surface storage currently in member agency reservoirs and increasing capacity through the recently completed raising of San Vicente Dam. The SDCWA also has an out-of-region groundwater banking program in the California central valley. Through these efforts, SDCWA can store water available during wet periods for use during times of shortage. In years where shortages may still occur, after utilization of carryover storage, additional regional shortage management measures, such as securing dry-year transfers and extraordinary conservation achieved through voluntary or mandatory water-use restrictions would also be undertaken.

On the local level, additional water conservation for new developments in Vista would be achieved through compliance with the Water Efficient Landscaping Ordinance in the COV's Development Code, Chapter 18.56. A revised Estimated Total Water Use (ETWU) Worksheet for the proposed project would be required to be submitted in the application for a Grading Permit, which would have to be under the Maximum Applied Water Allowance (MAWA). As shown in Table 2-2 Landscape Water Requirements, the total ETWU for the proposed landscape plan would be, the total ETWU for the proposed landscape plan would be 141,932 gallons per year, some 17,466 gallons per year less than the MAWA. Accordingly, from a CEQA perspective the proposed project would be in compliance with the COV Water Efficient Landscaping Ordinance.

In addition to the noted UWMP's described above, other regional and/or State entities may also enact other measures during multiple-dry water years as well, including emergency regulations. As part of the Conditions of Approval for this project, compliance with any applicable VID emergency drought regulations regarding new development would be conducted by appropriate staff during review of project plans and various inspections prior to the approval of a Certificate of Occupancy. Therefore, as discussed in the above analysis the development of the project would not require new or expanded water entitlements from VID or require new water resources be found.

#### ADEQUATE WASTEWATER TREATMENT CAPACITY

New sewer lines would extend into the project site from an existing COV sewer main in Melrose Way. Wastewater is treated at the Encina Water Pollution Control Facility (Encina Facility), which is a conventional activated sludge wastewater treatment plant with a treatment capacity of 43.3 million gallons per day (mgd). The COV sewer system and the Encina Facility operate in accordance with applicable wastewater treatment requirements of the San Diego Regional Water Quality Control Board, and the project's wastewater system has been designed to comply with these treatment requirements. Therefore, upon development, the proposed development would tie into existing wastewater/sewer lines and would adhere to all wastewater treatment requirements specified by the COV and the San Diego Regional Water Quality Control Board so that significant impacts would not occur.

Based on the COV's *Sewer Master Plan 2017 Update* (August 2018), the proposed project would be expected to generate approximately 1,836 gpd of wastewater (2.55 acres x 720 gpd per acre) under the MLD *GP 2030* land use designation.[15] The project's private sewer pipe would connect to the COV's sewer main in Melrose Way. The City's sewer system consists of approximately 215 miles of sewer collection pipelines and one pump station, serving approximately 16,000 parcels, and conveys an annual average

15 Table 3-10, Land Use Sewage Flow Generation Factors, *City of Vista Sewer Master Plan 2017 Update* (2018).

flow of 6.53 mgd.[16] As stated above, wastewater from the project would be treated by the Encina Facility. Wastewater generation from the proposed project would not exceed the capacity of the Encina Facility to treat it. Therefore, the project's contribution of wastewater would not require new water/wastewater facilities to be built or existing facilities to expand; as a result, impacts would be less than significant.

### d – e. Less than Significant Impact.

#### Solid Waste Generation

Development of the proposed 15 new homes would result in a negligible increase in domestic municipal solid waste generation. Construction of the project would entail demolition and removal of all existing structures on-site including a septic system(s). As a result, the construction of the proposed residential development and associated improvements would likely generate both green waste (e.g., vegetation, etc.) and construction and demolition debris. Once construction of the residential buildings begins, it would generate various types of debris, including asphalt, metal, wood, etc. In compliance with AB 939, Municipal Code Chapter 13.17 - Construction and Demolition Debris Recycling, the City would require the diversion of at least 50 percent of the total construction and demolition debris generated by a project via reuse or recycling via a Waste Management Plan.[17] To comply with this requirement, construction and demolition debris would typically be hauled to a Construction, Demolition and Inert (CDI) Recycling Facility, such as the Escondido Disposal Corporation's (EDCO) CDI facility in San Marcos. Any remaining debris that is not recyclable would be disposed at a licensed landfill such as the Sycamore Landfill in San Diego.

Once operational, the project is estimated to generate approximately 1.2 tons of solid waste per home per year (based on the computer modeling (CalEEMod) of the project's air quality and GHG emissions described in detail in Section III Air Quality and Section VIII, Greenhouse Gas Emissions). The proposed project would construct a total of 15 new homes. Therefore, the project would generate a total of approximately 18 tons of solid waste per year.[18] As discussed in the *GP 2030 PEIR* (City of Vista, 2012b), EDCO is the current contracted solid waste hauler for the City and would serve the project. EDCO has several recycling programs, and the company processes over 1,000 tons of recyclables each day within its three material recovery facilities. Once all recyclables are recovered, the remaining solid waste would be taken to the Sycamore Landfill, which has a permitted capacity of 5,000 tons per day (tpd), and an estimated remaining capacity of 113,972,637 cubic yards according to CalRecycle. The average daily weight received at the Sycamore Landfill during September 2018 was 3,356 tons. Based on the project's projected daily generation of solid waste, the Sycamore Landfill can adequately accommodate the anticipated solid waste from the proposed project. Therefore, development of the proposed project would generate solid waste that would be within the capacity of local landfills, resulting in less than significant impacts.

#### Compliance with Solid Waste Statutes and Regulations

The COV complies with all federal, State, and local statutes and regulations related to solid waste, such as AB 939 and AB 341. EDCO also complies with all applicable federal and State solid waste regulations. The San Diego County DEH issues permits to all solid waste facilities in the county, including the Sycamore Landfill (37-AA-0023) which undergoes monthly inspections. As solid waste generated by the proposed

16 City of Vista website, http://www.cityofvista.com/services/city-departments/engineering/construction-projects/sewer, 2016
17 This is initiated through submission of a Waste Management Plan (WMP), which is part of the submittal package for a building permit. Prior to Final Building Approval, the applicant shall submit to the WMP Compliance Official documentation that it has met the Diversion Requirement for the project.
18 Based on a solid waste generation rate of tons annually per multi-family household (source: Table 4.12-9, sub-section in the *GP 2030 PEIR* [City of Vista, 2012b]).

project would be diverted to material recovery facilities, with the remaining waste hauled to the Sycamore Landfill (or any active, permitted landfill facility in the county), it would comply with existing regulations related to solid waste. Therefore, the project would comply with all applicable federal, State and local management and reduction statues and regulations regarding solid waste, resulting in less than significant impacts.

| XIX. Wildfire<br>*If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:* | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| a. Substantially impair an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☒ | ☐ |
| • Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | ☐ | ☐ | ☒ | ☐ |
| • 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? | ☐ | ☐ | ☒ | ☐ |
| • Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | ☐ | ☐ | ☒ | ☐ |

**a. LESS THAN SIGNIFICANT IMPACT.** In general, VHFHSZs (Very High Fire Hazard Severity Zones) exist in the City's Sphere of Influence (SOI) immediately adjacent to the city boundaries. There are relatively large areas of VHFHSZ in the southern, eastern, and northeastern portions of Vista. Properties located in areas defined as a VHFHSZ are subject to more stringent building and landscape code requirements than are properties outside of that zone (*GP 2030 PEIR*, 2012b).

The project site is located within the urban unzoned area as shown in the FHSZ Map layer of the VistaGIS map (2020). Parcels immediately surrounding the project site have the same designation. The closest VHFHSZ to the project site is located northwest of the site, within the SOI, which is within the Vista Fire Protection District (VFPD). The VFPD has adopted Emergency Evacuation Plans in its Community Wildfire Protection Plan to identify evacuation routes, emergency facilities, and available Vista Fire Department (VFD) personnel and equipment to effectively deal with emergency situations. As a result, no revisions to the adopted Emergency Evacuation Plans would be required due to the development of the proposed project.

The nearest VFD station is Fire Station No. 1 The closest fire station to the project site is located approximately one mile to the north at 175 North Melrose Drive. Primary access to and from the site would be provided vis the new roadway that would connect with Melrose Way. Secondary/emergency access to and from the site would be provided via a connection to McGavran Drive.

As discussed in Section IX Hazards and Hazardous Materials of this document, under resource topic F, the proposed project plans have been reviewed by the VFD, and the design would provide all required emergency access in accordance with the requirements of the Department. Therefore, implementation of the proposed project would not impair or physically interfere with an evacuation plan. As a result, impacts would be less than significant, and no mitigation is required.

**b. LESS THAN SIGNIFICANT IMPACT.** As discussed in the *GP 2030 PEIR* (City of Vista, 2012b), the combination of southern California's Mediterranean climate (winter and spring rainfall and hot dry summers), and the frequency of high wind velocity from Santa Ana winds (which generally blow east to west) creates optimum conditions for wildfires. Steep terrain also contributes to the rapid spread of wildfires. Slopes affect the behavior of fire because they can change the proximity of separate burns. Many hillside areas within Vista have slopes with a gradient greater than 30 percent, resulting in long, winding roads that terminate on the sides and tops of ridges leading to single-family residences.

The project site is located within an urbanized area in the northern portion of the city (see Figure 1, City Location Map, and Figure 2, Aerial Photo of Existing Property and Surrounding Land Uses in Attachment A) and is located south of the nearest VHFHSZ. This VHFHSZ is within the SOI, which is within the VFPD. The VFD serves the VFPD and administers the Weed Abatement Program and Defensible Space requirements for new residential developments in the District, among other duties. The VFD and other City departments are active participants in the *Multi-Jurisdictional Hazard Mitigation Plan* (MJHMP) *for San Diego County* (San Diego County, 2017), which identifies risks by natural and human-made disasters and ways to minimize the damage from these disasters. The City's portion of the *MJHMP* (2017) includes goals, objectives, and actions to reduce wildfire hazards within Vista. The City is responsible for implementing these goals and actions, which includes such actions as "continue to promote cooperative vegetation management programs that encompass hazard mitigation in the city and unincorporated areas that threaten the city" (San Diego County, 2017).

As stated in Chapter 2 of this document, the project site is disturbed and generally flat. The project has been designed to meet all applicable development and fire codes, including landscaping and vegetation requirements. Also, VFD has been involved in plan checks for the discretionary permit review process, and the proposed project has been approved. Once applications for building permits are submitted, VFD would review all construction plans for adequate fire suppression, fire access, and emergency evacuation.

As a result, adherence to standard COV and State policies and regulations regarding fire codes would not result in exacerbating wildfire risks and impacts from wildfire pollution would be less than significant.

**c. LESS THAN SIGNIFICANT IMPACT.** As previously discussed, all proposed project components (including utilities, roadway, buildings, walls, landscaping, etc.) would be located within the boundaries of the project site, and impacts associated with the development of the project are analyzed throughout this document. As also noted above, the closest VHFHSZ to the site is located north of the site, within the SOI which is within the VFPD. The project has been designed to meet all applicable development and fire codes, including landscaping and vegetation requirements, and VFD has been involved in plan checks for the discretionary permit review process, and has preliminarily approved the project's compliance with its

standards. As a result, adherence to standard COV policies in the installation or maintenance of associated infrastructure would not exacerbate fire risk, and potential impacts would be less than significant.

**d. LESS THAN SIGNIFICANT IMPACT.** As discussed above, the project site is not located within a designated VHFHSZ. All proposed project components (including utilities, private road, buildings, walls, landscaping, etc.) would be located within the boundaries of the project site, and impacts associated with the development of the project are analyzed throughout this document. The proposed project has been designed to meet all applicable development and fire codes, including landscaping and vegetation requirements, and VFD has been involved in plan checks for the discretionary permit review process, and has preliminarily approved the project's compliance with its standards. As a result, adherence to standard COV policies in the installation or maintenance of associated infrastructure would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes; therefore, potential impacts would be less than significant.

| XX. Mandatory Finding of Significance | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| 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? | ☐ | ☒ | ☐ | ☐ |
| • 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)? | ☐ | ☐ | ☒ | ☐ |
| • Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☐ | ☒ | ☐ |

## *DISCUSSION*

**a. LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.** With the incorporation of mitigation measures for biological and cultural resources, hazards and noise, the proposed project would not have the potential to degrade the quality of the environment, reduce the habitat of any sensitive plant or animal species, or eliminate important examples of California history or prehistory.

Based on the potential for impacts to nesting birds on-site, Mitigation Measure BIO-1 has been included to ensure impacts to nesting birds and raptors are avoided. Based on the analysis in the *Cultural Report* (Helix, 20201b), which included pedestrian surveys of the project site by an archaeologist, surficial or known cultural or tribal cultural resources were not identified on the site. Nonetheless, based on a number of factors indicating that the surrounding area is generally rich in cultural resources, unknown cultural and tribal cultural resources, and human remains, could be inadvertently discovered during ground-disturbing activities, which would be considered a potentially significant impact. However, with the implementation of

Mitigation Measures CR-1 to CR-6 in Section V in this chapter, these impacts would be reduced to less than significant levels.

**b. LESS THAN SIGNIFICANT IMPACT.** Implementation of the proposed project would not result in individually limited, but cumulatively considerable significant impacts. All resource topics associated with the project have been analyzed in accordance with CEQA and the State CEQA Guidelines and were found to pose no impacts, less-than-significant impacts, or less than significant impacts with mitigation (i.e., Biological Resources, Cultural Resources, Hazardous Materials and Noise). In addition, taken in sum with other projects in the area the scale of the proposed project is small, and impacts to any environmental resource or issue areas would not be cumulatively considerable. Therefore, impacts would be less than significant.

**c. LESS THAN SIGNIFICANT IMPACT.** The project would not consist of any uses or activities that would negatively affect any persons directly or indirectly. In addition, all resource topics associated with the project have been analyzed in accordance with CEQA and the State CEQA Guidelines and were found to pose no impacts, less-than-significant impacts, or less than significant impacts with mitigation incorporated (i.e., Biological Resources, Cultural Resources, Hazardous Materials and Noise). Consequently, the project would not result in any environmental effects that would cause substantial adverse effects on human beings directly or indirectly.

# Chapter 4

# REFERENCES AND LIST OF PREPARERS

## References

Section 15150 of the State CEQA Guidelines permits an environmental document to incorporate by reference other documents that provide relevant data. The documents listed below are hereby incorporated by reference. The pertinent material is summarized throughout this Initial Study where that information is relevant to the analysis of impacts of the proposed project. Referenced documents that are followed by a star (*) are on file and available for review at the City of Vista Planning Division office located at 200 Civic Center Drive, Vista.

California Air Pollution Control Officers Association (CAPCOA). 2021. California Emissions Estimator Model Version 2020.4.0

California Department of Conservation, Division of Mines and Geology. 1993. *Mineral Land Classification: Aggregate Materials in the Western San Diego County Production-Consumption Region*. Special Report 153.

California Department of Conservation. 2019. *San Diego County Important Farmland Map*. https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed October 2021.

California Department of Forestry and Fire Protection. 2022. *Very High Fire Hazard Severity Maps.* https://osfm.fire.ca.gov/media/5973/vista.pdf/. Accessed March 2022.

City of Vista. 2011. *Stormwater Standards Manual*. https://www.cityofvista.com/home/showdocument?id=3868

City of Vista. 2012a. *General Plan 2030 Update*

City of Vista. 2012b. *General Plan 2030 Update Program EIR.*

City of Vista. 2016a. BMP Design Manual. https://www.cityofvista.com/home/showdocument?id=6419.

City of Vista. 2016b. Interim Policy on Greenhouse Gas Emissions Significance Thresholds for CEQA compliance in accordance with CA Supreme Court Ruling in Center for Biological Diversity v. California Department of Fish and Wildlife. Revised April 6, 2016.

City of Vista. 2018. *Sewer Master Plan 2017 Update and Supplemental Program EIR.* https://www.cityofvista.com/home/showdocument?id=13765, and https://www.cityofvista.com/home/showdocument?id=13659. Accessed March 2022.

City of Vista. 2019. *GIS City-Wide Map* - https://gis.cityofvista.com/vistagis/. Accessed March 2022.

City of Vista. Various dates. *Municipal and Development Codes*. https://www.cityofvista.com/city-services/city-departments/community-development/municipal-development-codes. Accessed November 2021 and March 2022.

City of Vista. 2020. *Final Traffic Impact Analysis Guidelines. October. **

City of Vista. 2021. *Climate Action Plan*. *

GeoSoils, Inc. 2021a. *Preliminary Geotechnical Investigation*. March 5. *

GeoSoils, Inc. 2021b. *Phase 1 Environmental Site Assessment and Limited Phase II Testing.* March 22. *

Helix Environmental Planning, Inc. 2021a. *Biological Resources Letter Report.* October 27. *

Helix Environmental Planning, Inc. 2021b. *Cultural Resources Survey. October. **

Intersecting Metrics. 2021. *Traffic Impact Analysis*. October. *

Pasco Laret Suiter & Associates, Inc. *2021a. Priority Development Project Stormwater Quality Management Plan. June. **

Pasco Laret Suiter & Associates, Inc. *2021b. Hydrology Study.* June. *

RCH Group. 2021a. *Air Quality Technical Report.* September. *

RCH Group. 2021b. *Greenhouse Gas Emissions Technical Report.* September. *

RCH Group. 2021c. *Noise Technical Report.* September. *

San Diego County. 2017. *Multi-Jurisdictional Hazard Mitigation Plan*. https://www.sandiegocounty.gov/oes/emergency_management/oes_jl_mitplan.html. Accessed February 2022.

SANDAG. 2002. (*Not so) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*. April.

Vista Irrigation District. 2016. *2015 Urban Water Management Plan.* https://www.vidwater.org/files/5599557e1/2015+UWMP+6-22-2016.pdf. Accessed Nov. 2021.

Vista Irrigation District. 2017. *2017 Potable Water Master Plan*. https://www.vidwater.org/files/b8a52bb4e/2017+Potable+Water+Master+Plan_2018-04-09_combined_35mb.pdf. Accessed March 2022.

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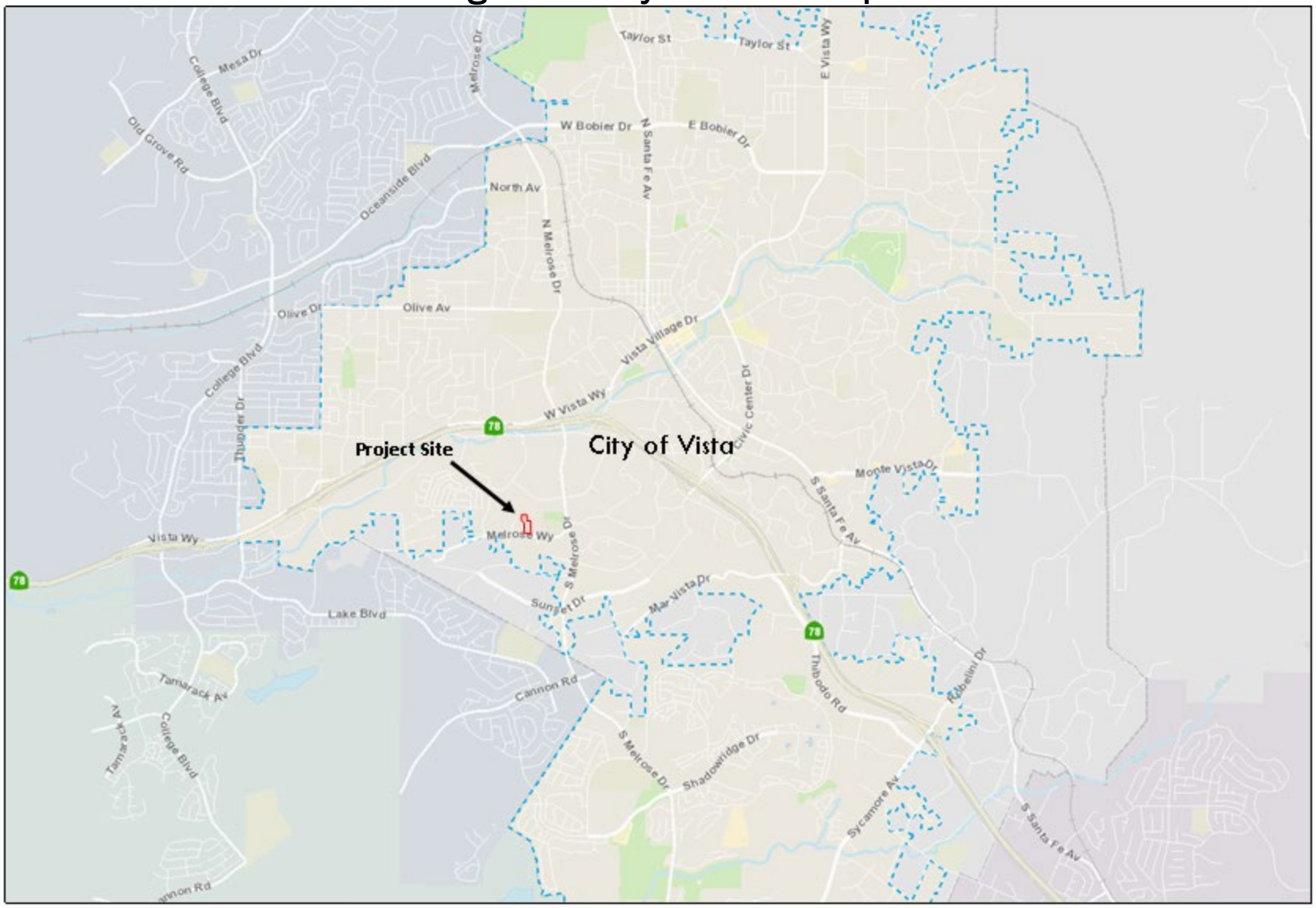
# Attachment A – Figures

# Figure 1 - City Location Map




North

Project Site Location is Approximate

No Scale

Source: City of Vista GIS, 2018 Aerial Photo 2017

# Figure 2 - Aerial Photo of Existing Property and Surrounding Area


*Source: City of Vista GIS, 2018 Aerial Photo 2017*

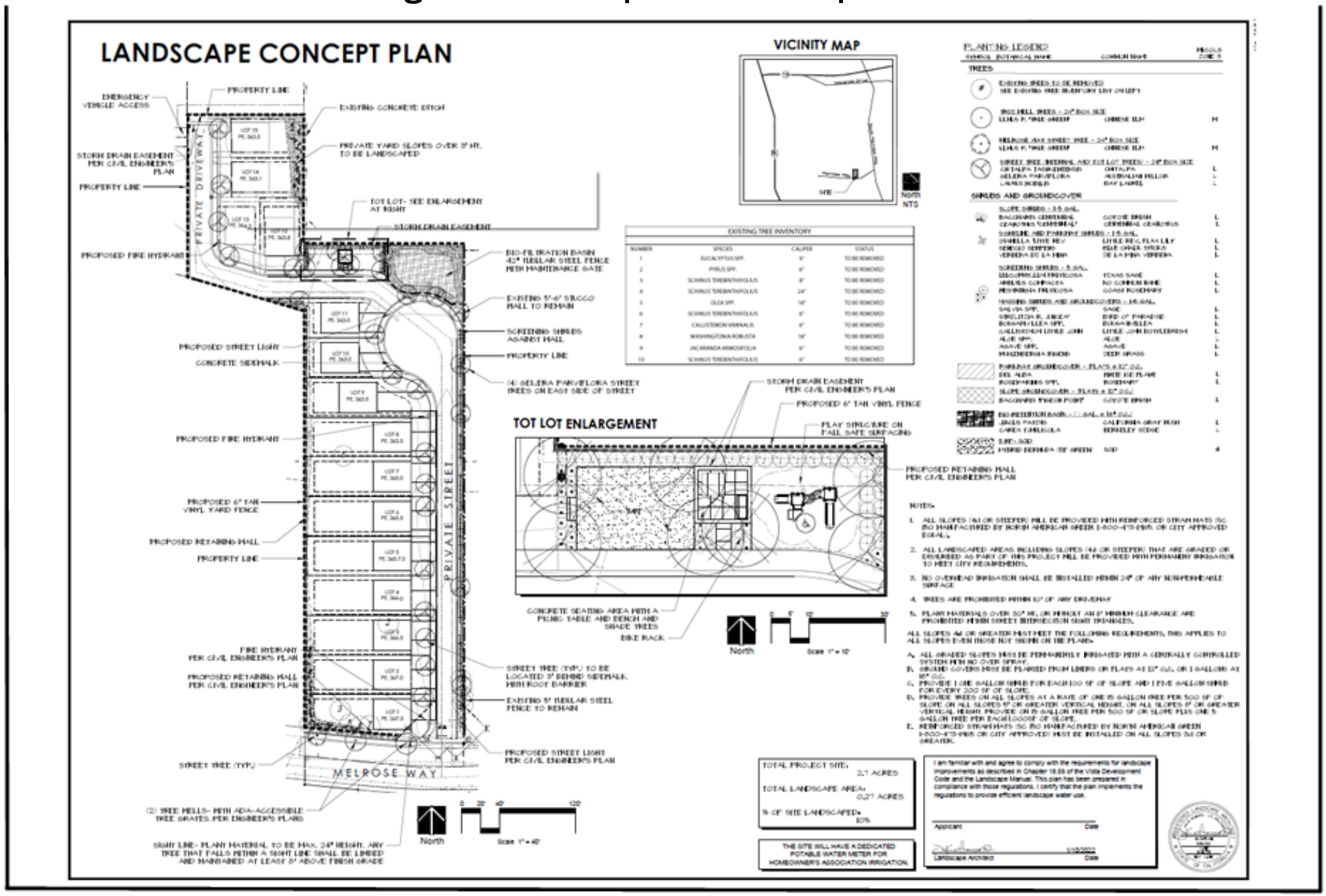
# Figure 3 - Aerial Photo of Existing Site


| North | Project Site Location is Approximate. | No Scale |
|---|---|---|

*Source: City of Vista GIS, 2018 Aerial Photo 2017*

# Figure 4 - Proposed Site Plan

# Figure 5 - Conceptual Landscape Plan




*Source: Kimley-Horn & Assoc., 6/2018*

# Attachment B – Mitigation Monitoring & Reporting Program

# CITY OF VISTA

## MITIGATION MONITORING AND REPORTING PROGRAM

## INITIAL STUDY & MITIGATED NEGATIVE DECLARATION P21-01301

## MAY 2022

| | |
|---|---|
| **PROJECT NAME:** | 1205 Melrose Way 15-Lot Residential Subdivision Project |
| **DESCRIPTION:** | The applicant seeks approval of a General Plan Amendment (GPA), Zone Change (ZC), Tentative Subdivision Map (TSM), and Density Bonus to redevelop a 2.55-acre site with a 15-lot residential subdivision. Development also includes utility connections, drainage improvements, landscaping, tot lot, vehicular parking and roadway access off Melrose Way. The project includes 30 garage parking spaces, and 30 additional guest parking spaces. The project also includes an off-site emergency access road and additional grading to the northwest as well as infrastructure connections/improvements to the south along the interface with Melrose Way. |
| **LOCATION:** | 1205 Melrose Way, on the north side of the street between South Melrose Drive to the east and McGavran Drive to the west, within the city of Vista. |

The following Mitigation Measures have been incorporated into the project design or are to be implemented before or during construction in accordance with the project Conditions of Approval, thereby reducing all identified impacts to less than significant levels.

| Mitigation Measures | | Staff Monitor | Timing of Compliance | Date of Compliance |
|---|---|---|---|---|
| **BIO-1** | Pre-Construction Surveys for Avian Nesting. Project construction activities (demolition, grading, clearing, grubbing) shall be conducted between September 16 and January 31, which is outside of the nesting season for birds and raptors. If initial grading and vegetation removal activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird nesting season (January 15 to September 15), the project applicant shall retain a qualified biologist to conduct a pre-construction survey for nesting birds and raptors. The survey shall be completed no more than three days prior to the beginning of demolition or other construction impacts. If the survey concludes no active bird or raptor nesting, then project activities shall be allowed to proceed without any further requirements. If active bird nests are confirmed to be present during the pre-construction survey, then a buffer zone shall be established by the biologist. Construction activities shall avoid any active nests until a qualified biologist has verified that the young have fledged, or the nest has otherwise become inactive. | City Planner and/or City Engineer | Prior to any and all on-site and off-site ground disturbing activities | |
| **CR-1** | Cultural resource mitigation monitoring shall be conducted on the site 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 a Qualified Archaeologist and a traditionally and culturally affiliated (TCA) Native American Monitor associated with a TCA tribe for, but not limited to, any clearing or grubbing of vegetation, tree removal, demolition and/or removal of remnant foundations, pavements, abandonment and/or installation of infrastructure; grading or any other ground disturbing or altering activities, including the placement of any imported fill materials (note: all fill materials shall be absent of any and all cultural resources); and any related road improvements, including, but not limited to, the installation of infrastructure, realignments, and/or expansions to parking lots. Other tasks of the monitoring program shall include the following:<br>• The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc.<br>• The Qualified Archaeologist and TCA Native American Monitor shall attend at least one pre-construction meeting with the Contractor and/or associated Subcontractors (e.g., Grading Contractor) and a representative from the City of Vista's Engineering or Community Development departments to present the archaeological monitoring program as presented in these measures.<br>• The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American Monitor during all ground disturbing or altering activities, as identified above. The Contractor or Grading Contractor shall notify the Director of Community Development & Engineering, preferably through e-mail, of the start and end of all ground-disturbing activities.<br>• The Qualified Archaeologist 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 directed away from these deposits for a short time to allow a determination of potential significance, the subject of which shall be determined by the Qualified | City Planner and/or City Engineer | Prior to any and all on-site and off-site ground disturbing activities, including any informal or formal solicitation of construction bids | |

| Mitigation Measures | | Staff Monitor | Timing of Compliance | Date of Compliance |
|---|---|---|---|---|
| | Archaeologist and the TCA Native American Monitor. If a determination is made that the unearthed artifact deposits or tribal cultural resources are considered potentially significant, the consulting TCA Tribe(s) shall be notified and consulted in regards to the respectful and dignified treatment of those resources. 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 Qualified Archaeologist's discretion, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources.<br>• 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, culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a data recovery plan may be authorized by the City as the Lead Agency under CEQA. If data recovery is required, then the consulting TCA Tribe(s) shall be notified and consulted in drafting and finalizing any such recovery plan. | | | |
| **CR-2** | Prior to the submission of a grading plan to City staff for review, the Applicant or Owner, and/or Contractor shall enter into a Pre-Excavation Agreement with a Traditionally and Culturally Affiliated Native American Tribe ("TCA Tribe"). A copy of the agreement shall be included in the grading plan submission. 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, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, off-site infrastructure installation, grading, and all other ground disturbing activities. | City Planner | Prior to issuance of a demolition or grading permit, and throughout all ground disturbing or altering activities | |
| **CR-3** | Prior to the release of the Grading Bond, a Monitoring Report and/or Evaluation Report, which shall comply with Government Code Section 6254(r), shall be submitted by the Qualified Archaeologist, along with the TCA Native American Monitor's notes and comments, to the City Planner for the project administrative record. | City Planner | Prior to the issuance of a Grading Permit | |
| **CR-4** | All cultural materials that are associated with burial and/or funerary goods shall be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission (NAHC) per California Public Resources Code Section 5097.98. | Director of Community Development | Prior to the issuance of a Grading Permit | |
| **CR-5** | Recovered cultural material of historic significance, but not of tribal significance, shall be curated with accompanying catalog, photographs, and reports to a San Diego curation facility that meets federal standards per 36 CFR Part 79. Materials of Native American origin should be catalogued in the field by | City Planner | Prior to the release of the Grading Bond | |

| Mitigation Measures | | Staff Monitor | Timing of Compliance | Date of Compliance |
|---|---|---|---|---|
| | the archaeologist with the TCA monitor present. No materials are to leave the project site. The cultural material can then be returned to the Tribe(s) for reburial on the project site as detailed below. Recovered cultural material of tribal cultural significance shall be repatriated as stipulated in the pre-excavation agreement as described in CR-2.<br><br>Onsite Resource Reburial: Upon completion of all ground-disturbing and grading activities on the Project site, the TCA monitor and representatives from the Tribe(s) will rebury any resources recovered from the Project site in an open space area that will remain free from any active recreational uses or any further excavation or ground disturbance. Any reburial site shall be culturally appropriate and explicitly approved in writing by the consulting Tribe(s). The reburial location will be covered first by a layer of geomat and then backfilled with clean fill dirt. Once reburial activities are completed, the site will be protected via a restrictive covenant or similar deed restriction that prohibits future excavation or disturbance of the reburial location. | | | |
| **CR-6** | As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American monitor) shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission would then make a determination as to the Most Likely Descendent. If Native American remains are discovered, the remains shall be kept *in situ* ("in place"), or in a secure location in close proximity to where they were found, until after the Medical Examiner makes its determination and notifications, and until after the Most Likely Descendant is identified. The analysis of the remains shall only occur on-site in the presence of a Most Likely Descendant. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply, and the mediation process will occur with NAHC. In the event that mediation is not successful, the landowner shall rebury the remains at a location free from future disturbance (see Public Resources | City Planner | Throughout all ground disturbing or altering activities | |

| Mitigation Measures | | Staff Monitor | Timing of Compliance | Date of Compliance |
|---|---|---|---|---|
| | Code Section 5097.98(e) and 5097.94(k)). | | | |
| **HAZ-1** | Prior to any site disturbing activities, the Applicant and/or Owner shall conduct testing for the presence of ACM and LBP. If the testing determines that ACM and/or LBP are present on-site, removal of these potential hazardous building materials shall occur in accordance with all regulatory procedures prior to on-site demolition activities. Any materials exported from the site must be properly managed and transported to an appropriately permitted facility if it is characterized as a regulated or hazardous waste. | City Engineer and/or City Planner | Prior to any site disturbing activities | |
| **NOI-1** | Construction Noise Management Plan: Noise levels from Project-related demolition, grading, and construction activities shall not exceed the noise limit specified in San Diego County Code (adopted by City of Vista) Sections 36.408 and 36.409 of 75 dBA (8-hour average), when measured at the boundary line of the property where the noise is located or any occupied property where noise is being received. A Construction Management Plan shall be submitted to the City of Vista Planning Division for approval prior to issuance of the Grading Permit. The following measures may be included to reduce construction/demolition noise: Construction equipment shall be properly outfitted and maintained with manufacturer-recommended noise-reduction devices.<br>• Diesel equipment shall be operated with closed engine doors and equipped with factory-recommended mufflers.<br>• Mobile or fixed "package" equipment (e.g., arc-welders and air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment.<br>• Electrically powered equipment shall be used instead of pneumatic or internal-combustion powered equipment, where feasible.<br>• Unnecessary idling of internal combustion engines (e.g., in excess of 5 minutes) shall be prohibited.<br>• Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise sensitive receptors.<br>• The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be used for safety warning purposes only.<br>• No project-related public address or music system shall be audible at any adjacent sensitive receptor.<br>• Prior to construction activities, designate a "Construction Noise Coordinator" who shall be responsible for responding to local complaints about construction noise. The Construction Noise Coordinator shall determine the cause of the complaint and shall require that reasonable measures be warranted to correct the problem be implemented (potentially including temporary noise barriers). The telephone number for the Construction Noise Coordinator shall be conspicuously posted at the construction site. | City Engineer and/or City Planner | Prior to any site disturbing activities | |

| Mitigation Measures | | Staff Monitor | Timing of Compliance | Date of Compliance |
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| | • Prior to construction activities, notify the adjacent church and residences of the construction schedule in writing and provide them with the contact information of the Construction Noise Coordinator. | | | |