AUGUST 2024

Chick-fil-A West 13th & Centre City

Public Review Draft Initial Study/Mitigated Negative Declaration

Prepared for:

ESCONDIDO
City of Choice

Prepared by:

Michael Baker
INTERNATIONAL

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PUBLIC REVIEW DRAFT

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Chick-fil-A West 13th & Centre City

LEAD AGENCY:

City of Escondido

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August 2024

JN 196051

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The Notice of Intent to Adopt (NOI), Draft IS/MND, and Appendices are available for download at the Office of Planning and Research's (OPR) CEQAnet online database.

https://ceqanet.opr.ca.gov/

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1.0 INTRODUCTION

The proposed Chick-fil-A West 13th & Centre City (project) site is located at 515 West 13th Avenue, in the City of Escondido, California. The project would demolish an existing restaurant building and construct a new Chick-fil-A restaurant with a dual lane drive-through, associated surface parking improvements, and landscaping improvements. The new Chick-fil-A restaurant would be a 3,124 square-foot (gross area), one-story building (up to 22 feet in height). The new restaurant would have an outdoor dining area (48 outdoor seats [including three Americans with Disabilities Act-compliant seats]), kitchen area, and service area.

Following a preliminary review of the proposed project, the City of Escondido determined that the proposed project is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This Initial Study analyzes the potential direct, indirect, and cumulative environmental effects of the proposed project.

1.1 CEQA STATUTORY AUTHORITY AND REQUIREMENTS

In accordance with Sections 15051 and 15367 of the California Code of Regulations (CCR), the City is identified as the Lead Agency for the proposed project. Under CEQA (Public Resources Code Section 21000-21177) and pursuant to Section 15063 of the CCR, the City is required to undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. If, as a result of the Initial Study, the Lead Agency finds that there is evidence that any aspect of the project may cause a significant environmental effect, the Lead Agency shall further find that an Environmental Impact Report (EIR) is warranted to analyze project-related and cumulative environmental impacts. Alternatively, if the Lead Agency finds that there is no evidence that the project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency shall find that the proposed project would not have a significant effect on the environment and shall prepare a Negative Declaration (or Mitigated Negative Declaration). Such determination can be made only if "there is no substantial evidence in light of the whole record before the Lead Agency" that such impacts may occur (Section 21080[c], Public Resources Code).

The environmental documentation, which is ultimately selected by the City in accordance with CEQA, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions upon the project. The resulting documentation is not, however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits, and other discretionary approvals would be required.

1.2 PURPOSE

CEQA Guidelines Section 15063 identifies specific disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study shall include:

- A description of the project, including the location of the project;
- An identification of the environmental setting;
- An identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries. The brief explanation may be either through a narrative or a

reference to another information source such as an attached map, photographs, or an earlier EIR or negative declaration. A reference to another document should include, where appropriate, a citation to the page or pages where the information is found;

- A discussion of ways to mitigate significant effects identified, if any;
- An examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls; and
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study.

1.3 CONSULTATION

Pursuant to CEQA Guidelines Section 15063(g), as soon as the Lead Agency (in this case, the City of Escondido) has determined that an Initial Study would be required for the project, the Lead Agency is directed to consult informally with all Responsible Agencies and Trustee Agencies that are responsible for resources affected by the project, in order to obtain the recommendations of those agencies as to whether an EIR or Negative Declaration should be prepared for the project. Following receipt of any written comments from those agencies, the Lead Agency considers any recommendations of those agencies in the formulation of the preliminary findings. Following completion of this Initial Study, the Lead Agency initiates formal consultation with these and other governmental agencies as required under CEQA and its implementing guidelines.

1.4 INCORPORATION BY REFERENCE

The long-range planning documents listed below were utilized during the preparation of this Initial Study. These documents are available for review at the City of Escondido Planning Division, 201 North Broadway, Escondido, California, 92025.

- *Escondido General Plan* (May 2012). The *Escondido General Plan* (General Plan), dated September 2012, is a policy document that provides broad guidelines for development in the City while addressing a wide range of issues that will affect the City, such as education, employment, child and elder care, community health and housing, as well as recreation and cultural enhancement. The General Plan includes the following eight elements: Land Use and Community Form; Mobility and Infrastructure; Housing; Community Health and Services; Community Protection; Resource Conservation; Growth Management; and Economic Prosperity.
- *Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Environmental Impact Report* (April 23, 2012). The *Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Environmental Impact Report* (General Plan EIR), adopted April 23, 2012, is a program level analysis that addresses potential impacts of activities associated with implementation of the General Plan Update, Downtown Specific Plan Update, as well as the City's Climate Action Plan. Specifically, the General Plan EIR analyzes environmental topical areas related to: aesthetics; agricultural resources; air quality; biological resources; cultural and paleontological resources; geology and soils; greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, and utilities and service systems. According to the General Plan EIR, implementation of the General Plan would result in

significant and unavoidable impacts related to air quality, biological resources, noise, population and housing, transportation and traffic, and utilities and service systems.

- *Escondido Climate Action Plan* (March 2021). The *Escondido Climate Action Plan* (CAP), adopted March 2021, is a policy document that provides a roadmap for reducing greenhouse gas emissions (GHG) through the implementation of various strategies, goals, actions, and supporting measures. The CAP requires the incorporation of sustainable design to reduce project GHG emissions. Consistent with CEQA Guidelines Section 15183.5, the CAP allows for CEQA streamlining through a CAP Consistency Review Checklist (Checklist). The CAP Checklist contains GHG reduction measures applicable to development projects that are required to be implemented on a project-by-project basis.

- *South Centre City Specific Plan* (Revised August 2018). The *South Centre City Specific Plan* (Specific Plan), revised August 2018, is a policy document that provides a vision, goals, concepts, and recommendations that are tailored to South Centre City and are intended to preserve and enhance the area's characteristics while encouraging constructive changes in concert with the General Plan themes, goals, and Guiding Principles for the four Target Areas. In addition, the Specific Plan provides the regulatory framework for future development, including a land use matrix, urban design guidelines, and development standards. Economic development strategies, mobility policies, and recommendations for infrastructure improvements are included to support revitalization and transformation. The Specific Plan also incorporates safety, health, and sustainability strategies to create a walkable community where residents can live, work, shop and recreate. The Specific Plan is organized into the following chapters: Introduction; Vision and Goals; District Plans; Land Use; Development Standards and Design Guidelines; Mobility; Parks, Recreation and Open Space; Sustainability; and Implementation and Administration.

- *Escondido Municipal Code* (current through Ordinance No. 2023-07, adopted March 8, 2023). The *Escondido Municipal Code* (Municipal Code) consists of codes and ordinances adopted by the City. These include standards intended to regulate land use, development, health and sanitation, water quality, public facilities, and public safety. Chapter 33, *Zoning* (Zoning Ordinance) of the Municipal Code, includes an official land-use plan for the City adopted and established to serve the public health, safety, comfort, convenience, and general welfare by dividing the City into zones and establishing land use districts for public and private use and general provisions and standards of development with the aim of preserving a serviceable community.

These documents, incorporated by reference, were utilized throughout this document as the fundamental planning documents that may apply to the project. Background information and policy information, as well as specific adopted rules and regulations pertaining to the City were also relied upon throughout this document and are referenced accordingly.

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2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The City of Escondido (City) is located in northern San Diego County (County), approximately 30 miles north of San Diego and about 18 miles east of the Pacific Ocean; refer to Exhibit 2-1, *Regional Vicinity*. The City consists of approximately 37.5 square miles. Surrounding jurisdictions include unincorporated San Diego County to the north and east, the City of San Diego to the south, and the City of San Marcos to the west.

The proposed Chick-fil-A West 13th & Centre City Project (project) site involves an approximately 1.40-acre parcel located at 515 West 13th Avenue (Assessor's Parcel Numbers [APNs] 236-161-06-00 and -07-00); refer to Exhibit 2-2, *Site Vicinity*. Regional access to the project site is provided via the Escondido Freeway (Interstate 15 [I-15]), State Route 78 (SR-78), and Centre City Parkway. Local access to the project site is provided via West 13th Avenue and South Pine Street.

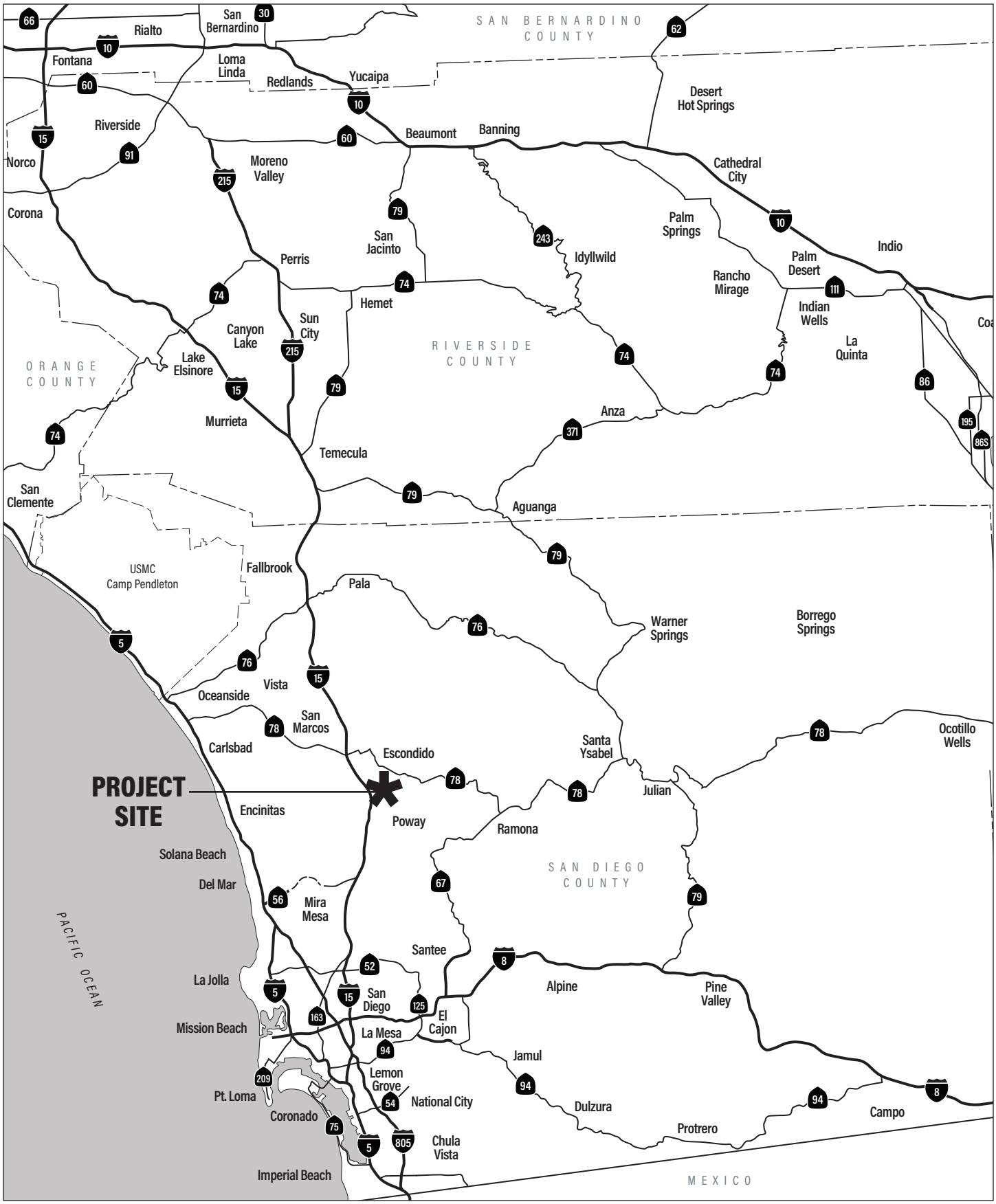
2.2 ENVIRONMENTAL SETTING

The project site is currently developed with an existing 9,558-square-foot restaurant building (DiCicco's Restaurant and Cork and Knife Wine Bar), associated surface parking lot, and ornamental landscaping. The existing restaurant includes an ancillary five-foot tall monument sign located near the southwestern corner of the 13th Avenue and Pine Street intersection. The existing parking lot includes approximately 88 surface parking spaces, parking lot lighting fixtures, and planters. The existing restaurant building is currently vacant. The project site is accessed via two existing driveways: one along the site's northern boundary via 13th Avenue; and one along the site's eastern boundary via Pine Street. Both the northern and eastern driveways provide full access ingress/egress.

The project site is currently landscaped with 30 trees, including ficus, strawberry tree, carrotwood, eucalyptus, southern magnolia, Hollywood juniper, and a variety of shrubs. Existing lighting at the project site includes building, parking lot, and security lighting. The topography of the project site is generally flat and slopes downward to the east. Existing undergrounded utilities (i.e., water, wastewater, gas, and electricity) are afforded in 13th Avenue right-of-way. The southern portion of the project site currently drains surface stormwater flows in a northeasterly direction via on-site gutters. Stormwater flows that are collected within the on-site gutters are then conveyed westerly into on-site private catch basins. Both catch basins outlet into Pine Street and 13th Avenue via curb face drains. The northern portion of the project site currently drains surface flows in a northerly and easterly direction, and ultimately into the public right-of-way. After entering the public right of way, runoff is conveyed via curb and gutter to an existing public catch basin at the corner of Pine Street and 13th Avenue.

GENERAL PLAN LAND USE DESIGNATION AND ZONING

Based on the City's Land Use Map and Zoning Map, the project site is designated Specific Plan Area (SPA) and zoned Specific Plan (S-P). Specifically, according to the City's Zoning/General Plan Parcel-based Land Use Data Viewer and Parcel Information Lookup Tool, the project site is located within SPA 15: South Centre City Specific Plan. The project site is also located with the 13th Avenue Corners District. More specifically, the project site is located in the *South Centre City Specific Plan* (Specific Plan). The Specific Plan area comprises eight districts, which function as zoning districts for the purposes of the Specific Plan,



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Regional Vicinity

Exhibit 2-1

Source: Google Earth Pro, November 2023

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Site Vicinity

Exhibit 2-2

and include concepts/policies pertaining to land use; mobility; design; and parks, recreation, and open space to both guide and evaluate the adequacy of proposed developments. The project site is situated within the 13th Avenue Corners District.

SURROUNDING USES

The project site is bound by transportation, commercial, and residential uses. Surrounding land uses in proximity to the project site include the following:

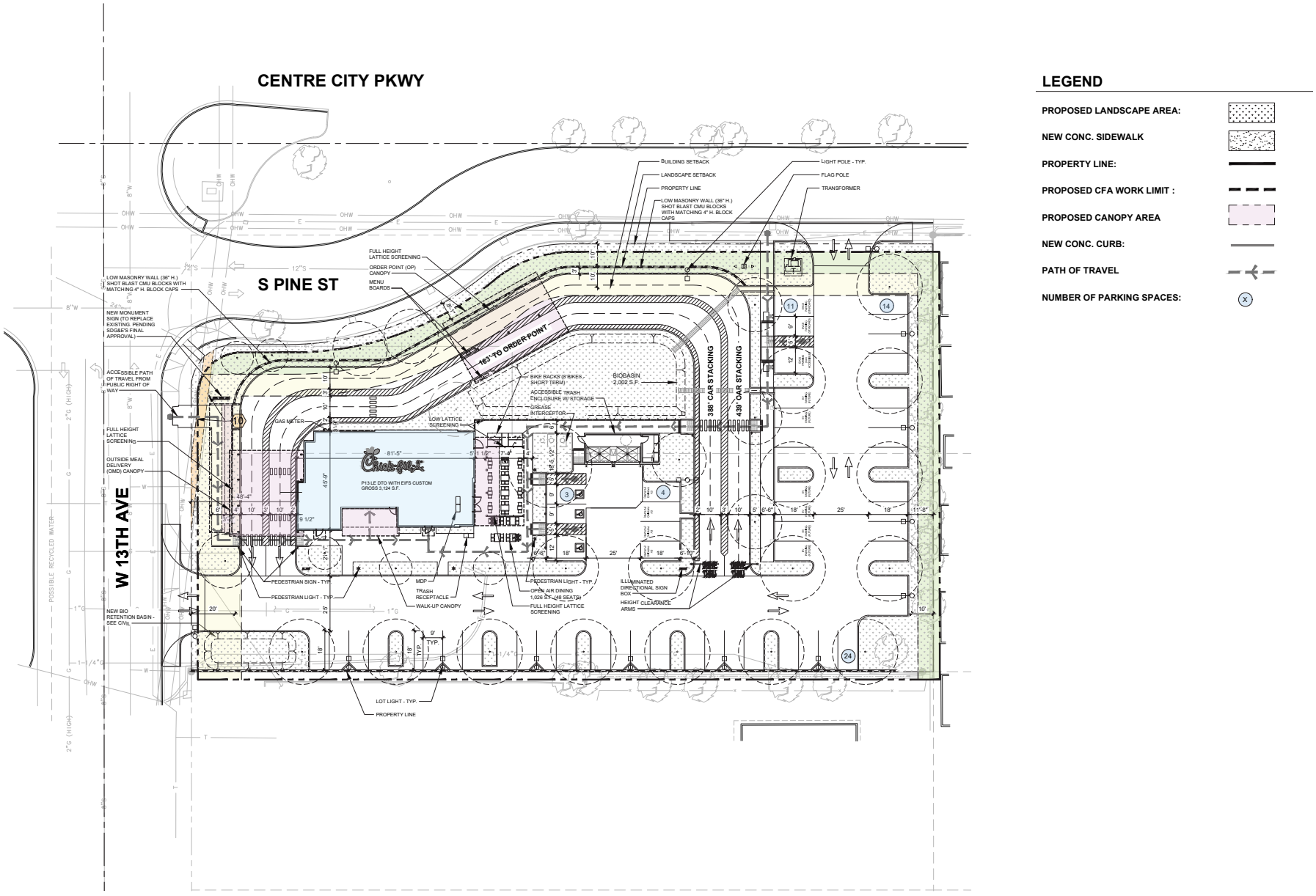
- North: 13th Avenue bounds the project site to the north. A commercial shopping center (Sprouts Farmers Market) is located further north, across 13th Avenue, and is designated SPA 15 and zoned S-P.
- East: Pine Street bounds the project site to the east. Centre City Parkway is located further east, parallel to Pine Street. Beyond Centre City Parkway, includes a neighborhood-serving commercial shopping center (Grande Laundry Place Center). The shopping center is designated SPA 15 and zoned S-P. Commercial uses within this center include, but are not limited to, a Carl's Jr. (with a drive-through facility), beauty salon, laundry service, dental office, and other local restaurants. South of the Grande Laundry Place Center is developed with a multi-family residential development (15th Ave Co-Op Apartments), which is designated SPA 15 and zoned S-P.
- South: Areas to the south of the project site include residential uses (Silicon Valley Village Mobile Home Park), which is designated Urban II (U2) and zoned Mobile Home Park (R-T).
- West: Areas to the west of the project site include commercial uses (Pro Traffic Services corporate office), which is designated SPA 15 and zoned S-P. Further west, Grace Lutheran Church and Christian School (K-8) is present, which is designated Urban I (U1) and zoned Single-Family Residential with a Minimum Lot Area of 7,000 Square Feet (R-1-7).

2.3 PROJECT CHARACTERISTICS

The project proposes to demolish the existing restaurant building and surface parking lot and construct a new Chick-fil-A restaurant with a dual lane drive-through, associated surface parking, and landscaping improvements; refer to Exhibit 2-3, *Conceptual Site Plan*. The new Chick-fil-A restaurant would be a 3,124 square-foot (gross area), one-story building (up to 22 feet in height). The restaurant would have an outdoor dining area (48 outdoor seats [including three Americans with Disabilities Act-compliant (ADA) seats]), kitchen area, and service area. The kitchen area includes a freezer, a cooler, stacked convention ovens, and preparation and finishing tables. The restaurant would also include office space for managerial purposes, a multi-purpose work area, team member room, information technology (IT) closet, space for long-term bike storage (up to two bikes), and men's and women's restrooms. A flagpole would be located along the site's southeastern boundary. A new restaurant identification/monument sign would replace the existing sign near the southwestern corner of the 13th Avenue and Pine Street intersection. New lighting at the project site would include building, signage, parking lot, and security lighting.

OPERATIONS

The proposed hours of operation would be 5:30 a.m. to 11:00 p.m. Monday through Saturday. The restaurant would be closed on Sundays. The proposed Chick-fil-A restaurant would result in approximately 50 to 75 full and/or part time employees; with a maximum of four to 15 employees on shift at any one



Source: CRHO Architects, July 2024

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Conceptual Site Plan

Exhibit 2-3

time. Chick-fil-A policy is to keep the site clean of trash at all times, with regular maintenance checks. Graffiti would be removed, usually within 24 hours. Loitering and panhandling are not tolerated. No consumption or open alcoholic beverages would be permitted on the premises. Trash would be picked up on a daily basis and would be separated by recycling and organic waste, so that they are not comingled. Deliveries and trash pickup would be limited to off-peak hours so as to limit impact on internal vehicle circulation during the busiest hours.

Chick-fil-A would have truck deliveries three to five times a week (15 to 45 minute deliveries) during daytime/off-peak hours Monday through Saturday. No nighttime deliveries would be permitted. Trash collection would not be permitted between the hours of 8:00 p.m. and 7:30 a.m. In addition, commercial vehicles would not be permitted to activate backing warning alarms between the hours of 8:00 p.m. and 7:30 a.m.

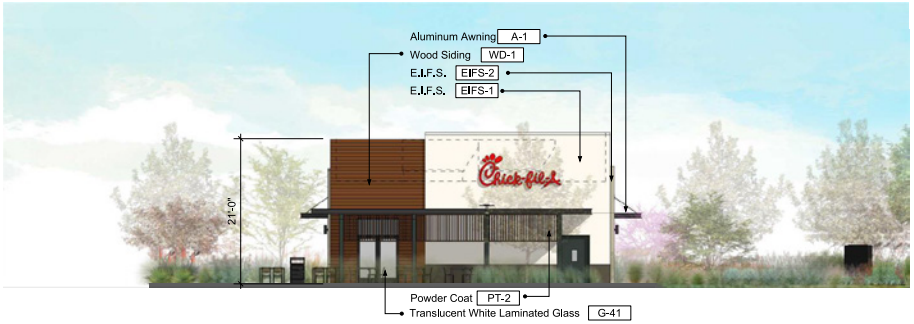
ARCHITECTURAL DESIGN

The Chick-fil-A restaurant would have a maximum height of 22 feet and would be designed with various architectural building elements, including wood siding, dark bronze aluminum canopy/awning, varying colors of painted stucco, and illuminated restaurant identification signage on the building; refer to Exhibit 2-4, *Proposed Building Elevations*. A walk-up canopy would be located along the western building perimeter. Lattice screening would be located to the north, south, and southeast of the restaurant. Specifically, low lattice screening (along the eastern portion of the outdoor dining area) and full height lattice screening (along the western portion of the outdoor dining area, meal pick up window, and the drive-through speaker box location) would be located within the outdoor dining area and adjoining the meal pick up window and drive-through speaker box locations. A low masonry wall (three feet in height) consisting of shot blast concrete masonry unit (CMU) blocks with matching block caps (4-inches in height), is proposed along the eastern perimeter of the drive-through. The low masonry wall would extend from the south of the new restaurant identification/monument sign to a proposed striped pedestrian crosswalk along Pine Street. Additionally, a trash enclosure (including storage space) with a roof and roll-up doors is proposed to the south of the restaurant within the surface parking lot.

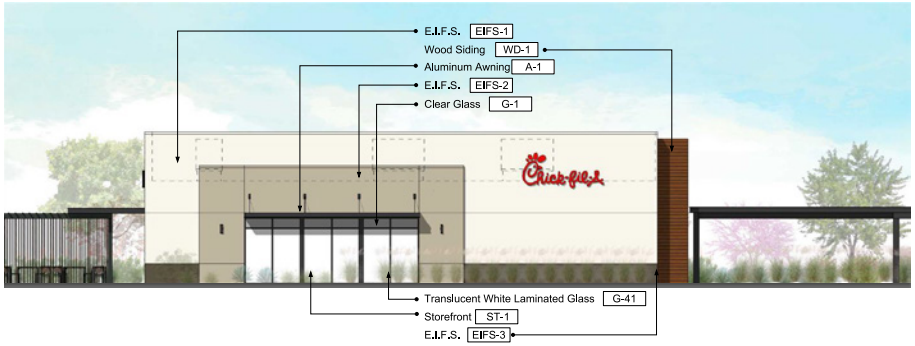
CIRCULATION AND PARKING

The new dual drive-through would be visually screened by ornamental landscaping along the outer edge which would also serve to minimize vehicle headlight glare on the adjacent rights-of-way. The two drive-through lanes would accommodate a queuing of approximately 41 vehicles. Vehicles would enter the new drive-through lane to the south of the new restaurant, wrapping around the new building's eastern perimeter and exiting at the northwest corner of the new building in a westerly direction. The proposed drive-through speaker box would face Pine Street, at the eighth stacked car (for the inside drive isle) and the ninth stacked car (for the outside drive isle) back from the meal pick up window in order to allow more time to process the customer's order.

Project ingress/egress would occur using the site's existing driveway along 13th Avenue. The existing driveway along Pine Street would be shifted slightly south along the eastern property boundary. Both driveways would provide full access ingress/egress to the project site.

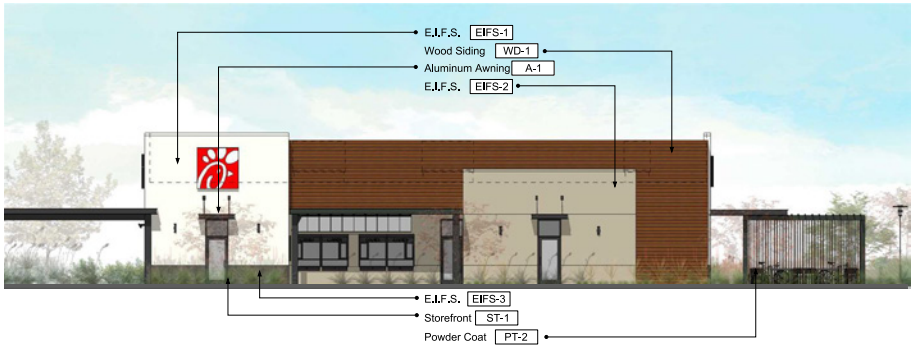


EAST ELEVATION



NORTH ELEVATION

WEST ELEVATION



SOUTH ELEVATION

Source: CRHO Architects, June 2024

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Proposed Building Elevations

Exhibit 2-4

The project would provide 56 vehicle parking spaces (40 standard spaces, three designated electric vehicle spaces including one van accessible space, 10 electric vehicle-ready spaces, and three handicap spaces including one van accessible space). Short-term bike storage for up to eight bikes and long-term storage for two bikes would be provided by the proposed project. Employees would be encouraged to bike or use public transportation or ride share options. Additional long-term bicycle parking would be installed if operational demand necessitated the addition of these facilities.

LANDSCAPING

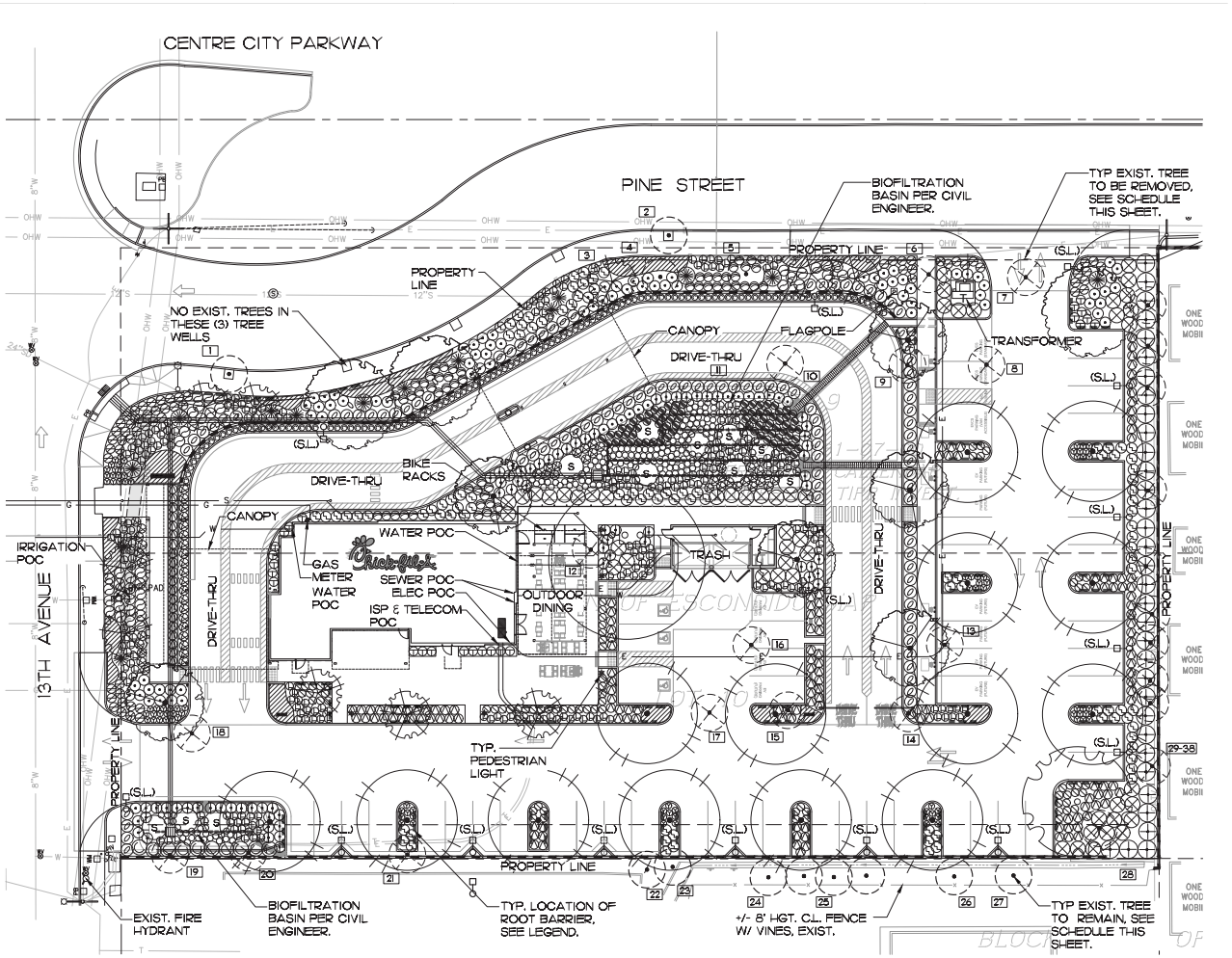
The project site is currently landscaped with 30 trees, 28 of which would be removed as part of the project and two would remain/protected-in-place (along Pine Street). Specifically, the project would remove three strawberry tree, four eucalyptus, one southern magnolia, 10 carrotwood, and 10 Hollywood juniper. The project would plant a variety of tree, shrub, and groundcover plant species, some of which would be native and/or drought tolerant species; refer to Exhibit 2-5, *Conceptual Landscape Plan*. In addition to the two existing trees to be protected in-place along Pine Street, 35 new trees would be planted on-site. Planting materials would include a mixture of trees (such as strawberry tree, western redbud, crape myrtle, holly oak, and sawleaf zelkova), shrubs, and grasses. The landscaped driveway along Pine Street would be primarily landscaped with sawleaf zelkova, strawberry tree, medicinal aloe, English lavender, slender veldt grass, red yucca, and variegated foxtail agave.

In addition to the 35 new trees planted on-site, street frontages along Pine Street would be landscaped with a variety of plant species, some of which include native and drought tolerant plant species. These plant species include strawberry tree, cape rush crape myrtle, red yucca, coffeeberry, medicinal aloe, Carolina laurel cherry, wild rye, Jerusalem sage, black anther flax lily, little sur manzanita, fortnight lily, octopus agave, and variegated foxtail agave, among others. Street frontages along 13th Avenue would also be improved with a variety of plant species, some of which include native and drought tolerant plant species. These plant species include octopus agave, autumn sage, wild rye, fortnight lily, red yucca, and coffeeberry, among others.

Other planted areas would include perimeter ornamental landscaping (some of which would include with native and/or drought tolerant plant species) around the proposed building/dual lane drive-through. These plant species would include, but not be limited to, western redbud, cape rush, atlas fescue, California gray rush, wild rye, Mexican elderberry, crape myrtle, holly oak, variegated foxtail agave, fortnight lily, octopus agave, Jerusalem sage, black anther flax lily, red yucca, English lavender, white muhly, slender veldt grass, and coffeeberry. Perimeter ornamental landscaping around the western site boundary would include, but not be limited to, California gray rush, wild rye, Mexican elderberry, sawleaf zelkova, western redbud, holly oak, coffeeberry, medicinal aloe, slender veldt grass, English lavender, Carolina laurel cherry, and black anther flax lily. In total, approximately 18,083 square feet of the project site would be landscaped.

UTILITIES

Water services on-site are provided by the City of Escondido Utilities Department. Water service connections (including a 2-inch water line for domestic and irrigation and 6-inch fire service water line) would be installed, connecting the Chick-fil-A restaurant building to an existing water line within 13th Avenue right-of-way.



PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	REMARKS	WUCOLS IV REGION 4
TREES						
	ARBUTUS 'MARINA'	STRAWBERRY TREE	24" BOX	3	STANDARD EVERGREEN	M
	CERCIS OCCIDENTALIS	WESTERN REDBUD	24" BOX	6	STANDARD DECIDUOUS	L
	LAGERSTROEMIA X 'NATCHEZ'	CRAPE MYRTLE	24" BOX	10	STANDARD DECIDUOUS	M
	QUERCUS ILEX	HOLLY OAK	24" BOX	1	STANDARD EVERGREEN	L
	ZELKOVA SERRATA 'SCHMIDTLOW'	SAWLEAF ZELKOVA	24" BOX	14	STANDARD DECIDUOUS	M
	EXISTING TREE TO BE REMOVED - (28) TOTAL					
	EXISTING TREE TO REMAIN WITHIN LIMIT OF WORK - (2) TOTAL EXISTING TREE TO REMAIN OUTSIDE LIMIT OF WORK - (10) TOTAL					
SHRUBS						
	AGAVE ATTENUATA 'MEDIOPICTA ALBA'	VARIEGATED PONTAIL AGAVE	5 GAL.	6	AS SHOWN	L
	AGAVE VILMORINIANA	OCTOPUS AGAVE	5 GAL.	8	AS SHOWN	L
	ALOE VERA	MEDICINAL ALOE	5 GAL.	165	3'-0" O.C.	L
	ARCTOSTAPHYLOS EDMUNDSII 'CARMEL SUR'	LITTLE SUR MANZANITA	5 GAL.	10	5'-0" O.C.	L
	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	5 GAL.	65	3'-0" O.C.	M
	CHONDROPETALUM TECTORUM	CAPE RUSH	5 GAL.	112	2'-0" O.C.	L
	DIANELLA REVOLUTA 'LITTLE REV'	BLACK ANTHER FLAX LILY	5 GAL.	24	3'-0" O.C.	L
	DIETES BICOLOR	FORTNIGHT LILY	5 GAL.	53	3'-0" O.C.	L
	FESTUCA MAIREI	ATLAS FESCUE	5 GAL.	80	2'-6" O.C.	M
	FRANGULA CALIFORNICA 'MOUND SAN BRUNO'	COFFEEBERRY	5 GAL.	51	5'-0" O.C.	L
	HESPERALOE PARVIFLORA 'PINK PARADISE'	RED YUCCA	5 GAL.	63	3'-0" O.C.	L
	JUNCUS PATENS 'CARMANS GRAY'	CALIFORNIA GRAY RUSH	5 GAL.	178	2'-0" O.C.	L
	LAVANDULA ANGUSTIFOLIA 'HIDCOTE SUPERIOR'	ENGLISH LAVENDER	5 GAL.	72	2'-6" O.C.	L
	LEYMUS CONDENSATUS 'CANYON PRINCE'	WILD RYE	5 GAL.	298	2'-6" O.C.	L
	MUHLENBERGIA CAPILLARIS 'WHITE CLOUD'	WHITE MUHLY	5 GAL.	78	3'-6" O.C.	L
	MUHLENBERGIA RIGENS	DEER GRASS	5 GAL.	86	3'-6" O.C.	L
	OLEA EUROPAEA 'LITTLE OLLIE'	DWARF OLIVE	15 GAL.	98	4'-0" O.C.	L
	PENNISETUM SPATHIOLATUM	SLENDER VELDT GRASS	5 GAL.	86	2'-0" O.C.	M
	PHLOMIS FRUTICOSA	JERUSALEM SAGE	5 GAL.	96	3'-6" O.C.	L
	PRUNUS CAROLINIANA 'BRIGHT N TIGHT'	CAROLINA LAUREL CHERRY	15 GAL.	34	AS SHOWN	M
	SALVIA GREGGII 'FLEMANS RED'	AUTUMN SAGE	5 GAL.	41	3'-6" O.C.	L
	SAMBUCUS MEXICANA	MEXICAN ELDERBERRY	15 GAL.	11	AS SHOWN	L
GROUNDCOVERS						
	ALOE 'SAFARI ROSE'	SAFARI ROSE ALOE	1 GAL.	950 S.F.	24" O.C.	L

NOTE: ALL SHRUB PLANTING AREAS ARE TO RECEIVE A 3" THICK LAYER OF ORGANIC BARK MULCH (WITH EXCEPTION OF BASIN PLANTINGS)

TYP. ROOT BARRIER SYMBOL, INSTALL PER CITY REQUIREMENTS AND MANUFACTURER'S RECOMMENDATIONS.

Source: CRHO Architects, July 2024

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CHICK-FIL-A WEST 13TH & CENTRE CITY PROJECT
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Conceptual Landscape Plan

Exhibit 2-5

Sewer services on-site are provided by the City of Escondido Utilities Department. Sewer service connections would be made with a new 6-inch lateral sewer line from the proposed Chick-fil-A restaurant building to an existing sewer line within 13th Avenue right-of-way. A new 4-inch grease waste line and 4-inch sanitary line would be constructed, then manifold together to create the new 6-inch line that would connect to the existing sewer line in 13th Avenue. A grease interceptor would be installed for the building, which would treat waste prior to connecting to the existing sewer line. Stormwater facilities in the project vicinity are maintained by the City of Escondido Utilities Department. On-site stormwater would flow into a proposed 48-inch concrete v-gutter and 24-inch and 36-inch square concrete catch basins located on-site and be conveyed to flow-through planters and/or an on-site bio-filtration basin for treatment. Once the basin has reached capacity, runoff would be conveyed via a proposed underground storm drain into the existing public catch basin on the corner of Pine Street and 13th Avenue, similar to existing conditions.

Electrical utilities on-site are provided by San Diego Gas and Electric. Telecommunication utilities are provided by AT&T. Electrical connections would connect the proposed Chick-fil-A restaurant building via an electrical line from a main electrical distribution panel, to an electrical transformer, and finally an existing underground electrical line located on the 13th Avenue right-of-way. The project also proposes a new underground connection for telephone/cable TV line to an existing utility pole on 13th Avenue.

PROJECT ENTITLEMENTS

As discussed, the project site is designated SPA 15 and zoned S-P with a 13th Avenue Corners District. To allow for the proposed drive-through uses, the project would require a Specific Plan Amendment to SPA 15 to conditionally allow for drive-through uses to only the southwest corner of W. 13th Avenue and S. Pine Street. Additional discretionary permits include a Major Conditional Use Permit.

It should be noted that the proposed Specific Plan Amendment would only conditionally allow drive-through uses only located at the southwest corner within the 13th Avenue Corners District.

PHASING AND CONSTRUCTION

The project would be constructed over approximately seven months and is anticipated to begin in May 2025 and be completed by November 2025. Construction of the project would include demolition, site preparation, grading, building construction, paving, and architectural coating. The proposed earthwork would involve approximately 3,220 cubic yards of cut, resulting in approximately 3,220 net cubic yards of export. In addition to on-site grading improvements, excavation would be required for on-site construction of sidewalk/hardscape, concrete curb and gutter, an ADA-ramp and utility installation.

2.4 PERMITS AND APPROVALS

The City of Escondido is the Lead Agency for the project and has discretionary authority over the project proposal, which includes the following:

- Adoption of a Final Initial Study/Mitigated Negative Declaration for the purpose of CEQA;
- Specific Plan Amendment; and
- Major Conditional Use Permit.

3.0 INITIAL STUDY CHECKLIST

1. **PROJECT NAME: Chick-fil-A West 13th & Centre City**

2. **PROJECT NO:** PL23-0296 & PL23-0297

3. **LEAD AGENCY:**
   City of Escondido
   Planning Division
   201 North Broadway
   Escondido, CA 92025

4. **PROJECT APPLICANT:**
   Mr. Erik Baker
   Development & Construction
   Chick-fil-A, Inc.
   105 Progress
   Irvine, CA 92618

5. **LEAD AGENCY CONTACT PERSON:** Greg Mattson, AICP, Contract Planner, (619) 895-7177

6. **PROJECT LOCATION:** The proposed Chick-fil-A West 13th & Centre City Project (project) site involves an approximately 1.40-acre parcel located at 515 West 13th Avenue (Assessor's Parcel Numbers [APNs] 236-161-06-00 and -07-00). Regional access to the project site is provided via the Escondido Freeway (Interstate 15 [I-15]), State Route 78 (SR-78), and Centre City Parkway. Local access to the project site is provided via West 13th Avenue and South Pine Street.

7. **GENERAL PLAN LAND USE DESIGNATION:** Based on the City of Escondido General Plan Land Use Map, the project site is designated Specific Plan Area (SPA).

8. **ZONING:** The project site is zoned Specific Plan (S-P) with a 13th Avenue Corners District by the City of Escondido Zoning Map.

9. **PROJECT DESCRIPTION:** The project proposes to demolish an existing restaurant building and construct a new Chick-fil-A restaurant with a dual lane drive-through, associated surface parking improvements, and landscaping improvements. The new Chick-fil-A restaurant would be a 3,124 square-foot (gross area), one-story building (up to 22 feet in height). The new restaurant would have an outdoor dining area (48 outdoor seats [including three Americans with Disabilities Act-compliant seats]), kitchen area, and service area. Refer to Section 2.0, *Project Description*.

10. **ENVIRONMENTAL SETTING/SURROUNDING LAND USES:** Refer to Section 2.2, *Environmental Setting*.

11. **OTHER REQUIRED AGENCY APPROVALS** (e.g., permits, financing approval or participation agreements): Refer to Section 2.4, *Permits and Approvals*.

12. **CALIFORNIA NATIVE AMERICAN TRIBES CONSULTATION.**
    a. Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to public resources code section 21080.3.1?

    ☒ Yes **☐ No**

b. If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

☒ **Yes** ☐ **No**

On October 9, 2023, the City initiated the tribal consultation process for the purposes of Assembly Bill 52 (AB 52). Those tribes that have requested to be listed on the City's notification list for the purposes of AB 52 were notified in writing via U.S. Certified Mail. In addition, tribal consultation letters under Senate Bill 18 (SB 18) were sent out by the City on October 9, 2023. Those tribes listed by the Native American Heritage Commission (NAHC) were notified pursuant to SB 18. As part of this process, the city provided notification to each of these listed tribes the opportunity to consult with the City regarding the proposed project. Consultation letters for the project were received from the Rincon Band of Luiseño Indians, dated October 24, 2023, and the San Luis Rey Band of Mission Indians, dated November 1, 2023. The City consulted with the Rincon Band of Luiseño Indians and San Luis Rey Band of Mission Indians on January 12, 2024 and City staff have deemed tribal consultation complete as of February 27, 2024; refer to Section 4.18, *Tribal Cultural Resources*. As such, the City's SB 18 and AB 52 consultations are concluded.

13. PREVIOUS ENVIRONMENTAL DOCUMENTATION: None.

14. SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The summary of environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact," or "Less Than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

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

15. PREPARATION: The Initial Study/Mitigated Negative Declaration for the proposed project was prepared by:

08/06/2024

Greg Mattson, AICP, Contract Planner — Date

16. DETERMINATION: *(to be completed by Lead Agency)*
On the basis of this initial evaluation:

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

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described herein have been added to the project. 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(s)" on the environment, but at least one potentially significant impact 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 herein. 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, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project. Therefore, nothing further is required.

17. ENVIRONMENTAL DETERMINATION: The Initial Study/Mitigated Negative Declaration for this project has been reviewed and the environmental determination, indicated above, is hereby approved.

08/06/2024

Greg Mattson, AICP, Contract Planner Date

18. APPLICANT CONCURRENCE WITH MITIGATION MEASURES: This is to certify that I have reviewed the mitigation measures in the Initial Study/Mitigated Negative Declaration and concur with the addition of these measures to the project.

07-30-24

Signature Date

Erik Baker
Print Name

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

4. "Less than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

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

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

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

    c. Mitigation Measures. For effects that are "Less than Significant with Mitigation 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. 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 significant.

9. Tribal consultation, if requested as provided in Public Resources Code Section 21080.3.1, must begin prior to release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. Information provided through tribal consultation may inform the lead agency's assessment as to whether tribal cultural resources are present, and the significance of any potential impacts to such resources. Prior to beginning consultation, lead agencies may request information from the Native American Heritage Commission regarding its Sacred Lands File, per Public Resources Code sections 5097.9 and 5097.94, as well as the California Historical Resources Information System administered by the California Office of Historic Preservation.

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4.0 ENVIRONMENTAL ANALYSIS

The following is a discussion of potential project impacts as identified in the Initial Study/Environmental Checklist. Explanations are provided for each item.

4.1 AESTHETICS **Except as provided in Public Resources Code Section 21099, would the project:**	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light and glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

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

***No Impact*.** A scenic vista is generally defined as a view of undisturbed natural lands exhibiting a unique or unusual feature that comprises an important or dominant portion of the viewshed. Scenic vistas may also be represented by a particular distant view that provides visual relief from less attractive views of nearby features. Local open space or recreational areas may also offer scenic vistas if they represent a valued aesthetic view within the surrounding landscape of nearby features.

According to the General Plan EIR, the City does not designate scenic vistas within the City; however, Municipal Code Section 33-1076.F*, Design Guidelines for the HRO District*, identifies major roadways and public open spaces that should be considered as points of view in a visual analysis. Specifically, the nearest identified major roadway in the City (i.e., I-15), is located approximately 0.75-mile to the southwest of the project site. Views of the project site are not readily afforded from I-15 due to topographic conditions, intervening vegetation, and structures. Thus, project implementation would have no impact to scenic vistas.

***Mitigation Measures*:** No mitigation is required.

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

***No Impact*.** According to the General Plan EIR and California Department of Transportation, *State Scenic Highway System Map*, there are no Officially Designated or Eligible State Scenic Highways in

the City.[1] The nearest Officially Designated State Scenic Highway is a segment of State Route 52 (SR-52), approximately 17.4 miles to the south of the project site. The nearest Eligible State Scenic Highway is a segment of I-5, approximately 12.7 miles to the west of the project site.[2] Views of the project site area not readily afforded from SR-52 or I-5 due to distance, topographic conditions, intervening vegetation, and structures. Thus, the project would not substantially damage scenic resources within a State scenic highway. No impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact*.** The project site is located in an urbanized area, as defined by CEQA Guidelines Section 15387, and is completed surrounded by development on all sides. Thus, for the purposes of this threshold, the following analysis evaluates the project's potential to conflict with applicable zoning and other regulations governing scenic quality.

The project site is currently designated Specific Planning Area (SPA) and zoned Specific Plan (S-P). More specifically, the site is in the *South Centre City Specific Plan* and within the 13th Avenue Corners District of the Specific Plan. The Specific Plan includes various land use, design and development, streetscape, and transportation and circulation development standards that aid in governing scenic quality. Table 4.1-1, *Specific Plan Development Standards Governing Scenic Quality Consistency Analysis*, provides a consistency analysis of the proposed project and relevant Specific Plan development standards.

Table 4.1-1
Specific Plan Development Standards Governing Scenic Quality Consistency Analysis

Relevant Specific Plan Development Standards	Project Consistency Analysis
5.3.2 Building Form and Scale	
5.3.2.1 Development Standards 1. The scale of new and infill development shall be compatible with, not necessarily the same as, adjacent existing development. New and infill development shall apply transitional massing and stepback strategies and alignment of architectural features to achieve compatibility and reduce massive visual effects, especially where new	Consistent. The new Chick-fil-A restaurant would have a maximum height of 22 feet and would be designed with various architectural building elements, including wood siding, dark bronze aluminum canopy/awning, varying colors of painted stucco, and illuminated restaurant identification signage on the building; refer to Exhibit 2-4, *Proposed Building Elevations*. The proposed architectural building elements would provide the appearance of transitional massing on-site. Additionally, the proposed restaurant would be

[1] California Department of Transportation, *California State Scenic Highway System Map*, https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa, accessed January 31, 2024.

[2] Ibid.

Relevant Specific Plan Development Standards	Project Consistency Analysis
development is considerably larger than existing development. 2. Buildings shall include the three traditional elements of a building façade: a base, a mid-section, and a top. On low-rise buildings, the different elements may be expressed through detailing at the building base or eave or cornice line. On taller structures, use different treatment of the stories to define the three parts. 3. Articulation or variation in wall plane, roofline, detailing, materials, and/or siting is required to provide building interest and to reduce scale and bulk. 4. All buildings and structures must be located at or below the required district height limit, except as listed below: • The maximum height limit does not apply to spires, belfries, cupolas, domes, monuments, water tanks, water towers, or other structures by design or function, must exceed the established height limits. • The following may exceed the established height limit of the district provided they do not exceed the height limit by more than 4 feet: o Chimney, flute or vent stack o Rooftop deck, patio, or shade structure o Vegetation associated with rooftop deck or garden o Skylights o Solar panel, wind turbine, rainwater collectors o Rooftop screening equipment.	designed with façade elements consisting of sunshades. The new restaurant would be compatible with the scale of the surrounding development and would not exceed the maximum building height of 45 feet allowed by the Specific Plan.
5.3.3 Architecture	
5.3.3.1 Development Standards. 1. For commercial facades, at least 60% of the total area of the first floor facade facing the primary street shall be window display. Projects proposing less than this amount may seek alternative compliance	Consistent. Refer to response to 5.3.2.1 Development Standards. The restaurant's first floor façades along 13th Avenue (i.e., the primary street) and Pine Street would include large windows, which would allow clear views of the interior to the restaurant at ground level. Additionally, lattice screening would be located to the

Relevant Specific Plan Development Standards	Project Consistency Analysis
through an Administrative Adjustment provided that the intent of the Specific Plan is met or exceeded in some way, to the satisfaction of the Director of Community Development. 2. Walls exposed to side streets or pedestrian passageways between buildings shall have doors and/or windows, or fixed glazing areas of at least 30% of the total surface area of the wall facing these open spaces. 3. Storefronts shall accentuate the structural bays of the building and allow for clear views of the interior of the commercial business at the ground level. 4. Exterior building materials typically associated with high-quality urban environments that are durable and timeless (e.g., concrete, brick, stone, stucco, glass, etc.) shall be primarily used. Prefabricated metal buildings are prohibited, except that metal or steel is allowed as an aesthetic cladding or for building details in conjunction with an overall material palette. 5. The architectural design of detached buildings and structures shall complement the main structure by incorporating compatible details, materials, and colors. 6. Roof screening of mechanical equipment or other features requiring screens shall be an integral part of the building design and compliment the overall form of the structure. 7. Accessory structures shall be architecturally consistent with the primary structure on the site.	north, south, and southeast of the restaurant. Specifically, low lattice screening (along the eastern portion of the outdoor dining area) and full height lattice screening (along the western portion of the outdoor dining area, meal pick up window, and the drive-through speaker box location) would be located within the outdoor dining area and adjoining the meal pick up window and drive-through speaker box locations. The low lattice screening would provide partial screening and partial visual access to/from the outdoor dining area. The full height lattice screening would provide partial visual screening access to/from the outdoor dining area, meal pick up window, and drive-through speaker box location. Thus, the proposed lattice screening would facilitate visual transparency to the new building. The new Chick-fil-A restaurant would be designed with various architectural building elements, including wood siding, dark bronze aluminum canopy/awning, varying colors of painted stucco, and illuminated restaurant identification signage on the building. Additionally, heating, ventilation, and air conditioning (HVAC) units would be installed on the roof of the proposed building and be screened from public view. A low masonry wall (three feet in height) consisting of shot blast concrete masonry unit (CMU) blocks with matching block caps (4-inches in height), is proposed along the eastern perimeter of the drive-through. The low masonry wall would extend from the south of the new restaurant identification/monument sign to a proposed striped pedestrian crosswalk along Pine Street. Thus, the proposed low masonry wall would complement the new restaurant by incorporating compatible materials and colors. Last, a trash enclosure (including storage space) with a roof and roll-up doors (totaling 11 feet, six inches in height) is proposed to the south of the restaurant within the surface parking lot, facing away from public right-of-way. The trash enclosure would be designed with various architectural building elements that complement the new restaurant.
5.3.4 Courtyards, Paseos, Outdoor Dining, & Publicly Accessible Open Space	
5.3.4.1 Development Standards. 1. Courtyards and plazas shall adjoin public areas and be physically and visually accessible from public sidewalks, parking lots, paseos, or pathways to maximize	Consistent. As the project would not construct any courtyards or plazas, Nos. 1 through 3 would not apply. Regarding No. 4, as shown on Exhibit 2-3, two striped pedestrian crosswalks are proposed that intersect the drive-through drive aisles, connecting the 13th Avenue

Relevant Specific Plan Development Standards	Project Consistency Analysis
safety and security. If needed, set boundaries to define seating areas. 2. Entries to courtyards and plazas shall be inviting, designed and lighted to avoid creating dark or hidden areas. 3. Courtyards and plazas in non-residential development shall be accessible to the public during the hours of operation of the businesses of which they are associated. 4. All outdoor dining areas may be permitted only in districts that allow indoor restaurants. All outdoor dining tables and chairs shall be setback to provide a six foot minimum free and clear pedestrian pathways to accommodate pedestrian traffic. The Director of Community Development may impose additional conditions as necessary.	sidewalk to the building entrance and the Pine Street sidewalk to the southern parking lot area which connects to the outdoor dining area and building. The outdoor dining area would be located at a sufficient distance to keep the pedestrian pathways clear, including a four foot, eight inch, setback along the northern portion of the outdoor dining area to accommodate pedestrian traffic.
5.3.5 Parking, On-Site Circulation, and Multi-Modal Transportation Linkages	
5.3.5.1 Development Standards Generally. 4. Convenient, direct, safe, and well-lit pedestrian linkages shall be provided to building entries from street frontages, parking areas, public open spaces and activity areas, and transit facilities (off-site or on-site where provided). Pedestrians shall access the site or building/use from a public street or transit stop rather than a driveway. 6. New development shall orient all parking lots to the sides or back of buildings, unless otherwise specified. Relocate existing parking oriented toward main public right-of-ways and streets to the side or back of buildings where possible. In some instances, drop-off zones at the street edge may be beneficial. 8. Parking shall be prohibited in all required setbacks, minimum BTL setbacks, and landscaped areas, except that surface parking and detached trellis/pergola or other open-sided carports may be provided within a rear or interior side yard setback area as long as the parking pad and all parking-related improvements	Consistent. The project would provide direct pedestrian linkages from both street frontages (along 13th Avenue and Pine Street) to the building entry. All pedestrian connections would be well lit. Also, all parking would be provided along the side and rear of the building, whereas the new building would be situated along the 13th Avenue frontage. The rear parking would have an 11-foot, 8-inch landscaped setback from residential uses to the south, or rear. It should be noted that the nearest bus stop to the project site is located at the intersection of 13th Avenue and Escondido Boulevard, approximately 0.10-mile northeast. Project ingress/egress would occur using the site's existing driveway along 13th Avenue. The existing driveway along Pine Street would be shifted slightly south along the eastern property boundary. However, the proposed ingress/egress would have the same number of driveways/curbcuts as the existing condition. The project would plant a variety of tree, shrub, and groundcover plant species, some of which would be native and/or drought tolerant species; refer to Exhibit 2-5, *Conceptual Landscape Plan*. In addition to the two existing trees to be protected in-place along Pine Street, 35 new trees would be planted on-site. The

Relevant Specific Plan Development Standards	Project Consistency Analysis
maintain a five (5) foot minimum setback from rear and/or interior side lot lines. Said parking areas or structures shall be screened by a combination of decorative walls and landscaping to minimize views and impact. Other types of parking and/or above ground parking structures or multi-level parking garages must comply with the main building setback. The foregoing setback requirements are to be reconsidered and potentially waived by the decision-maker if two or more adjoining lots have reciprocal access or shared parking arrangements and a separation of use is no longer practicable. 9. The number of driveways shall be minimized to help maintain the continuity of the streetscape adjacent to the sidewalk and minimize pedestrian/vehicle conflict. In some cases, existing curbcuts may be recommended for closure depending on the nature of the proposed use and demand of access, in consideration of the streetscape environment. 11. Provide landscaped buffers or screens between parking lots and public sidewalks to shield vehicles from pedestrians without obstructing natural surveillance into the site (see Section 5.3.11 of this Chapter).	proposed trees would be located throughout the project site including the building perimeter, along the 13th Avenue and Pine Street frontages, and planter islands in on-site parking lot areas. As such, the proposed on-site trees would soften the effects of urban development, increase aesthetics, and serve as a visual buffer between the proposed parking lot and the surrounding public sidewalk and roadways. Further, no landscaping features would obstruct views of pedestrians along 13th Avenue and Pine Street, nor along pedestrian connections.
5.3.6 Alleys and/or Parking Behind a Building (Non-residential Development)	
5.3.6.1 Development Standards. 3. The design of rear facades shall be consistent with the building's architectural style and design of the primary façade. 4. New Construction: All new construction shall incorporate pedestrian amenities in the design of rear facades, such as secondary building entrances, landscaping, lighting, overhead shelter (e.g., canopies and trellises), and enhanced paving. Varied building footprints and architectural elevations can also add greater visual appeal.	Consistent. Refer to responses to 5.3.2.1 Development Standards through 5.3.5.1 Development Standards for analysis regarding landscaping, pedestrian facilities, lighting, and architectural design. A covered canopy would be provided over the drive-through ordering area and meal delivery area. A walk-up canopy would be located along the western building perimeter. Additionally, an outdoor dining area with lattice screening would be located to the south and southeast of the restaurant. Specifically, low lattice screening (along the eastern portion of the outdoor dining area) and full height lattice screening (along the western portion of the outdoor dining area and the drive-through speaker box location) would be located within the outdoor dining area and adjoining the drive-through speaker box location. New lighting at the

Relevant Specific Plan Development Standards	Project Consistency Analysis
6. Outdoor lighting shall be added to rear facades and pedestrian pass-throughs to create a pleasant and safe nighttime environment. Lighting shall not substantially impact any adjacent residential uses and shall conform to EZC Article 35, Outdoor Lighting.	project site would include building, signage, parking lot, and security lighting. All light fixtures would comply with existing City of Escondido Municipal Code (Municipal Code) Article 35, *Outdoor Lighting*, regulations regarding light pollution and would be screened/angled to minimize light spill-over onto adjacent properties. Generally, the proposed lighting would be similar to existing lighting on-site and in the general project area.
5.3.7 Landscaping, Hardscape, Art, and Private Interface with Public Streetscape	
5.3.7.1 Development Standards. 2. Use a coordinated landscape palette to establish a sense of visual continuity in the design of a site and the context of the surrounding area. 3. New development shall incorporate the prevailing major landscape/streetscape themes and features for the District or Subarea, as applicable, including street tree and other plant types, street furniture, lighting style, etc.). Existing development shall be required to incorporate these themes and features when possible and to the extent feasible when modifications or expansions are proposed. 5. Painted murals, sculptures, active art, decorative lighting and other visual art forms on public property, the public right-of-way, and a private property shall be permitted through the issuance of a certificate of appropriateness.	Consistent. Refer to responses to 5.3.4.1 Development Standards and 5.3.6.1 Development Standards regarding landscaping. The project would plant a variety of trees, shrubs and groundcover as part of the proposed project; refer to Exhibit 2-5, *Conceptual Landscape Plan*. Planting materials would include a mixture of trees (such as strawberry tree, western redbud, crape myrtle, holly oak, and sawleaf zelkova), shrubs, and grasses (some of which would be native and/or drought tolerant species). The landscaped driveway along Pine Street would be primarily landscaped with sawleaf zelkova, strawberry tree, medicinal aloe, English lavender, slender veldt grass, red yucca, and variegated foxtail agave. In addition to the 35 new trees planted on-site, street frontages along Pine Street would be landscaped with plant species (some of which would be native and/or drought tolerant species), including strawberry tree, cape rush, crape myrtle, red yucca, coffeeberry, medicinal aloe, Carolina laurel cherry, Jerusalem sage, black anther flax lily, little sur manzanita, fortnight lily, wild rye, octopus agave, and variegated foxtail agave. Street frontages along 13th Avenue would also be improved with octopus agave, autumn sage, wild rye, fortnight lily, red yucca, and coffeeberry. Other areas planted with plant species (some of which would be native and/or drought tolerant species) would include perimeter ornamental landscaping around the proposed building/dual lane drive-through with western redbud, cape rush, atlas fescue, California gray rush, wild rye, Mexican elderberry, crape myrtle, holly oak, variegated foxtail agave, fortnight lily, octopus agave, Jerusalem sage, black anther flax lily, red yucca, English lavender, white muhly, slender veldt grass, and coffeeberry; and perimeter ornamental landscaping around the western site boundary with California gray rush, wild rye, Mexican elderberry, sawleaf zelkova, western redbud, holly oak,

Relevant Specific Plan Development Standards	Project Consistency Analysis
	coffeeberry, medicinal aloe, slender veldt grass, English lavender, Carolina laurel cherry, and black anther flax lily. In total, approximately 18,083 square feet of the project site would be landscaped. New lighting at the project site would include building, signage, parking lot, and security lighting. All light fixtures would comply with existing City of Escondido Municipal Code (Municipal Code) Article 35, *Outdoor Lighting*. Proposed decorative lighting fixtures would be reviewed and approved by the City in accordance with the Municipal Code regulations prior to construction.
5.3.8 Fences and Walls	
5.3.8.1 Development Standards. 1. Unless otherwise required in this Specific Plan, fences and walls shall comply with the EZC. 2. A solid masonry wall, not less than six (6) feet in height above grade, shall be built and maintained on those sides of a property in any nonresidential Specific Plan district or subarea that adjoins a residential zone, school, or park, or where a residential use abuts a non-residential use in Mixed-Use Overlay areas, except where the adjoining property has already provided a six (6) foot, above-ground, masonry wall, or if found to be unnecessary to the satisfaction of the Director of Community Development. In some cases, access to adjacent properties may be necessary to support surrounding residences, in which case pedestrian access should be provided. 3. No wall within a required street-facing setback area or minimum BTL shall exceed three (3) feet in height and must be a minimum of 50% open. In commercial and mixed-use development, walls of approximately two (2) feet in height are encouraged to allow for "edge" seating. 4. Walls shall be constructed of or finished with a material that is compatible with the overall building design, including solid concrete, brick, stone, or stucco. The wall shall be of finished appearance on both	Consistent. The proposed project would not include chain link fencing. A low masonry wall (three feet in height) consisting of shot blast CMU blocks with matching block caps (4-inches in height), is proposed along the eastern perimeter of the drive-through. The low masonry wall would extend from the south of the new restaurant identification/monument sign to a proposed striped pedestrian crosswalk along Pine Street. An existing block wall is located between the project site's southern boundary and the adjoining residential uses (Silicon Valley Village Mobile Home Park) to the south. Additionally, an existing block wall is located along the project site's western boundary. Both of the existing block walls would be protected in-place and remain upon the completion of construction activities.

Relevant Specific Plan Development Standards	Project Consistency Analysis
sides and be durable to withstand the elements and have permanence, with lasting value. Unfinished concrete block walls are prohibited. 5. Use of barbed wire and razor wire for fencing is prohibited. 6. Chain link fencing is prohibited except in the following circumstances: • Where it is not seen from the public right-of-way or adjacent properties (for example, an interior materials yard in an industrial development that cannot be seen from the public right-of-way or an adjacent property); • Used on a temporary basis (for example, at a construction site or to secure an unused building or site); and/or • With approval of the Director of Community Development, or designee. 7. Streets or alleys shall constitute a separation and no wall is required. 9. Any wall, fence or combination thereof exceeding 6 feet in height and facing any neighboring property or visible from the public row should be avoided to the greatest extent practicable. Where a minimum 2 feet horizontal offset is provided, within which screening vegetation is provided to the satisfaction of the Director of Community Development, the fence/wall may not be considered one continuous structure and may be exempted from Design Review.	
5.3.9 Lighting	
5.3.9.1 Development Standards. 1. Unless otherwise required in this Specific Plan, lighting shall comply with Article 35 of the EZC. 2. Neon lighting is prohibited. 3. All light fixtures within 100 feet of any signalized intersection shall be shielded and/or directed in such a manner so that	Consistent. Refer to response to 5.3.7.1 Development Standards. No neon lights are proposed. As part of the project's environmental review process, the City would verify that the project plans, including the photometric plan, complies with all applicable development standards related to outdoor lighting to verify exterior lighting is designed and located to minimize spillover of light or glare onto neighboring properties. Proposed fixtures would be shielded/directed such that they

Relevant Specific Plan Development Standards	Project Consistency Analysis
the lighting from such fixtures does not interfere with established light signals. 4. New lighting shall not exceed the 0.3 foot candle ambient light level at property lines. 5. New lighting proposed in the Southern Entry Gateway District or along Centre City Parkway shall observe the Dark Skies policies through approval of a lighting plan.	would not interfere with the traffic signal at 13th Avenue and Pine Street.
5.3.10 Trash Enclosure/Refuse Areas	
5.3.10.1 Development Standards. 1. Trash enclosures shall be of a size, type and quantity as approved by the City. An area for the storage and pickup of recyclables must be included in this area. 2. All enclosures shall be attractive in design and integrated with the main building's architecture. 3. Refuse areas shall be shielded from view within a building or within an area enclosed by a solid wall not less than six (6) feet in height and constructed with a roof structure that screens the enclosure from higher elevations. 4. Storage areas shall be located so they are oriented away from public streets and residential areas, secured from unauthorized entry, and easily accessible to collection vehicles, as well as meet all National Pollution Discharge and 18 Elimination System (NPDES) requirements.	Consistent. Refer to response to 5.3.3.1 Development Standards.
Source: City of Escondido, *South Centre City Specific Plan, Chapter 5, Development Standards & Design Guidelines*, August 2018.	

As indicated in Table 4.1-1, the proposed project would be consistent with applicable Specific Plan development standards governing scenic quality. As a result, implementation of the proposed project would not conflict with applicable zoning and other regulations governing scenic quality. Impacts would be less than significant.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact*.** A potentially significant impact would occur if a new source of substantial light or glare causes an adverse effect on day or nighttime views. Light impacts are typically associated with the use of artificial light during the evening and nighttime hours. Glare may be a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass and reflective cladding materials, and may interfere with the safe operation of a motor vehicle on adjacent streets. Daytime glare generation is common in urban areas and is typically associated with mid- to high-rise buildings with exterior façades largely or entirely comprising highly reflective glass or mirror-like materials. Nighttime glare is primarily associated with bright point source lighting that contrasts with existing low ambient light conditions.

Project Construction

Pursuant to Municipal Code Section 17-234, *Construction equipment*, no construction activities would occur before 7:00 a.m. or after 6:00 p.m., Monday through Friday, and before 7:00 a.m. or after 5:00 p.m. on Saturday. Construction would be prohibited on Sunday and on days designated by the President of the United States, Governor of California or Escondido City Council as public holidays. Thus, as no construction activities would be permitted after 6:00 p.m., Monday through Friday, and after 5:00 p.m. on Saturday, short-term construction related impacts to nighttime lighting would be less than significant. Further, project construction could involve temporary daytime glare impacts as a result of construction equipment and materials. However, based on the project's limited scope of activities, these sources of glare would not be substantial and would be similar in character to existing daytime glare in the area (such as automobiles). Impacts in this regard would be less than significant.

Project Operations

The project site is currently developed with an existing 9,558-square-foot restaurant building, associated surface parking lot, and ornamental landscaping. Currently, lighting at the project site includes building, parking lot, and security lighting. Street lighting is also present along 13th Avenue and Pine Street. Lighting in the surrounding area includes interior lighting and exterior lighting associated with surrounding residential and commercial uses, as well as vehicle headlights associated with 13th Avenue, Pine Street, and Centre City Parkway.

The proposed project would include similar nighttime lighting conditions at the project site, compared to existing condition. Nonetheless, the proposed project would comply with Municipal Code Article 35, *Outdoor Lighting*, regulations regarding light pollution and would be screened/angled to minimize light spill-over onto adjacent properties. Further, as part of the project's environmental review process, the City would verify that the project plans, including the photometric plan, complies with all applicable development standards related to outdoor lighting to verify exterior lighting is designed and located to minimize spillover of light or glare onto neighboring properties. As such, the proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Impacts would be less than significant in this regard.

***Mitigation Measures*:** No mitigation is required.

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4.2 AGRICULTURE AND FORESTRY RESOURCES ***In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:***	**Potentially Significant Impact**	**Less Than Significant Impact 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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) 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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) 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?	☐	☐	☐	☒

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?

***No Impact*.** According to the California Department of Conservation, the project site is not identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland).[1] Additionally, based on the General Plan, no agricultural areas are present in the project area. The

[1] California Department of Conservation, *California Important Farmland Finder*, https://maps.conservation.ca.gov/DLRP/CIFF/, accessed December 4, 2023.

closest identified farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) is located more than 1.27-miles southwest of the project site. As such, project implementation would not convert farmland to a non-agricultural use. No impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

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

***No Impact*.** The project site is zoned Specific Plan (S-P) with a 13th Avenue Corners District and is not covered under a Williamson Act contract.[2] Therefore, project implementation would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

c. 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))?

***No Impact*.** The project site is zoned S-P, and is not associated with a zone pertaining to forestland or timberland production. Thus, project implementation would not conflict with existing zone for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. No impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

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

***No Impact*.** Refer to Response 4.2(c). No impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

e. 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?

***No Impact*.** Refer to Responses 4.2(a) through 4.2(d). No impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

[2] California Department of Conservation, *California Williamson Act Enrollment Finder, California Williamson Act Enrollment 2022*, https://gis.conservation.ca.gov/portal/home/webmap/viewer.html?webmap=18f7488c0a9d4d299f5e9c33b312f312, accessed December 5, 2023.

4.3 AIR QUALITY ***Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:***	**Potentially Significant Impact**	**Less than Significant Impact with Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

a. Conflict with or obstruct implementation of the applicable air quality plan?

***Less Than Significant Impact*.** Air quality plans describe air pollution control strategies to be implemented by a City, County or regional air district. The primary purpose of an air quality plan is to bring an area that does not attain national ambient air quality standards (NAAQS) and California ambient air quality standards (CAAQS) into compliance pursuant to the Clean Air Act and California Clean Air Act. NAAQS and CAAQS have been established for the following criteria pollutants: ozone (O_3), carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_X), particulate matter less than 10 microns in diameter (PM_{10}), particulate matter less than 2.5 microns in diameter ($PM_{2.5}$), and lead.

The proposed project is located within the San Diego Air Basin (Basin), which is governed by the San Diego Air Pollution Control District (SDAPCD). The SDAPCD and the San Diego Association of Governments (SANDAG) are responsible for developing and implementing air quality plans for the Basin, specifically the State Implementation Plan (SIP) and the San Diego County Regional Air Quality Strategy (RAQS). The SIP and RAQS rely on information from the California Air Resources Board (CARB) and SANDAG, including mobile, area source emissions, and projected growth.[1,2]

Based on the County of San Diego Guidelines for Determining Significance (Guidelines), if a project proposes development that is greater than that anticipated in the General Plan, the project might conflict with the RAQS. The project site is designated Specific Plan Area (SPA) and zoned Specific Plan (S-P), within SPA 15: South Centre City Specific Plan. To allow for the proposed drive-through uses, the project would require a Specific Plan Amendment to conditionally allow for drive-through uses to only the southwest corner of W. 13th Avenue and S. Pine Street. Additional discretionary permits

1 California Air Resources Board, *2018 Updates to the California State Implementation Plan*, October 25, 2018.
2 San Diego Air Pollution Control District, *2016 Revision of Regional Air Quality Strategy for San Diego County*, December 2016.

include a Major Conditional Use Permit. As such, upon approval of the amendment and permit, the project would be consistent with the land use designation and zoning of the site.

The Guidelines determined that if a project exceeds the SANDAG growth forecast, the project would also conflict with the RAQS. Based on the SANDAG *Series 14 Regional Growth Forecast*, the City of Escondido has a projected population of 167,211 by 2050.[3] This represents an annual increase of approximately 605 individuals from the baseline population estimate of 150,270 in 2022.[4] Additionally, based on the *Series 14 Regional Growth Forecast*, the City of Escondido has a projected employment of 82,806 jobs by 2050 which represents an annual employment increase of 739 jobs from the baseline employment of 57,670 in 2016. As discussed in Section 4.14, *Population and Housing*, the proposed Chick-fil-A restaurant would employ approximately 50 to 75 full- and/or part-time employees, with anywhere from four to 15 employees working on shift at one. However, due to the locally-serving nature and scale of the new restaurant, the new jobs created on-site would result in a nominal indirect impact on population growth and housing demand, as these jobs are anticipated to be filled mostly by local residents of the City. As such, the project would not result in a significant increase in population or employment and thus, the project would be consistent with the SANDAG growth forecast.

To determine if the project would conflict or obstruct the RAQS, project emissions are evaluated based on the quantitative emission thresholds established by the SDAPCD. As part of its air quality permitting process, the SDAPCD has established thresholds in Rule 20.2 for the preparation of Air Quality Impact Assessments (AQIA). Table 4.3-1, *San Diego Air Pollution Control District Air Quality Significance Thresholds*, lists the thresholds established by the SDAPCD.

Table 4.3-1
San Diego Air Pollution Control District Air Quality Significance Thresholds

Pollutant	Total Emissions (pounds per day)
Particulate Matter (PM_{10})	100
Fine Particulate Matter ($PM_{2.5}$)	55
Carbon Monoxide (CO)	550
Oxides of Nitrogen (NO_x)	250
Oxides of Sulfur (SO_x)	250
Lead and Lead Compounds	3.2
Volatile Organic Compounds (VOC)	75[1]

Notes:
1. VOC threshold is based on the threshold of significance for VOCs from the South Coast Air Quality Management District as stated in the San Diego Guidelines for Determining Significance.

Source: County of San Diego, Guidelines for Determining Significance and Report Format and Content Requirements, Air Quality, https://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/docs/AQ-Guidelines.pdf, accessed December 27, 2023.

[3] San Diego Association of Governments, Series 14 Regional Growth Forecast, https://www.sandag.org/-/media/SANDAG/Documents/PDF/data-and-research/socioeconomics/estimates-and-forecasts/series-14-regional-growth-forecast-documentation-and-baseline-subregional-allocation.pdf, accessed April 25, 2024.

[4] United States Census, *Escondido City California Census*, https://www.census.gov/quickfacts/escondidocitycalifornia, accessed April 25, 2024.

As detailed in Response 4.3(b), the project-generated air quality emissions do not exceed the SDAPCD's significance thresholds; refer to Table 4.3-3, *Project-Generated Construction Emissions* and 4.3-4, *Project-Generated Operational Emissions*, below. Therefore, the project would not conflict or obstruct implementation of the RAQS or SIP and impacts would be less than significant.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact*.** Air pollutant emissions associated with construction of the proposed project would be generated from the exhausts of construction equipment, soil hauling trucks, delivery trucks, and worker vehicles. Particulate matter emissions would result from soil movement and wind-blown dust from disturbed surfaces, and organic pollutant emissions would result from painting. Operational emissions would be released from the exhausts of on-road vehicles and from stationary sources, including area sources and energy consumption.

Criteria Pollutants

Ozone (O_3). O_3 occurs in two layers of the atmosphere. The layer surrounding the Earth's surface is the troposphere. The troposphere extends approximately 10 miles above ground level, where it meets the second layer, the stratosphere. The stratospheric layer (the "good" O_3 layer) extends upward from about 10 to 30 miles and protects life on Earth from the sun's harmful ultraviolet rays. "Bad" O_3 is a photochemical pollutant and needs volatile organic compounds (VOCs), NO_X, and sunlight to form; therefore, VOCs and NO_X are O_3 precursors. To reduce O_3 concentrations, it is necessary to control the emissions of these O_3 precursors. Significant O_3 formation generally requires an adequate amount of precursors in the atmosphere and a period of several hours in a stable atmosphere with strong sunlight. High O_3 concentrations can form over large regions when emissions from motor vehicles and stationary sources are carried hundreds of miles from their origins.

While O_3 in the upper atmosphere (stratosphere) protects the Earth from harmful ultraviolet radiation, high concentrations of ground-level O_3 (in the troposphere) can adversely affect the human respiratory system and other tissues. O_3 is a strong irritant that can constrict the airways, forcing the respiratory system to work hard to deliver oxygen. Individuals exercising outdoors, children, and people with pre-existing lung disease such as asthma and chronic pulmonary lung disease are the most susceptible to the health effects of O_3. Short-term exposure (lasting for a few hours) to O_3 at elevated levels can result in aggravated respiratory diseases such as emphysema, bronchitis and asthma, shortness of breath, increased susceptibility to infections, inflammation of the lung tissue, increased fatigue, as well as chest pain, dry throat, headache, and nausea.

Volatile Organic Compounds (VOC). VOCs are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. VOCs contribute to the formation of smog through atmospheric photochemical reactions and/or may be toxic. Compounds of carbon (also known as organic compounds) have different levels of reactivity; that is, they do not react at the same speed or do not form O_3 to the same extent when exposed to photochemical processes. VOCs often have an odor, and some examples include gasoline, alcohol, and the solvents used in paints. Exceptions to the VOC designation include: carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate. VOCs are a criteria

pollutant since they are a precursor to O_3, which is a criteria pollutant. The terms VOC and ROG (see below) are often used interchangeably.

Reactive Organic Gases (ROG). Similar to VOCs, ROGs are also precursors in forming O_3 and consist of compounds containing methane, ethane, propane, butane, and longer chain hydrocarbons, which are typically the result of some type of combustion/decomposition process. Smog is formed when ROGs and nitrogen oxides react in the presence of sunlight. ROGs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant.

Coarse Particulate Matter (PM_{10}). PM_{10} refers to suspended particulate matter, which is smaller than 10 microns or ten one-millionths of a meter. PM_{10} arises from sources such as road dust, diesel soot, combustion products, construction operations, and dust storms. PM_{10} scatters light and significantly reduces visibility. In addition, these particulates penetrate into lungs and can potentially damage the respiratory tract. On June 19, 2003, CARB adopted amendments to the Statewide 24-hour particulate matter standards based upon requirements set forth in the Children's Environmental Health Protection Act (Senate Bill 25).

Fine Particulate Matter ($PM_{2.5}$). Due to recent increased concerns over health impacts related to fine particulate matter (particulate matter 2.5 microns in diameter or less), both State and Federal $PM_{2.5}$ standards have been created. Particulate matter impacts primarily affect infants, children, the elderly, and those with pre-existing cardiopulmonary disease. In 1997, the U.S. Environmental Protection Agency (EPA) announced new $PM_{2.5}$ standards. Industry groups challenged the new standard in court and the implementation of the standard was blocked. However, upon appeal by the EPA, the United States Supreme Court reversed this decision and upheld the EPA's new standards. According to the SDAPCD, the Basin is in attainment with Federal and State $PM_{2.5}$ standards.[5] On June 20, 2002, CARB adopted amendments for Statewide annual ambient particulate matter air quality standards. These standards were revised/established due to increasing concerns by CARB that previous standards were inadequate, as almost everyone in California is exposed to levels at or above the current State standards during some parts of the year, and the Statewide potential for significant health impacts associated with particulate matter exposure was determined to be large and wide-ranging.

Carbon Monoxide (CO). CO is an odorless, colorless toxic gas that is emitted by mobile and stationary sources because of incomplete combustion of hydrocarbons or other carbon-based fuels. In cities, automobile exhaust can cause as much as 95 percent of all CO emissions.

CO replaces oxygen in the body's red blood cells. Individuals with a deficient blood supply to the heart, patients with diseases involving heart and blood vessels, fetuses (unborn babies), and patients with chronic hypoxemia (oxygen deficiency) as seen in high altitudes are most susceptible to the adverse effects of CO exposure. People with heart disease are also more susceptible to developing chest pains when exposed to low levels of carbon monoxide.

Nitrogen Dioxide (NO_2). NO_X are a family of highly reactive gases that are a primary precursor to the formation of ground-level O_3 and react in the atmosphere to form acid rain. NO_2 (often used interchangeably with NO_X) is a reddish-brown gas that can cause breathing difficulties at elevated

[5] San Diego County Air Pollution Control District, *Attainment Status*, https://www.sdapcd.org/content/sdapcd/planning/attainment-status.html, accessed April 25, 2024.

levels. Peak readings of NO_2 occur in areas that have a high concentration of combustion sources (e.g., motor vehicle engines, power plants, refineries, and other industrial operations). NO_2 can irritate and damage the lungs and lower resistance to respiratory infections such as influenza. The health effects of short-term exposure are still unclear. However, frequent exposure to NO_2 concentrations that are typically much higher than those normally found in the ambient air may increase acute respiratory illnesses in children and increase the incidence of chronic bronchitis and lung irritation. Chronic exposure to NO_2 may aggravate eyes and mucus membranes and cause pulmonary dysfunction.

Sulfur Dioxide (SO_2). SO_2 is a colorless, irritating gas with a rotten egg smell; it is formed primarily by the combustion of sulfur-containing fossil fuels. Sulfur dioxide is often used interchangeably with SO_X and lead. Exposure of a few minutes to low levels of SO_2 can result in airway constriction in some asthmatics.

The attainment status for criteria pollutants in the Basin are listed in Table 4.3-2, *San Diego Air Pollution Control District Attainment Status*. As shown in Table 4.3-2, the Basin is in nonattainment for O_3, PM_{10}, and $PM_{2.5}$.

Table 4.3-2
San Diego Air Pollution Control District Attainment Status

Pollutant	California Attainment Status	Federal Attainment Status
Ozone (8-Hour)	Nonattainment	Nonattainment
Ozone (1-Hour)	Nonattainment	Attainment[1]
Carbon Monoxide (CO)	Attainment	Attainment
Particulate Matter (PM_{10})	Nonattainment	Unclassifiable[2]
Fine Particulate Matter ($PM_{2.5}$)	Nonattainment	Attainment
Nitrogen Dioxide (NO_2)	Attainment	Attainment
Sulfur Dioxide (SO_2)	Attainment	Attainment

Notes:
1. The Federal 1-hour standard of 12 ppm was in effect from 1979 through June 15, 2005. The revoked standard is referenced here because it was employed for such a long period and because this benchmark is addressed in State Implementation Plan.
2. At the time of designation, if the available data does not support a designation of attainment or nonattainment, the area is designated as unclassifiable.

Source: San Diego Air Pollution Control District, *Attainment Status*, https://www.sdapcd.org/content/sdapcd/planning/attainment-status.html, accessed April 25, 2024.

Short-Term Construction Impacts

The project construction would include demolition, grading, building construction, paving, and architectural coating applications. The project would be constructed over approximately six months from the second quarter of 2025 through the end of 2025. Earthwork was conservatively assumed to require approximately 3,200 cubic yards of soil export. The project would also require the demolition of an existing 9,558 square feet building. Exhaust emission factors for typical diesel-powered heavy equipment are based on the California Emissions Estimator Model version 2022.1 (CalEEMod) program defaults. Variables factored into estimating the total construction emissions include the level

of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on- or off-site. The analysis of daily construction emissions has been prepared utilizing CalEEMod. Refer to Appendix A, *AQ/GHG/Energy Data* for the CalEEMod outputs and results. Table 4.3-3, *Project-Generated Construction Emissions*, presents the project's anticipated daily short-term construction emissions.

Table 4.3-3
Project-Generated Construction Emissions

Construction Emissions	Pollutant (pounds/day)[1,2]					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Year 1 (2025) Maximum Daily Emissions[2]	3.71	13.90	13.10	0.03	2.71	1.37
SDAPCD Thresholds	*75*	*250*	*550*	*250*	*100*	*55*
Threshold Exceeded?	***No***	***No***	***No***	***No***	***No***	***No***

Notes:
1. Emissions were calculated using CalEEMod version 2022.1. The higher emissions between summer and winter were presented as a conservative analysis.
2. Modeling assumptions include compliance with SDAPCD Rule 55 which requires watering exposed surfaces and using secured tarps or cargo covering for outbound trucks.

Source: Refer to Appendix A for assumptions used in this analysis.

Fugitive Dust Emissions

Construction activities are a source of fugitive dust emissions that may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the project area. Fugitive dust emissions are associated with land clearing, ground excavation, cut-and-fill, and truck travel on unpaved roadways (including demolition as well as construction activities). Fugitive dust emissions vary substantially from day to day, depending on the level of activity, specific operations, and weather conditions. Fugitive dust from grading, excavation and construction is expected to be short-term and would cease upon project completion. Most of this material is inert silicates, rather than the complex organic particulates released from combustion sources, which are more harmful to health.

Dust (larger than 10 microns) generated by such activities usually becomes more of a local nuisance than a serious health problem. Of particular health concern is the amount of PM_{10} generated as a part of fugitive dust emissions. PM_{10} poses a serious health hazard alone or in combination with other pollutants. $PM_{2.5}$ is mostly produced by mechanical processes. These include automobile tire wear, industrial processes such as cutting and grinding, and re-suspension of particles from the ground or road surfaces by wind and human activities such as construction or agriculture. $PM_{2.5}$ is mostly derived from combustion sources, such as automobiles, trucks, and other vehicle exhaust, as well as from stationary sources. These particles are either directly emitted or are formed in the atmosphere from the combustion of gases such as NO_X and sulfur oxides (SO_X) combining with ammonia. $PM_{2.5}$ components from material in the Earth's crust, such as dust, are also present, with the amount varying in different locations.

The project would implement required dust control techniques as listed in SDAPCD Rule 55 (i.e., daily watering, secured tarps, soil binders, track-out grates) and adhering to permitted construction hour to reduce PM_{10} and $PM_{2.5}$ concentrations. Pursuant of SDAPCD Rule 55, if any track-out from construction activities is required to be removed, only certified PM_{10} efficient street sweepers certified to meet the South Coast Air Quality Management District Rule 1186 requirements would be used. As demonstrated in Table 4.3-3, the total PM_{10} and $PM_{2.5}$ emissions would not exceed the SDAPCD thresholds during construction. Thus, PM_{10} and $PM_{2.5}$ emissions impacts associated with project construction would be less than significant.

Construction Equipment and Worker Vehicle Exhaust

Exhaust emissions from construction activities include emissions associated with the transport of machinery and supplies to and from the project site, employee commutes to the project site, emissions produced on-site as the equipment is used, and emissions from trucks transporting materials to/from the site. As presented in Table 4.3-3, construction equipment and worker vehicle exhaust emissions (i.e., ROG/VOC, NO_X, CO, SO_2, PM_{10}, and $PM_{2.5}$) would not exceed the established SDAPCD thresholds for all criteria pollutants. Therefore, impacts in this regard would be less than significant.

ROG/VOC Emissions

In addition to gaseous and particulate emissions, the application of asphalt and surface coatings creates ROG/VOC emissions, which are O_3 precursors. ROG/VOC emissions associated with paving and architectural coating have been quantified with the CalEEMod model. As required by SDAPCD Rule 67.0.1, all architectural coatings for the proposed structures would be required to have VOC contents of paint not exceeding 50 grams per liter.[6] ROG/VOC emissions associated with the proposed project would be less than significant; refer to Table 4.3-3.

Naturally Occurring Asbestos

Asbestos is a term used for several types of naturally occurring fibrous minerals that are a human health hazard when airborne. The most common type of asbestos is chrysotile, but other types such as tremolite and actinolite are also found in California. Asbestos is classified as a known human carcinogen by State, Federal, and international agencies and was identified as a toxic air contaminant by CARB in 1986.

Asbestos can be released from serpentinite and ultramafic rocks when the rock is broken or crushed. At the point of release, the asbestos fibers may become airborne, causing air quality and human health hazards. These rocks have been commonly used for unpaved gravel roads, landscaping, fill projects, and other improvement projects in some localities. Asbestos may be released to the atmosphere due to vehicular traffic on unpaved roads, during grading for development projects, and at quarry operations. All of these activities may have the effect of releasing potentially harmful asbestos into the air. Natural weathering and erosion processes can act on asbestos bearing rock and make it easier for asbestos fibers to become airborne if such rock is disturbed. According to the

[6] San Diego County Air Pollution Control District, *Rule 67.0.1 Architectural Coatings*, https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-67.0.1-eff010122.pdf, accessed April 25, 2024.

Department of Conservation Division of Mines and Geology, *A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos Report* (August 2000), serpentinite and ultramafic rocks are not known to occur within the project area. Thus, no impacts would occur in this regard.

Potential hazardous concerns related to a release of asbestos-containing materials (ACMs) associated with existing on-site structures during demolition activities are analyzed in Section 4.9, *Hazards and Hazardous Materials*.

Long-Term Operational Emissions

Long-term operational air quality impacts consist of mobile source emissions generated from project-related traffic and emissions from stationary area and energy sources. As a conservative analysis, emissions from the existing uses on-site were not modeled or deducted from project-generated emissions. Further, as the project would propose drive-through lanes with vehicle idling, this analysis also includes the drive-through emissions using CARB's latest emission factors model, specifically, the Emission FACtor (EMFAC) 2021. Emissions associated with each of these sources are detailed in Table 4.3-4, *Project-Generated Operational Emissions*, and discussed below.

Table 4.3-4
Project-Generated Operational Emissions

Emissions Source	Pollutant (pounds/day)[1]					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Project Summer Emissions						
Mobile	8.49	5.93	60.4	0.14	12.0	3.11
Area	0.10	< 0.01	0.14	< 0.01	< 0.01	< 0.01
Energy	0.01	0.09	0.08	< 0.01	0.01	0.01
Drive-through	0.05	0.34	0.65	< 0.01	< 0.01	< 0.01
Total Summer Emissions[2]	**8.65**	**6.36**	**61.27**	**0.14**	**12.01**	**3.12**
SDAPCD Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold Exceeded?	***No***	***No***	***No***	***No***	***No***	***No***
Project Winter Emissions						
Mobile	8.28	6.51	57.2	0.13	12.0	3.11
Area	0.07	0.00	0.00	0.00	0.00	0.00
Energy	0.01	0.09	0.08	< 0.01	0.01	0.01
Drive-through	0.05	0.34	0.65	< 0.01	< 0.01	< 0.01
Total Winter Emissions[3]	**8.41**	**6.94**	**57.93**	**0.13**	**12.01**	**3.12**
SDAPCD Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold Exceeded?	***No***	***No***	***No***	***No***	***No***	***No***

Notes:
1. Emissions were calculated using CalEEMod version 2022.1.
2. The numbers may be slightly off due to rounding.

Source: Refer to Appendix A for assumptions used in this analysis.

Area Source Emissions

Area source emissions would be generated due to consumer products, architectural coating, and landscaping. Pursuant of SDAPCD Rule 67.0.1, architectural coating would be limited to a VOC content of 50 grams per liter. As such, CalEEMod modeling includes the assumption that architectural coating applications during operation would be limited to a VOC content of 50 grams per liter. As shown in Table 4.3-4, area source emissions during both summer and winter would not exceed established SDAPCD thresholds. Impacts would be less than significant in this regard.

Energy Source Emissions

Energy source emissions would be generated because of energy and natural gas usage associated with the proposed project. The primary use of electricity and natural gas by the project would be for space heating and cooling, water heating, ventilation, lighting, appliances, and electronics. The project would meet Title 24 standards, install high efficiency lighting, install a solar-ready roof, and use energy efficient appliances. However, as a conservative analysis, these project design features were not accounted for in the modeling. Energy source emissions would not exceed established SDAPCD thresholds; refer to Table 4.3-4. Impacts in this regard would be less than significant.

Mobile Source

Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG/VOC, NO_X, SO_X, PM_{10}, and $PM_{2.5}$ are all pollutants of regional concern (NO_X and ROG/VOC react with sunlight to form O_3 [photochemical smog], and wind currents readily transport SO_X, PM_{10}, and $PM_{2.5}$). However, CO tends to be a localized pollutant, dispersing rapidly at the source.

Project-generated vehicle emissions were estimated using CalEEMod. According to the *Local Mobility Analysis Chick-Fil-A (#5524), 13th and Centre City*, prepared by Linscott, Law, and Greenspan Engineers (dated July 26, 2024), the proposed project would generate 2,031 average daily trips. As shown in Table 4.3-4, mobile source emissions for both summer and winter would not exceed established SDAPCD thresholds. Therefore, impacts in this regard would be less than significant.

Drive-through Emissions

The analysis calculates the drive-through emissions using CARB's latest emission factors model, specifically, the EMFAC 2021. However, there are only idling emissions available for heavy-duty vehicles. It is impractical for a heavy-duty vehicle to use the drive-through. Based on the 2023 QSR® Drive-Thru report, the average time spent at the drive-through lane (including wait time and service time) at a Chick-fil-A restaurant is approximately 310.76 seconds (approximately 5.18 minutes). As a conservative analysis, it is assumed all 2,031 daily trips generated by the project would idle for six minutes at the idling emission rates of heavy-duty vehicles. As shown in Table 4.3-4, the emissions

associated with idling during thrive-through would be minimal. As such, impacts would less than significant.

Total Operational Emissions

As shown in Table 4.3-4, the total operational emissions for both summer and winter would not exceed established SDAPCD thresholds. Therefore, impacts in this regard would be less than significant.

Air Quality Health Impacts

Adverse health effects induced by criteria pollutant emissions are highly dependent on a multitude of interconnected variables (e.g., cumulative concentrations, local meteorology and atmospheric conditions, and the number and character of exposed individual [e.g., age, gender]). In particular, O_3 precursors, VOCs and NO_X, affect air quality on a regional scale. Health effects related to O_3 are therefore the product of emissions generated by numerous sources throughout a region. Existing models have limited sensitivity to small changes in criteria pollutant concentrations, and, as such, translating project-generated criteria pollutants to specific health effects or additional days of nonattainment would produce meaningless results. In other words, the project's less than significant increases in regional air pollution from criteria air pollutants would have nominal or negligible impacts on human health.

CEQA allows Lead Agencies to rely on standards and guidance promulgated by other agencies. As such, this analysis utilizes guidance developed by the South Coast Air Quality Management District (SCAQMD) as an expert agency regarding air quality and its health effects. The SCAQMD noted in its *Application of the South Coast Air Quality Management District for Leave to File Brief of Amicus Curiae in Support of Neither Party and [Proposed] Brief of Amicus Curiae* (SCAQMD Amicus Brief, 2015) for the Supreme Court of California decision for *Sierra Club vs. County of Fresno (Friant Ranch L.P.)*, that it would be extremely difficult, if not impossible to quantify health impacts of criteria pollutants for various reasons including modeling limitations as well as where in the atmosphere air pollutants interact and form. Furthermore, as noted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) in the *Application for Leave to File Amicus Curiae Brief of San Joaquin Valley Unified Air Pollution Control District in Support of Defendant and Respondent, County of Fresno and Real Party of Interest and Respondent, Friant Ranch, L.P* (April 13, 2015), currently available modeling tools are not equipped to provide a meaningful analysis of the correlation between an individual development project's air emissions and specific human health impacts.

As previously discussed, CEQA allows Lead Agencies to rely on standards and guidance promulgated by other agencies. The SCAQMD acknowledges that health effects from O_3, as an example, is correlated with the increases in ambient level of O_3 in the air (concentration) that an individual person breathes. The SCAQMD's Brief of Amicus Curiae states that it would take a large amount of additional emissions to cause a modeled increase in ambient O_3 levels over the entire region. The SCAQMD states that based on their own modeling in the SCAQMD's *2012 Air Quality Management Plan*, a reduction of 432 tons (864,000 pounds) per day of NO_X and a reduction of 187 tons (374,000 pounds) per day of VOCs would reduce O_3 levels at its highest monitored sites by only nine parts per billion. As such, the SCAQMD concludes that it is not currently possible to accurately quantify O_3-related health impacts caused by NO_X or VOC emissions from relatively small projects (defined as projects with

regional scope) due to photochemistry and regional model limitations. Thus, as the project would not exceed SDAPCD's thresholds for construction and operational air emissions, the project would have a less than significant impact for air quality health impacts.

Cumulative Impacts

If emissions exceed the thresholds shown in Tables 4.3-1 for nonattainment pollutants (O_3, with O_3 precursors NO_x and VOCs, PM_{10}, and $PM_{2.5}$), the project could have the potential to result in a cumulatively considerable net increase in these pollutants and thus could have a significant impact on the ambient air quality. However, as shown in Table 4.3-3 and Table 4.3-4, project emissions would not exceed the significance thresholds and therefore would not result in a cumulatively significant increase of any nonattainment criteria pollutant. As such, the project's contribution to cumulative impacts would also be less than significant.

***Mitigation Measures*:** No mitigation is required.

c. Expose sensitive receptors to substantial pollutant concentrations?

***Less Than Significant Impact*.** Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, daycare centers, and places of worship. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The closest sensitive receptors to the project site are mobile homes that bound the project site to the south. As demonstrated below, the project would result in less than significant impacts to these mobile home residents during project construction and operation.

Construction

Project construction may include emissions of pollutants identified by the State and Federal government as toxic air contaminants (TACs) or Hazardous Air Pollutants (HAPs). The project construction activities are anticipated to involve the operation of diesel-powered equipment, which would emit Diesel Particulate Matter (DPM). In 1998, the CARB identified diesel exhaust as a Toxic Air Contaminant (TAC). Cancer health risks associated with exposures to diesel exhaust typically are associated with chronic exposure, in which a 30-year exposure period often is assumed.

As previously discussed, the closest sensitive receptors are mobile homes adjacent to the project site to the south. However, health impacts on sensitive receptors associated with exposure to DPM from project construction are anticipated to be less than significant, since construction activities are expected to occur well below the 30-year exposure period used in health risk assessments. Further, construction activities would be required to comply with regulations pertaining to best management practices (BMPs) intended to reduce construction emissions (e.g., reducing construction idling time, maintenance of construction equipment, limiting vehicle speeds). Additionally, emissions would be short-term and intermittent in nature, and therefore would not generate TAC emissions at high enough exposure concentrations to represent a health hazard. As such, impacts would be less than significant in this regard.

Operation

SDAPCD Regulation XII establishes acceptable risk levels and emission control requirements for new and modified facilities that may emit additional TACs. Under SDAPCD Rule 1210, emissions of TACs that result in a cancer risk of 10 in 1 million or less and a health hazard index of one or less would not be required to notify the public of potential health risks. However, the proposed restaurant would result in very limited operational activities that could result in emissions (such as landscaping maintenance), which has low potential health risks and emissions of TACs. SDAPCD Regulation XII would not apply to the project as the development is not a facility that would generate TACs. As such, operation of the proposed project is not expected to result in an elevated cancer risk to nearby sensitive receptors and impacts would be less than significant.

Carbon Monoxide Hotspots

CO emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (e.g., adversely affecting residents, school children, hospital patients, and the elderly).

The Basin is designated as an attainment area for the Federal and State CO standards; refer to Table 4.3-2. There has been a decline in CO emissions even though vehicle miles traveled (VMT) on U.S. urban and rural roads have increased; estimated anthropogenic CO emissions have decreased 68 percent between 1990 and 2014. In 2014, mobile sources accounted for 82 percent of the nation's total anthropogenic CO emissions.[7] Three major control programs have contributed to the reduced per-vehicle CO emissions, including exhaust standards, cleaner burning fuels, and motor vehicle inspection/maintenance programs.

According to the SCAQMD *CEQA Air Quality Handbook*,[8] a potential CO hotspot may occur at any location where the background CO concentration already exceeds 9.0 parts per million (ppm), which is the 8-hour California ambient air quality standard. The closest CO monitoring station to the project site is the San Diego – Rancho Carmel Drive station, which is located approximately 8.52 miles south of the project site. The maximum CO concentration at San Diego – Rancho Carmel Drive station was measured at 1.6 ppm in 2023.[9] Given that the background CO concentration does not currently exceed 9.0 ppm, a CO hotspot would not occur at the project site. Therefore, CO hotspot impacts would be less than significant in this regard.

***Mitigation Measures*:** No mitigation is required.

[7] U.S. Environmental Protection Agency, *Carbon Monoxide Emissions*, https://cfpub.epa.gov/roe/indicator_pdf.cfm?i=10, accessed December 18, 2023.

[8] CEQA allows the Lead Agency (City) to rely on standards and guidance used by other agencies. The SDAPCD does not have an established Air Quality Guideline to address this threshold and as such, guidance established by the SCAQMD is used for this project.

[9] California Air Resources Board, *31 Day Summary for Hourly Carbon Monoxide for San Diego-11403 Rancho Carmel Dr NR*, https://www.arb.ca.gov/aqmis2/display.php?year=2023&mon=12&day=23&site=3821&hours=all&o3switch=new&ptype=aqd&param=CO&units=007&report=SITE31D&statistic=HVAL&order=&btnsubmit=Update+Display , accessed April 25, 2024.

d. Create objectionable odors affecting a substantial number of people?

***Less Than Significant Impact*.**

According to the *Odor Complaints, Health Impacts, and Monitoring Methods* prepared for CARB, odors typically come from industrial facilities.[10] The primary industries that tend to lead to odors include wastewater treatment plants, municipal solid waste landfills, trash transfer stations, composting facilities, animal agriculture, chemical and petroleum industries, and roadkill collection facilities. The proposed project does not include any of these uses or odor sources.

Operational

Due to the nature of the proposed project (restaurant), there is the potential for uses within the immediate area to experience odors associated with restaurant operations. The project would be required to comply with SDAPCD Rule 51 (Public Nuisance) which prohibits emission of any material which causes nuisance to a considerable number of persons or endangers the comfort, health, or safety of any person. Compliance with SDAPCD Rule 51 would ensure potential restaurant-related odors during operation would not create objectionable odors affecting a substantial number of people. Impacts would be less than significant in this regard.

Construction

Construction activities associated with the project may generate detectable odors from heavy-duty equipment exhaust and architectural coatings. However, construction-related odors would be short-term in nature and cease upon project completion. In addition, the project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by requiring equipment to be shut off when not in use or limiting idling time to no more than five minutes. Compliance with these existing regulations would further reduce the detectable odors from heavy-duty equipment exhaust. The project would also be required to comply with the SDAPCD Rule 67.0.1, which would require VOC contents of paint to not exceed 50 grams per liter. Any odor impacts to existing adjacent land uses would be short-term and negligible. As such, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts would be less than significant in this regard.

***Mitigation Measures*:** No mitigation is required.

[10] California Air Resources Board, *Odor Complaints, Health Impacts, and Monitoring Methods,* https://ww2.arb.ca.gov/sites/default/files/classic/research/apr/past/18rd010.pdf, September 3, 2019.

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4.4 BIOLOGICAL RESOURCES *Would the project:*	Potentially Significant Impact	Less Than Significant Impact 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 or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Services?	☐	☐	☐	☒
c) Have a substantial adverse effect on State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery site?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?	☐	☐	☐	☒

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

***No Impact*.** The project site is located within a built-out, urbanized area of the City and is currently developed with a restaurant and associated surface parking lot. The project site is currently landscaped with 30 ornamental trees, including ficus, strawberry tree, carrotwood, eucalyptus, southern magnolia, Hollywood juniper, and a variety of shrubs. However, no native trees/vegetation are located on-site. No species identified as candidate, sensitive, or special status species, as identified in local or regional plans, policies, or regulations are present on-site or in the immediate vicinity. Further, no listed or sensitive habitat that could support such species are present on-site. Based on the project site's disturbed condition and lack of native vegetation, project construction nor

operations would not adversely impact candidate, sensitive, or special status biological resources. No impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

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

***No Impact*.** Riparian habitats are those occurring along the banks of rivers and streams. Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies, known to provide habitat for sensitive animal or plant species, or known to be important wildlife corridors.

As stated, the project site is entirely developed with an existing restaurant and associated paved surface parking lot and ornamental landscaping. Based on General Plan Figure VII-2, *Vegetation Categories*, no riparian habitat or other sensitive natural communities are present on-site or in the project area. Thus, project development would not impact riparian habitat or other sensitive natural communities. No impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

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

***No Impact*.** No jurisdictional wetlands and waters are present on-site. Further, according to General Plan Figure VII-2, no jurisdictional wetlands and waters are present in the project area. As such, project construction would not adversely impact protected State or Federal wetlands through direct removal, filling, hydrological interruption, or other means. No impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery site?

***Less Than Significant Impact With Mitigation Incorporated*.** Based on the lack of suitable habitat within the project site, project implementation would not interfere with the movement of any native resident, migratory fish, or wildlife species. The project site is bound by existing development on all sides and is located in an urbanized area of Escondido and, thus, does not function as a wildlife corridor or nursery site. According to Exhibit 2-5, *Conceptual Landscape Plan*, there are 30 existing ornamental trees on-site. Two existing trees in Pine Street right-of-way would remain/protected in-place. Of the 30 existing on-site trees, 28 on-site trees would be removed. Of these 28 on-site trees to be removed, four eucalyptus trees, three located along the western site perimeter and one in the northern/central portion of the project site, could provide nesting opportunities for raptors. The Migratory Bird Treaty Act (MBTA) governs the taking, killing, possession, transportation, and importation of migratory birds (including raptors), their eggs, parts, and nests. To reduce potential

impacts to nesting birds, Mitigation Measure BIO-1 requires a pre-construction nesting bird clearance survey to determine the presence/absence, location, and status of any active nests on or adjacent to the project site. If the nesting bird clearance survey indicates the presence of nesting birds, Mitigation Measure BIO-1 requires buffers to ensure that any nesting birds are protected pursuant to the MBTA. With implementation of Mitigation Measure BIO-1, the project's potential construction-related impacts to migratory birds would be reduced to a less than significant level.

***Mitigation Measures*:**

BIO-1 In the event that construction activities cannot be avoided during the avian nesting season, generally between February 15 and September 15, the project Applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey no more than three days prior to commencement of construction activities. The completed survey shall be provided to the City of Escondido Planning Division prior to site disturbance activities. If no active bird nests are observed on the project site or within the vicinity during the pre-construction nesting bird survey, site disturbance activities may resume. If an active avian nest is discovered during the pre-construction nesting bird survey, construction activities shall stay outside of a 300-foot buffer around the active nest, as defined by the biologist. For listed and raptor species, this buffer shall be 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by construction activity. No work shall be conducted within the established buffers until the biological monitor determines the avian nest is no longer active.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

***Less Than Significant Impact*.** Municipal Code Section 33-1068.B, *Restrictions on removal of vegetation*, requires a vegetation removal permit for the removal of vegetation (i.e., mature trees, protected trees, and sensitive biological habitat) on developed and undeveloped lots of less than two acres in size, prior to clearing, pruning, or destroying of sensitive biological species, sensitive biological habitat, protected trees and/or required landscaping. The proposed project would not include the removal of protected trees and sensitive habitat; however, the proposed project would include the removal of required landscaping. Nevertheless, per Municipal Code Section 33-1068.B.a.4, the proposed project would be exempt from obtaining a vegetation removal permit as the proposed project would require discretionary approval including a Specific Plan Amendment and Major Conditional Use Permit.

Mature trees are defined as any self-supporting woody perennial plant, native or ornamental, with a diameter of eight inches at diameter breast height (i.e., the diameter of a tree trunk four and one-half feet above the natural grade), or greater, for a single well-defined stem or one of the multiple stems supporting a crown of branches.

The project site is currently landscaped with 30 mature trees, 28 of which would be removed as part of the project and two would remain/protected-in-place. Specifically, the project would remove three strawberry tree, four eucalyptus, one southern magnolia, 10 carrotwood, and 10 Hollywood juniper. The project would plant a variety of trees, shrubs and groundcover as part of the proposed project

(some of which would be native and/or drought tolerant species); refer to Exhibit 2-5, *Conceptual Landscape Plan*. In addition to the two existing trees to be protected in-place along Pine Street, 35 new trees would be planted on-site. Planting materials would include a mixture of trees (such as strawberry tree, western redbud, crape myrtle, holly oak, and sawleaf zelkova), shrubs, and grasses. The landscaped driveway along Pine Street would be primarily landscaped with sawleaf zelkova, strawberry tree, medicinal aloe, English lavender, slender veldt grass, red yucca, and variegated foxtail agave. In addition to the 35 new trees planted on-site, street frontages along Pine Street would be landscaped with strawberry tree, cape rush, crape myrtle, red yucca, coffeeberry, medicinal aloe, Carolina laurel cherry, wild rye, Jerusalem sage, black anther flax lily, little sur manzanita, fortnight lily, octopus agave, and variegated foxtail agave. Street frontages along 13th Avenue would also be improved with octopus agave, autumn sage, wild rye, fortnight lily, red yucca, and coffeeberry.

Therefore, the proposed project would satisfy the requirements of Municipal Code Section 33-1069, *Vegetation protection and replacement standards*, which requires the replacement of mature trees at a minimum of a one-to-one ratio. The number, size and species of the replacement trees would be subject to approval by the Director of Community Development. Therefore, subject to approval by the Director of Community Development for tree replacement specifications (i.e., number, size, and species), the proposed project would satisfy the tree replacement ratio requirements and would not conflict with any local policies or ordinances protecting biological resources. A less than significant impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

f. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?

***No Impact*.** According to the California Department of Fish and Wildlife's *California Natural Community Conservation Plan Map*, the proposed project is located within the *San Diego Multiple Habitat Conservation Program* (MHCP) and the Escondido subarea.[1,2] The MHCP was adopted and certified by the San Diego Association of Governments in March 2003 with the intent that each participating North San Diego County jurisdiction would implement their respective portions of the MHCP through citywide subarea plans. According to the General Plan EIR, at the time of preparation of the General Plan EIR on April 23, 2012, a draft subarea plan had been prepared by the City but had not been adopted. Further, no updates on the status of the City's subarea plan are available at the time of preparation of this Initial Study. Nevertheless, as shown on General Plan EIR Figure 4.4-1, *MHCP and MSCP Areas*, the project site and surrounding areas are not located within any City MHCP Focused Planning Areas or County of San Diego MSCP Areas. Therefore, the project would not be subject to mitigation ratios and project development would not conflict with the MHCP or the City's subarea plan (when adopted).

No other approved local, regional, or State habitat conversation plans apply to the project site. Thus, no impacts would occur in this regard.

[1] California Department of Fish and Wildlife, *California Natural Community Conservation Plans*, August 2023, https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline, accessed December 6, 2023.

[2] California Department of Fish and Wildlife, *NCCP Plan Summary – San Diego Multiple Habitat Conservation Program*, https://wildlife.ca.gov/Conservation/Planning/NCCP/Plans/San-Diego-MHCP, accessed December 6, 2023.

***Mitigation Measures*:** No mitigation is required.

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4.5 CULTURAL RESOURCES ***Would the project:***	**Potentially Significant Impact**	**Less Than Significant Impact With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

The information presented in this analysis has been supplemented with the *Cultural Resources Identification Memorandum For The Chick-Fil-A West 13th & Centre City Parkway Project, Escondido, California* (Cultural Resources Assessment), prepared by Michael Baker International, dated July 24, 2024; refer to Appendix B, *Cultural Resources Assessment*.

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

***No Impact*.** As part of the Cultural Resources Assessment, a South Coastal Information Center (SCIC) records search, literature review and historical map review, historical society consultation, built environment field survey, historical resource evaluation, and buried archaeological site sensitivity analysis were conducted to determine whether the project could result in a significant adverse change to cultural resources in accordance with CEQA. The field (pedestrian survey) was conducted on November 29, 2023. Notes and photographs were taken during the survey, noting observations of all four exposed building elevations, architectural design, materials, and alterations. The records search of the California Historical Resources Inventory System (CHRIS) was conducted on November 20, 2023 at the SCIC to identify previous cultural resources studies and previously recorded cultural resources within a 0.50-mile radius of the project site. The CHRIS search results were provided on December 6, 2023, and included a review of the Built Environment Directory, California Inventory of Historic Resources, California Points of Historical Interest, California Historical Landmarks, and Archaeological Determinations of Eligibility for San Diego County. The Cultural Resources Assessment also included a review of available historical United States Geologic Survey 7.5- minute topographic quadrangle maps and consultation request with the Escondido History Center.

Record Search Results

Based on the records search results, two cultural resources (P-27-012544 and P-27-033557) were identified within a 0.50-mile radius of the project site, neither of which are within the project site. Additionally, the records search results identified 14 previous cultural resources studies (SD-081157; SD-08238; SD-08588; SD-08596; SD-10090; SD-10551; SD-10808; SD-11406; SD-13432; SD-14394; SD-16757; SD-17574; SD-17576; and SD-17577) within a 0.50-mile radius of the project site, six of which include the project site. However, no cultural resources were identified within the previous cultural resources studies. Based on the distances of known cultural resources from the project site and lack

of identified cultural resources on-site, project development would not result in adverse effects to known cultural resources.

On-Site Building Historical Evaluation

The existing building on-site (DiCicco's Restaurant and Cork and Knife Wine Bar; originally constructed as a Marie Callender's restaurant in 1976) was also evaluated for California Register of Historical Resources (CRHR) eligibility in accordance with Section 15064.5 of the CEQA Guidelines, using the criteria outlined in Section 5024.1 of the California Public Resources Code. To be eligible for listing in the CRHR, a property must be at least 50 years of age and possess significance at the local, State, or national level, under one or more of the following criteria:

- **Criterion 1.** It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

- **Criterion 2.** It is associated with the lives of persons important in our past;

- **Criterion 3.** It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value;

- **Criterion 4.** It has yielded, or may yield, information important in history or prehistory.

The following includes an evaluation of the existing on-site restaurant for its eligibility with the CRHR based on Criterion 1 through Criterion 4 listed above.

- *Criterion 1* – The restaurant, constructed in 1976, presents unremarkable characteristics and is not significantly associated with a period in history nor is it associated with a significant contribution to local, regional, State, or national culture and history. Therefore, the property is not eligible for listing in the CRHR under Criterion 1.

- *Criterion 2* – There is no demonstrable evidence that the original owner nor any subsequent owners or occupants made significant contributions to the growth and commercial development of Escondido. As such, the building is not associated with the lives of person who significantly contributed to the local, regional, State, or national history. The property is not eligible for listing in the CRHR under Criterion 2.

- *Criterion 3* – The stand-alone building presents some elements which portray an example of the Stylized Ranch architectural style. Although the building displays some common elements of its style, these features alone do not confer significance to the property as the building is not a characteristic, important or unique example of its type, period, method of construction, nor is the building associated with a known master architect/builder. As such, the property is not eligible for listing in the CRHR under Criterion 3.

- *Criterion 4* – The building is not likely to yield valuable information nor possess significant data which would contribute to the understanding of human history. As such, the property is not eligible for listing in the CRHR under Criterion 4.

Lacking historic significance, this property is recommended not eligible for listing in the CRHR. As such, the building is not a historical resource as defined by CEQA Guidelines Section 15064.5(a). Project implementation would not cause a substantial adverse change in the significance of a historical resource. No impacts would occur in this regard.

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

Less Than Significant Impact With Mitigation Incorporated. Given the nature of the project area and the disturbed nature of the project site, no cultural resources are expected to occur on-site. However, the site could contain previously undiscovered archaeological resources. Project construction activities would involve a maximum excavation depth of approximately eight feet below ground surface, the top three feet of which consist of disturbed fill material. Thus, project excavation may encounter native soils that have the potential to support unknown buried archaeological resources. Should project excavation activities encounter previously undiscovered archaeological resources, Mitigation Measures CUL-1 through CUL-10 would ensure that the project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5, and impacts would be reduced to less than significant levels.

Mitigation Measures:

CUL-1 Prior to the issuance of a grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a Pre-Excavation Agreement) with a tribe that is traditionally and culturally affiliated with the project location ("TCA Tribe"). The purposes of the agreement are (1) to provide the Applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner 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 project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in Mitigation Measures CUL-2 through CUL-10, and the following information:

- Parties entering into the agreement and contact information.
- Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors.
- Project grading and development scheduling, including determination of authority to adjust in the event of unexpected discovery, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement.

- Requirements in the event of unanticipated discoveries, which shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials.
- Treatment of identified Native American cultural materials.
- Treatment of Native American human remains and associated grave goods.
- Confidentiality of cultural information including location and data.
- Negotiation of disagreements should they arise.
- Regulations that apply to cultural resources that have been identified or may be identified during project construction.

CUL-2 Prior to issuance of a grading permit, the Applicant shall provide written verification to the City of Escondido (City) that a qualified archaeologist and a Native American monitor associated with a tribe that is traditionally and culturally affiliated with the project location ("TCA Tribe") have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

CUL-3 The qualified archaeologist and a Native American monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to explain and coordinate the requirements of the monitoring program.

CUL-4 During the initial grubbing, site grading, excavation or disturbance of the ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American monitor shall be present full-time. If the full-time monitoring reveals that the top soil throughout the project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering these factors. Archaeological and Native American monitoring

shall be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits (i.e., soil conditions are comprised solely of fill or granitic bedrock).

CUL-5 In the event that previously unidentified tribal cultural resources are discovered, all work must halt within a 100-foot radius of the discovery. The qualified archaeologist and the Native American monitor shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The qualified archaeologist and Native American Monitor shall consider the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c) in determining the significance of a discovered resource. If the professional archaeologist and Native American monitor determine that the find does not represent a culturally significant resource, work may resume immediately, and no agency notifications are required. Isolates and clearly non-significant deposits shall be documented in the field and collected, and monitored grading can immediately proceed. All unearthed archaeological resources or tribal cultural resources shall be collected, temporarily stored in a secure location, and repatriated for later reburial on the project site, pursuant to the terms of the Pre-Excavation Agreement established in Mitigation Measure CUL-1.

CUL-6 If the qualified archaeologist and Native American monitor determine that the find does represent a potentially significant tribal cultural resource, considering the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c), the archaeologist shall immediately notify the City of Escondido (City) of said discovery. The qualified archaeologist, in consultation with the City, the consulting tribe(s) that is/are traditionally and culturally affiliated with the project location ("TCA Tribe[s]"), and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe(s) and be submitted to the City for review and approval. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) though (c), appropriate treatment measures shall be implemented. Work shall not resume within the no-work radius until the City, through consultation as set forth herein, determines either that: 1) the discovery does not constitute a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c); or 2) the approved treatment and disposition measures have been completed.

CUL-7 All sacred sites, significant tribal cultural resources, and unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation. The avoidance and preservation of the significant tribal cultural resource or unique archaeological resource must first be considered and evaluated in

consultation with the consulting tribe(s) that is/are traditionally and culturally affiliated with the project location ("TCA Tribe[s]") as required by CEQA and in compliance with all relevant mitigation measures for the project. If any significant tribal cultural resource or unique archaeological resource has been discovered and such avoidance or preservation measure has been deemed to be infeasible by the City of Escondido's (City) Director of Community Development (after a recommendation is provided by the qualified archaeologist, in consultation with the TCA Tribe(s), making a determination of infeasibility that takes into account the factors listed in California Public Resources Code sections 21061.1, 21081(a)(3), and CEQA Guidelines section 15091, and in accordance with all relevant mitigation measures for the project), then 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 research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. No artifact sampling for analysis is allowed, unless requested and approved by the consulting TCA Tribe(s). Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities shall be concluded to the satisfaction of the City.

CUL-8 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 (Coroner) office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to a temporary off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area be protected, and consultation and treatment may occur as prescribed by law. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner shall notify the Native American Heritage Commission (NAHC), which then shall designate a Native American Most Likely Descendant (MLD) for the project (California Public Resources Code § 5097.98) for proper treatment and disposition in accordance with California Public Resources Code section 5097.98. The designated MLD shall have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the City of Escondido does not agree with the recommendations of the MLD, the NAHC can mediate (California Public Resources Code § 5097.94). If no agreement is reached, the remains

shall be kept in situ, or reburied in a secure location in close proximity to where they were found and where they would not be further disturbed (California Public Resources Code § 5097.98). Work may not resume within the no work radius until the lead agency, through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction. The analysis of the remains shall only occur on-site in the presence of the MLD, unless the forensic anthropologist and the MLD agree to remove the remains to an off-site location for examination.

CUL-9 If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor shall be present during any cataloging of those resources. Moreover, if the qualified archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the Native American monitor may, at their discretion, collect said resources for later reburial on the project site or storage at a local curation facility. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the tribe that is traditionally and culturally affiliated with the project location ("TCA Tribe") for reburial on the project site. Should the TCA Tribe(s) decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

CUL-10 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program and any data recovery program on the project site, shall be submitted by the qualified archaeologist to the City of Escondido (City). The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report shall include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources. A copy of the final report shall be submitted to the South Coastal Information Center after approval by the City.

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

***Less Than Significant Impact With Mitigation Incorporated*.** Due to the level of disturbance on the project site and in the site vicinity, it is not anticipated that human remains, including those interred outside of formal cemeteries, would be encountered during earth removal or ground-disturbing activities. Nonetheless, if human remains are found, Mitigation Measure CUL-8 requires those remains to receive proper treatment, in accordance with applicable laws. State of California Public Resources Health and Safety Code Section 7050.5 through 7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission (NAHC), and consultation with the individual identified by the Native American Heritage Commission (NAHC) to be the most likely descendant. If human remains are found

during excavation, excavation must stop near the find and any area that is reasonably suspected to overlay adjacent remains until the County Coroner has been called out, the remains have been investigated, and appropriate recommendations have been made for the treatment and disposition of the remains. With implementation of Mitigation Measure CUL-8, impacts related to the disturbance of human remains would be reduced to less than significant levels.

Mitigation Measures: Refer to Mitigation Measure CUL-8 above.

4.6 ENERGY ***Would the project:***	Potentially Significant Impact	Less than Significant Impact 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?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Regulatory Setting

State

California Building Energy Efficiency Standards (Title 24)

The 2022 California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2023. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2022 Title 24 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, strengthen ventilation standards, and more.

California Green Building Standards (CALGreen)

The 2022 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as CALGreen, went into effect on January 1, 2023. CALGreen is the first-in-the-nation mandatory green buildings standards code. The California Building Standards Commission developed CALGreen to meet the State's landmark initiative Assembly Bill (AB) 32 goals, which established a comprehensive program of cost-effective reductions of greenhouse gas (GHG) emissions to 1990 levels by 2020. CALGreen was developed to (1) reduce GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, and healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the environmental directives of the administration. CALGreen requires that new buildings employ water efficiency and conservation, increase building system efficiencies (e.g., lighting, heating/ventilation and air conditioning [HVAC], and plumbing fixtures), divert construction waste from landfills, and incorporate electric vehicles charging infrastructure. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive, and that there is a significant cost-savings potential in green building practices and materials.[1]

[1] U.S. Green Building Council, *Green Building Costs and Savings*, https://www.usgbc.org/articles/green-building-costs-and-savings, accessed January 3, 2024.

California Public Utilities Commission Energy Efficiency Strategic Plan

The California Public Utilities Commission (CPUC) prepared an Energy Efficiency Strategic Plan (Strategic Plan) in September 2008 with the goal of promoting energy efficiency and a reduction in GHGs. In January 2011, a lighting chapter was adopted and added to the Strategic Plan. The Strategic Plan is California's single roadmap to achieving maximum energy savings in the State between 2009 and 2020, and beyond 2020. The Strategic Plan contains the practical strategies and actions to attain significant statewide energy savings, because of a year-long collaboration by energy experts, utilities, businesses, consumer groups, and governmental organizations in California, throughout the West, nationally and internationally.

California Energy Commission Integrated Energy Policy Report

In 2002, the California State Legislature adopted Senate Bill (SB) 1389, which requires the California Energy Commission (CEC) to develop an Integrated Energy Policy Report (IEPR) every two years. SB 1389 requires the CEC to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices, and use these assessments and forecasts to develop energy policies that conserve resources, protect the environment, ensure energy reliability, enhance the State's economy, and protect public health and safety.

The CEC adopted the 2023 Integrated Energy Policy Report (2023 IEPR) on February 14, 2024. The 2023 IEPR provides the results of the CEC's assessments of a variety of energy issues facing California, many of which will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining reliability and controlling costs. The 2023 IEPR discusses speeding connection of clean resources to the electricity grid, the potential use of clean and renewable hydrogen, and the California Energy Demand Forecast to 2040.

Executive Order N-79-20

Executive Order N-79-20, issued September 23, 2020, directs the State to require all new cars and passenger trucks sold in the State to be zero-emission vehicles by 2035. Executive Order N-79-20 further states that all medium- and heavy-duty vehicles sold in the State will be zero-emission by 2045.

Local

City of Escondido General Plan

The City of Escondido General Plan was adopted in May 2012. This update establishes goals, objectives, and policies to guide future development and comply with current State mandates. The General Plan includes the following goals and policies relating to energy that are applicable to the proposed project:

Goal 1: An accessible safe, convenient, and integrated multimodal network that connects all users and moves goods and people within the community and region efficiently.

Bicycle Network 4.3. Promote bicycling as a common mode of transportation and recreation to help reduce traffic congestion and improve public health.

Goal 6: An increased use of renewable energy sources, and improved energy conservation and efficiency.

Energy Policy 16.2. Continue to work with local utility providers to ensure that adequate electricity and natural gas services and facilities are available for new and existing development.

Energy Policy 16.3. Implement energy conserving land use practices that include compact development, provision of bikeways and pedestrian paths, and the incorporation of transit routes and facilities.

Energy Policy 16.4. Encourage site and building design that reduces exterior heat gain and heat island effects (tree planting, reflective paving materials, covered parking, cool roofs, etc.).

Energy Policy 16.5. Require, to the extent feasible, building orientations and landscaping that use natural lighting to reduce energy demands.

Energy Policy 16.6. Evaluate and amend appropriate codes and ordinances in order to facilitate and encourage the installation of renewable energy systems and facilities (solar, wind, hydro-power, geothermal, and bio-mass), where appropriate, for all development.

City of Escondido Climate Action Plan

The City of Escondido Climate Action Plan (CAP) was adopted in March 2021. The CAP provides a roadmap for reducing greenhouse gas emissions through the implementation of various strategies, goals, actions, and supporting measures. The following measures related to energy usage are applicable to the project:

Strategy 1: Increase the Use of Zero-Emission or Alternative Fuel Vehicles

Measure T-1.3: Adopt an Ordinance to Require Electric Vehicle Charging Stations in Developments

Adopt an ordinance, effective in 2023, that requires Level 2 or better EV charging stations to be installed in a minimum of 10 percent of total parking spaces provided in new multi-family and new and existing commercial developments.

Strategy 3: Reduce Vehicle Miles Traveled

Measure T-3.4: Develop a Citywide Transportation Demand Management Plan

Adopt a TDM ordinance, effective in 2022, that requires new non-residential developments and existing businesses in the downtown employment center to develop and implement TDM programs and policies. At a minimum, the TDM ordinance will require new non-residential developments and existing businesses to:

- Provide “end-of-trip” facilities for bicycle commuters (i.e., bicycle parking spaces, showers, lockers);
- Provide discounted monthly NCTD transit passes or transit subsidies;
- Provide informational material to employees for carpool and vanpool ride-matching services;
- Implement parking cash-out policies; and

- Develop alternate workplace, telecommuting, and/or alternate work schedule programs.

Threshold of Significance

CEQA Guidelines Appendix F is an advisory document that assists in determining whether a project would result in the inefficient, wasteful, and unnecessary consumption of energy. The analysis on Response 4.6(a) relies upon Appendix F of the CEQA Guidelines, which includes the following criteria to determine whether this threshold of significance is met:

- **Criterion 1:** The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
- **Criterion 2:** The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- **Criterion 3:** The effects of the project on peak and base period demands for electricity and other forms of energy.
- **Criterion 4:** The degree to which the project complies with existing energy standards.
- **Criterion 5:** The effects of the project on energy resources.
- **Criterion 6:** The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Quantification of the project's energy usage is presented and addresses **Criterion 1**. The discussion on construction-related energy use focuses on **Criteria 2, 4,** and **5**. The discussion on operational energy use is divided into transportation energy demand and building energy demand. The transportation energy demand analysis discusses **Criteria 2, 4,** and **6**, and the building energy demand analysis discusses **Criteria 2, 3, 4,** and **5**.

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

***Less Than Significant Impact*.**

Project-Related Sources of Energy Consumption

This analysis focuses on three sources of energy that are relevant to the proposed project: electricity, natural gas, and transportation fuel for vehicle trips and off-road equipment associated with project construction and operations. The analysis of operational electricity and natural gas usage is based on the California Emissions Estimator Model version 2022.1 (CalEEMod) modeling results for the project. The project's estimated electricity and natural gas consumption is based primarily on CalEEMod's default settings for San Diego County, and consumption factors provided by the San Diego Gas and Electric, the electricity and natural gas providers for the City and the project site. The results of the CalEEMod modeling are included in Appendix A. The amount of operational fuel consumption was estimated using the

California Air Resource Board's (CARB) EMFAC2021 website platform which provides projections for typical daily fuel usage in the County, and the project's annual vehicle miles traveled (VMT) based on the project's 1,956 average daily trips.[2] The estimated construction fuel consumption is based on the project's construction equipment list, timing/phasing, and hours of duration for construction equipment, as well as vendor, hauling, and construction worker trips.

The project's estimated energy consumption is summarized in Table 4.6-1, *Project and Countywide Energy Consumption*. Given the existing restaurant is closed and as a conservative analysis, energy consumption from the existing uses on-site were not calculated or deducted from the project's energy consumption. As shown in Table 4.6-1, the project's energy usage would result in a 0.0006 percent increase over San Diego County's typical annual electricity consumption and a 0.0007 percent increase in San Diego County's typical annual natural gas consumption. The project's construction off-road, construction on-road (vehicle), and operational vehicle fuel consumption would increase the County's consumption by 0.0415 percent, 0.0002 percent, and 0.0193 percent, respectively (**CEQA Appendix F - Criterion 1**). Overall, the project would result in a nominal energy consumption increase over the County's existing consumption. Therefore, the project would not result in a significant increase in construction and operational energy consumption and impacts would be less than significant in this regard.

Table 4.6-1
Project and Countywide Energy Consumption

Energy Type	Project Annual Energy Consumption[1]	San Diego County Annual Energy Consumption[2]	Percentage Increase Countywide
Electricity Consumption[3]	131 MWh	20,242,901 MWh	0.0006%
Natural Gas Consumption[3]	3,512 therms	522,309,244 therms	0.0007%
Fuel Consumption			
Construction Off-Road Fuel Consumption	6,092 gallons	14,662,106 gallons[4]	0.0415%
Construction On-Road Fuel Consumption	3,056 gallons	1,468,896,221 gallons	0.0002%
Operational Automotive Fuel Consumption	283,150 gallons	1,468,896,221 gallons	0.0193%

Notes:
1 As modeled in CalEEMod version 2022.1.
2 The project's electricity and natural gas consumption are compared to the total consumption in San Diego County in 2022, the latest year consumption data is available. The project's construction and operational automotive fuel consumption is compared with the projected Countywide fuel consumption in 2025 (construction start year and the first year of operation). San Diego County electricity consumption data source: California Energy Commission, *Electricity Consumption by County*, http://www.ecdms. energy.ca.gov/elecbycounty.aspx, accessed November 30, 2023. San Diego County natural gas consumption data source: California Energy Commission, *Gas Consumption by County*, http://www.ecdms.energy. ca.gov/gasbycounty.aspx, accessed November 30, 2023.
3 Project fuel consumption calculated based on CalEEMod results. Countywide fuel consumption is from the California Air Resources Board EMFAC2021 model.
4 Countywide off-road fuel consumption is based on EMFAC Off-Road projections.

Refer to Appendix A for assumptions used in this analysis.

[2] Linscott, Law, and Greenspan Engineers, *Local Mobility Analysis Chick-Fil-A (#5524), 13th and Centre City*, dated July 26, 2024.

Construction

During construction, the project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Fossil fuels used for construction vehicles and other energy-consuming equipment would be used during demolition, grading, building construction, paving, and architectural coatings. Fuel energy consumed during construction would cease upon completion of construction and would not represent a significant demand on energy resources. In addition, some incidental energy conservation would occur during construction through compliance with State requirements that heavy-duty diesel equipment, not in use for more than five minutes, must be turned off. Project construction equipment would also be required to comply with the latest U.S. Environmental Protection Agency (EPA) and CARB engine emissions standards. These emissions standards require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. Due to increasing transportation costs and fuel prices, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction (**CEQA Appendix F - Criterion 4**).

The project-related incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes and manufactured or processed materials (e.g., lumber and gas) would not substantially increase demand for energy compared to overall local and regional demand for construction materials. As indicated in Table 4.6-1, the project's fuel consumption from off-road construction equipment use would be approximately 6,092 gallons, which would increase fuel use in the County by 0.0415 percent. Also indicated in Table 4.6-1, the project's fuel consumption from on-road construction vehicle use would be approximately 3,056 gallons, which would increase fuel use in the County by 0.0002 percent. As such, construction would have a nominal effect on the local and regional energy supplies (**CEQA Appendix F – Criterion 2**). It is noted that construction fuel use is temporary and would cease upon completion of construction activities. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the region or State (**CEQA Appendix F – Criterion 5**). Therefore, construction fuel consumption would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature. As such, a less than significant impact would occur in this regard.

Operations

Transportation Energy Demand

Pursuant to the Federal Energy Policy and Conservation Act of 1975, the National Highway Traffic and Safety Administration is responsible for establishing additional vehicle standards and for revising existing standards. Compliance with Federal fuel economy standards is not determined for each individual vehicle model. Rather, compliance is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. Table 4.6-1 provides an estimate of the daily fuel consumed by vehicles traveling to and from the project site. Based on the *Local Mobility Analysis Chick-Fil-A (#5524), 13th and Centre City*, prepared by Linscott, Law, and Greenspan Engineers (dated July 26, 2024), the proposed project development would generate 2,031 average daily trips. As indicated in Table 4.6-1, project operational daily trips are estimated to consume approximately 283,150 gallons of fuel per year, which would increase the County's automotive fuel consumption by 0.0193 percent, which

is a nominal increase. The project does not propose any unusual features that would result in excessive long-term operational fuel consumption (**CEQA Appendix F – Criterion 2**).

The project would include a surface parking lot and two drive-through lanes on the project site. The proposed surface parking lot would be required to comply with 2022 Title 24 standards pertaining to electric vehicle (EV) capable spaces and parking stalls with EV chargers. As such, the project would include three EV spaces with chargers and 10 EV ready (future EV chargers) parking spaces. It should be noted that the 10 EV ready parking spaces could be equipped with EV chargers, at the discretion of the property owner, and as neccesitated by future EV vehicle demand on-site. The project would also include features such as short- and long-term bicycle parking spaces which would encourage alternative modes of transportation. Additionally, a North County Transit District (NCTD) bus stop is located approximately 1,000 feet west from the project site and the Escondido Transit Center is located approximately 1.1 mile north from the project site. Thus, the project would encourage and support the use of EVs and alternative modes of transportation, thus reducing petroleum fuel consumption (**CEQA Appendix F – Criterion 4** and **Criterion 6**).

Therefore, fuel consumption associated with vehicle trips generated by the project would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. A less than significant impact would occur in this regard.

Building Energy Demand

The CEC developed 2024 to 2040 forecasts for energy consumption and peak demand in support of the 2023 IEPR for each of the major electricity and natural gas planning areas and the State based on the economic and demographic growth projections. CEC forecasted baseline electricity consumption grows at a rate of about 1.7 percent annually through 2040.[3] The natural gas consumption grows at a rate of about 0.2 percent annually through 2035.[4] As shown in Table 4.6-1, the project would represent a 0.0006 percent increase in electricity consumption and a 0.0007 percent increase in natural gas consumption over the current Countywide usage, which would be significantly below CEC's forecasts and the current Countywide usage. Therefore, the project would be consistent with the CEC's energy consumption forecasts and would not require additional energy capacity or supplies (**CEQA Appendix F - Criterion 2**). The project would also consume energy during the same time periods as other surrounding commercial developments. As a result, the project would not result in unique or more intensive peak or base period electricity demand (**CEQA Appendix F - Criterion 3**).

The project would be required to comply with the most current version of the 2022 Title 24 Building Energy Efficiency Standards (commonly known as Title 24), which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. The project would also comply with the California Green Building Standards Code pertaining to the installation of EV charging stations. The proposed Chick-fil-A

[3] California Energy Commission, *2023 Integrated Energy Policy Report, page 130*, February 14, 2024.

[4] Based on the *2023 Integrated Energy Policy Report*, the gas forecast is updated every two years, in odd years. As such, the natural gas consumption shown here is based on the California Energy Commission, *Final 2022 Integrated Energy Policy Report Update*, page 140, May 10, 2023.

restaurant would meet the 2022 Title 24 standards for energy efficiency. Compliance with the current 2022 Title 24 standards significantly reduces energy usage (**CEQA Appendix F - Criterion 4**).

Furthermore, the electricity provider, San Diego Gas and Electric, is subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 60 percent of total procurement by 2030. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance of such energy resources further ensures that new development projects will not result in the waste of the finite energy resources. In compliance with Title 24 and CalGreen standards, the project would install high efficiency lighting, energy efficient appliances, and a solar ready roof. As a result, the project would ensure energy consumption to be kept to a minimum through these components (**CEQA Appendix F - Criterion 5**).

Therefore, the project would not cause wasteful, inefficient, and unnecessary consumption of building energy during project operation, or preempt future energy development or future energy conservation. A less than significant impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

***Less Than Significant Impact*.** The project would comply with the State and regional plans for renewable energy and energy efficiency. State and regional plans for renewable energy and energy efficiency include the CEC's IEPR, Title 24 standards, and CALGreen standards. The project would meet 2022 Title 24 and CALGreen standards for energy efficiency and incorporates all applicable energy efficiency measures (solar ready roof, high efficiency lighting, energy efficient appliances, etc.). Compliance with Title 24 and CALGreen standards would ensure the project's consistency with the IEPR building energy efficiency recommendations, which would ensure project conformance with the State's energy reduction goals. The project would also comply with applicable energy goals and measures identified in the City's General Plan, as listed in Table 4.6-2, *Project General Plan Consistency.*

Table 4.6-2
Project General Plan Consistency

Policies and Measures	Project Consistency Analysis
City of Escondido General Plan	
Bicycle Network 4.3. Promote bicycling as a common mode of transportation and recreation to help reduce traffic congestion and improve public health.	**Consistent.** The project would include design features that promote alternative modes of transportation, including bicycles. The proposed project would also install short- and long-term bicycle parking. As such, this feature would encourage the use of bicycles as an alternative form of transportation. Thus, the project would be consistent with this policy.
Energy Policy 16.2. Continue to work with local utility providers to ensure that adequate electricity and natural gas services and facilities are available for new and existing development.	**Consistent.** The proposed project would utilize services by San Diego Gas and Electric, the natural gas and electricity provider for the City. As discussed above, the project would not result in a substantial increase in energy demand and would be adequately provided by these services. Thus, the project is consistent with this policy.

Policies and Measures	Project Consistency Analysis
Energy Policy 16.3. Implement energy conserving land use practices that include compact development, provision of bikeways and pedestrian paths, and the incorporation of transit routes and facilities.	**Consistent.** As previously discussed, the project would include design features that promote alternative modes of transportation such as the use of walking, public transit, and bicycles. Such features would include pedestrian walkway signs, illuminated pathways for pedestrians, bicycle parking, and the proximity to existing bus stops that service the Escondido Transit Center. As such, the project is consistent with this policy.
Energy Policy 16.4. Encourage site and building design that reduces exterior heat gain and heat island effects (tree planting, reflective paving materials, covered parking, cool roofs, etc.).	**Consistent.** The proposed restaurant facility would include 18,083 square feet of landscaping and would include a building color scheme (white, brown, and beige) that would reduce the potential for heat island effects. Additionally, the proposed landscaping would include trees that would provide shading for a portion of the proposed surface parking lot. As such, the project would incorporate design features that would reduce exterior heat gain and heat island effect. Thus, the project is consistent with this policy.
Energy Policy 16.5. Require, to the extent feasible, building orientations and landscaping that use natural lighting to reduce energy demands.	**Consistent.** The proposed restaurant facility would have a building orientation that would utilize natural lighting to reduce energy demands. In particular, the northeast and southwest orientation of the proposed building would have multiple large laminate glass windows that would allow for natural lighting. Thus, the project would be consistent with this policy.
Energy Policy 16.6. Evaluate and amend appropriate codes and ordinances in order to facilitate and encourage the installation of renewable energy systems and facilities (solar, wind, hydro-power, geothermal, and bio-mass), where appropriate, for all development.	**Consistent.** Currently, the City of Escondido does not require the installation of renewable energy production systems on commercial (restaurant) facilities. However, the project would include a solar ready roof for the future installation of such systems. As such, the project is consistent with this policy.
Source: City of Escondido, *City of Escondido General Plan*, May 2012.	

The project would also comply with other measures listed in the Climate Action Plan Consistency Review Checklist as shown in Table 4.8-4, *Project CAP Consistency Analysis*; refer to Section 4.8, Greenhouse Gas Emissions. The Climate Action Plan contains energy efficiency goals and policies that would help implement energy efficient measures and subsequently reduce GHG emissions within the City. Therefore, the proposed project would result in less than significant impacts associated with renewable energy or energy efficiency plans.

***Mitigation Measures*:** No mitigation is required.

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4.7 GEOLOGY AND SOILS *Would the project:*	Potentially Significant Impact	Less Than Significant Impact 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?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal system where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

This analysis is based on the *Geotechnical Engineering Exploration and Analysis* (Geotechnical Analysis), prepared by Giles Engineering Associates, Inc., dated February 12, 2024; Appendix C, *Geotechnical Analysis*.

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.

***No Impact*.** Southern California, including the project area, is subject to the effects of seismic activity due to the active faults that traverse the area. Active faults are defined as those that have experienced surface displacement within Holocene time (approximately the last 11,000 years) and/or are in a State-designated Alquist-Priolo Earthquake Fault Zone.

According to the Geotechnical Analysis and General Plan EIR, the project site is not located within any active fault zones nor an Alquist-Priolo Earthquake Fault Zone. According to maps used by the Geotechnical Analysis, the closest active faults near the project site are the Newport Inglewood Connected alt 2 and the Rose Canyon Faults which are located approximately 15.6 miles from the project site. The possibility of damage due to ground rupture is considered low since no active faults are present in the project vicinity and the project site is not located within an Alquist-Priolo Earthquake Fault Zone. As such, no impacts would result in this regard.

***Mitigation Measures*:** No mitigation is required.

ii. Strong seismic ground shaking?

***Less Than Significant Impact*.** Southern California has numerous active seismic faults subjecting residents to potential earthquake and seismic-related hazards. Seismic activity poses two types of potential hazards for residents and structures, categorized either as primary or secondary hazards. Primary hazards include ground rupture, ground shaking, ground displacement, subsidence, and uplift from earth movement. Primary hazards can also induce secondary hazards such as ground failure (lurch cracking, lateral spreading, and slope failure), liquefaction, water waves (seiches), movement on nearby faults (sympathetic fault movement), dam failure, and fires.

As stated above in Response 4.6(a)(i), no faults (active, potentially active, or inactive) are known to exist in the immediate site vicinity. According to the Geotechnical Analysis, the Newport Inglewood Connected alt 2 and the Rose Canyon Fault are the closest known active faults and are located approximately 15.6 miles from the site. The Newport Inglewood Fault would likely generate the most severe seismic ground shaking at the site with an anticipated maximum moment magnitude (Mw) of 7.50.

The proposed project would demolish an existing restaurant and construct a new Chick-fil-A restaurant. The project would be required to demonstrate compliance with applicable seismic-related design requirements in the California Building Code (CBC) which would reduce impacts of seismic shaking through design implementation. Per Municipal Code Chapter 6, *Buildings and Building Regulations*, the City has adopted the CBC. As such, any building permit submitted to the City are required to show compliance with the CBC and Municipal Code regarding seismic-related design requirements. Additionally, the Municipal Code recommends the incorporation of site-specific design recommendations, identified in a project-specific geotechnical analysis. The

Geotechnical Analysis includes such recommendations which would reduce the potential for damage/major injury during a strong seismic ground shaking event; refer to Appendix C, Geotechnical Analysis Section 6.1, *Seismic Design Considerations*. The new restaurant would be constructed in accordance with the CBC in order to minimize risk of collapse during a seismic event. The CBC includes standards related to soils and foundations, structural design, building materials, and structural testing and inspections. Adherence to these building requirements would minimize risks related to seismic ground shaking. Therefore, the project would not expose people or structures to potential adverse effects of strong seismic ground shaking and impacts would be less than significant.

***Mitigation Measures*:** No mitigation is required.

iii. Seismic-related ground failure, including liquefaction?

***Less Than Significant Impact*.** Liquefaction is defined as the transformation of granular material from a solid state into a liquefied state as a consequence of increased pore-water pressure. Liquefaction occurs when loose, water-saturated sediments lose strength and fail during strong ground shaking. During liquefaction, soil strata behave similarly to a heavy liquid. According to the City of Escondido General Plan, Figure 6-9, *Seismic & Geologic Hazards,* the project site is not located within a zone identified as a Liquefaction Hazard Areas. Further, the Geotechnical Analysis determined that the project site has a low liquefaction potential. Groundwater was encountered at a depth of approximately 13.9 feet below ground surface (bgs) during the Geotechnical Analysis' subsurface investigation; however, it was determined that the groundwater is anticipated to be perched groundwater given that this groundwater was situated over granitic bedrock. Therefore, the project is not anticipated to expose people or structures to potential adverse effects due to liquefaction and a less than significant impact regarding seismic-related ground failure, including liquefaction would result.

***Mitigation Measures*:** No mitigation is required.

iv. Landslides?

***No Impact*.** According to the Geotechnical Analysis and General Plan EIR, Figure 4.6-4, *Landslide Hazard Area*, the project site is not located in an area that is identified as being susceptible to landslides. Additionally, the project site is generally flat and would not include substantial slopes or features that increase the landslide potential beyond existing conditions. No impact with regard to landslides would occur.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact*.** Operations of the proposed project would not result in exposure of bare soils, such that the project would result in substantial soil erosion or the loss of topsoil during operations. No impacts are anticipated in this regard. The primary concern in regard to soil erosion or loss of topsoil would be from construction activities associated with the project (e.g., earthwork and grading). Construction activities associated with the project would expose soils to short-term erosion by wind and water. Pursuant of Municipal Code 22-26, *Reduction of Pollutants in Stormwater*, prior

to any activities that may result in pollutants entering a Municipal Separate Storm Sewer System (MS4), the project would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) for approval by the City Engineer prior to construction. The SWPPP would identify best management practices (BMPs) to be implemented during construction of the project in order to prevent erosion, minimize siltation impacts, and protect water quality. Adherence to the BMPs in the SWPPP would reduce, prevent, or minimize soil erosion from project-related grading and construction activities. With implementation of the SWPPP and its associated BMPs, project construction would result in less than significant impacts involving soil erosion and loss of topsoil.

***Mitigation Measures*:** No mitigation is required.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

***Less Than Significant Impact*.** Refer to Responses 4.7(a)(iii), 4.7(a)(iv), and 4.7(d) for a discussion concerning the project's less than significant impacts pertaining to liquefaction, landslides, and expansive soils, respectively.

Lateral Spreading

Lateral spreading is a phenomenon in which large blocks of intact, non-liquefied soil move down slope on a liquefied soil layer. Lateral spreading is often a regional event. For lateral spreading to occur, the liquefiable soil zone must be laterally continuous, unconstrained laterally, and free to move along sloping ground. The project site's potential for lateral spreading is considered low, based on its low liquefaction potential; refer to Response 4.7(a)(iii). Less than significant impacts would occur in this regard.

Soil Shrinkage and Subsidence

According to the General Plan EIR, the underlying geologic formation in the entire County of San Diego, including the City, are mostly granite and have a very low potential for soil shrinkage and subsidence. Nonetheless, the project would be required to demonstrate compliance with applicable CBC design requirements to reduce impacts related to unstable soil conditions, including the site-specific design recommendations identified in Sections 6.1 through 6.5 of the Geotechnical Analysis. Pursuant to Municipal Code Section 6.13, *Soil Investigation*, prior to the issuance of a building permit, the Applicant must submit a preliminary soil report prepared by a civil engineer registered by the State for approval by the City's Building Director. Additionally, pursuant of Municipal Code 6.13.6-370, *When approval required; issuance of permit subject to recommendations in soil investigation report*, the approval of the soil investigation report would require the incorporation of the suggested recommendation into the design feature and construction of the proposed building. As such, compliance with CBC design requirements and the recommendations identified in the Geotechnical Analysis would reduce the project's less than significant impacts further.

In conclusion, the project site is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and no impacts would result from on- or off-site landslides and less than significant impacts would result from lateral spreading, subsidence, liquefaction or collapse.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact*.** Expansive soils are those that undergo volume changes as moisture content fluctuates, swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement, and distorting structural elements. According to the General Plan EIR, Figure 4.6-5, *Expansive Soils*, the project site is not within an area designated with expansive soils. Further, based on the Geotechnical Analysis, there is a low potential for expansive soils at the project site. Nonetheless, the project would be subject to compliance with applicable CBC requirements, including the site-specific design recommendations identified in the Geotechnical Analysis pursuant of Municipal Code Section 6.13.6-370. Compliance with CBC design requirements and the recommendations identified in the Geotechnical Analysis would further reduce the project's less than significant impacts.

The project site is has low risk for expansive soils and, as such, would result in less than significant impacts pertaining to direct or indirect risks to life or property due to expansive soils.

***Mitigation Measures*:** No mitigation is required.

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

***No Impact*.** The project would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, no impacts would occur regarding septic tanks or alternative wastewater disposal systems.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact With Mitigation Incorporated*.** The project site was previously disturbed and graded during development of the existing restaurant and existing fill material is present within three feet bgs. The project would potentially require excavation for the installation of utilities (as deep as approximately eight feet bgs). Based on the Geotechnical Analysis, on-site soils were generally fill materials and native soils. Fill materials consist of moist to very moist, clayey sand and fine to medium grained, stiff sandy silt and clay. Native soils located on-site include moist, very stiff sandy clay, fine to medium sand with granite materials and sandy siltstone underneath. Specifically, according to the U.S. Department of Agriculture *Web Soil Survey*, the project site is underlain by Placentia and Ramona sandy loam soils, which are considered old alluvial fan deposits.[1]

According to the *Paleontological Resources Assessment – 1560 E. Grand Avenue 7-Eleven*, old alluvial flood plain deposits are assigned a moderate paleontological sensitivity.[2] Thus, paleontological

[1] United States Department of Agriculture, *Web Soil Survey*, https://websoilsurvey.sc.egov.usda.gov/App/, accessed January 31, 2024.

[2] ASM Affiliates, *Paleontological Resources Assessment – 1560 E. Grand Avenue 7-Eleven*, August 2, 2022.

sensitivity on the project site is assumed to be moderate and project excavation may encounter soils that have the potential to support unknown buried paleontological resources. As such, prior to the commencement of ground-disturbing activities, Mitigation Measure GEO-1 would require the project Applicant to retain a qualified paleontologist to conduct full-time paleontological monitoring during all ground disturbing activities in areas with the potential to support unknown buried paleontological resources. In the event that paleontological resources are encountered during project construction, Mitigation Measure GEO-2 would require all project construction activities to halt until a qualified paleontologist evaluates the paleontological significance of the find and recommends a course of action. Thus, following implementation of Mitigation Measures GEO-1 and GEO-2, impacts would be reduced to less than significant levels.

***Mitigation Measures*:**

GEO-1 Prior to the commencement of excavation activities, the Applicant shall retain a Society of Vertebrate Paleontology (SVP) qualified paleontologist to conduct full-time paleontological monitoring during excavation activities in areas with the potential to support unknown buried paleontological resources. Monitoring logs shall be submitted to the City of Escondido Director of Community Development. If evidence of subsurface paleontological resources is discovered during excavation activities, Mitigation Measure GEO-2 shall be implemented.

A qualified professional paleontologist is a professional with a graduate degree in paleontology, geology, or related field, with demonstrated experience in the vertebrate, invertebrate, or botanical paleontology of California, as well as at least one year of full-time professional experience or equivalent specialized training in paleontological research (i.e., the identification of fossil deposits, application of paleontological field and laboratory procedures and techniques, and curation of fossil specimens), and at least four months of supervised field and analytic experience in general North American paleontology as defined by the SVP.

GEO-2 If evidence of subsurface paleontological resources is found during construction activities, excavations within 50 feet of the find shall cease and the construction contractor shall contact the City of Escondido Director of Community Development. With direction from the City of Escondido Director of Community Development, a qualified paleontologist certified by the County of San Diego shall be retained to evaluate the find prior to resuming construction activities in the immediate vicinity of the find. If the City of Escondido determines the resource is significant and cannot be immediately recovered, then the qualified paleontologist shall prepare and execute a Paleontological Resources Mitigation Program (PRMP) for the salvage and curation of the identified resource(s). The PRMP shall specify the fieldwork and laboratory methods to be undertaken, curation requirements, proposed staff qualifications, and whether the entire resource is to be collected or a specified statistically significant sample.

4.8 GREENHOUSE GAS EMISSIONS *Would the project:*	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Global Climate Change

California is a substantial contributor of global greenhouse gases (GHGs), emitting over 381.3 million metric tons of carbon dioxide equivalent ($MTCO_2e$) in 2021.[1] Methane (CH_4) is also an important GHG that potentially contributes to global climate change. GHGs are global in their effect, which is to increase the earth's ability to absorb heat in the atmosphere. As primary GHGs have a long lifetime in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere is mostly independent of the point of emission. Every nation emits GHGs and as a result makes an incremental cumulative contribution to global climate change; therefore, global cooperation will be required to reduce the rate of GHG emissions enough to slow or stop the human-caused increase in average global temperatures and associated changes in climatic conditions.

The impact of human activities on global climate change is apparent in the observational record. Air trapped by ice has been extracted from core samples taken from polar ice sheets to determine the global atmospheric variation of CO_2, CH_4, and nitrous oxide (N_2O) from before the start of industrialization (approximately 1750), to over 650,000 years ago. For that period, it was found that CO_2 concentrations ranged from 180 to 300 parts per million (ppm). For the period from approximately 1750 to the present, global CO_2 concentrations increased from a pre-industrialization period concentration of 280 to 379 ppm in 2005, with the 2005 value far exceeding the upper end of the pre-industrial period range. As of April 2024, the highest monthly average concentration of CO_2 in the atmosphere was recorded at 425.57 ppm.[2]

The Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. It concluded that a stabilization of GHGs at 400 to 450 ppm carbon dioxide equivalent (CO_2e)[3] concentration is required to keep global mean

[1] California Air Resources Board, *California Greenhouse Gas Emissions for 2000 to 2021: Trends of Emissions and Other Indicators,* https://ww2.arb.ca.gov/sites/default/files/2023-12/2000_2021_ghg_inventory_trends.pdf, December 14, 2023.

[2] Scripps Institution of Oceanography, *Carbon Dioxide Concentration at Mauna Loa Observatory*, https://keelingcurve.ucsd.edu/, accessed April 30, 2024.

[3] Carbon Dioxide Equivalent (CO_2e) – A metric measure used to compare the emissions from various greenhouse gases based upon their global warming potential.

warming below 2 degrees Celsius (°C), which in turn is assumed to be necessary to avoid dangerous climate change.

Regulatory Framework

State

Various Statewide and local initiatives to reduce the State's contribution to GHG emissions have raised awareness that, even though the various contributors to and consequences of global climate change are not yet fully understood, global climate change is under way, and there is a real potential for severe adverse environmental, social, and economic effects in the long term.

Assembly Bill 32 (California Global Warming Solutions Act of 2006)

California passed the California Global Warming Solutions Act of 2006 (AB 32; California Health and Safety Code Division 25.5, Sections 38500 - 38599). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and establishes a cap on Statewide GHG emissions. AB 32 requires that Statewide GHG emissions be reduced to 1990 levels by 2020. AB 32 specifies that regulations adopted in response to AB 1493 should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then the California Air Resources Board (CARB) should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

Executive Order S-3-05

Executive Order S-3-05 set forth a series of target dates by which Statewide emissions of GHGs would be progressively reduced, as follows:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

Senate Bill 32

Signed into law on September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030.

CARB Scoping Plan

On December 11, 2008, CARB adopted the *Climate Change Scoping Plan* (Scoping Plan), which functions as a roadmap to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. The Scoping Plan contains the main strategies California will implement to reduce GHG emissions by 174 million metric tons (MT), or approximately 30 percent, from the State's projected 2020 emissions level of 596 million $MTCO_2e$ under a business as usual (BAU)[4] scenario. This is a reduction of 42

[4] "Business as Usual" refers to emissions that would be expected to occur in the absence of GHG reductions; refer to http://www.arb.ca.gov/cc/inventory/data/bau.htm. Note that there is significant controversy as to what BAU means. In determining the GHG 2020 limit, CARB used the above as the "definition." It is broad enough to allow for design features to be counted as reductions.

million $MTCO_2e$, or almost ten percent, from 2002 to 2004 average emissions, but requires the reductions in the face of population and economic growth through 2020.

The Scoping Plan calculates 2020 BAU emissions as the emissions that would be expected to occur in the absence of any GHG reduction measures. The 2020 BAU emissions estimate was derived by projecting emissions from a past baseline year using growth factors specific to each of the different economic sectors (e.g., transportation, electrical power, commercial and residential, industrial, etc.). CARB used three-year average emissions, by sector, for 2002 to 2004 to forecast emissions to 2020. The measures described in the Scoping Plan are intended to reduce the projected 2020 BAU to 1990 levels, as required by AB 32.

AB 32 requires CARB to update the Scoping Plan at least once every five years. CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32. The Scoping Plan update also looks beyond 2020 toward the 2050 goal, established in Executive Order S-3-05, and observes that "a mid-term statewide emission limit will ensure that the State stays on course to meet our long-term goal."

On January 20, 2017, CARB released the proposed Second Update to the Scoping Plan, which identifies the State's post-2020 reduction strategy. The Second Update was finalized in November 2017 and approved on December 14, 2017 and reflects the 2030 target of a 40 percent reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. The 2017 Scoping Plan Update establishes a new Statewide emissions limit of 260 million $MTCO_2e$ for the year 2030, which corresponds to a 40 percent decrease in 1990 levels by 2030.

On December 15, 2022, CARB released the *2022 Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan), which identifies the strategies achieving carbon neutrality by 2045 or earlier. The 2022 Scoping Plan contains the GHG reductions, technology, and clean energy mandated by statutes. The 2022 Scoping Plan was developed to achieve carbon neutrality by 2045 through a substantial reduction in fossil fuel dependence, while at the same time increasing deployment of efficient non-combustion technologies and distribution of clean energy. The plan would also reduce emissions of short-lived climate pollutants (SLCPs) and would include mechanical CO_2 capture and sequestration actions, as well as emissions and sequestration from natural and working lands and nature-based strategies. Under 2022 Scoping Plan, by 2045, California aims to cut GHG emissions by 85 percent below 1990 levels, reduce smog-forming air pollution by 71 percent, reduce the demand for liquid petroleum by 94 percent compared to current usage, improve health and welfare, and create millions of new jobs. This plan also builds upon current and previous environmental justice efforts to integrate environmental justice directly into the plan, to ensure that all communities can reap the benefits of this transformational plan.

California Building Energy Efficiency Standards (Title 24)

The 2022 California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2023. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2022 Title 24 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, strengthen ventilation standards, and more.

California Green Building Standards (CALGreen)

The 2022 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as CALGreen, went into effect on January 1, 2023. CALGreen is the first-in-the-nation mandatory green buildings standards code. The California Building Standards Commission developed CALGreen to meet the State's landmark initiative Assembly Bill (AB) 32 goals, which established a comprehensive program of cost-effective reductions of greenhouse gas (GHG) emissions to 1990 levels by 2020. CALGreen was developed to (1) reduce GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, and healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the environmental directives of the administration. CALGreen requires that new buildings employ water efficiency and conservation, increase building system efficiencies (e.g., lighting, heating/ventilation and air conditioning [HVAC], and plumbing fixtures), divert construction waste from landfills, and incorporate electric vehicles charging infrastructure. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive, and that there is a significant cost-savings potential in green building practices and materials.[5]

Regional

San Diego Association of Government 2021 Regional Plan

On December 10, 2021, the San Diego Association of Governments (SANDAG) Board of Directors adopted the *San Diego Forward: The Regional Plan* (2021 Regional Plan). The 2021 Regional Plan combines the Regional Transportation Plan, Sustainable Communities Strategy (SCS), and Regional Comprehensive Plan, which complies with specific State and Federal mandates that achieves GHG emission reduction targets set by the CARB; compliance with Federal civil rights requirements (Title VI); and environmental justice considerations, air quality conformity, and a public participation process.

The regional transportation planning agency continues to implement regional transportation control measures to reduce motor vehicle use, thereby reducing emissions and improving air quality. The measures expand access to public transit, vanpools, and park-and-ride/bicycle facilities, as well as enhancements to the regional high-occupancy vehicle lane system.

The following strategies from the 2021 Regional Plan are applicable to the proposed project:

Invest in a reimagined transportation system:

Build a network and fund services that include multimodal roadways; an expanded network of fast, frequent, and low-cost transit; 21st-century technology that manages the entire transportation system and connects people to on-demand services; and zero-emission options for vehicles and micromobility.

Incentivize sustainable growth and development:

[5] U.S. Green Building Council, *Green Building Costs and Savings*, https://www.usgbc.org/articles/green-building-costs-and-savings, accessed January 3, 2024.

Collaborate with local jurisdictions and fund programs that accelerate housing production while also addressing the intertwined issues of equity, climate resilience, and mobility.

Implement innovative demand and system management:

Reduce solo driving and congestion through increased remote work, carsharing, vanpooling, pricing strategies, and parking-management programs that leverage partnerships and technology.

Local

City of Escondido General Plan

The City of Escondido General Plan was adopted in May 2012. This update establishes goals, objectives, and policies to guide future development and comply with current State mandates. The General Plan includes the following goals and policies relating to GHG emissions that are applicable to the proposed project:

Goal 1: An accessible safe, convenient, and integrated multimodal network that connects all users and moves goods and people within the community and region efficiently.

Bicycle Network 4.3. Promote bicycling as a common mode of transportation and recreation to help reduce traffic congestion and improve public health.

Goal 6: An increased use of renewable energy sources, and improved energy conservation and efficiency.

Energy Policy 16.4. Encourage site and building design that reduces exterior heat gain and heat island effects (tree planting, reflective paving materials, covered parking, cool roofs, etc.).

Energy Policy 16.5. Require, to the extent feasible, building orientations and landscaping that use natural lighting to reduce energy demands.

Goal 7: Improved air quality in the city and the region to maintain the community's health and reduce green-house gas emissions that contribute to climate change.

Air Quality and Climate Protection Policy 7.2. Reduce regional greenhouse gas emissions through the following measures including, but not limited to:

a. Implementing land use patterns that reduce automobile dependence (compact, mixed-use, pedestrian, and transit-oriented development, etc.);

b. Reducing the number of vehicular miles traveled through implementation of Transportation Demand Management programs, jobs-housing balance, and similar techniques;

c. Supporting public transportation improvements;

d. Encouraging the use of alternative modes of transportation by expanding public transit, bicycle, and pedestrian networks and facilities;

e. Participating in the development of park-and-ride facilities;

f. Maintaining and updating the city's traffic signal synchronization plan;

g. Promoting local agriculture;

h. Promoting the use of drought-tolerant landscaping; and

i. Encouraging the use of non-polluting alternative energy systems.

Air Quality and Climate Protection Policy 7.3. Require that new development projects incorporate feasible measures that reduce construction and operational emissions.

Air Quality and Climate Protection Policy 7.6. Restrict the number and location of drive-through facilities in the city and require site layouts that reduce the amount of time vehicles wait for service.

Air Quality and Climate Protection Policy 7.7. Encourage businesses to alter local truck delivery schedules to occur during non-peak hours, when feasible.

City of Escondido Climate Action Plan

The City of Escondido Climate Action Plan (CAP) was adopted in March 2021. The CAP provides a roadmap for reducing GHG emissions through the implementation of various strategies, goals, actions, and supporting measures. The following measures are applicable to the project:

Strategy 1: Increase the Use of Zero-Emission or Alternative Fuel Vehicles

Measure T-1.3: Adopt an Ordinance to Require Electric Vehicle Charging Stations in Developments

Adopt an ordinance, effective in 2023, that requires Level 2 or better EV charging stations to be installed in a minimum of 10 percent of total parking spaces provided in new multi-family and new and existing commercial developments.

Strategy 6: Increase Water Efficiency

Measure W-6.2: Reduce Landscape Water Consumption in Developments.

Adopt an ordinance, effective in 2022, that reduces water consumed for landscaping at new single-family and townhome model developments, as well as commercial development, by:

- Requiring all single-family and townhouse model homes to be fully equipped with greywater systems and rain barrels (or other rainwater capture systems); and
- Requiring model home developers to offer greywater systems and rain barrels (or other rainwater capture systems) as an add-on option.
- Create water use budgets for new commercial developments (or other similar program) that requires or incentivizes pop-up rotor nozzles, pressure management, leak detection, etc.

Strategy 9: Carbon Sequestration and Land Conservation

Measure C-9-1: Enforce Landscape Tree Requirements at New Development

Adopt an updated landscape ordinance, effective in 2022, to increase the number of new trees planted at new developments by requiring:

- Non-residential developments to plant a minimum of one non-invasive and drought tolerant tree for every four parking spaces; and
- New single-family and multi-family residential developments to plant a minimum of one non-invasive and drought tolerant tree per unit, or pay an in-lieu fee so that the tree(s) can be planted elsewhere

The City has also developed a Climate Action Plan Consistency Review Checklist (CAP Consistency Checklist), and Guidance for Demonstrating Consistency with the City of Escondido CAP to provide a streamlined review process for proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to CEQA. The CAP Consistency Checklist summarizes the methodology and application of a GHG screening threshold of 500 $MTCO_2e$ per year for new development projects in order to determine if a project would need to demonstrate consistency with the CAP through the CAP Consistency Checklist.

Thresholds of Significance

The determination of the significance of GHG emissions calls for a careful judgment by the lead agency. (CEQA Guidelines § 15064.4(a).) A lead agency has the discretion to determine whether to quantify GHG emissions and/or rely on a qualitative analysis or performance based standards. (CEQA Guidelines § 15064(a)(1)-(2).) CEQA does not compel a numeric estimate of every project's GHG emissions. (*Mission Bay All. v. Off. Of Cmty. Inv. & Infrastructure* (2016) 6 Cal.App.5th 160, 201.) "'Given the nature of greenhouse gas emissions—gases that trap heat in the atmosphere, contributing to global climate change but with little immediate perceptible effect on the locale from which they emanate—a project's compliance with an area-wide greenhouse gas reduction plan may be more useful in determining the significance of those emissions on a global scale than quantification of its incremental addition to greenhouse gas emissions.'" (*Id.* [internal citations omitted].)

As previously stated, the City's CAP is a qualified GHG emissions reduction plan in accordance with State CEQA Guidelines Section 15183.5. Pursuant to CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of a CAP. Projects that are consistent with the General Plan and implement applicable CAP GHG reduction measures may incorporate by reference the CAP's cumulative GHG analysis. Conversely, projects that are consistent with the General Plan, but do not implement CAP GHG reduction measures, as well as General Plan Amendments and Annexations that increase emissions beyond CAP projections — would require a project-level GHG analysis. The CAP establishes a GHG screening threshold of 500 $MTCO_2e$ per year for new development projects to determine if a project would need to demonstrate consistency with the CAP through the CAP Consistency Checklist. Projects that exceed the established CAP threshold of 500 $MTCO_2e$ per year would need to showcase consistency to CAP measures.

In addition to determining consistency with the City's CAP Consistency Checklist, the methodology for evaluating the project's impacts related to GHG emissions would also focus on its consistency with statewide, regional, and local plans adopted for the purpose of reducing and/or mitigating GHG emissions. This analysis would also quantify the project's potential GHG emissions.

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

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

***Less Than Significant Impact*.**

Project-Related Sources of Greenhouse Gases

Project-related GHG emissions would include emissions from construction activities, area sources, mobile sources, and refrigerants, while indirect sources would include emissions from energy consumption, water demand, and sold waste generation. The most recent version of the California Emissions Estimator Model (CalEEMod), version 2022.1 was used to calculate project-related GHG emissions. Based on the *Local Mobility Analysis Chick-Fil-A (#5524), 13th and Centre City* (Transportation Analysis), prepared by Linscott Law and Greenspan Engineers (dated July 26, 2024), the proposed development would generate 2,031 average daily trips. As a conservative estimate, emissions from the existing uses on-site were not modeled or deducted from project-generated emissions, given the existing restaurant is closed. Table 4.8-1, *Estimated Greenhouse Gas Emissions*, presents the estimated GHG emissions of the proposed project. CalEEMod outputs are contained within Appendix A, *AQ/GHG/Energy Data*.

Table 4.8-1
Estimated Greenhouse Gas Emissions

Source	CO_2	CH_4	N_2O	Refrigerants	CO_2e
	Metric tons per year[1]				
Direct Emissions					
Construction (amortized over 30 years)	3.33	<0.01	<0.01	<0.01	3.37
Mobile Source	1,940.00	0.10	0.08	3.18	1,970.00
Area Source	0.05	<0.01	<0.01	0.00	0.05
Refrigerants	0.00	0.00	0.00	0.81	0.81
Total Direct Emissions[2]	*1,943.38*	*0.10*	*0.08*	*3.99*	*1,974.23*
Indirect Emissions					
Energy	53.50	<0.01	<0.01	0.00	53.70
Water	2.21	0.03	<0.01	0.00	3.21
Solid Waste	0.80	0.08	0.00	0.00	2.81
Total Indirect Emissions[2]	*56.51*	*0.11*	*0.00*	*0.00*	*59.72*
Total Project-Related Emissions[2]	***2,033.95 $MTCO_2e$ per year***				
City of Escondido CAP Screening Threshold	***500 $MTCO_2e$ per year***				
Project Exceeds the Screening Threshold?	***Yes***				

Source	CO_2	CH_4	N_2O	Refrigerants	CO_2e
	Metric tons per year[1]				

Notes:
[1] Emissions calculated using California Emissions Estimator Model Version 2022.1 (CalEEMod) computer model.
[2] Totals may be slightly off due to rounding.

Refer to Appendix A for assumptions used in this analysis.

Direct Project-Related Sources of Greenhouse Gases

- Construction Emissions. Construction GHG emissions are typically summed and amortized over the lifetime of the project (assumed to be 30 years), then added to the operational emissions. As shown in Table 4.8-1, the proposed project would result in 3.37 $MTCO_2e$ per year when amortized over 30 years (or a total of 101.00 $MTCO_2e$ in 30 years).

- Mobile Source. CalEEMod relies upon trip generation rates from the Transportation Analysis and project specific land use data to calculate mobile source emissions. The project would directly result in 1,970.00 $MTCO_2e$ per year of mobile source-generated GHG emissions; refer to Table 4.8-1.

- Area Source. The project would directly result in 0.05 $MTCO_2e$ per year from area source emissions; refer to Table 4.8-1.

- Refrigerants. Refrigerants are substances used in equipment for air conditioning and refrigeration. Most of the refrigerants used today are HFCs or blends thereof, which can have high GWP values. All equipment that uses refrigerants has a charge size (i.e., quantity of refrigerant the equipment contains), and an operational refrigerant leak rate, and each refrigerant has a GWP that is specific to that refrigerant. CalEEMod quantifies refrigerant emissions from leaks during regular operation and routine servicing over the equipment lifetime, and then derives average annual emissions from the lifetime estimate. Project's operation primarily includes operation of a restaurant which would have air conditioning and refrigeration on-site. The project would directly result in 0.81 $MTCO_2e$ per year from refrigerants; refer to Table 4.8-1.

Indirect Project-Related Sources of Greenhouse Gases

- Energy Consumption. Energy consumption emissions were calculated using CalEEMod and project-specific land use data. San Diego Gas and Electric would provide electricity and natural gas to the project site. The project would indirectly result in 53.70 $MTCO_2e$ per year due to energy consumption; refer to Table 4.8-1.

- Water Demand. Project operations would result in a demand of approximately 948,239 gallons of water per year to be used indoor, and 270,235 gallons of water per year to be used outdoor. Emissions from indirect energy impacts due to water supply would result in 3.21 $MTCO_2e$ per year; refer to Table 4.8-1.

- Solid Waste. Solid waste associated with operations of the proposed project would result in 2.81 $MTCO_2e$ per year; refer to Table 4.8-1.

Total Project-Related Sources of Greenhouse Gases

As shown in Table 4.8-1, the total amount of project-related GHG emissions from direct and indirect sources combined would total 2,033.95 $MTCO_2e$ per year and would exceed the CAP screening threshold of 500 $MTCO_2e$ per year. Thus, the project would be required to show consistency to applicable CAP measures to ensure emission targets identified in the CAP are achieved; refer to Table 4.8-4, *Project CAP Consistency Checklist Analysis*, for a discussion regarding consistency with the CAP.

Consistency with Applicable GHG Plans, Policies, or Regulations

Consistency with the 2022 CARB Scoping Plan

The 2022 Scoping Plan identifies reduction measures necessary to achieve the goal of carbon neutrality by 2045 or earlier. Actions that reduce GHG emissions are identified for each AB 32 inventory sector. Provided in Table 4.8-2, *Consistency with the 2022 Scoping Plan: AB 32 GHG Inventory Sectors*, is an evaluation of applicable reduction actions/strategies by emissions source category to determine how the project would be consistent with or exceed reduction actions/strategies outlined in the 2022 Scoping Plan.

Table 4.8-2
Consistency with the 2022 Scoping Plan: AB 32 Inventory Sectors

Actions and Strategies	Project Consistency Analysis
Smart Growth / Vehicles Miles Traveled (VMT)	
Reduce VMT per capita to 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045	**Consistent**. The project would propose the construction of a restaurant building and its associated surface parking lot that would have 56 parking stalls, of which three stalls would have electric vehicle (EV) chargers including one van accessible space and 10 would be EV ready stalls in accordance with the 2022 Title 24 Standards. The project would also install eight short- and two long-term bicycle parking spaces (located inside the building) in accordance with California Building Standards Code (CBC). A bus stop serviced by the North County Transit District (NCTD) is located approximately 1,000 feet to the east from the project site. The project would provide appropriate pedestrian connections on-site and would not impact the existing bus stop. As such, this project would encourage alternative modes of transportation that would help reduce the project's total VMT. Additionally, per the City's VMT Guidelines, the proposed 3,124 square foot- project qualifies as a local-serving retail development with less than 50,000 square feet. As discussed in the VMT Guidelines, the proposed project would attract trips from adjacent areas that would have otherwise been made to other distant retail locations. As such, due to local-serving nature of the project and small size (less than 50,000 square feet), the proposed project would not result in excess VMT increases that would be considered significant. Thus, the project would be consistent with the action.

Actions and Strategies	Project Consistency Analysis
New Residential and Commercial Buildings	
All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030	**Consistent.** The project is expected to consist of natural gas heating and/or cooking on-site. The City has not adopted regulations prohibiting the use of natural gas for on-site cooking and/or heating. The project is considered a commercial development and would start operating in 2025, and therefore would not be required to be all-electric. Nevertheless, the project would install high efficiency lighting and appliances in accordance with Title 24 and CALGreen requirements, which would reduce overall energy consumption. As such, the project would be consistent with this action.
Construction Equipment	
Achieve 25% of energy demand electrified by 2030 and 75% electrified by 2045	**Consistent.** The City has not adopted regulations requiring electricity-powered construction equipment. As technologies advance and new regulations being adopted, electrical construction equipment would be integrated in the fleet. The project would use construction equipment that complies with the latest regulations. As such, the project would be consistent with this action.
Non-combustion Methane Emissions	
Divert 75% of organic waste from landfills by 2025	**Consistent**. SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The law establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025. The project would comply with local and regional regulations and recycle or compost 75 percent of waste by 2025 pursuant to SB 1383. As such, the project would be consistent with this action.
Source: California Air Resources Board, *2022 Scoping Plan*, November 16, 2022.	

Consistency with the San Diego Association of Government 2021 Regional Plan

On December 10, 2021, SANDAG adopted the 2021 Regional Plan. Specially, Chapter 2, *Sustainable Community Strategy – A Framework for the Future*, of the 2021 Regional Plan includes three core strategies that which projects, policies, and programs in accordance with the 2021 Regional Plan would be organized and implemented around. Table 4.8-3, *2021 Regional Plan Consistency Analysis*, shows the project's consistency with these core strategies. As shown therein, the proposed project would be consistent with the GHG emission reduction strategies contained in the 2021 Regional Plan.

Table 4.8-3
2021 Regional Plan Consistency Analysis

Reduction Strategy	Project Consistency Analysis
Invest in a reimagined transportation system: Build a network and fund services that include multimodal roadways; an expanded network of fast, frequent, and low-cost transit; 21st-century technology that manages the entire transportation system and connects people to on-demand services; and zero-emission options for vehicles and micromobility.	**Not Applicable.** The project is not a transit project. As such, this strategy is not applicable to the project.
Incentivize sustainable growth and development: Collaborate with local jurisdictions and fund programs that accelerate housing production while also addressing the intertwined issues of equity, climate resilience, and mobility.	**Not Applicable.** The proposed project is not a residential project. As such, this strategy is not applicable to the project.
Implement innovative demand and system management: Reduce solo driving and congestion through increased remote work, carsharing, vanpooling, pricing strategies, and parking-management programs that leverage partnerships and technology.	**Consistent.** As discussed above, the project would include three parking stalls with EV chargers including one van accessible space and 10 EV ready stalls in accordance with the 2022 Title 24 standards. As such, the project would be consistent with this strategy.
Source: San Diego Association of Governments, *San Diego Forward: The 2021 Regional Plan*, December 10, 2021.	

Consistency with the City of Escondido Climate Action Plan Checklist

As previously discussed, new development projects that emit more than 500 $MTCO_2e$ per year would be required to showcase consistency with applicable CAP measures. In addition, the project must be consistent with the General Plan land use designation. As discussed in Section 2.0, *Project Description*, the project site is designated as Specific Plan Area (SPA), specifically the SPA 15: *South Centre City Specific Plan*. As discussed in Section 4.11, *Land Use and Planning*, the proposed project would be consistent with the General Plan land use designation. The proposed restaurant use is consistent with the zoning for the site, other than the drive-through facility. To allow for drive-through uses in SPA 15, the project would require a Specific Plan Amendment to conditionally allow for drive-through uses to only the southwest corner of W. 13th Avenue and S. Pine Street. Additionally, the project would be required to attain a Major Conditional Use Permit. As such, the project would be consistent with the General Plan land use designation and zoning upon approval of the Specific Plan Amendment to allow for drive-through uses.

According to the CAP Consistency Checklist, restaurant facilities that do not exceed 6,500 square feet were determined to emit fewer than 500 $MTCO_2e$ per year. While the proposed project would construct a 3,124 square feet restaurant facility, the project would be over the CAP screening threshold of 500 $MTCO_2e$ per year (refer to Table 4.8-1). As such, the project would be required to showcase consistency to the applicable CAP measures. The project's consistency with these CAP policies is discussed in Table 4.8-4, *Project CAP Consistency Checklist Analysis*. The complete CAP Consistency Checklist is included in Appendix A.

Table 4.8-4
Project CAP Consistency Checklist Analysis

Measure	Checklist Item	Project Consistency Analysis
Measure T-1.3: Adopt an Ordinance to Require electric vehicle (EV) Charging Stations at New Developments Measure T-1.4: Require EV Charging Stations at New Model Home Developments	**All Projects:** Will the project install electric vehicle charging stations (EVCSs) consistent with the following requirements: • Comply with the most recently updated version of the California Building Energy Efficiency Standards (Title 24, Part 6)? • For multi-family residential and commercial (i.e. office and retail commercial) projects, will the project install electric vehicle charging stations at a minimum of 10 percent of the total parking spaces provided? • For single-family residential projects, will the project install at least one EVCS in each new single-family home?	**Applicable/Consistent.** As discussed in Section 2.3, *Project Characteristics*, the project would include a total of 56 parking spaces of which three are designated electric vehicle spaces with EV chargers (including one van accessible space) and 10 electric vehicle-ready spaces (future EV charger installation), which complies with the 2022 Title 24 standards. As such, the project would be consistent with this CAP measure.
Measure T-3.2: Improve Pedestrian Infrastructure in Priority Areas	**All Projects:** If the following conditions are met, would the project pay its fair-share contribution or fully install pedestrian infrastructure improvements? • The project frontage is located along a roadway for which pedestrian improvements are identified in the City's Street Design Manual, Pedestrian Master Plan, Trail Master Plan, or Safe Routes to School and Transit Plans; • The proposed project would include site design amenities with pedestrian access points from the existing, identified roadway; and, • The identified pedestrian improvements have not yet been installed. Or if they have been installed, the infrastructure is being redesigned, upgraded, and/or maintained to promote universal access.	**Applicable/Consistent.** The project provides pedestrian crosswalks on-site that connect to the existing sidewalks to the north and east of the site to encourage pedestrian activity. The project would include pedestrian accessible pathways to the restaurant facility from both West 13th Avenue and Pine Street; refer to Exhibit 2-3. Additionally, the project would also incorporate other design features that would promote a pedestrian friendly pathway such as pedestrian warning signs within the site vicinity and illuminate lights along pathways. As such, the project would be consistent with this CAP measure.
Measure T-3.4: Develop a Citywide TDM Ordinance	**Non-Residential Projects:** If the project is located within the Downtown Specific Plan, South Centre City Specific Plan, or East Valley Parkway Specific Plan, will the project implement Transportation Demand	**Applicable/Consistent.** As previously discussed, the proposed project would include features that would promote the reduction of VMT travel such as short- and long-term bicycle parking spots, and

Measure	Checklist Item	Project Consistency Analysis
	Management (TDM) program that includes, at a minimum: • "End-of-trip" facilities for bicycle commuters (e.g. bicycle parking spaces, showers, lockers); • Discounted monthly North County Transit District (NCTD) passes or transit subsidies; • Informational material (provided to each employee or tenant) for carpool and vanpool ride-matching services; and • Parking cash-out policies.	close proximity to existing NCTD transit bus stops. The project would also implement EV chargers that promote alternative modes of transportation. Due to the nature of the project, the project would be incapable of implementing telecommuting. Nevertheless, the project would incorporate design features that encourages the reduction of VMT and would be consistent with this CAP measure.
Measure T-3.5: Update Bicycle Master Plan	**All Projects:** If the following conditions are met, would the project pay its fair-share contribution to bicycle infrastructure improvements? • Intersection or roadway improvements are proposed as part of the project; and • The City's Bicycle Master Plan for identifies bicycle infrastructure improvements at any intersection(s) or roadway segment(s) that would be impacted as part of the project.	**Not Applicable.** The proposed project would not propose any roadway improvements.
Measure E-4.1: Require New Residential Developments to Install Alternatively Fueled Water Heaters	**Non-Residential Projects:** If the project is non-residential, will the project install electric heat pump water heaters?	**Consistent/Applicable.** The proposed project would install electric heat pump water heaters.
Measure E-4.2: Require New Multi-Family Residential Developments to Install Electric Cooking Appliances	**Non-Residential Projects:** Not Applicable	**Not Applicable.** The proposed project is a non-residential project.
Measure E-5.2: Require New Commercial Developments to Achieve Zero Net Energy(ZNE)	**Commercial Projects:** If the project is a new commercial retail or office development, would the project achieve zero net energy (i.e. the total amount of energy used on-site is equal to the amount of renewable energy created on-site) and comply with the most recently updated California Building Energy Efficiency Standards (Title 24, Part 6)?	**Not Applicable.** The project would be required to comply with the most current version of the 2022 Title 24 Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. The project would also comply with the California Green Building Standards Code pertaining to the installation of EV charging stations.

Measure	Checklist Item	Project Consistency Analysis
		The proposed Chick-fil-A restaurant would meet the 2022 Title 24 standards for energy efficiency.
Measure W-6.2: Reduce Landscape Water Consumption at New Model Home Developments	**Non-Residential Projects:** Not Applicable	**Not Applicable.** The proposed project is not a single-family residential or townhouse project.
Measure C-9.1: Enforce Landscape Tree Requirements at New Developments	**All Projects**: Would the project plant trees consistent with the following requirements? • Would the project plant a minimum of one tree for every four new parking spaces and/or demonstrate 50% canopy coverage in parking areas?	**Applicable/Consistent.** The proposed restaurant would construct a total of 56 parking stalls. As such, the project would be required to plant a minimum of 14 trees on-site in order to be consistent with this measure. As shown in Exhibit 2-5, *Conceptual Landscape Plan*, the proposed project would plant a total of 35 trees. As such, the project is consistent with this measure.
Source: City of Escondido, *City of Escondido Climate Action Plan Consistency Review Checklist,* March 2021.		

Conclusion

In summary, the project's characteristics render it consistent with Statewide, regional, and local climate change mandates, plans, policies, and recommendations. More specifically, the GHG plan consistency analysis provided above demonstrates that the project complies with the GHG reduction goals, policies, actions, and strategies outlined in the 2022 Scoping Plan, 2021 Regional Plan, and the City's CAP. While the project's emissions exceed the CAP's screening threshold of 500 $MTCO_2e$ per year, as shown in Table 4.8-4, the project would be consistent with the CAP through being consistent with applicable CAP measures on the CAP Consistency Checklist, which would help reduce GHG emissions. Consistency with these plans would reduce the impact of the project's incremental contribution of GHG emissions. Accordingly, the project would not conflict with any applicable plan, policy, regulation, or recommendation adopted for the purpose of reducing GHG emissions. Impacts in this regard would be less than significant.

***Mitigation Measures*:** No mitigation is required.

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4.9 HAZARDS AND HAZARDOUS MATERIALS ***Would the project:***	Potentially Significant Impact	Less Than Significant Impact 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?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d) 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?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such 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?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐
g) Expose people or structures, either directly or indirectly, to a significant risk or loss, injury or death involving wildland fires?	☐	☐	☐	☒

This section is based on the *Phase I Environmental Site Assessment, Proposed Chick-fil-A Restaurant No. 05524 West 13th and Centre City FSU* (Phase I ESA), prepared by Giles Engineering Associates, Inc., dated April 25, 2023 (refer to Appendix D, *Phase I Environmental Site Assessment/Asbestos Survey*).

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

***Less Than Significant Impact*.**

Construction

Project construction could expose construction workers and the public to temporary hazards related to the routine transport, use, and maintenance of standard construction materials (i.e., paints and solvents, oil, diesel fuel, and transmission fluid, and other hazardous materials), which could be hazardous. These activities would be short-term in nature and the materials would not be in such quantities or stored in such a manner as to pose a significant safety hazard. All project construction activities would be required to comply with the applicable laws and regulations governing the use, storage, and transport of hazardous materials, ensuring that all potentially hazardous materials are used and handled in an appropriate manner.

Operation

Substantial risks associated with hazardous materials are not typically associated with restaurant uses. Minor cleaning products along with the occasional use of pesticides and herbicides for landscape maintenance of the project site are generally the extent of hazardous materials that would be routinely utilized on-site. Thus, as the presence and on-site storage of these materials are common for restaurant uses and would not be stored in substantial quantities (quantities required to be reported to a regulatory agency), impacts in this regard are less than significant.

***Mitigation Measures*:** No mitigation is required.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

***Less Than Significant Impact With Mitigation Incorporated*.**

Construction Activities

During project construction, there is a possibility of accidental release of hazardous substances such as petroleum-based fuels or hydraulic fluid used for construction equipment. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. The construction contractor would be required to use standard construction controls and safety procedures that would avoid or minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, State, and Federal law.

Based on the Phase I ESA, no known hazardous materials/substances releases have occurred to the soil, soil gas, or groundwater at the project site. As such, grading activities are not anticipated to encounter hazardous materials/substances during excavation/grading activities.

Construction activities would include demolition of the existing on-site building. According to the Phase I ESA, the existing building may be associated with hazardous materials (e.g., asbestos-containing materials [ACMs] and/or lead-based paint [LBP]) due to the age of the building (likely constructed prior to 1978). However, per the Asbestos Survey, the existing building contains lead that are below the levels of significance for lead concentration. As such, lead abatement during the demolition of the existing building would not be required. As such, no impacts are anticipated with regard to LBPs during building demolition.

Prior to the 1940s and up until the early 1970s, ACMs were used in many building materials and can result in serious health problems if inhaled. As discussed in the Asbestos Survey, the existing building contains asbestos. As such, prior to any work that would disturb ACMs or create an airbone asbestos hazard (e.g., demolition of the existing building), Mitigation Measure HAZ-1 would require that contractors submit a notice to the San Diego County Air Pollution Control District (SDCAPCD) prior to demolition activities, follow proper removal processes for ACMs (e.g., wetting of exposed ACMs to limit dust, utilization of a proper ventilation system co-capture particulate asbestos materials, encasing ACMs in proper wrappings), and follow proper waste handling and disposal practices (e.g., ACMS are placed in proper containers and/or wrappings, adequate wetting of ACMs during transport, proper labeling of containers and/or wrappings of ACMs) in accordance with SDCAPCD Rule 1206, *Asbestos removal, renovation, and demolition*, and California Code of Regulations (CCR) Title 8, Section 1529, *Asbestos*. ACMs would also require disposal at a waste disposal facility operated in accordance with the provisions of 40 Code of Federal Regulations (CFR), Part 61, Section 61.154, *Standard for active waste disposal sites*, or a U.S. Environmental Protection Agency-approved site that converts regulated-ACMs and asbestos-containing waste materials into non-asbestos (asbestos-free) material in accordance with the provisions of 40 CFR, Part 61, Section 61.155, *Standard for operations that convert asbestos-containing waste material into nonasbestos (asbestos-free) material*. The removal of asbestos would also require the supervision of a certified asbestos consultant or site surveillance technician during the removal process. With implementation of Mitigation Measure HAZ-1 and compliance with Federal and State regulations pertaining to ACM removal during building demolition activities and transport, impacts in this regard would be reduced to less than significant levels.

Operational Activities

Operational activities would include typical restaurant practices. Minor cleaning products along with the occasional use of pesticides and herbicides for landscape maintenance of the project site are generally the extent of hazardous materials that would be routinely utilized on-site. There is limited potential for activities of this nature to cause upset or accidental conditions involving a significant hazardous materials release to the environment. Thus, impacts in this regard would be less than significant.

***Mitigation Measures*:**

HAZ-1 Prior to any work that would disturb asbestos-containing materials (ACMs) or create an airborne asbestos hazard (i.e., demolition of the existing building), the project Applicant shall require that contractors submit a notice to the San Diego County Air Pollution Control District (SDCAPCD) prior to demolition activities, follow proper removal processes for ACMs (e.g., wetting of exposed ACMs to limit dust, utilization of a proper ventilation

system co-capture particulate asbestos materials, encasing ACMs in proper wrappings), and follow proper waste handling and disposal practices (e.g., ACMS are placed in proper containers and/or wrappings, adequate wetting of ACMs during transport, proper labeling of containers and/or wrappings of ACMs) in accordance with SDCAPCD Rule 1206, *Asbestos removal, renovation, and demolition*, and California Code of Regulations (CCR) Title 8, Section 1529, *Asbestos*. ACMs shall also require disposal at a waste disposal facility operated in accordance with the provisions of 40 Code of Federal Regulations (CFR), Part 61, Section 61.154, *Standard for active waste disposal sites*, or a U.S. Environmental Protection Agency-approved site that converts regulated-ACMs and asbestos-containing waste materials into non-asbestos (asbestos-free) material in accordance with the provisions of 40 CFR, Part 61, Section 61.155, *Standard for operations that convert asbestos-containing waste material into nonasbestos (asbestos-free) material*. The removal of asbestos shall also require the supervision of a certified asbestos consultant or site surveillance technician, retained by the project Applicant, during the removal process.

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

***Less Than Significant Impact With Mitigation Incorporated*.** The project site is located within one-quarter mile of a school. The nearest school to the project site is Grace Lutheran School (643 West 13th Avenue, Escondido), located approximately 0.05-mile to the southwest of the project site.

Construction Activities

During construction, the project would require the handling and disposal of hazardous materials. As discussed in Response 4.9(b), demolition of the existing building would involve the handling/removal of ACMs/LBPs. During the demolition of the existing building, the removal of asbestos materials would be reduced to less than significant levels following implementation of Mitigation Measure HAZ-1 and compliance with Federal and State regulations pertaining to ACM removal during building demolition activities and transport. Per the Asbestos Survey, paint samples collected from the existing building is below the levels of significance for lead concentration. Thus, lead abatement during the demolition of the existing building would not be required. As such, impacts in this regard would be reduced to less than significant levels upon implementation of Mitigation Measure HAZ-1 and compliance with existing laws and regulations.

Operational Activities

As previously discussed, the project's operation would include typical restaurant products (e.g, cleaning products, pesticides, herbicides) however, these products and their associated activities would be the extent of hazardous materials used on site. Additionally, the presence and on-site storage of these materials are common for restaurant uses and would not be stored in substantial quantities. As such, the proposed project would not emit hazardous materials or handle hazardous materials that exceeds regulatory quantities. As such, a less than significant impact would occur in this regard.

***Mitigation Measures*:** Refer to Mitigation Measure HAZ-1.

d. 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?

***No Impact*.** Government Code Section 65962.5 requires the DTSC and State Water Resources Control Board (SWRCB) to compile and update a regulatory sites listing (per the criteria of the Section). The California Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Section 116395 of the Health and Safety Code. Section 65962.5 requires the local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the CCR, to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste.

Based on the Phase I ESA, the project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, therefore, would not create a significant hazard to the public or the environment. Thus, no impact would result in this regard.

***Mitigation Measures*:** No mitigation is required.

e. For a project located within an airport land use plan or, where such 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?

***No Impact*.** The nearest airport to the project site is the Ramona Airport located approximately 10.7 miles to the southeast. Based on the *Airport Land Use Compatibility Plan for Ramona Airport*, adopted April 7, 2022, the project site is not located within a safety zones or noise exposure zone.[1] Additionally, the project site is not located within the vicinity of a private airstrip or related facilities. Therefore, project implementation would not expose people residing or working in the project area to excessive noise levels or safety hazards associated with aircraft. No impact would occur.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact With Mitigation Incorporated*.** Pursuant of Municipal Code 7-8, *Emergency Operations Plan*, the City must be responsible for the development of the City's emergency operation plan which provides an outline for effective mobilization of all resources (i.e, fire protection services, police services) during a local emergency, state of emergency, or state of war. As of November 2023, the City has yet to adopt an emergency operation plan. The County of San Diego (County) has adopted an emergency operation plan which provides insight on the mobilization of public and private resources on a county level during a state of emergency. According to the San Diego

[1] San Diego County Airport Land Use Commission and San Diego County Regional Airport Authority, *Airport Land Use Compatibility Plan for Ramona Airport; Exhibit 2-1, Ramona Airport Safety Analysis* and *Exhibit 3-1, Ramona Airport Noise Contours*, adopted April 7, 2022.

County's *Emergency Operation Plan Annex Q – Evacuation*, the closest major evacuation route from the project site is Interstate 15 (I-15), located approximately 0.75-mile to southwest.

The proposed project would not cause any permanent alterations to vehicular circulation routes. Additionally, the proposed project would include improvements such as landscaping and pedestrian walkways. As discussed in Section 4.17, *Transportation*, construction activities would temporarily impact adjacent roadway right-of-way (e.g., through partial lane closures). The proposed project would include Mitigation Measure TRA-1 which requires a Transportation Management Plan (TMP) to include potential measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and the need for a construction flagperson to direct traffic during heavy equipment use, among others. The TMP would ensure emergency access is maintained during short-term construction activities. Additionally, all construction activities would be required to comply with the City's standards and regulations, such as providing the necessary on- and off-site access and circulation for emergency vehicles and services during the construction and operation phases. With the implementation of Mitigation Measure TRA-1, and adherence to applicable City standards and regulations, impacts in this regard would be reduced to less than significant.

***Mitigation Measures*:** Refer to Mitigation Measure TRA-1 discussed in Section 4.17, *Transportation*.

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

***No Impact*.** The project site is located in an area surrounded by a built urban environment and is not located in a Very High Fire Hazard Severity Zone.[2] Therefore, project implementation would not expose people or structures to a significant risk involving wildland fires, and no impacts would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

[2] City of Escondido Fire Department, *City of Escondido Fire Severity Zones*, https://fire.escondido.org/Data/Sites/3/media/Fire%20Prevention%20Website/Fire%20Severity%20Zones/1%20EFD-Rincon%20Severity%20Zones.pdf, accessed April 26 2024.

4.10 HYDROLOGY AND WATER QUALITY ***Would the project:***	Potentially Significant Impact	Less Than Significant Impact 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?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the area, including 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 offsite;	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

The information presented in this analysis has been supplemented with the following technical studies:

- *Drainage Study for Chick-fil-A Restaurant No. 05524, 515 West 13th Avenue Escondido, California* (Drainage Study), prepared by Joseph C. Truxaw and Associates, Inc., dated July 11, 2024; and

- *City of Escondido, Priority Development Project (PDP) SWQMP, Chick-fil-A Restaurant No. 05524, 414 West 13th Avenue, Escondido, California 92025, Assessor's Parcel Number(s): 236-161-07-00 & 236-161-06-00* (SWQMP), prepared by Joseph C. Truxaw and Associates, Inc., dated July 11, 2024; refer to Appendix E, *Hydrology/Water Quality Documentation*.

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. As part of Section 402 of the Clean Water Act, the U.S. Environmental Protection Agency (EPA) has established regulations under the National Pollution Discharge Elimination System (NPDES) program to control direct stormwater discharges. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The NPDES program regulates industrial pollutant discharges, which include construction activities. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The project site is located within the jurisdiction of the San Diego RWQCB.

Short-Term Construction Impacts

The proposed project may result in water quality impacts during short-term construction activities. The grading and excavation required for project implementation would result in exposed soils that may be subject to wind and water erosion. Potential pollutants associated with these activities could damage downstream waterbodies. The proposed project is located on a 1.40-acre site. Dischargers whose projects disturb one or more acres of soil are required to obtain coverage under the SWRCB's *National Pollutant Discharge Elimination System (NPDES) General Permit For Stormwater Discharges Associated With Construction And Land Disturbance Activities (General Permit) Order WQ 2022-0057-DWQ* (General Construction Permit).[1] The General Construction Permit requires the project Applicant to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP would specify best management practices (BMPs) to be used during construction of the project. Implementation of the BMPs would ensure runoff and discharges during the project's construction phase would not violate any water quality standards. Upon completion of the project, the Applicant is required to submit a Notice of Termination to the SWRCB to indicate that construction has been completed.

Accordingly, compliance with the Construction General Permit and Municipal Code would reduce short-term construction-related impacts to water quality to less than significant levels.

Long-Term Operational Impacts

The proposed project would be regulated under the NPDES Phase I Municipal Stormwater (MS4) Permits issued by the San Diego RWQCB for the San Diego Region (Order No. R9-2013-0001, as amended by Order Nos. R9-2015-0001 and R9-2015-0100, and NPDES Permit No. CAS0109266).[2] Since

[1] California State Water Resources Control Board, *National Pollutant Discharge Elimination System (NPDES) General Permit For Stormwater Discharges Associated With Construction And Land Disturbance Activities (General Permit)*, Order WQ 2022-0057-DWQ NPDES No. CAS000002, https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction/docs/2022-0057-dwq-with-attachments/cgp2022_order.pdf, September 8, 2022.

[2] California Regional Water Quality Control Board San Diego Region, *National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds within the San Diego Region*, https://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/2015-1118_AmendedOrder_R9-2013-0001_COMPLETE.pdf, November 18, 2015.

1990, operators of MS4s are required to develop a stormwater management program designed to prevent harmful pollutants from impacting water resources via stormwater runoff.

The proposed project is a 1.40-acre redevelopment project, which means that it would be considered a Priority Development Project. Priority Development Projects are required to meet the minimum general BMP requirements for development projects, the structural BMP requirements for Priority Development Projects, and the hydromodification management BMP requirements. The BMPs proposed for the project would be shown in the pollution control plans submitted with the construction BMP plans.

Existing Hydrology

The southern portion of the project site currently drains surface stormwater flows in a northeasterly direction via on-site gutters. Stormwater flows that are collected within the on-site gutters then flow westerly into on-site private catch basins. Both catch basins outlet into Pine Street and 13th Avenue via curb face drains with an existing flow of 4.11 cubic feet per second (cfs) and 1.80 cfs, respectively. The northern portion of the project site currently drains surface runoff in a northerly and easterly direction, and ultimately into the public right-of-way. After entering the public right of way, runoff is conveyed via curb and gutter to an existing public catch basin at the corner of Pine Street and 13th Avenue with an existing flow of 0.23 cfs. Existing flow are then conveyed via a 24-inch storm drain line within 13th Avenue right-of-way which flows into Escondido Creek, then into San Elijo Lagoon, and eventually into the Pacific Ocean. It is acknowledged that no BMPs currently exist on-site for water filtration prior to discharge into the 24-inch storm drain line within 13th Avenue right-of-way.

Proposed Hydrology

The project would demolish the existing on-site storm drain system and construct a new on-site storm drain system that would discharge into the City's public storm drain system at a similar rate as the existing condition. As such, operational stormwater discharge would be required to comply with Municipal Code Chapter 22-26, *Reduction of pollutants in stormwater*, which includes conditions and requirements established by the City related to the control of urban pollutants to stormwater runoff (via a MS4 Permit). Specifically, Municipal Code Section 22-26(m) requires proposed development that may cause or contribute to stormwater pollution or contamination, an illegal discharge, or a non-stormwater discharge to comply with design, reporting, certification, and other requirements set forth in the City's Stormwater Design Manual and Jurisdictional Runoff Management Program. It should be noted that the City's Stormwater Design Manual originates from the Model Best Management Practices Design Manual which replaced the previous Countywide Model Standard Urban Stormwater Mitigation Plan (SUSMP); and thus, is intended to be used as the basis for Escondido-specific storm water BMP designs presented in the MS4 Permit. Specifically, the City's Stormwater Design Manual addresses updated on-site post-construction storm water requirements for Standard Projects and Priority Development Projects (PDPs), and provides updated procedures for planning, preliminary design, selection, and design of permanent storm water BMPs. Projects are classified as PDPs if they meet the criteria for one or more of the following PDP categories presented in the MS4 Permit:

- New development projects that create 10,000 square feet or more of impervious surfaces (collectively over the entire project site). This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land;

- Redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface (collectively over the entire project site on an existing site of 10,000 square feet or more of impervious surfaces). This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land;

- New and redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface (collectively over the entire project site), and support one or more of the following uses:

    - Restaurants. This category is defined as a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (Standard Industrial Classification (SIC) code 5812).

    - Hillside development projects. This category includes development on any natural slope that is twenty-five percent or greater.

    - Parking lots. This category is defined as a land area or facility for the temporary parking or storage of motor vehicles used personally, for business, or for commerce.

    - Streets, roads, highways, freeways, and driveways. This category is defined as any paved impervious surface used for the transportation of automobiles, trucks, motorcycles, and other vehicles;

- New or redevelopment projects that create and/or replace 2,500 square feet or more of impervious surface (collectively over the entire project site), and discharging directly to an Environmentally Sensitive Area (ESA). “Discharging directly to” includes flow that is conveyed overland a distance of 200 feet or less from the project to the ESA, or conveyed in a pipe or open channel any distance as an isolated flow from the project to the ESA (i.e. not commingled with flows from adjacent lands);

- New development projects, or redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface, that support one or more of the following uses:

    - Automotive repair shops. This category is defined as a facility that is categorized in any one of the following SIC codes: 5013, 5014, 5541, 7532-7534, or 7536-7539.

    - Retail gasoline outlets. This category includes Retail gasoline outlets that meet the following criteria: (a) 5,000 square feet or more or (b) a projected Average Daily Traffic of 100 or more vehicles per day; or

- New or redevelopment projects that result in the disturbance of one or more acres of land and are expected to generate pollutants post construction.

The project is located on a 1.40-acre site and proposes to demolish the existing restaurant and construct a new Chick-fil-A restaurant with a dual lane drive-through, associated surface parking improvements, and landscaping improvements. Further, the proposed project would result in the redevelopment of approximately 44,205 square feet of impervious surfaces. Thus, the proposed project is classified as a PDP, which requires the preparation of a PDP SWQMP to meet the requirements of the MS4 Permit. It is acknowledged that although the project would result in 44,205 square feet of impervious surfaces, this proposed impervious surface area is a decrease, compared to the existing developed condition, by 6,016 square feet (or 12 percent decrease). The project's SWQMP would be required to include: 1) BMP Requirements for All Development Projects, which includes general requirements for siting of permanent, post-construction BMPs, source control BMP requirements, and narrative (i.e. not numerically-sized) site design requirements (MS4 Permit Provision E.3.a); 2) Storm Water Pollutant Control BMP Requirements, for numerically sized structural BMPs to control pollutants in stormwater (MS4 Permit Provision E.3.c.[1]); and 3) Hydromodification Management BMP Requirements, which includes protection of critical sediment yield areas and numerically sized BMPs to manage hydromodification that may be caused by storm water runoff discharged from a project (MS4 Permit Provision E.3.c.[2]). Thus, to satisfy County and City requirements, a SWQMP was prepared for this project (refer to Appendix E).

As mentioned above, the project is required to implement stormwater quality BMPs, including source control, site design, and structural treatment BMPs. Specifically, the project's structural BMPs include two biofiltration basins incorporated into the project design; refer to Exhibit 2-5, *Conceptual Landscape Plan*.

On-site stormwater would flow into a proposed 48-inch concrete v-gutter and 24-inch and 36-inch square concrete catch basins located on-site and be conveyed to flow-through planters and/or an on-site bio-filtration basin for treatment. Once the basin has reached capacity, runoff would be conveyed via a proposed underground storm drain into the existing public catch basin on the corner of Pine Street and 13th Avenue, at a rate slightly less than existing conditions; refer to Response 4.10(b), Table 4.10-1, *Existing and Proposed Drainage Conditions*.

In addition to the biofiltration basins, the project would implement source control and site design BMPs to meet Low Impact Development (LID) performance criteria. LID is a stormwater management strategy with goals to mitigate the impacts of increased runoff and stormwater pollution as close to its source as possible. According to the SWQMP, the project would implement LID BMPs, such as storm drain stenciling and signage, installing storm drain inlets and interior floor drains and elevator shaft sump pumps, draining landscape/outdoor pesticide use areas to the proposed biofiltration basins, installing a grease waste line to collect food and refuse waste, daily sweeping of sidewalk and patio areas, and planting native/drought tolerant plant species.

Thus, compliance with the SWQMP structural, site design, and source control measures would reduce long-term operational water quality impacts. Further, the project would be required to comply with all applicable local and regional water quality and stormwater plans, including, but not limited to, Municipal Code Article 55, *Grading and Erosion Control* (Grading and Erosion Control Ordinance), Municipal Code Article 2, *Municipal Separate Storm Sewer System (MS4) Management and Discharge Control* (Stormwater Management and Discharge Control Ordinance), and the City's *Jurisdictional Urban Runoff Management Plan* (January 2008), and *Hydromodification Management Plan* (January 2011), as applicable. Impacts in this regard would be less than significant.

***Mitigation Measures*:** No mitigation is required.

b. Substantially deplete groundwater supplies or interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

***Less Than Significant Impact*.** The project is located within the Escondido Valley Groundwater Basin.[3] The project site is currently developed with an existing restaurant and surface parking lot and is not currently used for groundwater extraction or groundwater recharge purposes. As detailed in the SWQMP, development of the project would not result in an increase in impervious surfaces compared to existing conditions. Rather, the proposed project would decrease impervious areas by approximately 12 percent and would not create a substantial demand of groundwater sources due to population increase; refer to Table 4.10-1.

Table 4.10-1
Existing and Proposed Drainage Conditions

	Existing Conditions	Proposed Conditions	Percentage Change
Pervious Area (square feet)	10,869	16,885	+55.3%
Impervious Area (square feet)	50,221	44,205	-12.0%

Source: City of Escondido, *City of Escondido Priority Development Project (PDP) SWQMP, Chick-fil-A Restaurant No. 05524, 414 West 13th Avenue, Escondido, California 92025, Assessor's Parcel Number(s): 236-161-07-00 & 236-161-06-00*, prepared by Joseph C. Truxaw and Associates, Inc., dated July 11, 2024; refer to Appendix E.

Implementation of the project would decrease impervious surface area by 6,016 square feet and increase biofiltration on-site through two biofiltration basins and landscaping improvements and would not create a substantial demand on groundwater sources due to population increase. As such, the project would not significantly change the amount of groundwater available and pumped from local wells. Therefore, the project would not substantially deplete groundwater supplies or interfere with groundwater recharge. Impacts would be less than significant in this regard.

***Mitigation Measures*:** No mitigation is required.

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

i. Result in substantial erosion or siltation on- or off-site?

***Less Than Significant Impact*.** The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river. As discussed in Response 4.10(a), the project would be required to comply with the General Construction Permit requirements, which would reduce water quality impacts including erosion during construction to less than significant levels.

[3] California Department of Water Resources, *Groundwater Basin Boundary Descriptions - San Diego Region (9-XXX Basins)*, https://lab.data.ca.gov/dataset/groundwater-basin-boundary-descriptions-san-diego-region-9-xxx-basins, accessed December 26, 2023.

During project operations, the site would not include large areas of exposed soils that would be subject to runoff. The proposed project would result in a decrease of impervious surfaces by 6,016 square feet (an approximately 12 percent reduction) and an increase of pervious surfaces (landscaped areas) by 6,016 square feet (approximately 55.3 percent), when compared to existing conditions. As such, any unpaved areas would be improved with landscaping, which would have an overall decrease in the runoff potential, and indirectly reduce the off-site potential for erosion/siltation during project operation, compared to existing conditions; refer to Exhibit 2-5. Further, given the nature of the proposed use, the urbanized project setting, and the substantial increase in landscaped areas and on-site biofiltration, long-term operation of the project would not have the potential to result in substantial erosion or siltation. As stated in Response 4.10(a), the proposed project would also include two biofiltration basins and LID BMPs in conformance with the City's Stormwater Design Manual and Municipal Code Chapter 22-26 requirements in order to reduce long-term water quality impacts to less than significant levels. Thus, impacts in this regard would be less than significant.

***Mitigation Measures*:** No mitigation is required.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

***Less Than Significant Impact*.** As detailed in Response 4.10(b), the project would decrease impervious surface area on-site by 6,016 square feet (approximately 12 percent compared to existing conditions). Further, the proposed project would result in an overall decrease of 0.17 cfs leaving the site, which would reduce the potential for flooding on- and -offsite, compared to existing conditions. Given the decrease of impervious surface area and stormwater rate of discharge, the project is not anticipated to result in flooding on- or off-site. Impacts in this regard would be less than significant.

***Mitigation Measures*:** No mitigation is required.

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?

***Less Than Significant Impact*.** Refer to Responses 4.10(c)(i) and 4.10(c)(ii). The proposed project would result in a decrease of impervious surfaces by 6,016 square feet (approximately 12 percent) and an increase of landscaped areas by 6,016 (approximately 55.3 percent), when compared to existing conditions. As such, any unpaved areas would be improved with landscaping, which would have an overall decrease in the potential for runoff water during project operation, compared to existing conditions. Further, the proposed project would result in an overall decrease of 0.17 cfs leaving the site, which would also reduce the potential for runoff water, compared to existing conditions. Last, the proposed condition would result in increased biofiltration of stormwater prior to discharge, compared to the existing condition. As such, the project would not result in additional sources of polluted runoff, compared to the existing condition. Impacts would be less than significant in this regard.

***Mitigation Measures*:** No mitigation is required.

iv. Impede or redirect flood flows?

***Less Than Significant Impact*.** Refer to Responses 4.10(c)(ii) and 4.10(d). The proposed project would result in a decrease of impervious surfaces by 6,016 square feet (approximately 12 percent) and an increase of landscaped areas by 6,016 square feet (approximately 55.3 percent), when compared to existing conditions. As such, any unpaved areas would be improved with landscaping, which would have an overall decrease in the potential for impeding or redirecting flood flows during project operation, compared to existing conditions. Further, the proposed project would result in an overall decrease of 0.17 cfs leaving the site, which would also reduce the potential for flood flows downstream, compared to existing conditions. Last, as discussed in Response 4.10(d), the project site is located outside of the 100-year flood hazard area; and thus, would not be subject to flood hazards. Impacts would be less than significant in this regard.

***Mitigation Measures*:** No mitigation is required.

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

***No Impact*.**

Flood Hazard

According to the Federal Emergency Management Agency (FEMA)[4] and General Plan EIR Figure 4.9-3, *Development in Flood Zones*, the project site is located outside of the 100-year flood hazard area. As a result, no impacts would occur in this regard.

Tsunami

A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a sea floor associated with large, shallow earthquakes. According to the General Plan EIR, the City and project site are located more than one mile inland from the Pacific Ocean; and thus, are at a sufficient distance so as not to be subject to tsunami impacts. No impacts would occur in this regard.

Seiche

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. According to the General Plan EIR, seiches are possible at Lake Wohlford and Lake Dixon; however, the potential for loss of life from this hazard is low.[5] Further, the nearest body of water, Lake Dixon, is located approximately 3.10 miles to the southwest of the project site. Therefore, no impacts would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

[4] Federal Emergency Management Agency, *Flood Insurance Rate Map No. 06073C1077G*, May 16, 2012, accessed December 26, 2023.

[5] Google Earth Pro, 2023, accessed December 26, 2023.

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

***Less Than Significant Impact*.** The *Water Quality Control Plan for the San Diego Basin* (Basin Plan) establishes water quality standards for ground and surface waters within the San Diego Region, which includes the City, and is the basis for the San Diego RWQCB's regulatory programs.[6] According to the SQWMP, the nearest impaired water body to the project site under the jurisdiction of the Basin Plan is Escondido Creek approximately 1.04-miles downstream of the project site. Escondido Creek then flows in a southwesterly direction towards Elijo Lagoon approximately 12.03 miles to the southwest. Several pollutants and stressors are identified for Escondido Creek and Elijo Lagoon within the SQWMP. Specifically, pollutants and stressors for Escondido Creek include benthic community effects, bifenthrin, dichlorodiphenyltrichloroethane (DDT), indicator bacteria, manganese, nitrogen, selenium, sulfates, total dissolved solids, toxicity, cyfluthrin, cypermethrin, iron, phosphorus, pyrethroids, turbidity, and phosphate. Pollutants and stressors for Elijo Lagoon include indicator bacteria, dissolved oxygen, phosphorus, turbidity, eutrophic, sedimentation/siltation, and toxicity. As discussed above, a SWQMP was prepared for this project to meet the requirements of the MS4 Permit, which would ensure the health of local bodies of water through the management of stormwater runoff pollution prevention. Specifically, the project's SWQMP would be required to include: 1) BMP Requirements for All Development Projects, which includes general requirements for siting of permanent, post-construction BMPs, source control BMP requirements, and narrative (i.e. not numerically-sized) site design requirements (MS4 Permit Provision E.3.a); 2) Storm Water Pollutant Control BMP Requirements, for numerically sized structural BMPs to control pollutants in stormwater (MS4 Permit Provision E.3.c.[1]); and 3) Hydromodification Management BMP Requirements, which includes protection of critical sediment yield areas and numerically sized BMPs to manage hydromodification that may be caused by storm water runoff discharged from a project (MS4 Permit Provision E.3.c.[2]). As discussed in Response 4.10(a), the project would implement required BMPs, including biofiltration devices, in order to treat stormwater prior to discharge. As such, the project's construction and operation would not obstruct implementation of the Basin Plan.

The 2014 Sustainable Groundwater Management Act requires local public agencies and groundwater sustainability agencies in high- and medium-priority basins to develop and implement groundwater sustainability plans (GSPs) or prepare an alternative to a GSP. The City is not located within a high- or medium-priority groundwater basin.[7] Therefore, no sustainable groundwater management plan applies to Escondido.

Further, as indicated in Response 4.10(b), the proposed project would not substantially deplete groundwater supplies or interfere with groundwater recharge. Compliance with the project's SWQMP BMPs and Escondido Municipal Code regulations would ensure the proposed project does not conflict with or obstruct implementation of the Basin Plan. Impacts would be less than significant in this regard.

***Mitigation Measures*:** No mitigation is required.

[6] San Diego Regional Water Quality Control Board, *San Diego Region – The Basin Plan*, https://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/, accessed December 26, 2023.

[7] California Department of Water Resources, *SGMA Basin Prioritization Dashboard*, https://gis.water.ca.gov/app/bp2018-dashboard/p1/, accessed December 26, 2023.

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4.11 LAND USE AND PLANNING *Would the project:*	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

a. Physically divide an established community?

***No Impact*.** The project would demolish the existing restaurant and replace it with a new Chick-fil-A restaurant with a dual lane drive-through, associated surface parking improvements, and landscaping improvements. Development of the project would not physically divide an established community as it would not introduce any physical divisions or barriers between the site and surrounding area. As such, no impacts would result in this regard.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact*.** The project site is currently designated Specific Planning Area (SPA) and zoned Specific Plan (S-P). More specifically, the site is in the *South Centre City Specific Plan* and within the 13th Avenue Corners District of the Specific Plan. To allow for the proposed drive-through use, the project would require a Specific Plan Amendment to conditionally allow for drive-through uses at the southwest corner within the 13th Avenue Corners District and a Major Conditional Use Permit.

The following evaluates the project's consistency with applicable land use plan, policies, and regulations, including the General Plan, Specific Plan, and Zoning Code.

General Plan Consistency Analysis

According to the General Plan, the SPA land use designation accommodates areas which require submittal of a planned development or specific plan prior to development; specific development standards are detailed in each respective specific plan. Table 4.11-1, *General Plan Land Use and Community Form Element Project Consistency Analysis*, analyzes the project's consistency with applicable goals and policies in the General Plan Land Use and Community Form Element.

Table 4.11-1
General Plan Land Use and Community Form Element Project Consistency Analysis

Applicable Land Use and Community Form Element Policies	Project Consistency Analysis
GOAL 1: A community composed of distinct residential neighborhoods, business districts, and employment centers, whose urban form reflects the natural environmental setting.	
Community Character Policy 1.1 New development should serve to reinforce the City's present development pattern of higher-intensity development within the downtown area and lower-intensity development in outlying areas. As a guide toward accomplishing this objective, new development projects shall be at an appropriate density or clustered intensity based upon their compatibility with the majority of the existing surrounding land uses. This policy shall limit density transfers from constrained portions of a property as defined in the land use and open space goals.	Consistent. The proposed project would demolish the existing restaurant and construct a new Chick-fil-A restaurant with a dual lane drive-through, associated surface parking improvements, and landscaping improvements. As such, the project would replace an existing commercial use with a new commercial use at the 13th Avenue and Pine Street intersection. The intersection, adjacent to the Centre City Parkway, is generally a neighborhood-serving commercial area and thus, the proposed use would be consistent with the existing and planned uses for the project area.
Community Character Policy 1.7 Incorporate iconic signage, artwork, landscaping and/or architecture characterized as uniquely Escondido at gateway locations to define a sense of entry and strengthen community identity.	Consistent. While the project site is not located at one of the City's gateway locations, the project proposes to plant a variety of tree, shrub, and groundcover plant species, some of which would be native and/or drought tolerant species; refer to Exhibit 2-5, *Conceptual Landscape Plan*. The Chick-fil-A restaurant would have a maximum height of 22 feet and would be designed with various architectural building elements, including wood siding, dark bronze aluminum canopy/awning, varying colors of painted stucco, and illuminated restaurant identification signage on the building.
Community Character Policy 1.8 Require development projects to locate and design buildings, construct energy and water efficient infrastructure, reduce greenhouse gas emissions, enhance community livability and economic vitality, and implement other practices contributing to sustainable resources.	Consistent. As an infill development in an urbanized area of Escondido, the project would be served by existing infrastructure and utility services that currently provide services to the site. The project would also be required to comply with building, energy, and water efficiency standards mandated by Title 24 (CALGreen Code) requirements. Additionally, as detailed in Section 4.8, *Greenhouse Gas Emissions*, the project would result in less than significant construction and operational GHG emissions impacts. Further, the project would revitalize the site with a new commercial use that bolsters economic vitality in the project area.
Community Character Policy 1.9 Promote development in downtown, at transit stations, and other key districts to accommodate a mix of land uses and configure uses to promote walkability, bicycling, and transit uses, reducing the need for the automobile.	Consistent. The project would include pedestrian and bicycle improvements to promote walkability, bicycling, and transit use. Specifically, the project would provide short-term bike storage for up to eight bikes and long-term storage for two bikes. Similar to all Chick-fil-A restaurants, employees would be encouraged to

Applicable Land Use and Community Form Element Policies	Project Consistency Analysis
	bike or use public transportation or ride share options. Landscaping along the site perimeters and pedestrian crosswalks that connect the West 13th Avenue and Pine Street sidewalks to the proposed restaurant building entrance would also encourage pedestrian activity.
Community Character Policy 1.10 Reduce light pollution and preserve views of the night sky through the design and sighting of light fixtures to minimize light spill-over onto adjacent properties.	Consistent. The proposed project would include similar nighttime lighting conditions at the project site, compared to existing condition. Nonetheless, the proposed project would comply with Municipal Code Article 35, *Outdoor Lighting*, regulations regarding light pollution and would be screened/angled to minimize light spill-over onto adjacent properties. Further, as part of the project's environmental review process, the City would verify that the project plans, including the photometric plan, complies with all applicable development standards related to outdoor lighting to verify exterior lighting is designed and located to minimize spillover of light or glare onto neighboring properties. As such, the proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Impacts would be less than significant in this regard.
Community Character Policy 1.11 Encourage new development to minimize the creation of incompatible glare through development design features (e.g., minimizing use of certain types of exterior building materials).	Consistent. The proposed building would primarily be brown, gray, and white with building materials consisting of painted stucco, wood sidings, and dark bronze (i.e., non-glare) aluminum canopy/awnings; refer to Exhibit 2-4. Thus, the proposed development would not result in incompatible glare.
GOAL 8: A diversity of economically prosperous and well-designed commercial districts providing a choice of uses for Escondido's residents and visitors.	
Commercial Land Use Policy 8.6 Require that commercial buildings be located in planned, group concentrations rather than in a linear strips, except for designated corridors, and incorporate features that minimize impacts on adjacent sensitive uses associated with noise, property maintenance, product deliveries, trash service, and other potentially incompatible characteristics.	Consistent. The proposed infill development would replace an existing restaurant building with a new restaurant building and improved surface parking, landscaping, and lighting features. The nearest sensitive uses are the mobile homes adjacent to the project's southern boundary. As shown on Exhibit 2-3, *Conceptual Site Plan*, the southern portion of the project site (closest to the mobile homes) would be developed with the surface parking lot and would include a 10-foot wide landscaped setback. Trash enclosures on-site would be located to the south of the restaurant in the parking lot area and trash collection would not be permitted between 8:00 p.m. and 7:30 a.m.

Applicable Land Use and Community Form Element Policies	Project Consistency Analysis
	Additionally, truck deliveries to the restaurant would occur in the northern portion of the site where building entry is located. Chick-fil-A would have truck deliveries three to five times a week (15 to 45 minute deliveries) during daytime/off-peak hours Monday through Saturday; no nighttime deliveries would be permitted. In addition, Chick-fil-A operations would not involve commercial vehicles using backing warning alarms between 8:00 p.m. and 7:30 a.m.
Commercial Land Use Policy 8.7: Support efforts to strengthen and rehabilitate existing commercial areas east of the I-15 freeway.	Consistent. The project site is located east of I-15 and the infill project would redevelop the site into a new restaurant that encourages economic vitality to the project area.
Commercial Land Use Policy 8.10 Require that commercial development be located and designed to benefit from the access afforded by the circulation system without impairing its operation by: a) Requiring a traffic and circulation study for all commercial development over five acres or smaller centers, if necessary, as deemed by the City Engineer. b) Prohibiting points of access if they are too close to intersections and will result in unacceptable congestion or in safety hazards as determined by city staff. c) Limiting the number of access points and curb cuts to maintain efficient traffic operations.	Consistent. The project would not adversely impact the existing circulation system in the project area. Refer to the analysis below to corresponding letters. a) While the project site is not over five acres, a traffic study was prepared for the proposed project. As analyzed in Section 4.17, *Transportation*, the project would result in less than significant transportation impacts. b) Project ingress/egress would occur using the site's existing driveway along 13th Avenue. The existing driveway along Pine Street would be shifted slightly south along the eastern property boundary away from the West 13th Avenue and Pine Street intersection. Thus, the project would not increase safety hazards associated with driveways being too close to intersections. c) While the project would slightly shift the existing driveway along Pine Street southerly, no new access points or curb cuts are proposed.
Commercial Land Use Policy 8.11 Allow drive through facilities subject to the mitigation of identified air quality, traffic safety, and visual impacts based on appropriate studies submitted to the satisfaction of the City prior to approval.	Consistent. The proposed Chick-fil-A restaurant would include a dual lane drive-through. As analyzed in Sections 4.1, *Aesthetics*, 4.3, *Air Quality*, and 4.17, *Transportation*, the project would result in less than significant impacts with regards to aesthetics and air quality. Following implementation of Mitigation Measure TRA-1, which requires a Transportation Management Plan to include potential measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and the need for a construction flagperson to direct traffic during heavy equipment use, among others, the project would reduce impacts to transportation to less

Applicable Land Use and Community Form Element Policies	Project Consistency Analysis
	than significant levels.
GOAL 18: Environmental quality regulations that mitigate for impacts associated with development to preserve and protect Escondido's unique environment.	
Environmental Review Policy 18.2 Require environmental review and mitigation of impacts, if necessary, consistent with city, state, and federal requirements for development projects the Planning Area.	Consistent. As the project requires City discretionary approval of a Specific Plan Amendment and Major Conditional Use Permit, the project is required to undergo environmental review under CEQA. This Initial Study evaluates the project's potential environmental impacts and includes mitigation measures that reduce any potentially significant impacts to less than significant levels. Overall, this Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA).
Environmental Review Policy 18.4 Require all development to conform to the General Plan, Facilities Plans, Areas Plans, and Quality of Life Standards.	Consistent. As analyzed in this section, the project would comply with existing applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect, including the General Plan, Specific Plan, and Municipal Code.
Source: City of Escondido, *City of Escondido General Plan Land Use and Community Form Element*, May 2012.	

Specific Plan Consistency Analysis

The *South Centre City Specific Plan* (Specific Plan) area comprises eight districts, which function as zoning districts for the purposes of the Specific Plan. The Specific Plan includes district plans for each of the eight districts with concepts/policies pertaining to land use; mobility; design; and parks, recreation, and open space to both guide and evaluate the adequacy of proposed developments. As stated, the project site is located within the 13th Avenue Corners District (District) of the Specific Plan. This nine-acre district consists of the parcels that create four commercially designated "corners" of the 13th Avenue and South Centre City Parkway intersection. As one of the signalized intersections along South Centre City Parkway, the District is a focal point along the corridor. The Pine Street Pathway is an important component of the identity of this District, making it a destination for pedestrians and bicyclists. The District Plan encourages activated public and private right-of-way along the western side of Centre City Parkway with amenities desirable to users of the recreational trail and commercial businesses, such as parcourse exercise equipment, play structures, and benches for enjoying the nearby food offerings, and for social interaction.

According to Specific Plan Table 4.2, *Permitted Land Uses for Specified Districts/Subareas*, the proposed land use (i.e., eating establishment with drive-through) is currently not permitted within the District. As such, the project is proposing a Specific Plan Amendment to conditionally allow the proposed restaurant with drive-through use. It should be noted that the proposed Specific Plan Amendment would only conditionally allow drive-through uses at the southwest corner within the 13th Avenue Corners District. Therefore, any future applications for a drive-through use within the

district would similarly require an amendment to the Specific Plan and a Conditional Use Permit and also be required to undergo separate environmental review under CEQA on a project-by-project basis.

Table 4.11-2, *13th Avenue Corners District Project Consistency Analysis*, analyzes the project's consistency with specific District concepts/policies related to land use; mobility; design; and parks, recreation, and open space.

Table 4.11-2
13th Avenue Corners District Project Consistency Analysis

13th Avenue Corners District Concepts/ Design Guidelines	Project Consistency Analysis
Mobility Concepts	
Improve the intersection of 13th Avenue, Centre City Parkway and Pine Street. Intersection improvements will enhance safety, and thereby increase pedestrian and bicycling opportunities. Improvements include attractive crosswalks, integrated bike lanes, and seamless connections to the Pine Street Pathway and associated recreational amenities near this location.	Consistent. The project would include pedestrian and bicycle improvements to increase pedestrian and bicycling opportunities. Specifically, the project would provide short-term bike storage for up to eight bikes and long-term storage for two bikes. Similar to all Chick-fil-A restaurants, employees would be encouraged to bike or use public transportation or ride share options. Landscaping along the site perimeters and pedestrian crosswalks that connect the West 13th Avenue and Pine Street sidewalks to the proposed restaurant building entrance would also encourage pedestrian activity.
Provide pedestrian amenities. Wayfinding signs and information kiosks will inform and direct pedestrians to nearby transit, downtown, and other nearby places of interest.	Consistent. The project does not propose wayfinding signs to other places of interest in the project area. However, on-site illuminated directional sign boxes would be provided to direct vehicles to the dual lane drive-through to help facilitate on-site site circulation.
Provide bicycle parking. Safe, secure bicycle parking will be included as part of new development to promote biking, particularly to patronize the commercial businesses in this district.	Consistent. As stated, the project would provide short-term bike storage for up to eight bikes and long-term storage for two bikes on-site.
Design Concepts	
Create a signature intersection. A distinct landscape theme, combined with the identified mobility improvements, will create a more prominent intersection. Wayfinding signs and the streetscape amenities discussed for the Pine Street Pathway help create a distinctive appearance. Canopy trees shall be preserved or replaced.	Consistent. The project would plant a variety of tree, shrub, and groundcover plant species, some of which would be native and/or drought tolerant species; refer to Exhibit 2-5. In addition to two existing trees to remain in place, approximately 35 new trees would be planted on-site. Planting materials would include a mix of trees (such as strawberry tree, western redbud, crape myrtle, holly oak, and sawleaf zelkova), shrubs, and grasses. The landscaped driveway along Pine Street would be primarily landscaped with sawleaf zelkova, strawberry tree, medicinal aloe, English lavender, slender veldt grass, red yucca, and variegated foxtail agave. The proposed landscaping would help make the

	13th Avenue Corners District an established signature intersection.
Emphasize public art. A public art theme incorporating sculptures or other interesting art pieces strategically located at the four corners of the intersection will unify the district and provide Centre City Parkway more of a neighborhood scale and identity.	Consistent. There is no existing public art within the project site, and no public art is proposed by the project. However, a monument sign for the existing restaurant would be replaced with a new Chick-fil-A monument sign at a similar location (near the intersection).
Parks, Recreation, and Open Space Concepts	
Strategically link the Pine Street Pathway to commercial uses. Integrating picnic tables or benches for resting in the lesser-used eastern part of the grocery store parking lot with the Pine Street Pathway would promote greater use of the nearby recreational amenities.	Consistent. The project would provide an outdoor dining area (48 seats [including three Americans with Disabilities Act-compliant seats]) to the south of the proposed building for restaurant patrons. This would also encourage greater use of the nearby Pine Street Pathway by future patrons.
Design Guidelines	
All corners of the intersection of 13th Avenue and Centre City Parkway should have consistent and compatible landscaping to emphasize the intersection as a key commercial destination along 13th Avenue and Centre City Parkway.	Consistent. The project would plant a variety of tree, shrub, and groundcover plant species, some of which would be native and/or drought tolerant species, including along the site perimeter and at the corner of the site closest to the 13th Avenue and Centre City Parkway intersection; refer to Exhibit 2-5. The proposed landscaping would help make the 13th Avenue Corners District an established signature intersection.
Provide pedestrian amenities at landscape corners and along the Pine Street Pathway, such as wayfinding signs or information kiosks.	Consistent. The project site is not located directly at the corner of the 13th Avenue and Centre City Parkway intersection nor along the Pine Street Pathway. However, the project provides pedestrian crosswalks on-site that connect to the existing sidewalks to the north and east of the site to encourage pedestrian activity.
Provide interesting outdoor pedestrian destinations such as public art, plazas, food courts, tables, benches, and/or other site amenities.	Consistent. In addition to pedestrian crosswalks, the project provides an outdoor dining area for restaurant patrons. Bicycle parking is also provided.
Source: City of Escondido, *South Centre City Specific Plan, Chapter 3, District Plans*, August 2018.	

Additionally, the following Table 4.11-3, *Specific Plan Development Standards Project Consistency Analysis*, evaluates the proposed project's consistency with applicable development standards for the District.

Overall, the proposed project would be consistent with the Specific Plan District concepts and policies and consistent with the development standards upon approval of the requested Specific Plan Amendment and Major Conditional Use Permit to allow the proposed drive through use.

Table 4.11-3
Specific Plan Development Standards Project Consistency Analysis

Development Standard	Requirement	Proposed Project	Does Project Satisfy Requirement?
Maximum Building Height	45 feet (up to three stories)	22 feet (one story)	Yes
Minimum Lot Area	7,000 square feet	61,090 square feet	Yes
Minimum Lot Frontage	50 feet	150 feet (along West 13th Avenue)	Yes
Setback: Front[1,2,3]	BTLR: - BTL-minimum: 10 feet - BTL-maximum: 20 feet	Approximately 10 feet (along West 13th Avenue)	Yes
Setback: Side, Interior	0 feet or 10 feet if adjoining any residential, school, or park use	Approximately 66.8 feet (along western project boundary)	Yes
Setback: Side, Interior	0 feet or 10 feet if adjoining any residential, school, or park use	Approximately 45.96 feet (along southern project boundary)	Yes
Setback: Side, Street[2,3]	BTLR: - BTL-minimum: 10 feet - BTL-maximum: 20 feet	Approximately 20 feet (along Pine Street)	Yes
Setback: Rear	10 feet minimum	Approximately 176.3 feet	Yes
Bicycle Parking	1 bicycle parking space per 2,500 square feet	The 3,124-square foot building is required to provide 2 bicycle parking spaces. The project provides short-term bike storage for up to eight bicycles and long-term storage for two bicycles.	Yes

Notes:
1 Awnings, canopies, forecourts, entries, porches, stoops, courtyards, outdoor dining areas, usable open space for multi-family residential development and residential portions of mixed-use development, and other similar permitted or required outdoor areas along the front of the building are excluded from the setback requirement.
2 Site features: fences and walls, sidewalks and driveways, low impact stormwater features, landscaping, and signs may encroach into a required setback, provided that the feature meets engineering criteria for sight distance.
3 BTLR is an acronym for "build-to-line-range" to specify an area of depth, parallel to and touching a specified lot line or other setback line, within which a building shall be placed and may vary within the range in order to encourage design flexibility. BTL is an acronym for "build-to-line" that requires the building to be close to the right-of-way.

Source: City of Escondido, *South Centre City Specific Plan, Chapter 5, Development Standards & Design Guidelines*, August 2018.

Zoning Code Consistency Analysis

In addition to development standards detailed in the Specific Plan, Zoning Code Section 33-341, *Commercial drive-through facilities requirements*, establishes regulations for commercial drive-through facilities applicable to the project; refer to Table 4.11-4, *Escondido Zoning Code Project Consistency Analysis*.

Table 4.11-4
Escondido Zoning Code Project Consistency Analysis

Zoning Code Requirement	Project Consistency Analysis
Conditional Use Permit Required. Conditional Use Permit approval shall be required for the establishment of any use that offers drive-in or drive-through facilities. This shall include drive-through uses in conjunction with, but not limited to, washing/detailing automotive services (automated or hand-washed), retail trades, eating and drinking establishments, banks and other financial institutions, pharmacies, and other services.	Consistent. The proposed Chick-fil-A restaurant would include a dual lane drive-through; and thus, requires a Conditional Use Permit. As detailed in Section 2.4, *Permits and Approvals*, the project requires a Major Conditional Use Permit, among other approvals.
The following site design and building design guidelines may be utilized by the appropriate permit review authority in the review of a Conditional Use Permit application to promote high quality development and to ensure that such developments do not have negative impacts on traffic, safety, air quality and visual character of the area in which they are located: 1. Site planning that accomplishes a desirable transition with the streetscape and adequate pedestrian environment. Pedestrian walkways that intersect the drive-through drive aisles and parking areas with clear visibility, and may be emphasized by enriched paving or striping. 2. Drive-through aisles with a minimum 12-foot width on curves and a minimum 11-foot width on straight sections. 3. The drive-through stacking lane situated so that any overflow from the stacking lane shall not spill out onto public streets or major aisles of any parking lot. Sufficient vehicle stacking room shall be provided on-site behind the speaker area where orders are taken. 4. Drive-through aisles constructed with (PCC) concrete. 5. Drive-through aisles and associated structures should be oriented away from public streets and surrounding land uses unless significant screening is provided to the satisfaction of the director of community development by means of heavy landscaping, decorative walls, and sound attenuating devices. A planter	Consistent. Refer to the analysis below to corresponding letters. 1. As shown on Exhibits 2-3 and 2-4, new landscaping would be planted along West 13th Avenue and Pine Street as well as throughout the project site to provide a desirable transition between the streetscape and proposed development. Two striped pedestrian crosswalks are proposed that intersect the drive-through drive aisles, one that connects the West 13th Avenue sidewalk to the building entrance and one that connects the Pine Street sidewalk to the southern parking lot area which connects to the outdoor dining area and building entrance. 2. Exhibit 2-3 shows that the dual lane drive-through aisles would be approximately 10 feet wide on straight sections and range from approximately 12 to 16.5 feet wide on curves. 3. The two drive-through lanes would accommodate a queuing of approximately 41 vehicles. Vehicles would enter the new drive-through lane to the south of the new restaurant building, wrapping around the building's eastern perimeter and exiting at the northwest corner of the building in a westerly direction. No overflow from the stacking lanes would spill out onto public streets or the drive aisles of the parking lot. 4. The drive-through aisles would be constructed with concrete in compliance with City regulations. 5. As shown on Exhibit 2-5, the dual lane drive-through aisles would wrap around the proposed building's eastern perimeter adjacent to Pine Street. While the aisles are

Zoning Code Requirement	Project Consistency Analysis
between the drive-through aisle and the parking area that includes shade trees consistent with those used in the parking areas may be requested. 6. No ingress and egress points conflicting with turning movements at nearby street intersections. The design of the site and placement of structures done in a manner that: (A) minimizes the number of driveway cuts; and (B) provides adequate and safe queuing and maneuvering of vehicles to prevent interference with circulation of the site, adjacent uses, or queuing within/onto public right-of-way. 7. The architecture of the building and other structures used to support the drive-through should address compatibility and harmonization with that of the building, shopping center, and/or structures within the immediate area in terms of building color, materials, mass, scale, and form. All building elevations should be architecturally enhanced. High quality building materials are encouraged. Reflective, glossy, and fluorescent surfaces are discouraged.	proposed near the public street, a low masonry wall (three feet in height) consisting of shot blast concrete masonry unit (CMU) blocks with matching block caps (4-inches in height), is proposed along the eastern perimeter of the drive-through. The low masonry wall would extend from the south of the new restaurant identification/monument sign to a proposed striped pedestrian crosswalk (providing access to the restaurant from the existing Pine Street sidewalk). Further, substantial landscaping with trees, shrubs, and groundcover are proposed to screen the drive-through aisles from public view on the adjacent roadways. Landscaping is also proposed between the drive-through aisles and the parking lot area in the southern portion of the site. 6. While the project would slightly shift the existing driveway along Pine Street southerly, no new access points or curb cuts are proposed. The existing driveway along West 13th Avenue would remain as is. Additionally, as stated, drive-through queueing would accommodate approximately 41 vehicles and thus, no overflow from the stacking lanes would spill out onto public streets or the drive aisles of the parking lot. 7. The Chick-fil-A restaurant would be designed with various architectural building elements, including wood siding, dark bronze aluminum canopy/awning, varying colors of painted stucco, and illuminated restaurant identification signage on the building. A covered canopy would be provided over the drive-through ordering area and meal delivery area. A walk-up canopy would be located along the western building perimeter. Additionally, lattice screening would be located to the north, south, and southeast of the restaurant. Specifically, low lattice screening (along the eastern portion of the outdoor dining area) and full height lattice screening (along the western portion of the outdoor dining area, meal pick up window, and the drive-through speaker box location) would be located within the outdoor dining area and adjoining the meal pick up window and drive-through speaker box locations. The low lattice screening would provide partial

Zoning Code Requirement	Project Consistency Analysis
	screening and partial visual access to/from the outdoor dining area. The full height lattice screening would provide partial visual screening access to/from the outdoor dining area, meal pick up window, and drive-through speaker box location. Thus, the proposed lattice screening would facilitate visual transparency to the new building. No reflective, glossy, or fluorescent surfaces would be utilized.
Source: City of Escondido, *Escondido Zoning Code Section 33-341, Commercial drive-through facilities requirements*, current through Ordinance 2023-07 and the March 2023 code supplement.	

Conclusion

Upon approval of the Specific Plan Amendment and Major Conditional Use Permit, the project would be consistent with the General Plan, Zoning Code, and Specific Plan. Therefore, the project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant.

***Mitigation Measures*:** No mitigation is required.

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4.12 MINERAL RESOURCES *Would the project:*	Potentially Significant Impact	Less Than Significant Impact 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?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

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?

***No Impact*.** The California Department of Conservation's Surface Mining and Reclamation Act of 1975 (SMARA) identifies a range of Mineral Resource Zones (MRZs) within California based on geologic and economic factors that identify the potential importance of mineral deposits in a particular area. According to the California Geologic Survey and General Plan EIR, the project site is not located within an MRZ.[1,2,3] Further, the City does not include a designation for mineral resources or extraction operations within the City. Mining and extraction operations are not listed as a permitted or conditionally permitted use for any zone in the City's Zoning Ordinance. As such, no impacts would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

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

***No Impact*.** Refer to Response 4.12(a).

***Mitigation Measures*:** No mitigation is required.

[1] California Department of Conservation, *Special Report 153, Mineral Land Classification: Aggregate Materials in the Western San Diego County Production-Consumption Region*, 1982.

[2] California Department of Conservation, *Special Report 240, Update of Mineral Land Classification: Portland Cement Concrete-Grade Aggregate in the Western San Diego County Production-Consumption Region, California*, 2017.

[3] California Department of Conservation, *Open File Report 96-04, Update of Mineral Land Classification: Aggregate Materials in the Western San Diego County Production-Consumption Region*, 1996.

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4.13 NOISE *Would the project result in:*	Potentially Significant Impact	Less than Significant Impact 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?	☐	☒	☐	☐
b) Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such 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 information presented in this analysis is based on the *West 13th and Centre City Chick-fil-A Project – Noise and Vibration Assessment*, prepared for the proposed project by Michael Baker International (Michael Baker), dated July 22, 2024; refer to Appendix F, *Acoustical Analysis Report*.

Fundamentals of Sound and Environmental Noise

Sound is mechanical energy transmitted by pressure waves in a compressible medium such as air and is characterized by both its amplitude and frequency (or pitch). The human ear does not hear all frequencies equally. In particular, the ear deemphasizes low and very high frequencies. To better approximate the sensitivity of human hearing, the A-weighted decibel scale (dBA) has been developed. Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquakes. In terms of human response to noise, a sound 10 dBA higher than another is perceived to be twice as loud and 20 dBA higher is perceived to be four times as loud, and so forth. Everyday sounds normally range from 30 dBA (very quiet) to 100 dBA (very loud). On this scale, the human range of hearing extends from approximately 3 dBA to around 140 dBA.

Noise is generally defined as unwanted or excessive sound, which can vary in intensity by over one million times within the range of human hearing; therefore, a logarithmic scale, known as the decibel scale (dB), is used to quantify sound intensity. Noise can be generated by several sources, including mobile sources such as automobiles, trucks, and airplanes, and stationary sources such as construction sites, machinery, and industrial operations. Noise generated by mobile sources typically attenuates (is reduced) at a rate between 3 dBA and 4.5 dBA per doubling of distance. The rate depends on the ground surface and the number or type of objects between the noise source and the receiver. Hard and flat surfaces, such as concrete or asphalt, have an attenuation rate of 3 dBA per doubling of distance. Soft surfaces, such as uneven or vegetated terrain, have an attenuation rate of about 4.5 dBA per doubling of distance. Noise

generated by stationary sources typically attenuates at a rate between 6 dBA and about 7.5 dBA per doubling of distance.

There are several metrics used to characterize community noise exposure, which fluctuate constantly over time. One such metric, the equivalent sound level (L_{eq}), represents a constant sound that, over the specified period, has the same sound energy as the time-varying sound. Noise exposure over a longer period is often evaluated based on the Day-Night Sound Level (L_{dn}). This is a measure of 24-hour noise levels that incorporates a 10-dBA penalty for sounds occurring between 10:00 p.m. and 7:00 a.m. The penalty is intended to reflect the increased human sensitivity to noises occurring during nighttime hours, particularly at times when people are sleeping and there are lower ambient noise conditions. Typical L_{dn} noise levels for light and medium density residential areas range from 55 dBA to 65 dBA.

Similarly, Community Noise Equivalent Level (CNEL) is a measure of 24-hour noise levels that incorporates a 5-dBA penalty for sounds occurring between 7:00 p.m. and 10:00 p.m. and a 10-dBA penalty for sounds occurring between 10:00 p.m. and 7:00 a.m. to account for noise sensitivity in the evening and nighttime, respectively. Noise levels described by L_{dn} and CNEL are similar and usually do not differ by more than 1 dBA. Additionally, the L_{max}, or maximum sound level, describes the highest sound level at a single event in which the sound level changes value as time goes on. Although L_{max} is important in evaluating an interference caused by a single noise event, L_{max} could not be totaled into a one-hour or a 24-hour cumulative measure of impact.

Fundamentals of Environmental Groundborne Vibration

Sources of earth-borne vibrations include natural phenomena (earthquakes, volcanic eruptions, sea waves, landslides, etc.) or man-made causes (explosions, machinery, traffic, trains, construction equipment, etc.). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Several different methods are typically used to quantify vibration amplitude. One is the peak particle velocity (PPV); another is the root mean square (RMS) velocity. The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. The RMS velocity is defined as the average of the squared amplitude of the signal. The PPV and RMS vibration velocity amplitudes are used to evaluate human response to vibration.

Table 4.13-1, *Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibration Levels*, displays the reactions of people and the effects on buildings produced by continuous vibration levels. The annoyance levels shown in the table should be interpreted with care since vibration may be found to be annoying at much lower levels than those listed, depending on the level of activity or the sensitivity of the individual. To sensitive individuals, vibrations approaching the threshold of perception can be annoying. Low-level vibrations frequently cause irritating secondary vibration, such as a slight rattling of windows, doors, or stacked dishes. The rattling sound can give rise to exaggerated vibration complaints, even though there is very little risk of actual structural damage.

Ground vibration can be a concern in instances where buildings shake, and substantial rumblings occur. However, it is unusual for vibration from typical urban sources such as buses and heavy trucks to be perceptible. Common sources for groundborne vibration are planes, trains, and construction activities such as pile driving and vibratory compacting activities which require the use of heavy-duty earth moving equipment. For the purposes of this analysis, a PPV descriptor with units of inches per section (in/sec) is used to evaluate construction-generated vibration for building damage and human complaints.

Table 4.13-1
Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibration Levels

Peak Particle Velocity (inches/second)	Approximate Vibration Velocity Level (VdB)	Human Reaction	Effect on Buildings
0.006–0.019	64–74	Range of threshold of perception.	Vibrations unlikely to cause damage of any type.
0.08	87	Vibrations readily perceptible.	Recommended upper level to which ruins and ancient monuments should be subjected.
0.1	92	Level at which continuous vibrations may begin to annoy people, particularly those involved in vibration sensitive activities.	Virtually no risk of architectural damage to normal buildings.
0.2	94	Vibrations may begin to annoy people in buildings.	Threshold at which there is a risk of architectural damage to normal dwellings.
0.4–0.6	98–104	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges.	Architectural damage and possibly minor structural damage.

Source: Michael Baker International, *West 13th and Centre City Chick-fil-A Project – Noise and Vibration Assessment*, July 22, 2024; refer to Appendix F.

Regulatory Setting

State

California Noise Control Act of 1973

Sections 46000 through 46080 of the California Health and Safety Code, known as the California Noise Control Act, find that excessive noise is a serious hazard to public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. The act also finds that there is a continuous and increasing bombardment of noise in urban, suburban, and rural areas. The California Noise Control Act declares that the State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the policy of the State to provide an environment for all Californians that is free from noise that jeopardizes their health or welfare.

State of California

The State of California Office of Planning and Research *General Plan Noise Element Guidelines* include recommended exterior and interior noise level standards for local jurisdictions to identify and prevent the creation of incompatible land uses due to noise. The *General Plan Noise Element Guidelines* contain a land use compatibility table that describes the compatibility of various land uses with a range of environmental noise levels in terms of the Community Noise Equivalent Level (CNEL).

CALGreen Code

The State of California requires that commercial developments demonstrate compliance with the requirements of the California Green Building Standards Code (CALGreen). CALGreen states that, if noise level readings of 65dBA L_{eq} or greater are documented at the proposed project site, the project must either (a) incorporate wall and roof/ceiling assemblies with a composite Sound Transmission Class (STC) rating of at least 50 and exterior windows with an STC 40, or (b) provide an acoustical analysis documenting interior noise levels do not exceed 50 dBA in occupied areas during any hour of operation.

Local

City of Escondido General Plan

California State Government Code Section 65302g mandates that noise elements be included as a part of city general plans and that cities adopt comprehensive noise ordinances. The *City of Escondido General Plan* (General Plan) Community Protection Element addresses noise mitigation regulations, strategies, and programs and delineates Federal, State, and City jurisdiction relative to rail, automotive, aircraft, and nuisance noise. Table 4.13-2, *City of Escondido Land Use Compatibility Matrix*, presents the City's Community Noise and Land Use Compatibility matrix and presents the land use compatibility chart for community noise adopted by the City through its General Plan. This table provides urban planners with a tool to gauge the compatibility of new land uses relative to existing and future exterior noise exposure levels. The General Plan also outlines the objectives and policies for noise control within the City. The following goal and policies are applicable to the project:

Goal 5: Protection of the community from excessive noise exposure.

> **Noise Policy 5.1**: Require development to meet acceptable exterior noise level standards as established in Figure VI-12 [Table 4.13-1], and use the future noise contour map (Figure VI-17) as a guide for evaluating the compatibility of new noise sensitive uses with projected noise levels.
>
> **Noise Policy 5.2**: Apply a CNEL of 60 dB or less for single family and 65 dB or less for multi-family as goals where outdoor use is a major consideration (back yards and single-family housing developments, and recreation areas in multifamily housing developments) as discussed in Figure VI-13 (Noise Measurement Guidelines), and recognize that such levels may not necessarily be achievable in all residential areas.
>
> **Noise Policy 5.3**: Require noise attenuation for outdoor spaces in all developments where projected incremental exterior noise levels exceed those shown in Figure VI-14 [Table 4.13-3, *City of Escondido Exterior Noise Standards*].

Table 4.13-2
City of Escondido Land Use Compatibility Matrix

Land Use Category	Community Noise Exposure (L_{dn} or CNEL, dBA)			
	Clearly Acceptable	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable
Residential – Single Family, Duplex, Mobile Home	50 – 60	60 – 70	70 – 75	75 – 85
Residential – Multi-Family, Residential Mixed Use	50 – 65	60 – 70	70 – 75	70 – 85
Transient Lodging, Motels, Hotels	50 – 65	60 – 70	70 – 80	80 – 85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50 – 65	60 – 70	70 – 80	80 – 85
Auditoriums, Concert Halls, Amphitheaters	NA	50 – 70	65 – 85	NA
Sports Arena, Outdoor Spectator Sports	NA	50 – 75	70 – 85	NA
Playgrounds, Parks	50 – 70	NA	67.5 – 75	72.5 – 85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50 – 75	NA	70 – 80	80 – 85
Office Buildings, Business Commercial, Professional	50 – 70	67.5 – 77.5	75 – 85	NA
Industrial, Manufacturing, Utilities, Agriculture	50 – 75	70 – 80	80 – 85	NA

L_{dn} = Day-Night Sound Level; CNEL = community noise equivalent level; dBA = A-weighted decibel scale; NA = not applicable

Source: Michael Baker International, *West 13th and Centre City Chick-fil-A Project – Noise and Vibration Assessment*, July 22, 2024; refer to Appendix F.

Noise Policy 5.5: Require construction projects and new development to ensure acceptable vibration levels at nearby noise-sensitive uses based on Federal Transit Administrator criteria.

Noise Policy 5.6: Require the preparation of noise studies, as deemed necessary by the Planning Department, to analyze potential noise impacts associated with new development which could significantly alter existing noise levels in accordance with provisions outlined in Figure VI-14 [Table 4.13-3].

Noise Policy 5.7: Encourage use of site and building design, noise barriers, and construction methods as outlined in Figure VI-15 (Noise Reduction Strategies) to minimize impacts on and from new development.

Noise Policy 5.10: Require development projects that are subject to discretionary approval to assess potential construction noise impacts on nearby sensitive uses and to minimize impacts on these uses, to the extent feasible.

Table 4.13-3
City of Escondido Exterior Noise Standards

Residences and Buildings Where People Normally Sleep[1]		Institutional Land Uses with Primarily Daytime and Evening Uses[2]	
Existing L_{dn}	Allowable Noise Increment	Existing Peak Hour L_{eq}	Allowable Noise Increment
45	8	45	12
50	5	50	9
55	3	55	6
60	2	60	5
65	1	65	3
70	1	70	3
75	0	75	1
80	0	80	0

L_{dn} = Day-Night Sound Level; L_{eq} = equivalent sound level
Notes: Noise levels are measured at the property line of the noise-sensitive use.
[1] This category includes homes, hospitals, and hotels where a nighttime sensitivity to noise is assumed to be of utmost importance.
[2] This category includes schools, libraries, theaters, and churches where it is important to avoid interference with such activities as speech, meditation, and concentration on reading material.
Source: Michael Baker International, *West 13th and Centre City Chick-fil-A Project – Noise and Vibration Assessment*, July 22, 2024; refer to Appendix F.

City of Escondido Municipal Code Noise Ordinance

The City regulates stationary source noise in Municipal Code Article 12, *Noise Abatement and Control*. The following noise regulations are applicable to the project:

Sec. 17-229. Sound level limits

> (a) Unless a variance has been applied for and granted pursuant to this article, it shall be 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 on which the sound is produced, exceeds the applicable limits set forth in the following table (Table 4.13-4, *City of Escondido Noise Level Limits*), except that construction noise level limits shall be governed by Section 17-234 of this article.

Table 4.13-4
City of Escondido Noise Level Limits

Zone	Time	Applicable Limit One-hour Average Sound Level (Decibels)
Residential zones	7 a.m. to 10 p.m.	55
	10 p.m. to 7 a.m.	45
Multi-residential zones	7 a.m. to 10 p.m.	55
	10 p.m. to 7 a.m.	50
Commercial zones	7 a.m. to 10 p.m.	60
	10 p.m. to 7 a.m.	55
Light industrial/Industrial park zones	Anytime	70
General industrial zones	Anytime	75

Source: Michael Baker International, *West 13th and Centre City Chick-fil-A Project – Noise and Vibration Assessment*, July 22, 2024; refer to Appendix F.

Sec. 17-234. Construction equipment.

Except for emergency work, it shall be unlawful for any person, including the City of Escondido, to operate construction equipment as follows:

(a) It shall be unlawful for any person, including the City of Escondido, to operate construction equipment at any construction site, except on Monday through Friday during a week between the hours of seven (7) a.m. and six (6) p.m. and on Saturdays between the hours of nine (9) a.m. and five (5) p.m., and provided that the operation of such construction equipment complies with the requirements of subsection (d) of this section.

(b) It shall be unlawful for any person, including the City of Escondido, to operate construction equipment at any construction site on Sundays and on days designated by the president, governor or city council as public holidays.

(d) No construction equipment or combination of equipment, regardless of age or date of acquisition, shall be operated so as to cause noise in excess of a one-hour average sound level limit of seventy-five (75) dB at any time, unless a variance has been obtained in advance from the city manager.

(e) Persons engaged in construction for profit or as a business shall post signs at conspicuous places on a construction site, indicating hours of work as prescribed by this article or authorized by permit and the applicable noise level limits.

Sec. 17-238. Grading.

(a) It shall be unlawful for any person, including the City of Escondido, to do any authorized grading at any construction site, except on Mondays through Fridays during a week between the hours of seven (7) a.m. and six (6) p.m. and, provided a variance has been obtained in advance from the city manager, on Saturdays from ten (10) a.m. to five (5) p.m.

(b) For the purpose of this section, "grading" shall include but not be limited to compacting, drilling, rock crushing or splitting, bulldozing, clearing, dredging, digging, filling and blasting.

(c) In addition, any equipment used for grading shall not be operated so as to cause noise in excess of a one hour sound level limit of seventy-five (75) dB at any time when measured at or within the property lines of any property which is developed and used in whole or in part for residential purposes, unless a variance has been obtained in advance from the city manager.

Existing Noise Environment

Noise Sensitive Receptors

Noise-sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses such as parks, historic sites, cemeteries, and recreation areas are considered sensitive to increases in exterior noise levels. Schools, churches, hotels, libraries, and other places where low interior noise levels are essential are also considered noise-sensitive land uses.

The nearest sensitive receptors to the project site are mobile home residences adjoining the project site to the south.

Existing Stationary Noise Levels

The primary sources of stationary noise in the project vicinity are urban-related activities (i.e., mechanical equipment and parking areas). The noise associated with these sources may represent a single-event noise occurrence, short-term, or long-term/continuous noise.

Existing Roadway Noise Levels

Most of the existing noise in the project area is generated from traffic along surrounding roadways including West 13th Avenue and Centre City Parkway.

Existing Ambient Noise Levels

To quantify existing ambient noise levels near the existing sensitive receptors, Michael Baker conducted three short-term noise measurements on June 22, 2023. The noise measurement were representative of typical existing noise exposure within the nearest sensitive receptors to the project site. The 10-minute measurements were taken between 10:00 a.m. and 11:00 a.m. Short-term (L_{eq}) measurements are considered representative of the noise levels throughout the day. The noise measurements were taken during "off-peak" (9:00 a.m. through 3:00 p.m.) traffic noise hours as this provides a more conservative baseline. During rush hour traffic, vehicle speeds and heavy truck volumes are often low. Free-flowing traffic conditions just before or after rush hour often yield higher noise levels. The noise levels measured near the project site is identified in Table 4.13-5, *Noise Measurements*.

Table 4.13-5
Noise Measurements

Site No.	Location	L_{eq} (dBA)	L_{max} (dBA)	L_{min} (dBA)	Start Time
1	Northwest corner of Silicon Valley Village Mobile Home Park	62.5	78.9	43.9	10:03 a.m.
2	Southeast corner of existing surface parking lot within the project site; West of 555 West 13th Avenue	51.1	63.7	39.8	10:17 a.m.
3	Northeast corner of South Quince Street and West 13th Avenue Intersection	58.7	79.3	42.5	10:31 a.m.

Source: Michael Baker International, *West 13th and Centre City Chick-fil-A Project – Noise and Vibration Assessment*, July 22, 2024; refer to Appendix F.

Meteorological conditions were sunny, mild temperatures (64 degrees Fahrenheit [°F]), and light wind speeds (approximately 5 miles per hour). The main source of noise includes traffic noise along the surrounding roadways. Noise monitoring equipment used for the ambient noise survey consisted of a Brüel & Kjær Hand-held Analyzer Type 2250 equipped with a Type 4189 pre-polarized microphone. The monitoring equipment complies with applicable requirements of the American National Standards Institute (ANSI) for Type I (precision) sound level meters. Refer to Appendix F for the results of the field measurement.

California Environmental Quality Act Thresholds

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by the *CEQA Guidelines*. The issues presented in the Initial Study Checklist have been utilized as thresholds of significance in this section. Accordingly, a project may have a significant adverse impact related to noise and vibration if it would do any of the following:

- 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; and/or
- 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.

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?

Less Than Significant Impact With Mitigation Incorporated.

Construction Noise Impacts

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., grading, paving, building construction). Noise generated by construction equipment, including graders and concrete saws, can reach high levels. During construction, exterior noise levels could affect the residential neighborhoods in the vicinity of the construction site. Construction of the proposed project would include demolition, grading, building construction, paving, and architectural coating phases.

Construction noise is difficult to quantify because of the many variables involved, including the specific equipment types, size of equipment used, percentage of time each piece is in operation, condition of each piece of equipment, and number of pieces that would operate on the site. Construction equipment produce maximum noise levels when equipment is operating under full power conditions (i.e., the equipment engine at maximum speed). However, equipment used on construction sites typically operates under less than full power conditions, or part power. To more accurately characterize construction-period noise levels, the average (L_{eq}) noise level associated with each construction stage is calculated based on the quantity, type, and usage factors for each type of equipment that would be used during each construction stage. These noise levels are typically associated with multiple pieces of equipment simultaneously operating on part power.

The loudest construction phase would be the grading and paving phases as heavy-duty construction equipment may operate up to the closest sensitive receptors property lines (i.e., approximately 10 feet from the nearest residential property lines). Demolition, building construction, and architectural coating phases would occur in the northern portion of the project site where the existing structure to be demolished and the proposed building to be constructed are located. The estimated construction noise levels at the nearest noise-sensitive receptors are presented in Table 4.13-6, *Construction Noise Levels at Adjacent Residential Receptors*. To present a conservative impact analysis, the estimated noise levels were calculated for a scenario in which all heavy construction equipment were assumed to operate simultaneously and be located at the construction area nearest to the affected receptors. In addition, during the grading and paving phases when the construction activities would occur across the entire project site, estimated noise levels were also calculated from the center of the project site. According to the General Noise Assessment methodology prescribed in the FTA *Transit Noise and Vibration Impact Assessment Manual*, for a large facility spreading out over considerable area with various noise sources with different noise levels, noise can be considered as concentrated at the center of the site. The geographic center of the project site is approximately 170 feet from the closest sensitive receptors to the south.

It should be acknowledged that the project would adhere to the City's Noise Ordinance governing hours of construction and grading (Municipal Code Section 17-234 and Section 17-238). In accordance with these regulations, grading activities would be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday, and construction activities would be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday. Grading and construction activities are not allowed on Sundays or holidays.

As depicted in Table 4.13-6, adjacent residential receptors could be exposed to temporary and intermittent noise levels ranging from 62.6 to 98.9 dBA L_{eq}, which would exceed the City's 75 dBA L_{eq} threshold during construction and grading activities. However, noise levels during the grading and paving phases from the center of project site would be up to 74.3 dBA L_{eq} and would not exceed the City's 75 dBA L_{eq} threshold at nearest sensitive receptors. As such, construction noise would not exceed the City's threshold for the most time. For the instances when operation of construction equipment is sufficiently

proximate to cause activity noise levels to exceed 75 dBA hourly L_{eq}, Mitigation Measure NOI-1 shall be implemented to reduce the noise levels. Mitigation Measure NOI-1 would include the installation of mufflers and noise attenuating devices on construction equipment, the designation of a "Noise Disturbance Coordinator", the orientation of stationary construction equipment away from nearby sensitive receivers, the adherence to permitted construction hours, and the use of a temporary noise barrier or enclosure along the southern boundary of the project site to break the line-of-sight between the construction equipment and the adjacent residences. With the implementation of Mitigation Measure NOI-1, construction noise impacts would be reduced to less than significant level.

Table 4.13-6
Construction Noise Levels at Adjacent Residential Receptors

Phase	Distance to Nearest Sensitive Receptor (feet)	Estimated Exterior Construction Noise Level (dBA L_{eq})[1]	Estimated Exterior Construction Noise Level at 170 feet (Center of Project Site) (dBA L_{eq})
Demolition	185	73.9	-
Grading	10	98.0	73.4
Building Construction	180	70.5	-
Paving	10	98.9	74.3
Architectural Coating	180	62.6	-

Notes:

[1] These noise levels conservatively assume the simultaneous operation of all heavy construction equipment at the same precise location. Modeled heavy construction equipment include concrete saw, dozer, and loaders during the demolition phase, grader, dozer, and loaders during the grading phase, crane, forklift, generator, loader, and welders during the building construction phase, cement and mortar mixer, paver, paving equipment, roller, and loader during the paving phase, and air compressor during the architectural coating phase.

Source: Michael Baker International, *West 13th and Centre City Chick-fil-A Project – Noise and Vibration Assessment*, July 22, 2024; refer to Appendix F.

Long-Term Operational Impacts

Off-Site Mobile Noise

Future traffic generated by the proposed project would result in some additional traffic on adjacent roadways, thereby potentially increasing vehicular noise in the vicinity of existing and proposed land uses. The most prominent source of mobile traffic noise in the project vicinity is along West 13th Avenue and Centre City Parkway.

Based on *Local Mobility Analysis Chick-fil-A (#5524), 13th and Centre City* (Transportation Analysis), the proposed project would generate approximately 2,031 daily trips.[1] Additionally, it should be noted that the existing restaurant is currently closed and as a conservative estimate, the Transportation Analysis does not take trip credits from existing uses. According to California Department of Transportation (Caltrans),

[1] Linscot Law and Greenspan Engineers, *Local Mobility Analysis Chick-fil-A (#5524), 13th and Centre City*, dated July 26, 2024.

a doubling of traffic (100 percent increase) on a roadway would result in a perceptible increase in traffic noise levels (3 dBA). Per Table 8-2 of the Transportation Analysis prepared for the project, the proposed Chick-fil-A restaurant would not double current traffic volumes along West 13th Avenue. Therefore, the project would not generate a significant number of traffic to surrounding roadways. As such, the project-related increase in traffic volume along surrounding roadways would not result in a perceptible increase traffic noise level (less than 100 percent). Thus, less than significant impacts would occur in this regard.

Stationary Noise

Stationary noise sources associated with the project would include the operation of mechanical equipment, parking activities, slow -moving trucks, outdoor dining areas, and drive-through operations.

Mechanical Equipment Noise

Heating, ventilation, and air conditioning (HVAC) units would be installed on the roof of the proposed building. Typically, mechanical equipment noise is approximately 66 dBA at 3 feet from the source.[2] Based upon the Inverse Square Law, sound levels decrease by 6 dBA for each doubling of distance from the source.[3] The nearest sensitive receptors to the project site are mobile home residences adjoining the project site to the south, approximately 220 feet from the closest proposed rooftop HVAC units. Noise from the proposed HVAC units would be approximately 29 dBA at 220 feet, which would not exceed the City's Municipal Code noise standards of 55 dBA L_{eq} during daytime and 45 dBA L_{eq} during nighttime for single-family residences. In addition, the proposed HVAC units noise would be significantly lower than existing ambient noise levels and therefore would not be audible; refer to Table 4.13-5. Thus, the proposed project would not result in significant noise impacts from HVAC units to the nearest sensitive receptors. Impacts in this regard would be less than significant.

Outdoor Dining Areas

The project would include outdoor dining areas. The outdoor dining areas have the potential to be accessed by groups of people intermittently. Noise generated by groups of people (i.e., crowds) is dependent on several factors including vocal effort, impulsiveness, and the random orientation of the crowd members. Crowd noise is estimated at 60 dBA at one meter (3.28 feet) away for raised normal speaking.[4] This noise level would have a +5 dBA adjustment for the impulsiveness of the noise source, and a -3 dBA adjustment for the random orientation of the crowd members.[5] Therefore, crowd noise would be approximately 62 dBA at one meter from the source (i.e., the outdoor dining areas).

The closest sensitive receptors are mobile home residences adjoining the project site to the south, approximately 220 feet from the closest outdoor dining area located on the southern side of the proposed restaurant building. At the distance of 220 feet, crowd noise would be reduced to approximately 25 dBA, which would not exceed the City's Municipal Code noise standards of 55 dBA L_{eq} during daytime for single-family residences. In addition, the outdoor dining areas noise would be significantly lower than existing ambient noise levels and therefore would not be audible; refer to Table 4.13-5. As such, the proposed

[2] Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, June 26, 2015.

[3] Cyril M. Harris, *Noise Control in Buildings*, 1994.

[4] M.J. Hayne, et al, *Prediction of Crowd Noise*, Acoustics, November 2006.

[5] Ibid.

outdoor dining areas would not generate noise levels that would exceed the City's noise standards at the closest sensitive receptors. Impacts would be less than significant in this regard.

Drive-Through Operations

The project proposes a restaurant with a two-lane drive-through. Noise levels from drive-through operations would be primarily from the drive-through speakerphone, located on the eastern portion of the project site, oriented towards the south. According to the Drive-Through Sound Levels white paper prepared by HM Electronics, the typical noise level associated with active drive-through operations is 54 dBA L_{eq} at a distance of 32 feet.[6] The closest sensitive receptor to the project site are mobile home residences adjoining the project site to the south, approximately 210 feet from the proposed drive-through speakerphone. At a distance of 210 feet, noise level from drive-through operations would be approximately 38 dBA L_{eq}. Therefore, the proposed drive-through operations would not exceed the City's Municipal Code noise standards of 55 dBA L_{eq} during daytime for single-family residences. In addition, the drive-through operations noise would be significantly lower than existing ambient noise levels and therefore would not be audible; refer to Table 4.13-5. Thus, the proposed project would not result in significant noise impacts from drive-through operations to the nearest sensitive receptor. Impacts in this regard would be less than significant.

Mitigation Measures:

NOI-1 To reduce noise levels during construction activities, the Applicant must demonstrate, to the satisfaction of the City of Escondido Community Development Department, that the project complies with the following:

- Construction contracts must specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices.

- A sign, legible at a distance of 50 feet, shall be posted at the project construction site providing a contact name and a telephone number where residents can inquire about the construction process and register complaints. This sign shall indicate the dates and duration of construction activities. In conjunction with this required posting, a noise disturbance coordinator shall be identified to address construction noise concerns received. The coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the disturbance coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (starting too early, malfunctioning muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the City. All signs posted at the construction site shall include the contact name and the telephone number for the noise disturbance coordinator.

- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.

[6] HM Electronics, Inc., *Drive-Thru Sound Levels*, https://www.nhwnc.net/wp-content/uploads/2017/05/Drive-Through-Sound-Levels.pdf, accessed June 22, 2023.

- Per Section 17-234 and Section 17-238 of the Municipal Code, grading activities shall be limited to the hours between 7:00 a.m. and 6:00 p.m. Monday through Friday, and construction activities shall be limited to the hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and between 9:00 a.m. and 5:00 p.m. on Saturday. All construction activities shall be prohibited on Sundays or holidays.

- Prior to grading activities, a temporary noise barrier or enclosure shall be used along the southern property line to break the line-of-sight between the construction equipment and the adjacent residences. The temporary noise barrier shall have a sound transmission class (STC) of at least 10 or greater in accordance with American Society for Testing and Materials Test Method E90, or at least 2 pounds per square foot to ensure adequate transmission loss characteristics. In order to achieve this, the barrier may consist of 3-inch steel tubular framing, welded joints, a layer of 18-ounce tarp, a 2-inch-thick fiberglass blanket, a half-inch-thick weatherwood asphalt sheathing, and 7/16-inch sturdy board siding with a heavy duct seal around the perimeter. The length, height, and location of noise control barrier walls shall be adequate to assure proper acoustical performance. In addition, to avoid objectionable noise reflections, the source side of the noise barrier shall be lined with an acoustic absorption material meeting a noise reduction coefficient rating of 0.70 or greater in accordance with American Society for Testing and Materials Test Method C423. All noise control barrier walls shall be designed to preclude structural failure due to such factors as winds, shear, shallow soil failure, earthquakes, and erosion. The temporary noise barrier can be removed upon completion of grading activities or paving activities, whichever is later.

b. Generation of excessive ground borne vibration or ground borne noise levels?

***Less Than Significant Impact*.** Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

The Caltrans *Transportation and Construction Vibration Manual* identifies various vibration damage criteria for different building classes. This evaluation uses the Caltrans architectural damage criterion for continuous vibrations at residential buildings of 0.5 inch-per-second (inch/second) PPV. The types of construction vibration impacts include human annoyance and building damage. Annoyance is assessed based on levels of perception, with a PPV of 0.01 inch/second being considered “barely perceptible,” 0.04 inch/second as “distinctly perceptible,” 0.1 inch/second as “strongly perceptible,” and 0.4 inch/second as “severe.” Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time.

Groundborne vibration levels associated with representative construction equipment are summarized in Table 4.13-7, *Typical Vibration Levels for Construction Equipment*.

Table 4.13-7
Typical Vibration Levels for Construction Equipment

Equipment	Reference peak particle velocity at 25 feet (inches-per-second)	Approximate peak particle velocity at 15 feet (inches-per-second)[1]
Vibratory roller	0.210	0.452
Large bulldozer	0.089	0.352
Loaded trucks	0.076	0.300
Small bulldozer	0.003	0.012

Note:
[1] Calculated using the following formula:

$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$

where: PPV (equip) = the peak particle velocity in inch-per-second of the equipment adjusted for the distance
PPV (ref) = the reference vibration level in inch-per-second from Table 7-4 of the FTA *Transit Noise and Vibration Impact Assessment Manual*
D = the distance from the equipment to the receiver

Source: Michael Baker International, *West 13th and Centre City Chick-fil-A Project – Noise and Vibration Assessment*, July 22, 2024; refer to Appendix F.

The closest structures from the project site are mobile home residential buildings located approximately 5 feet to the south of the project boundary. However, the project would include a 10-foot setback along the southern site boundary. As indicated in Table 4.13-7, vibration velocities range between 0.012 inch/second and 0.452 inch/second at 15 feet, which would not cause vibration levels to exceed the 0.5 inch/second threshold at the closest residential structures. Therefore, impacts from vibration would be less than significant.

***Mitigation Measures*:** No mitigation is required.

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such 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?

***No Impact*.** The nearest public use airport to the project site is the Ramona Airport which lies approximately 10.7 miles to the southeast of the project site. This airport is open to the public for use and owned and operated by the County of San Diego. The project site is not in the vicinity of a private airstrip. Therefore, the impacts would be less than significant.

***Mitigation Measures*:** No mitigation is required.

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4.14 POPULATION AND HOUSING *Would the project:*	Potentially Significant Impact	Less Than Significant Impact 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)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

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)?

***Less Than Significant Impact*.** A project could induce population growth in an area either directly, through the development of new residences or businesses, or indirectly, through the extension of roads or other infrastructure. The proposed project involves the demolition of an existing restaurant and the construction of a Chick-fil-A restaurant and associated surface parking lot. Given that no residential land use or infrastructure extensions are proposed, implementation of the project would not result in a direct or indirect increase in population.

It is acknowledged the proposed Chick-fil-A restaurant would create new jobs in the City through the employment of approximately 50 to 75 full- and/or part-time employees, which may result in an increased demand for housing; however, due to the locally-serving nature and scale of the new restaurant, the new jobs created on-site would result in a nominal indirect impact on population growth and housing demand, as these jobs are anticipated to be filled mostly by local residents of the City. Thus, the proposed project would not induce substantial unplanned population growth within the City, either directly or indirectly. Impacts in the regard would be less than significant.

***Mitigation Measures*:** No mitigation is required.

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

***No Impact*.** The project site is currently developed with a restaurant and associated surface parking lot. No housing exists on-site. Therefore, project implementation would not displace any existing people or housing. No impact would result in this regard.

***Mitigation Measures*:** No mitigation is required.

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4.15 PUBLIC SERVICES *Would the project:*	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

a) 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:

i. ***Fire protection?***

***Less Than Significant Impact*.** The City of Escondido Fire Department provides 24-hour fire, rescue, and emergency medical services to the City, including the project site. The Fire Department also includes a Fire Prevention Division, Fire Operations Division, Fire Administrative Division, and Fire Support Services Division.[1] Seven fire stations serve the City of Escondido. The closest fire station to the project site is Escondido Fire Department Station 5, which is located approximately 1.25 miles southwest of the project site at 2319 Felicita Road. Escondido Fire Department Station 5 is currently staffed with a captain, one engineer, two firefighter paramedics, and one paramedic/EMT and includes one Type 1 Fire Engine, one rescue ambulance, and one cross staffed Type 3 Brush Engine.[2]

[1] City of Escondido Fire Department, *Escondido Fire Department Organization Chart*, https://fire.escondido.org/Data/Sites/3/media/Welcome-Organization/DutyOrgChart8.14.23.pdf, accessed December 28, 2023.

[2] City of Escondido Fire Department, *Facilities, Fire Stations and Headquarters*, https://fire.escondido.org/facilities, accessed December 28, 2023.

Construction

The project would result in the construction of a new Chick-fil-A restaurant on a site that is currently developed with a restaurant building. During construction, any lane closures must comply with applicable regulations to ensure adequate fire access. Additionally, construction materials (i.e., wood, combustible materials, and fuel) would be secured to minimize fire hazards. As such, impacts on fire protection services would be less than significant.

Operation

As discussed in Section 4.14, *Population and Housing*, implementation of the proposed project is not anticipated to result in a population increase compared to existing conditions due to the non-residential nature of the project. Further, the project would not result in a change in land use, compared to the existing condition. As a result, project implementation would not require the construction of new or physically altered fire facilities and is not anticipated to result in an increase in service calls. Nonetheless, the project would be subject to Municipal Code Chapter 11, *Fire Prevention and Protection*, which adopts by reference the *2022 Edition of the California Fire Code* (Fire Code), which includes site access requirements and fire safety precautions.

As currently designed, the proposed project would include features such as fire-resistant construction materials, fire alarm/sprinkler systems, hydrants, and adequate fire access for emergency vehicles. The Fire Prevention Division would provide plan checks and inspections to verify the project is designed pursuant to the Fire Code.[3] Upon approval of the plan check by the Fire Prevention Division, impacts concerning fire protection services would be less than significant.

***Mitigation Measures*:** No mitigation is required.

ii. Police protection?

***Less Than Significant Impact*.** The Escondido Police Department provides law enforcement services to the City, including the project site. The Escondido Police Department headquarters is located at 1163 Centre City Parkway, which is located approximately 2.05 miles north of the project site.[4]

Construction

Construction activities associated with the proposed project may create a temporary increase in demand for police protection services at the project site, such as potential security needs for staging areas on-site. However, construction activities would be subject to compliance with Municipal Code Title 18, *Building Code and Regulations*, which adopts by reference the California Building Code (CBC). Chapter 33, *Safeguards During Construction*, of the CBC includes emergency access requirements which would minimize site safety hazards and

[3] City of Escondido Fire Department, *Fire Prevention*, *Plan Review/Checking*, https://fire.escondido.org/plan-reviewchecking, accessed December 28, 2023.

[4] City of Escondido Police Department, *Hours & Location*, https://www.police.escondido.org/hours-location.aspx, accessed April 26, 2024.

potential construction-related impacts to police services. Examples of minimization activities would include ensuring construction materials are properly secured overnight. Compliance with existing regulations would ensure impacts on police services during construction are less than significant.

Operation

As previously discussed, the Escondido Police Department provides law enforcement services to the City, including the project site. Due to the non-residential nature of the project, the operation of the proposed project would not directly or indirectly result in a permanent population growth in the City that would impact existing service ratios. Further, the project would replace an existing restaurant with a new restaurant and, as such, would not result in a change in land use at the project site. Therefore, project implementation would not require the construction of new or physically altered police facilities and is not anticipated to result in an increase in service calls. Impacts in this regard would be less than significant.

***Mitigation Measures*:** No mitigation is required.

iii. Schools?

***Less Than Significant Impact*.** The City of Escondido is served by the Escondido Union School District, Escondido Union High School District, and San Pasqual Union School District.[5] Specifically, the project site is located within the boundaries of the Escondido Union School District and the Escondido Union High School District. The schools serving the project site include Grace Lutheran School at 643 West 13th Avenue and Escondido Community Child Development Center at 819 West 9th Avenue.

Construction

The construction of the proposed restaurant facility would be short-term and any environmental impacts that would impact schools would cease upon construction competition. Additionally, the construction of the proposed project would not include any lane closures or any design features that would disrupt the ability of nearby schools to serve the community. As such, impacts on school services would be less than significant during construction.

Operation

Given the non-residential nature of the proposed development, the project would not directly increase the population of the City and would not directly generate additional students within the project area. Further, as the project would replace an existing restaurant with a new restaurant, proposed new employees at the project site are not anticipated to indirectly generate a significant number of increased students in the City, if any. Nonetheless, pursuant to Government Code Section 65996, the project's demands on school services would be fully

[5] City of Escondido, *Escondido Schools*, https://www.escondido.org/escondido-schools, accessed December 28, 2023.

offset through collection of school fees imposed through the Education Code. As such, less than significant impacts would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

iv. Parks?

***Less Than Significant Impact*.** The City of Escondido current owns, operate, and maintains 15 parks and associated facilities within the City. The nearest public park to the project site is the Felicita Mini Park, located approximately 0.39-mile southeast of the project site at 1700 Escondido Boulevard.[6]

Construction

The project proposes the replacement of an existing restaurant with a new restaurant facility. The construction of the proposed project would not result in any design features or lane closures that would impact nearby parks. As such, impacts in this regard would be less than significant.

Operation

As discussed in Response 4.15(a)(iii), the project is not anticipated to substantially increase the population in the project area. As such, the project would not result in a substantial increase in demands for use of park land. Impacts in this regard would be less than significant.

***Mitigation Measures*:** No mitigation is required.

v. Other public facilities?

***Less Than Significant Impact*.** Other public services that could potentially be impacted by the proposed project include public libraries. The nearest public library to the project site is the Escondido Public Library, located approximately 0.91-mile northeast of the project site at 239 South Kalmia Street.[7]

Construction

The construction of the proposed project would not result in any design features or lane closures that would impact other public facilities such as libraries. As such, impacts in this regard would be less than significant.

Operation

Implementation of the proposed project would not result in a significant increase in the use of the Escondido Public Library as the project would result in a nominal population increase, if any. Thus, impacts in this regard would be less than significant.

6 City of Escondido, *Park and Open Space,* https://www.escondido.org/parks-open-space, accessed December 28, 2023.

7 Escondido Public Library, *Find a Location*, https://library.escondido.org/locations.aspx, accessed April 26, 2024.

***Mitigation Measures*:** No mitigation is required.

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4.16 RECREATION *Would the project:*	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?	☐	☐	☒	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

a. 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?

***Less Than Significant Impact*.** Refer to Response 4.15(a)(iv). The project would not result in a substantial population increase and, as such, would not result in an increase in the use of existing neighborhood and regional parks or other recreational facilities, whereas such use would result in the physical deterioration of nearby parks. Impacts in this regard would be less than significant.

***Mitigation Measures*:** No mitigation is required.

b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

***No Impact*.** The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities. No impacts would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

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4.17 TRANSPORTATION ***Would the project:***	**Potentially Significant Impact**	**Less Than Significant Impact 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?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines Sections 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☒	☐	☐

This section is based upon the *Vehicle Miles Traveled Study Chick-Fil-A (#5524), 13th and Centre City*, prepared by Linscott Law and Greenspan Engineers, dated July 19, 2024; refer to Appendix G, *Vehicle Miles Traveled Analysis*.

EXISTING CONDITIONS

Existing Street Network

The following is a description of the major roadways in the vicinity of the project.

- *Centre City Parkway*. Centre City Parkway is classified as a Super Major Road.[1] Within the study area, Avenida Encinas is currently constructed as a four-lane divided roadway with a combination of raised and painted center median. Within the study area, sidewalks are not provided on this roadway however, pedestrian are legally allowed to walk along the eight-foot-wide paved bike lane on both sides of the roadway. There is no posted speed limit within this roadway; however, due to the roadway classification and characteristic, it has a prima facie speed limit of approximately 65 miles per hour (mph).

- *13th Avenue*. 13th Avenue is classified as a Local Collector between Redwood Street and Escondido Boulevard. 13th Avenue is currently constructed as a two-lane undivided roadway between Redwood Street and Escondido Boulevard with a two-way left-turn lane provided between Quince Street and Pine Street.[2] Within the study area, sidewalks are provided on the south side only between Redwood Street and Quince Street, and on both sides of the roadway between Quince Street and Escondido Boulevard. Vehicle parking is generally permitted on both sides of the roadway except for red curbs. The posted speed limit is 30 mph.

[1] Linscott, Law and Greenspan Engineers, *Local Mobility Analysis Chick-Fil-A (#5524), 13th and Centre City*, July 26, 2024.
[2] Ibid.

- *Pine Street*. Pine Street is unclassified in the Mobility Element.[3] Within the study area, Pine Street is currently constructed as a two-lane undivided roadway. Sidewalks are located on the west side of Pine Street, along the project frontage. Parking is generally permitted on both sides of the roadway with the exception of approximately two thirds of the east side fronting the project site where red curbs are present. There is no posted speed limit.

Existing Transit Facilities

The Escondido Transit Center is located one mile northwest of the project site. Bus stops for North County Transit District (NCTD) Routes 350 are located within 0.25-mile of the project site.

Route 350 provides everyday service and routes from the Escondido Transit Center to the Del Lago Transit Station.[4] The nearest bus stop to the project site is located at the intersection of 13th Avenue and Escondido Boulevard, approximately 0.10-mile northeast. The project site is located 1.1 miles from the Escondido Transit Center and 3.6 miles from the Del Lago Transit Station.

Existing Bicycle Facilities

The following is a description of the bicycle facilities that occur on the roadways in the vicinity of the project site.

- *Centre City Parkway*. Class II bicycle lanes are provided along Centre City Parkway in a north-west and south-east direction within the project vicinity.[5] Based on the City's Bicycle Master Plan, Bike II lanes are marked bicycle lanes within roadways adjacent to the curb lane.

Existing Pedestrian Facilities

The following is a description of the pedestrian facilities that occur within the project vicinity.

- *13th Avenue*. Within the project vicinity, sidewalks are provided on the south side of 13th Avenue between Redwood Street and Quince Street and on both sides of 13th Avenue between Quince Street and Escondido Boulevard.

- *Pine Street*. Sidewalks are provided along the project frontage of Pine Street. Beyond the project frontage, along the southbound travel lane, no sidewalks are afforded. No sidewalks are present along the northbound travel lane.

- *Centre City Parkway*. Within the immediate project vicinity, sidewalks are not provided. However, given the large right-of-way afforded, pedestrians can legally walk along the eight--foot-wide paved bike lane on both sides of the roadway.

[3] Linscott, Law and Greenspan Engineers, *Local Mobility Analysis Chick-Fil-A (#5524), 13th and Centre City*, July 26, 2024.

[4] North County Transit District, *350 Escondido to Del Lago Transit Station via Westfield North County Mall*, https://gonctd.com/wp-content/uploads/transit/350.pdf, accessed December 28, 2023.

[5] Linscott, Law and Greenspan Engineers, *Local Mobility Analysis Chick-Fil-A (#5524), 13th and Centre City*, July 26, 2024.

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

***Less Than Significant Impact*.**

General Plan

The General Plan Mobility and Infrastructure Element includes transportation goals, policies, and implementation programs that govern the system of roadways, intersections, bicycle paths, pedestrian ways, and other components throughout the circulation system, which collectively provide for the movement of people and goods throughout the City. The following policies and implementation programs related to transportation apply to the proposed project:

- Complete Streets Policy 2.4: Evaluate access, safety, and convenience of various transportation modes for every project involving the following eight user groups: pedestrians, children, disabled individuals, seniors, bicyclists, transit riders, motorists, and goods and services.

  The proposed project would including the demolition of the existing restaurant and construction of a new Chick-fil-A restaurant. The proposed development would incorporate features that provide access, safety, and convenience for pedestrians, children, disabled individuals, seniors, bicyclists, transit riders, motorists, and goods and services. Pedestrian access would be provided on-site through pedestrian accessible pathways from 13th Avenue and Pine Street. Additionally, these pathways on-site would be illuminated with signages and lighting to promote a safe pedestrian environment. Pedestrian crossing on-site would also have pedestrian signage and markings to warn motorist of potential pedestrians. Proposed accessways for motorists would be designed according with City's regulations and signage would be provided for appropriate wayfinding for drive-through access. Disabled individuals and seniors would be provided three dedicated American with Disability Act (ADA)-accessible parking spaces, including one van accessible space, close to Chick-fil-A's entrance. Bicyclist would be provided with short- and long-term parking on-site. The project is also located in close proximity to existing bus stops serviced by the North County Transit District. Additionally, the project's operation would not impact the movement of goods and services in the surrounding area. Thus, the project would be consistent with Complete Streets Policy 2.4.

- Bicycle Network Policy 4.3: Promote bicycling as a common mode of transportation and recreation to help reduce traffic congestion and improve public health.

  As previously discussed, the proposed project would include short- and long-term bicycle parking which would encourage bicycles as an alternative mode of transportation. Thus, the project would be consistent with Bicycle Network Policy 4.3.

Bicycle Master Plan

The Bicycle Master Plan represents an implementation tool of the City's General Plan. The General Plan was most recently updated in 2012 and include numerous goals and objectives that encourages

the use of bicycles. However, the Bicycle Master Plan does not directly introduce any new goals beyond what was previously mentioned in the General Plan. Based on General Plan, Figure ES 1, *Existing and Proposed Bicycle Facilities*, the project is not located near any proposed bike lanes. The closest existing bike lane to the project site is the Class II Bike Lanes (On-Street Striped Lanes) along Centre City Parkway. However, the ingress and egress of the proposed project is only accessible via West 13th Avenue and South Pine Street. As such, the proposed project would not directly impede the existing bike lanes along Centre City Parkway. As such, the operation of the proposed Chick-fil-A restaurant would not impede implementation of the Bicycle Master Plan.

Bicycle Facilities

No bicycle facilities are currently located near the Project site; however, as depicted in General Plan Mobility and Infrastructure Element Figure 3-3, Class II Bikes Lanes are located along Centre City Parkway. The closest existing bike lane to the project site is the Class II Bike Lanes along Centre City Parkway. However, the ingress and egress of the proposed project is only accessible via West 13th Avenue and South Pine Street. As such, the operation of the proposed Chick-fil-A restaurant would not impede existing or planned bicycle facilities. Further, it is acknowledged that bicyclist would be provided with short- and long-term parking on-site.

Transit Facilities

Bus services. NCTD provides bus services to the City via 30 BREEZE routes, with a Route 350 bus stop located approximately 1,200 feet to the northeast of the site, near the intersection of West 13th Street and South Escondido Boulevard. NCTD Route 350 provides north-south local bus service between the Escondido Transit Center and Del Lago Transit Center.[6] Implementation of the proposed project would maintain the existing bus stop locations in the project area, including Route 350 bus stop. Further, the project is not anticipated to result in a substantial increase in the use of bus or transit facilities, compared to the existing condition.

Rail Services. The NCTD currently operates commuter rail line (SPRINTER) that spans 22 miles and connects the City of Oceanside, Vista, San Marcos, and Escondido through 15 stations that run along the Highway 78 corridor. The closest SPRINTER station to the project site is the Escondido Transit Center which is located approximately 1.1 miles north of the project site. Based on the City of Escondido General Plan Figure 3-4, *Existing & Proposed Transit Routes*, the NCTD is proposing an extension of the existing SPRINTER rail line from the Escondido Transit Center and along Centre City Parkway. However, the proposed project would not result in any design features, roadway improvements, or pedestrian walkway improvements that would interfere with the future extension of the SPRINTER rail line in Centre City Parkway right-of-way. As such, implementation of the proposed project would not interfere or impact the existing and future SPRINTER rail line services.

Conclusion

At project completion, operations of the new restaurant facility would not conflict with any program plan, ordinance, or policy addressing the City's existing or future transit, bicycle, or pedestrian

[6] North County Transit District, *350 Escondido to Del Lago Transit Station via Westfield North County Mall*, https://gonctd.com/wp-content/uploads/transit/350.pdf, accessed December 28, 2023.

network. Further, project operations would occur within the project boundary and any disturbance to the surrounding roadways, transit, bicycle, and pedestrian facilities would be restored to pre-project conditions upon the completion of construction. As such, the proposed project would not conflict with a program, plan, ordinance, or policy regarding circulation systems and impacts in this regard would be less than significant.

***Mitigation Measures*:** No mitigation is required.

b. Conflict or be inconsistent with CEQA Guidelines Sections 15064.3, subdivision (b)?

***Less Than Significant Impact*.** In September 2013, the Governor's Office of Planning and Research (OPR) signed Senate Bill (SB) 743 into law, starting a process that fundamentally changes the way transportation impact analysis is conducted under CEQA. These changes include the elimination of auto delay, level of service (LOS), and similar measurements of vehicular roadway capacity and traffic congestion as the basis for determining significant impacts. The guidance identifies vehicle miles traveled (VMT) as the most appropriate CEQA transportation metric, along with the elimination of auto delay and LOS for CEQA purposes. The justification for this paradigm shift is that auto delay/LOS impacts lead to improvements that increase roadway capacity and therefore induce more traffic and greenhouse gas emissions.

In December 2018, the California Natural Resource Agency certified and adopted the CEQA statute. Per the CEQA statute, a lead agency may elect to be governed by the VMT guidelines immediately. However, beginning July 1, 2020, the VMT guidelines shall apply Statewide.

The City adopted thresholds of significance and screening criteria for VMT evaluation on April 21, 2021. The thresholds of significance and screening criteria were contained in the *City of Escondido Transportation Impact Analysis Guidelines* (VMT Guidelines), dated April 21, 2021. The methodology in the VMT Guidelines are consistent with OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory), dated December 2018, and the Institute of Transportation Engineers' (ITE) *San Diego Regional Guidelines*, dated May 2019.

The project was reviewed with the City's screening criteria to determine if VMT analysis is necessary. The VMT Guidelines identify the following six cases where a development project would be screened out of VMT analysis based on a presumption that its VMT effects would be less than significant:

1. **Small Residential and Employment Projects**: Projects that generate 200 or less new daily vehicles trips;

2. **Projects Located in a Transit-Accessible Area**: Projects located within one-half mile walking distance of an existing major transit stop or an existing stop along a high-quality transit corridor;

3. **Projects in a VMT-Efficient Area**: A VMT-efficient area is any area within the City with an average VMT/capita or VMT/employee below the threshold as compared to the baseline regional average provided by the San Diego Association of Governments website;

4. **Local-Serving Retail:** Retail development less than 50,000 square feet are expected to draw at least 75 percent of customers from the local area;

5. **Local Serving Public Facilities:** Government, transit centers, parks, and public schools uses, etc.; and

6. **Redevelopment Projects with a Lower Total VMT:** Projects that replace an existing development with a more efficient land use.

The proposed 3,124 square foot-project qualifies as a local-serving retail development with less than 50,000 square feet. Per OPR's Technical Advisory, and as reiterated in the City's VMT guidelines, "local-serving retail uses are presumed to have a less than significant impact on VMT since they tend to attract trips from adjacent areas that would have otherwise been made to more distant retail locations." In addition, a review of the project's location indicates that there are approximately five other fast-food restaurant within a one mile radius. Therefore, based on the project's size and its location near other fast food restaurants, the project would be presumed to have a less than significant VMT impact based on the screening criteria listed in the VMT Guidelines. As such, impacts in this regard are less than significant.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact*.**

The project site is currently served by two full access driveways: one on 13th Avenue and the other on Pine Street. The driveways currently exist to provide access to the existing restaurant building on the project site. The proposed project would include vehicular ingress/egress on 13th Avenue and Pine Street. As such, vehicular access for the proposed project would be similar to existing conditions; refer to Exhibit 2-3, *Conceptual Site Plan*. Additionally, the internal drive aisles within the project site would be designed to provide vehicular access to the drive-through and parking stalls from both full access driveways. The proposed dual drive-through would accommodate a queueing of approximately 41 vehicles. As discussed in the Local Mobility Analysis, an existing Chick-fil-A restaurant in the City of Escondido (1290 Auto Parkway) was observed in order to collect data regarding anticipated queue lengths. This data was also supplemented with data from three other Chick-fil-A restaurants in the City of Chula Vista, City of National City, and City of San Diego to determine the average and maximum queuing lengths for their respective drive-throughs. The 1290 Auto Parkway has an average of 15 vehicles queued and a maximum of 31 vehicles queued in the drive-through during peak hours (between 11:00 a.m. to 1:30 p.m. and between 4:30 p.m. and 6:30 p.m.). The three other Chick-fil-A restaurants has an average of 14 vehicles queued and a maximum of 30 vehicles queued in the drive-through during their respective peak hours (between 11:30 a.m. to 1:00 p.m. and between 4:30 p.m. and 6:30 p.m.). As such, the proposed dual drive-through that could accommodate a queuing of approximately 41 vehicles would have adequate storage length to queue vehicles in the proposed drive-through facility. In the unlikely case in which more than 41 vehicles would be in queue for the drive-through, the project site is designed so that the parking lot could accommodate additional queuing of vehicles without spilling into public rights-of-way.

The project would also include features such as a speaker box along the eighth stacked car for the inner lane or ninth stacked car for the outer lane to allow for longer time to process and prepare the order. The length of the proposed drive-through and design features would allow for the proposed

Chick-fil-A to accommodate and serve a large number of customers without resulting in vehicles spilling into public rights-of-way. Thus, the proposed site access and internal circulation improvements would not result in hazardous traffic conditions. These improvements would be subject to review and approval by the City's Traffic Engineer and the Escondido Fire Department for compliance with applicable design and safety standards.

Overall, project site access and on-site circulation would not substantially increase hazards due to a geometric design feature or incompatible uses. Impacts in this regard would be less than significant.

***Mitigation Measures*:** No mitigation is required.

d. Result in inadequate emergency access?

***Less Than Significant Impact With Mitigation Incorporated*.** As discussed in Response 4.17(c), the project site is currently served by two full access driveways on 13th Avenue and Pine Street. The proposed project would not change the orientation or location of these existing driveways. Additionally, the proposed project would include improvements such as landscaping and pedestrian walkways. Although construction activities would temporarily impact adjacent roadway right-of-way (e.g., through partial lane closures), the proposed project would include Mitigation Measure TRA-1 which requires a Transportation Management Plan (TMP) to include potential measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and the need for a construction flag person to direct traffic during heavy equipment use, among others. The TMP would ensure emergency access is maintained during short-term construction activities. Following implementation of Mitigation Measure TRA-1, impacts would be reduced to less than significant levels.

***Mitigation Measures*:**

TRA-1 Prior to the initiation of construction, the project Applicant shall prepare a Traffic Management Plan (TMP) for approval by the City of Escondido Traffic Engineer. The TMP shall include measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and the need for a construction flag person to direct traffic during heavy equipment use. The TMP shall specify that one direction of travel in each direction must always be maintained for the surrounding roadways throughout project construction. The TMP shall be incorporated into project specifications for verification prior to final plan approval.

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4.18 TRIBAL CULTURAL RESOURCES ***Would the project:***	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

As of July 1, 2015, California Assembly Bill 52 (AB 52) was enacted and expanded CEQA by establishing a formal consultation process for California tribes within the CEQA process. The bill specifies that any project may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to "begin consultation with a California Native American tribe that is traditional and culturally affiliated with the geographic area of the proposed project." Section 21074 of AB 52 also defines a new category of resources under CEQA called "tribal cultural resources." Tribal cultural resources are defined as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is either listed on or eligible for the California Register of Historical Resources (CRHR) or a local historic register, or if the lead agency chooses to treat the resource as a tribal cultural resource.

On February 19, 2016, the California Natural Resources Agency proposed to adopt and amend regulations as part of AB 52 implementing Title 14, Division 6, Chapter 3 of the California Code of Regulations, CEQA Guidelines, to include consideration of impacts to tribal cultural resources pursuant to Government Code Section 11346.6. On September 27, 2016, the California Office of Administrative Law approved the amendments to Appendix G of the CEQA Guidelines, and these amendments are addressed within this environmental document.

Signed into law in 2004, Senate Bill (SB 18) requires that cities and counties notify and consult with California Native American tribes about proposed local land use planning decisions for the purpose of

protecting traditional tribal cultural sites. Cities and counties must provide general plan and specific plan amendment proposals to tribes that have been identified by the Native American Heritage Commission (NAHC) as having traditional lands located within the lead agency's boundaries. If requested by the tribes, the lead agency must also conduct consultations with the tribes prior to adopting or amending their general and specific plans.

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

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

***No Impact*.** As detailed in Response 4.5(a), no historic resources listed or eligible for listing in a State or local register of historic resources are located on the project site. Therefore, no impacts related to known historic tribal cultural resources defined in Public Resources Code Section 5020.1(k) would occur.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact With Mitigation Incorporated*.** In compliance with AB 52 and SB 18, the City distributed letters on October 9, 2023 to Native American tribes notifying each tribe of the opportunity to consult with the City regarding the proposed project. The tribes were identified based on a list provided by the NAHC or were tribes that had previously requested to be notified of future projects proposed by the City. The tribes had 30 days to respond to the City's request for consultation pursuant to AB 52 and 90 days pursuant to SB 18.

The Rincon Band of Luiseño Indians (Rincon Band) responded on October 24, 2023 stating that the project site is located within the Traditional Use Area of the Rincon Band. The Rincon Band indicated that the project site is located within the vicinity of known tribal cultural resources. However, no specific known tribal cultural resources were identified at the project site. As such, the project site is considered sensitive for unknown tribal cultural resources. To avoid impacting or destroying unknown tribal cultural resources that may be inadvertently unearthed during the project's ground disturbing activities, Mitigation Measures CUL-1 through CUL-10 identified in Section 4.5, *Cultural Resources*.

The San Luis Rey Band of Mission Indians responded on November 1, 2023 requesting consultation pursuant to AB 52 and SB 18. The San Luis Rey Band of Mission Indians requested a copy of the Cultural Resources Assessment and consultation regarding various project-related topical areas including alternatives to the proposed project, recommended mitigation measures, significant effects of the project on tribal cultural resources, and the type of environmental review

necessary. The City consulted with the San Luis Rey Band of Mission Indians on January 12, 2024. No specific known tribal cultural resources were identified at the project site. As such, the project site is considered sensitive for unknown tribal cultural resources. To avoid impacting or destroying unknown tribal cultural resources that may be inadvertently unearthed during the project's ground disturbing activities, Mitigation Measures CUL-1 through CUL-10. No other responses were received during the 30-day or 90-day periods.

No tribal cultural resources were documented on-site during tribal consultation. However, excavation during construction would have the potential to unearth unknown or previously undisturbed tribal cultural resources. Implementation of Mitigation Measures CUL-1 through CUL-10 would ensure that the project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 5024.1(c), which would reduce impacts to a level less than significant.

***Mitigation Measures*:** Refer to Mitigation Measures CUL-1 through CUL-10.

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4.19 UTILITIES AND SERVICE SYSTEMS *Would the project:*	Potentially Significant Impact	Less Than Significant Impact 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 telecommunication facilities, the construction or relocation of which could cause significant environmental impacts?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider which services 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?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with Federal, State and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

a. Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities or expansion of existing facilities, the construction or relocation of which could cause significant environmental impacts?

***Less Than Significant Impact*.**

Water

Water services are provided to the project site by the City of Escondido Utilities Department. The City's Utilities Department consists of three different divisions: the Water Division; the Wastewater and Water Reuse Division; and the Construction and Engineering Division. Existing on-site water service connections from the existing building would be removed and a 2-inch water line for domestic and irrigation and a 6-inch fire service water line would be installed. These two new lines would be connected to an existing water line within the 13th Avenue right-of-way. The project would demolish the existing on-site lateral connections and construct new water connections, the construction of which would not cause significant environmental effects. No other new or expanded water infrastructure would be necessary. Less than significant impacts would occur in this regard.

Wastewater Treatment

Sewer services are provided to the project site by the Wastewater and Water Reuse Division of the City's Utilities Department. The project would demolish the existing on-site sewer lateral connections and construct a new 6-inch lateral sewer line from the project site to an existing sewer line in the 13th Avenue. Additionally, a grease interceptor would be installed for the proposed restaurant building which would treat wastewater prior to connecting to the existing sewer line. The proposed project would be adequately serviced by the new wastewater connections. Further, as the proposed project would result in a decreased square footage on-site, the proposed project would generate less wastewater, compared to the existing condition, and the anticipated wastewater generation would not require the construction of new, or the expansion of existing, off-site wastewater facilities. Less than significant impacts would occur in this regard.

Stormwater Drainage

Stormwater facilities in the project vicinity are maintained by the City of Escondido Utilities Department. On-site stormwater would flow into a proposed 48-inch concrete v-gutter and 24-inch and 36-inch square concrete catch basins located on-site and be conveyed to flow-through planters and/or an on-site bio-filtration basin for treatment. Once the basin has reached capacity, runoff would be conveyed via a proposed underground storm drain into the existing public catch basin on the corner of Pine Street and 13th Avenue, similar to existing conditions. No other new stormwater drainage facilities or expansion of existing facilities would be required. Less than significant impacts would occur in this regard.

Dry Utilities

Electricity and natural gas services to the project site are currently provided by San Diego Gas and telecommunication services are provided by AT&T. Electrical connections would connect the proposed Chick-fil-A restaurant building to an existing underground electrical line located on the 13th Avenue right-of-way. The project would install a new electrical transformer on-site to support new electrical connections. The project also proposes a new telephone/cable TV line to connect to the existing overhead line on 13th Avenue. The proposed project would be required to comply with applicable local, State, and Federal laws regarding the installation of dry utilities. Due to the nature of the project, and the existing developed condition, the proposed project is not anticipated to require the expansion of electrical, natural gas, and telecommunication service and compliance with applicable regulations would ensure that environmental impacts from dry utilities installation on-site would be minimized. As such, less than environmental impacts would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact*.** As discussed above, the Water Division would provide water services to the project site. Based on the City of Escondido's *Urban Water Management Plan* (UWMP), the City currently sources their raw water supplies from local surface water and imported water from the San Diego County Water Authority (SDCWA) and San Luis Rey Indian Water Authority (SLRIWA). Raw water supplies are then treated at the Escondido-Vista Water Treatment Plan which is co-owned by the City

and the Vista Irrigation District. The UWMP forecasted the City's water demand up until 2045 based on land use; refer to Table 4.19-1, *City's Projected Demands for Water.* Based on the UWMP, the City plans on increasing the production of recycled water that would be used primarily for non-potable landscape irrigation and agricultural irrigation uses; refer to Table 4.19-2, *City of Escondido Total Gross Water Use*. Table 4.19-2 is also representative of the City's normal water demands. During periods of dry years, the City would utilize imported water from the SDWCA, imported water from the SLRIWA, and surface water reservoirs (Henshaw and Wohlford Reservoirs); refer to Table 4.19-3, *City-wide Single Dry Year Supply and Demand*. Based on the UWMP, the City's water supply and demand during five consecutive dry years would be similar to a single dry year supply and demand. As such, Table 4.19-3 for one single dry year is representative of the water supply and demand in the City during five consecutive dry years.

Table 4.19-1
City's Projected Demands for Water

Use Type	Additional Description	City-wide Projected Water Use[1] Report to the Extent That Records are Available				
		2025	2030	2035	2040	2045
Single- Family	-	9,470	9,560	9,652	9,749	10,085
Multi-Family	-	4,582	4,625	4,670	4,717	4,879
Commercial	-	2,136	2,156	2,177	2,199	2,275
Industrial	-	87	88	89	90	93
Institutional	-	592	597	603	609	630
Landscape	Served by dedicated irrigation meters	2,110	2,130	2,151	2,172	2,247
Agricultural Irrigation	-	4,160	4,200	4,240	4,283	4,430
Sales/Transfers/Exchanges to other Suppliers	Sales to Rincon del Diablo Municipal Water District[2]	454	458	463	467	483
Losses	-	2,249	2,271	2,293	2,316	2,396
Total	-	25,839	26,086	26,337	26,602	27,518

Notes:
1 Water demand units are in acre-foot (AF) which represents the volume of water that would cover one acre to a depth of one foot. This is equivalent to 325,851 gallons.
2 The City of Escondido provides a small amount of water to Rincon del Diablo Municipal Water District, a neighboring water agency.

Source: City of Escondido, *City of Escondido 2020 Urban Water Management Plan, Table 4-6, Projected Demands for Water,* June 2021.

Table 4.19-2
City of Escondido Total Gross Water Use

Water Use Type	2020	2025	2030	2035	2040	2045
Potable Water, Raw, Other Non-potable (refer to Table 4.19-1)[1]	20,627	25,839	26,086	26,337	26,602	27,518
Recycled Water Demand[1]	464	3,935	4,105	7,585	7,665	7,745
Total Water Use[1]	21,091	29,774	30,191	33,922	34,267	35,263

Notes:
[1] Water demand units are in acre-foot (AF) which represents the volume of water that would cover one acre to a depth of one foot. This is equivalent to 325,851 gallons.

Source: City of Escondido, *City of Escondido 2020 Urban Water Management Plan, Table 4-8, Total Gross Water Use,* June 2021.

Table 4.19-3
City-wide Single Dry Year Supply and Demand

	2025	2030	2035	2040	2045
Potable Supplies[1]					
Purpose or Imported Water - SDWCA	19,153	19,323	15,551	14,791	15,712
Purpose or Imported Water - SLRIWA	7,900	7,900	7,900	7,900	7,900
Surface Water - Henshaw and Wohlford Reservoirs	551	551	551	551	551
AWT for Potable Reuse[2]	0	0	4,000	5,000	5,000
Potable Supply Total	27,603	27,781	28,002	28,242	29,163
Potable Demands	27,603	27,781	28,002	28,242	29,163
Difference	0	0	0	0	0
Non-Potable Supplies[1]					
MFRO for Agricultural Users[3]	3,400	3,400	6,800	6,800	6,800
HARRF for All Other Users[4]	3,650	4,400	4,400	4,400	4,400
Non-Potable Supply Total	7,050	7,800	11,200	11,200	11,200
Non-Potable Demands	3,935	4,105	7,585	7,585	7,745
Difference[5]	3,115	3,695	3,615	3,615	3,455

Notes:
[1] Water demand units are in acre-foot (AF) which represents the volume of water that would cover one acre to a depth of one foot. This is equivalent to 325,851 gallons.
[2] AWT stands for Advanced Water Treatment
[3] MFRO stands for Membrane Filtration Reverse Osmosis
[4] HARRF stands for the Hale Avenue Resource Recovery Facility which treats influent from the entire City.
[5] The City is projecting that they would produce more non-potable supplies compared to the City's projected demand.

Source: City of Escondido, *City of Escondido 2020 Urban Water Management Plan, Table 7-4, Single Dry Year Supply and Demand Comparison,* June 2021.

Based on the project's air quality and greenhouse gas modeling, the project would result in a water demand of approximately 3,338.28 gallons per day (1,218,474 million gallons per year or 3.74 acre-feet per year); refer to Appendix A, *AQ/GHG/Energy Data*. The project's estimated water demand of 3.74 acre-feet per year would represent less than one percent of the City's total water demand of both 21,091 acre-feet for 2020, the earliest year with available data within the UWMP, and 35,263 acre-feet for 2045. It should be noted that the existing restaurant facility has been closed and as a conservative estimate, existing uses on-site were not calculated or deducted from the project's water consumption. Additionally, the project would be required to comply with water efficiency standards in the 2022 California Building Energy Efficiency Standards and 2022 California Green Building Standards Code. Further, the proposed project is consistent with the land use designation and zoning for the site upon approval of the Specific Plan Amendment and Major Conditional Use Permit. The project would replace an existing restaurant with a new restaurant and would not result in a change in land use at the project site. As such, the project is not anticipated to exceed the General Plan buildout assumptions used in the UWMP. Project implementation would result in a less than significant impact on water supplies.

***Mitigation Measures*:** No mitigation is required.

c. Result in a determination by the wastewater treatment provider which services 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?

***Less Than Significant Impact*.** Based on Table 6-1, Wastewater Collected Within Service Area in 2020, of the UWMP, the City collected a total of 15,580 acre-feet yards per year (or approximately 5 billion gallons of wastewater per year) within the UWMP service area in 2020. The collected wastewater is treated by the Hale Avenue Resource Recovery Facility which uses a tertiary treatment process which then disposes in an ocean outfall. The proposed project would have a water demand of approximately 1,218,474 million gallons per year of which, a percentage of the water use would become wastewater. As such, the proposed project would generate less than 3,338.28 gallons per day of wastewater (or 1,218,474 million gallons per year), which is approximately 0.02 percent of the total collected wastewater per year. Therefore, the current treatment facility is anticipated to have an adequate capacity to serve the project site. As such, the project would have less than significant impact on the capacity of the project's wastewater treatment facilities.

***Mitigation Measures*:** No mitigation is required.

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

***Less Than Significant Impact*.** Escondido Disposal Incorporation provides solid waste collection for the City, including the project site, and disposes of over 99 percent of the City's solid waste at the three landfills identified in Table 4.19-4, *Landfills Serving the City*.[1]

[1] CalRecycle, *Jurisdiction Disposal by Facility, With Reported Alternative Daily Cover (ADC) and Alternative Intermediate Cover (AIC), Disposal during 2019 for Escondido*, https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility, accessed December 7, 2023.

Table 4.19-4
Landfills Serving the City

Name/Location	Amount Disposed by the City in 2019 (tons per day)	Maximum Daily Throughput (tons per day)	Remaining Capacity (cubic yards)	Anticipated Closure Date
Otay Landfill, 1700 Maxwell Rd Chula Vista, CA 91911	2,080	6,700	21,194,008	2/28/2030
Sycamore Landfill 8514 Mast Boulevard at West Hills Pkwy San Diego, CA 92145	87,169	5,000	113,972,637	12/31/2042
West Miramar Sanitary Landfill 5180 Convoy Street San Diego, CA 92111	932	8,000	11,080,871	1/1/2031

Notes: cy = cubic yards

Source:
CalRecycle, *SWIS Facility/Site Activity Details: Otay Landfill (37-AA-0010),* https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1790?siteID=2863, accessed December 7, 2023.
CalRecycle, *SWIS Facility/Site Activity Details: Sycamore Landfill (37-AA-0023)*, https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1798?siteID=2871, accessed December 7, 2023.
CalRecycle, *SWIS Facility/Site Activity Details: West Miramar Sanitary Landfill (37-AA-0020)*, https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1795?siteID=2868, accessed December 7, 2023.

Construction

The proposed project would demolish an existing one-story restaurant and construct a new Chick-fil-A restaurant. As shown in the project's CalEEMod modeling, the existing building is approximately 9,558 square feet; refer to Appendix A. Based on the C*haracterization of Building-Related Construction and Demolition Debris in the United States*, the average generation rate of demolition waste from a nonresidential building is approximately 155 pounds per square foot.[2] As such, the demolition of the existing building is expected to result in approximately 1,481,490 pounds or approximately 740.75 tons of demolition materials. Hauling of demolition materials would occur throughout the construction phase. The building construction phase lasts approximately 110 days and as such, the demolition of the existing restaurant would result in daily hauling rate of approximately 6.73 tons per day. This quantity of materials is not anticipated to generate significant quantities of solid waste that would affect the capacity of the landfills serving the City. Also, the existing landfills serving the City currently have adequate space and demolition debris would result in a less than one percent increase to current daily disposal rates. Additionally, the demolition materials would not exceed the typical daily amount of waste disposed by the City into the landfills. Further, all construction activities would be subject to conformance with relevant Federal, State, and local requirements related to solid waste disposal. Specifically, the project would be required to demonstrate compliance with the California

[2] United States Environmental Protection Agency, C*haracterization of Building-Related Construction and Demolition Debris in the United States,* https://www.epa.gov/sites/default/files/2016-03/documents/charact_bulding_related_cd.pdf, accessed December 28, 2023.

Integrated Waste Management Act of 1989 (AB 939), which requires all California cities to "reduce, recycle, and re-use solid waste generated in the State to the maximum extent feasible." The California Integrated Waste Management Act of 1989 requires that at least 50 percent of waste produced is recycled, reduced, or composted. The project would also be required to demonstrate compliance with the 2022 Green Building Code, which includes design and construction measures that act to reduce construction-related waste though material conservation measures and other construction-related efficiency measures. Further, prior to the issuance of a demolition or building permit, the project Applicant would be required to develop and submit Part 1 of the project's Construction Waste Management Plan (CWMP) and reuse, salvage, or recycle 65 percent of all construction and demolition debris[3] generated by the proposed project.[4] Compliance with these programs and the CWMP would ensure the project's construction-related solid waste impacts would be less than significant.

Operation

Based on CalEEMod modelling, the project's operation would generate approximately nine tons of waste per year, or approximately 49.32 ppd; refer to Appendix A. The project would replace an existing restaurant facility however, the building is currently vacant and does not generate operational waste. The increase in solid waste generation would not be significant in quantity to affect the capacity of the landfills serving the City, as the project's solid waste generation would represent less than one percent increase to current daily disposal quantities. Additionally, the solid waste generation would not exceed the typical daily amount of waste disposed by the City into the Otay Landfill, Sycamore Landfill, and West Miramar Sanitary Landfill. As such, the project would not result in a significant increase in solid waste generation that would impair the capacity of the landfills serving the City. Impacts in this regard would be less than significant.

***Mitigation Measures*:** No mitigation is required.

e. Comply with Federal, State and local management and reduction statutes and regulations related to solid waste?

***Less Than Significant Impact*.** Refer to Response 4.19(d) above. The proposed project would comply with all Federal, State, and local statutes and regulations related to solid waste, including the California Integrated Waste Management Act, 2022 Green Building Code, and CWMP. Less than significant impacts would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

[3] Construction and demolition debris may include, but is not limited to, asphalt, concrete, brick, dirt, rock, lumber, cardboard, metals and any vegetative or other land clearing/landscaping materials.

[4] City of Escondido, *Construction & Demolition Debris*, https://www.escondido.org/construction-demolition-debris, accessed April 24, 2024.

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4.20 WILDFIRE *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 Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b. 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?	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d. 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. Substantially impair an adopted emergency response plan or emergency evacuation plan?

***No Impact*.** According to the California Department of Forestry and Fire Protection (CAL FIRE), *San Diego County State Responsibility Area Fire Hazard Severity Zones* and *Escondido Very High Fire Hazard Severity Zones in LRA, As Recommended by CAL FIRE*, the project site is not located in a State responsibility area nor is the project site designated as a very high fire severity zone.[1,2] As indicated in Response 4.9(g), the project site and surrounding land uses are developed with urban land uses, and do not present a wildland fire hazard. Therefore, no impact would occur in this regard.

***Mitigation Measures*:** No mitigation is required.

b. 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?

***No Impact*.** Refer to Response 4.20(a).

[1] California Department of Forestry and Fire Protection, *Escondido Very High Fire Hazard Severity Zones in LRA, As Recommended by CAL FIRE*, https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map/upload-1/escondido.pdf, accessed December 4, 2023.

[2] California Department of Forestry and Fire Protection, *San Diego County State Responsibility Area Fire Hazard Severity Zones*, June 15, 2023, https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map-2022/fire-hazard-severity-zones-maps-2022-files/fhsz_county_sra_11x17_2022_sandiego_2.pdf, accessed December 4, 2023.

***Mitigation Measures*:** No mitigation is required.

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

***No Impact*.** Refer to Response 4.20(a).

***Mitigation Measures*:** No mitigation is required.

d. 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?

***No Impact*.** Refer to Response 4.20(a).

***Mitigation Measures*:** No mitigation is required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE *Would the project:*	Potentially Significant Impact	Less Than Significant Impact 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 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?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of an individual 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.)	☐	☒	☐	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of 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?

Less Than Significant Impact With Mitigation Incorporated. As detailed in Section 4.4, *Biological Resources*, no impacts would occur to any special-status plant or wildlife species known to occur in the project area. However, short-term construction activities could impact nesting birds protected by the Migratory Bird Treaty Act. Implementation of Mitigation Measure BIO-1 would minimize potential impacts to nesting birds to less than significant levels. As such, the project would not 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, or reduce the number or restrict the range of a rare or endangered plant or animal.

Further, as indicated in Section 4.5, *Cultural Resources*, Section 4.7, *Geology and Soils*, and Section 4.18, *Tribal Cultural Resources*, project implementation is not anticipated to result in adverse impacts to cultural, tribal cultural, or paleontological resources upon implementation of Mitigation Measures CUL-1 through CUL-10 and GEO-1 and GEO-2. As such, upon implementation of recommended mitigation measures, the project is not anticipated to eliminate important examples of the major periods of California history or prehistory and impacts would be less than significant in this regard.

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of an individual 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.)

Less Than Significant Impact With Mitigation Incorporated. A significant impact may occur if a proposed project, in conjunction with related projects, would result in impacts that are less than significant when viewed separately, but would be significant when viewed together. As concluded in Sections 4.1 through 4.20, the proposed project would not result in any significant impacts in any environmental categories with implementation of project mitigation measures. Implementation of mitigation measures at the project-level would reduce the potential for the incremental effects of the proposed project to be less than considerable when viewed in connection with the effects of past projects, current projects, or probable future projects.

It is acknowledged that the project would result in a Specific Plan Amendment that conditionally allows drive-through uses to only the southwest corner of W. 13th Avenue and S. Pine Street within the 13th Avenue Corners District. However, any future applications for a drive-through use within the district would similarly require a Conditional Use Permit and undergo separate environmental review under CEQA on a project-by-project basis. Therefore, the project would not incrementally result in greater land use impacts from a cumulative standpoint.

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

Less Than Significant Impact With Mitigation Incorporated. Previous sections of this Initial Study reviewed the proposed project's potential impacts related to aesthetics, air quality, noise, hazards and hazardous materials, traffic, and other issues. As concluded in these previous sections, the proposed project would not have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly, following conformance with the existing regulatory framework and mitigation measures. Impacts would be reduced to less than significant levels in this regard.

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