

PLANNING COMMISSION

Agenda Item No.: G.1

Date: March 8, 2011

CASE NUMBER: PHG 09-0009

APPLICANT: Escondido Drive-In LP

LOCATION: The subject site is located adjacent to Quince Street on the east, Washington Avenue on the south, and Mission Avenue on the north in the City of Escondido, County of San Diego, addressed as 635 W. Mission Avenue. The project site is comprised of three privately-owned parcels (APNs 228-270-72, -73 and -77) and one City-owned parcel (APN 228-270-57) known as the Reidy Creek Flood Control Channel.

TYPE OF PROJECT: General Plan Amendment

PROJECT DESCRIPTION: The proposed project consists of a General Plan Amendment to change the underlying General Plan Land-Use Designation on 11.62 acres of privately-owned land and 2.54 acres of City-owned land from Light Industrial (LI) and General Commercial (CG) to Planned Commercial (PC), bringing the site area to a total of 14.16 acres. The 11.62-acres of privately-owned land currently operates as a local outdoor swap meet. The 2.54 City-owned parcel is a concrete-lined flood control channel (Reidy Creek) that bisects the project site. No specific development project is proposed as part of this General Plan Amendment.

The site is anticipated to be developed in the future as a mixed-use project including commercial, office and light industrial components to support revitalization efforts throughout the area and to take advantage of the Escondido Transit Center and Sprinter Light Rail located two blocks to the south along Quince Street. The flood-control channel is included in the General Plan Amendment since future development proposals could include crossing, covering or enhancement of the channel. The specific amount and location of each individual use would be determined upon consideration of a future development proposal (Planned Development) initiated by the property owner(s) through a Zone Change from Light Industrial (M-1), Commercial General (CG) and Flood Control Channel (FCC) to Planned Development-Commercial (PD-C) zoning.

STAFF RECOMMENDATION:

1. Approval of the General Plan Amendment that creates Planned Commercial Area No. 20
2. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program

GENERAL PLAN DESIGNATION/TIER: General Commercial and Light Industrial; Tier 1- Central subarea

ZONING: General Commercial (CG), Light Industrial (M-1) and Flood Control Channel (FCC)

BACKGROUND/SUMMARY OF ISSUES:

The property currently is the location of the Escondido Swap Meet, which originally was established in 1971 as an accessory use to the Old Escondido Drive-In movie theatre built in 1966. The drive-in ceased operations in the early 1980s, but some remnants of the use still exist on the site. The swap meet operates under a previously approved Conditional Use Permit (City File Nos. 95-12-CUP, 97-06-CUP and 98-38-CUP) and the site supports retail commercial type uses and a farmers market with approximately 150 or more vendors offering a wide range of retail merchandise and service, along with food and restaurant vendors. The swap meet use would continue to operate under the current Conditional Use Permit provisions until such time the project site is redeveloped or the CUP modified.

The project applicant has submitted a request to amend the General Plan to create a Planned Commercial land-use designation for the subject site. There currently are 19 specific Planned Commercial designated areas located throughout the City. The City Council authorized the processing of this General Plan Amendment request independent of the city-wide General Plan Update, which is anticipated for completion and public vote in November 2012. The

project site is split between two General Plan land-use designations of General Commercial and Light Industrial. The subject property currently could be developed with commercial and light-industrial type uses in accordance with the underlying zoning designations of General Commercial (CG) and Light Industrial (M-1). The proposed General Plan language would continue to allow the site to be developed in accordance with the underlying commercial and industrial zoning designations. However, since a majority of the site is zoned Light Industrial, commercial, retail and office type uses are limited to a relatively small area north of the flood-control channel. Therefore, in order to allow more flexibility and provide for comprehensive planning of the site, the project applicant has requested the General Plan land-use designation be changed to Planned Commercial, which would allow a range of commercial, retail, service and light industrial uses to be located throughout the property.

Staff feels the issues are as follows:

1. Whether the proposed Planned Commercial land-use designation would be consistent with General Plan policies and would provide for desired redevelopment opportunities for the area.

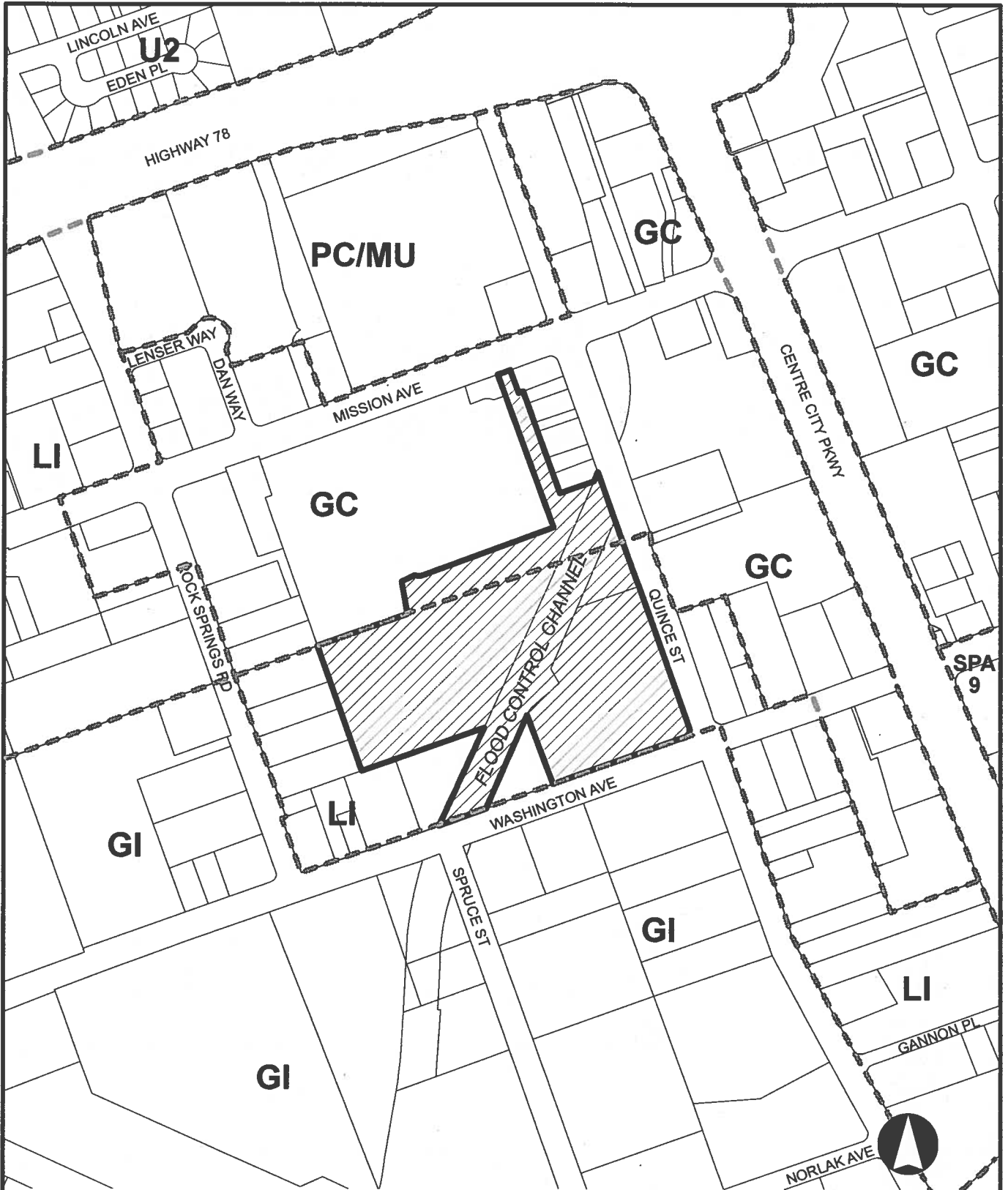
REASONS FOR STAFF RECOMMENDATION:

1. The proposed General Plan Amendment conforms to the policy for amending the City's General Plan that requires the consideration of physical, social or city-wide economic factors or changes that have made the existing plan designation appropriate from the standpoint of the general public welfare. In this situation, the site is in an area that has experienced economic decline since the 1990 General Plan was adopted. Future redevelopment of the site would continue to provide opportunities to revitalize the area and bolster an underutilized commercial/industrial property and result in a stronger draw along the West Mission Avenue commercial area.
2. The Mitigated Negative Declaration assesses both the individual and cumulative project impacts. Mitigation measures have been identified related to Traffic, Hazardous Materials and Greenhouse Gases that could result from future development of the site. The mitigation measures and limitations built into the General Plan language would reduce potentially significant impacts to less than a significant level. The attached Mitigation Monitoring and Reporting Program identifies necessary mitigation measures, their timing, and the party responsible for implementation.

Respectfully submitted,



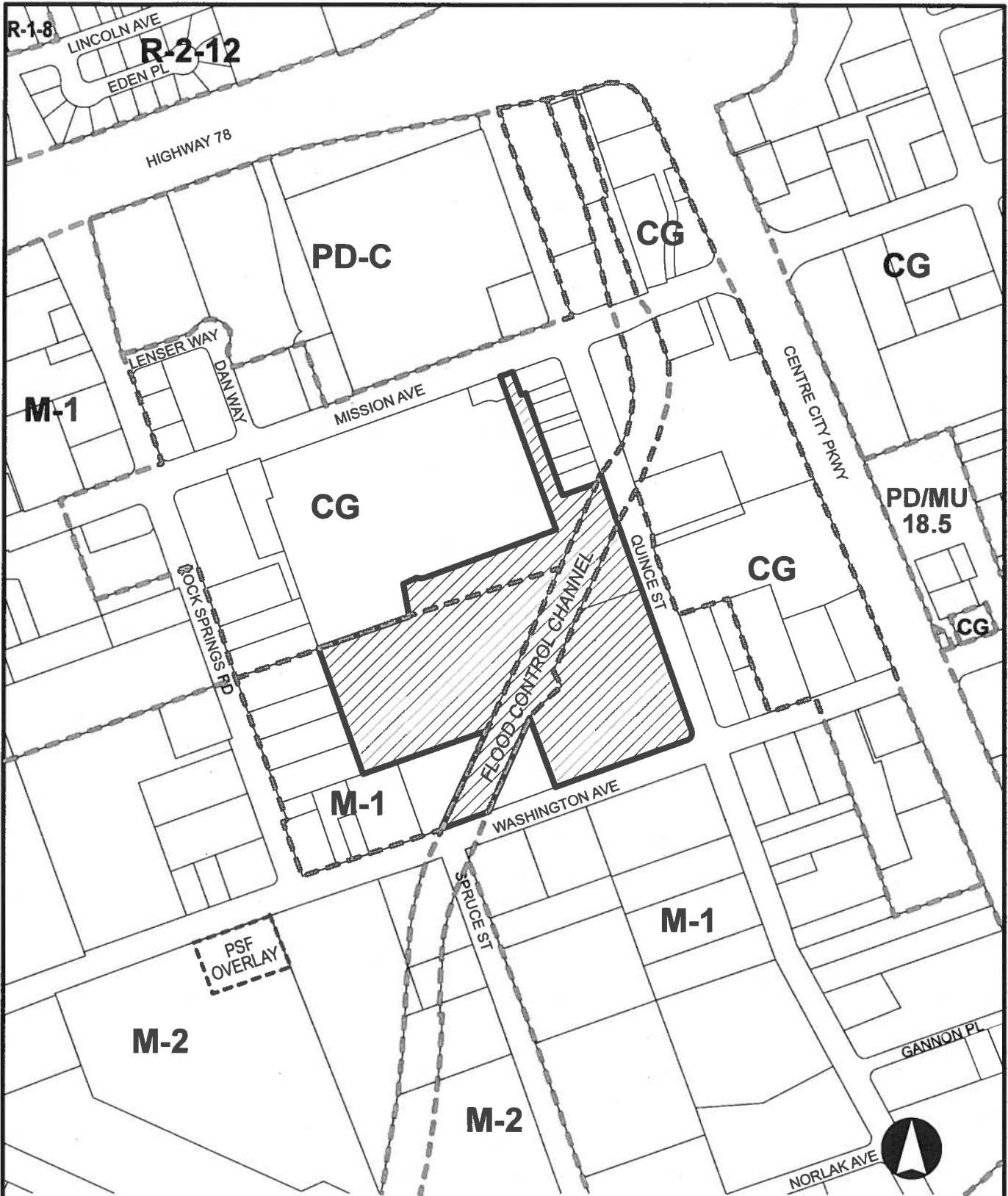
Jay Paul
Associate Planner



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**PROPOSED PROJECT
PHG 09-0009**





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**PROPOSED PROJECT
PHG 09-0009**



LOCATION/ZONING

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH: CG zoning (General Commercial) / A variety of retail, restaurant, office and service commercial uses are located north of the project site and also north across Mission Avenue. Mission Avenue is developed with curb, gutter and sidewalk along the project frontage.

SOUTH: M-1 zoning (Light Industrial) / A variety of light industrial and office uses are located south of the project site across Washington Avenue. Washington Avenue has been developed to its ultimate width across the project frontage (with curb, gutter and sidewalk). The Escondido Transit Center is located approximately two block to the south, and the and City's Public Work's Yard is located further southwest of along Spruce Street. The public works yard is the site of the proposed new Escondido Ballpark Project.

EAST: CG and M-1 zoning (General Commercial and Light Industrial) / Two, two-story multi-family residential projects are located east of the project site across Quince Street. A two-story motel also is located east of the Reidy Creek Flood Control Channel. The two apartment developments front onto and take access from Quince Street. The open space areas of the residential developments generally are situated towards the interior of the project and are shielded by the existing buildings. A single-story multi-tenant industrial building is located at the northeastern corner of Quince Street and Washington Avenue. Access to the building is provided from Quince Street and Washington Avenue. A variety of industrial, commercial, motel and mixed-use planned residential developments are located further to the east. Quince Street has been developed to its ultimate width (including curb, gutter and sidewalk) across the project frontage.

WEST: CG and M-1 zoning (General Commercial and Light Industrial) / A variety of industrial type uses with outdoor storage areas, and single-story buildings are located immediately west of the project site. Retail type commercial uses are located northwest of the site.

B. ENVIRONMENTAL STATUS

1. A Mitigated Negative Declaration was issued for the proposed General Plan Amendment on January 12, 2011 in conformance with the California Environmental Quality Act (CEQA). The Initial Study identified effects related to Traffic, Hazardous Materials and Greenhouse Gases that might be potentially significant, but revisions in the project plans and/or mitigation measures agreed to by the applicant would provide mitigation to a point where potential impacts to the environment are reduced to less than a significant level.
2. Detailed subsequent environmental review may be required at the time a specific project or projects are submitted for the subject site. The level of subsequent environmental review would depend on the scope and potential impacts associated with a future development proposal.
3. The Mitigated Negative Declaration was routed to the State Clearinghouse for a 30-day public comment period ending on February 14, 2011. Staff received only one written comment from the California Public Utilities Commission (PUC). The PUC has jurisdiction over the safety of highway-rail crossings and indicated that future project may have impacts at nearby NCTD Sprinter crossings of Andreason Drive and Hale Avenue. Therefore, the PUC recommended that future development should evaluate potential planning for grade separations for major thoroughfares; improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad and transit right-of-way. Future development of the site would evaluate any potential impacts to streets and intersections, along with affected rail crossings. Appropriate measures/improvements would be implemented on a case-by-case basis depending on the scope and magnitude of individual development requests.
4. Notification of the proposed General Plan Amendment was mailed to the fourteen Native American Tribes as required by Senate Bill 18, which requires consultation with Native American Tribes prior to approving a General Plan or Specific Plan Amendment. Consultation is required whether or not resources are known to exist on the site. The legislation mandates a 90-day review period for tribal agencies to respond. The legislation recognizes that concurrence between the local jurisdiction and the tribal agencies may not be reached regarding monitoring of the site, but the intent of the consultation is to include tribal governments in the land use process for GPAs and

SPAs. During the 90-day review period, one tribe (San Luis Rey Band) recommended certain measures be included in the project, which includes a Pre-Excavation Agreement with the Band prior to any ground-disturbing activities on the project site (see attached letter) along with Native American and archaeological monitors to provide adequate protection for any cultural resources or human remains that may be discovered in the Project area.

There are no specific development proposals associated with this General Plan Amendment. The entire site previously has been disturbed with the development of the former drive-in theatre and current outdoor swap meet. The surrounding properties also have been completely disturbed with commercial/industrial development and the concrete-lined flood control channel (Reidy Creek). Previous record searches and/or Sacred Lands File searches prepared for adjacent or nearby projects (Proposed Escondido Ballpark Project and Lowe's Planned-Commercial Development) have not identified any known recorded sites or Native American Resources within the immediate area. The site does not appear to contain any indicators of significant cultural resources or geologic features due to the past grading and development of the site and flood control channel. There are no structures over 50 years in age located on the site and the property does not contain any resources listed on the City's Historic Sites. The potential for disturbing any human remains is low given the fact that known archaeological sites in the area were not intensively used due to their location along the boundary between Luiseno and Kemeyaay territories (Affinnis 2010).

Archaeological and Native American monitoring was conducted during the grading for construction of the Lowe's property, a short distance north of the site, and no archaeological materials were found during this monitoring program. The Mitigated Negative Declaration also was routed to the Native American Heritage Commission by the State Clearinghouse for 30-day review. Staff did not receive any comments from the Native American Heritage Commission regarding the document or Cultural Resources analysis/conclusions. Therefore, staff feels the likelihood the project would impact any of these resources is highly unlikely and there would be no significant impacts from the proposed GPA. The mitigation measures recommended by the San Luis Rey Band are not necessary in this instance. However, potential mitigation measures can be re-evaluated at the project specific level. In addition, should any resources be discovered during future development of the site, the appropriate protocols would need to be followed and tribes contacted, as may be necessary.

C. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service -- The Police Department expressed no concern regarding the proposed development and their ability to serve the site.
2. Effect on Fire Service -- The Fire Department indicated that adequate services can be provided to the site and the proposed project would not impact levels of service.
3. Traffic -- A traffic assessment was prepared for the proposed General Plan Amendment by Linscott, Law and Greenspan to assess the potential traffic impacts of the proposed project. The traffic study prepared for the change in land use assumes a worse case scenario of the developed as a neighborhood commercial center, which would generate the highest number of vehicle trips (up to 1,200 trips per acre). However, the site most likely would be built out with a mix of commercial, office and light industrial uses, which would generate significantly less trips. For purposes of the study and to evaluate the proposal at the General Plan level, it was assumed that all street segments and intersections would be constructed to their ultimate improvements at buildout based on their Circulation Element Classifications. The project then was evaluated based on how many additional trips could be accommodated by each of the study area street segments and still operate at Level-of-Service "C" which is the General Plan Circulation Element goal for level of service on the street City's street network. Based on the analysis the proposed General Plan Amendment language limits any future projects (cumulative on-site projects) to a maximum of 12,160 ADT, to maintain a minimum Level-of- Service "C" along the identified street segment under buildout conditions.

The traffic assessment also evaluated existing and near-term intersection operations (seven study area intersections) without the proposed land use change and the buildout capacity of each intersection with full improvements in conformance with City requirements. The study identified the number of peak-hour trips each intersection could accommodate under existing conditions and trigger points that would require improvements/upgrades and/or signal modifications when an increase in peak-hour trips from this project or any other off-site project (cumulative projects) would cause the intersection to operate below City standards. Any future development proposal would require project specific studies/evaluation to identify any potential impacts to individual street segments and intersections. The subsequent traffic study would identify the required

improvements that would need to be physically implemented prior to operation and/or fair-share contribution required to offset any potential individual and cumulative impacts. With the limitation on project ADTs, all study area intersections would not exceed their buildout design capacity under 2030 buildout conditions.

4. **Utilities** – Water and sewer service to the site currently is provided by the City of Escondido from existing mains in the adjoining street or easements. The Hale Avenue Resource Recovery Facility (HARRF) has the capacity to handle the demand for service generated by future development of the site. The City's Lindley Pressure Zone supplies water to a network of water mains surrounding the property. Based on field fire hydrant flow testing, there is sufficient flow and pressure available to deliver 2,500 gpm fire flow to the property. However, in order to avoid any potential impacts to residual pressures within the Lindley Pressure Zone, any future development of the site would be required to evaluate their individual project specific impact to the existing system and to upgrade the system as necessary to meet City Design Standards, as may be required by the Engineering Division and Utilities Department.
5. **Drainage** – The project site consists of level terrain and generally drains to Reidy Creek via existing public/private storm drain facilities and as minor overland flow. Reidy Creek consists of a concrete-lined trapezoidal channel that bisects the project site from east to west converging with the concrete-lined Escondido Creek Channel further downstream. Runoff from future development project(s) would be directed to the adjoining public street or other appropriate drainage facilities. The current Flood Insurance Rate Maps (FIRMs) indicate the project site is located outside the 100-year flood zone except for the Reidy Creek Flood Control Channel which bisects the project area. The Reidy Creek drainage facility is a concrete-lined channel designed to contain the 100-year flow. The Engineering Department determined the project would not materially degrade the levels of service of the existing drainage facilities.

D. GENERAL PLAN ANALYSIS

State law allows jurisdictions to amend their General Plan Land-Use Elements up to four times per calendar year. No GPAs have been approved in 2011, and this request represents the first General Plan amendment this year. The only other General Plan land-use amendment currently being considered is the city-wide General Plan update that is not anticipated for Planning Commission and City Council consideration and adoption until 2012.

The City's General Plan (Policy E2.2, pg. VII-16) establishes criteria for evaluating the merits of amendments requests that calls for a consideration of whether "physical, social, or city-wide economic factors or changes have made the plan designation, policy statement, goal or intent inappropriate from the standpoint of the general public welfare." The proposed GPA has been evaluated based on this criteria and staff feels the GPA is appropriate since the site is in an area that has experienced economic decline since the 1990 General Plan and the underutilized site is suitable for redevelopment. The proposed Planned Commercial land-use designation and supporting policy language would ensure quality development and desirable land uses that would support and strengthen the redevelopment efforts throughout the area. The amendment would not trigger Proposition 'S' since the site already is designated for commercial and industrial development.

E. PROJECT ANALYSIS

Appropriateness of the Proposed Planned Commercial Land-Use Designation and Language

The project applicant/owners currently are evaluating long-term land uses for the subject site and have requested this General Plan Amendment in order to provide flexibility for future industrial and/or commercial uses of the site while allowing the existing uses to remain without becoming non-conforming. Because the site is split by industrial and commercial land-use and zoning designations, the opportunities for establishing an appropriate land use or attracting a developer for a comprehensively designed project is constrained. Therefore, the Planned Commercial land-use designation is proposed along with specific General Plan language in order to attract comprehensive development proposals. The applicant also requested the inclusion of the city-owned channel parcel to allow for future covering, partial covering and/or additional crossings to support a mixed-use development.

Through the Planned Development process and supporting General Plan policy language (Attachment 1) appropriate control would be in place to ensure quality development and land uses, while still allowing appropriate interim uses or development of the site in conformance with the current underlying General Commercial and Light Industrial zoning designations. The proposed General Plan language encourages consolidation of properties and the incorporation of "smart growth" design principles. The development also may include crossing or covering of the existing flood control

channel. Enhancement along the channel (such as decorative fencing, landscaping, pedestrian-oriented features/amenities, etc.) also should be incorporated into future project where appropriate. In order to develop commercial uses in the industrial area or industrial uses within the commercially zoned portion of the site, a zone change to Planned Development Commercial (PD-C) and a comprehensive Planned Development proposal would be required to implement the provisions of the Planned Commercial land-use designation. In addition, any proposal that would request City participation in the nature of fee reductions, off-site improvements or tax sharing also would require approval of a Planned Development through the public hearing process.

Specific site and technical studies may be required (at the project level) to address and/or mitigate any project specific impacts related to traffic/circulation, utilities, air quality, noise and hazardous materials associated with future development of the site, as may be required by the City and as identified in this Mitigated Negative Declaration. The proposed General Plan language also limits future development and uses on the site to a maximum cumulative Average Daily Traffic of 12,160 ADT. This limit was necessary to maintain a General Plan Circulation goal of Level-of-Service "C" along identified street segments. In addition the ADT cap also was necessary to avoid potential impacts related to air-quality and other potential project-related impacts that would have triggered the need to prepare an Environmental Impact Report (EIR) for the GPA. Staff feels the proposed creation of Planned Commercial area No. 20 is appropriate since it provides greater control over the use, design and architectural features and any new interim uses that might be proposed for the site.

EXHIBIT "A"
FINDINGS OF FACT
PHG 09-0009

General Plan Amendment

1. Granting the proposed General Plan Amendment to change the existing General Commercial and Light Industrial land-use designations to Planned Commercial would be in conformance with General Plan Economic Policies in the General Plan in that it would continue to promote the City as an economic center of North San Diego County and would encourage new economic activity that would provide additional opportunities to diversify the City's economic base. The proposed land use change and anticipated future Planned Development-Commercial zoning also would be in conformance with General Plan Goal 5 which states: "Encourage more high quality industrial, retail and manufacturing and service-oriented businesses that create and maintain a strong economic based and provide an environment for the full employment of a diverse set of skills." The proposed General Plan Amendment recognizes opportunities for infill development to attract new, higher quality commercial and office uses, and spur revitalization of the underutilized parcels. The proposed General Plan Amendment also would create the opportunity to revitalize the underutilized commercial/industrial site and create a concentrated mixed-use commercial node in conjunction with adjacent uses offering a variety of retail, office and light industrial uses to support the surrounding mix of land uses and redevelopment efforts throughout the downtown and surrounding area, and to take advantage of the Escondido Transit Center and Sprinter Light Rail located to the south. The Planned Commercial designation would require implementation through the Planned Development (PD) zone. Development also could occur in conformance with the current underlying light industrial and general commercial zoning designations subject to conformance with relevant Zoning Code requirements.

The proposed General Plan Amendment would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets/intersections or public facilities, create excessive noise, and circulation and public services could be provided to the site.

2. The proposed General Plan Amendment conforms to the policy for amending the City's General Plan that requires the consideration of physical, social or city-wide economic factors or changes that have made the proposed plan designation appropriate from the standpoint of the general public welfare. In this situation, the site is in an area that has experienced economic decline since the 1990 General Plan and the underutilized site is suitable for redevelopment. Future development of the site would continue to provide opportunities to revitalize the area and bolster the underutilized commercial/industrial property and result in a stronger draw along the West Mission Avenue retail area. The amendment would not trigger Proposition 'S' since the site is identified for commercial and industrial development and the proposed Planned Commercial land-use designation is not covered by the language of Proposition 'S.' Text is proposed that identifies the specific site in the General Plan. The proposal is in response to services required by the community since future development of the site would revitalize the area.
3. The proposed change in land use designation to Planned Commercial from Light Industrial and General Commercial or future change in zoning to Planned Development-Commercial would not result be detrimental to the public health, safety or welfare, or injurious to the property or improvement in the zone or vicinity since the site currently is zoned for commercial and light industrial development/uses and would be zoned for mixed-use commercial/industrial development. Future development would not result in a significant impact to an established community because the surrounding area is developed with industrial, commercial and multi-family residential uses that are appropriate adjacent to a Planned Commercial area. Future development would be subject to the development standards and performance criteria of the Zoning Code and implementation of the Planned Development zoning, which would ensure that appropriate architectural guidelines and site design measures are incorporated into any future project to minimize potential impacts. With approval of the proposed General Plan Amendment the range of land uses would be in compliance with the performance criteria stipulated in the zoning ordinance.

The proposed facility could adequately be served by existing public facilities since City sewer and water service is available from existing mains in the adjacent streets or easements, and the project would not adversely impacts these facilities. Appropriate improvements and/or upgrades to existing utilizes would be implemented to support future development proposals on the site. All potentially significant impacts of the proposed General Plan

Amendment and future Planned Development-Commercial zoning identified in this Initial Study (i.e., Traffic/Circulation, Green House Gases and Hazards and Hazardous Materials) would be avoided through specific General Plan Planned Commercial policies/language, future project design features, limitations on the project intensity or mitigated by the incorporation of measures that are subject to any future development).

4. A Mitigated Negative Declaration was issued for the proposed General Plan Amendment on January 12, 2011 in conformance with the California Environmental Quality Act (CEQA). The Initial Study identified effects related to Traffic, Hazardous Materials and Greenhouse Gases that might be potentially significant, but revisions in the project plans and/or mitigation measures agreed to by the applicant would provide mitigation to a point where potential impacts to the environment are reduced to less than a significant level.

‘ATTACHMENT 1’

Draft General Plan Language

20) Quince Street and Washington Ave (Escondido Drive In)

The 14.16 acres consists of three privately-owned parcels and one City-owned parcel (APNs 228-270-57, -72, -73 and -77) located at the northwestern corner of Quince Street and Washington Avenue, and also fronts onto and takes access from Mission Avenue. Reidy Creek bisects the property from northeast to southwest with a crossing over the channel. The property formerly was the Escondido Drive In and currently is used for an outdoor swap meet. The site may continue to operate as an outdoor swap meet in accordance with the previously approved Conditional Use Permits for the use until such time the site is redeveloped, and also may be used or developed consistent with existing zoning designations, but development of any parcel that requires a zone change or requests City participation in the nature of fee reductions, off-site improvements or tax sharing shall require a Planned Development approval.

The site is designated Planned Commercial and the site may be developed with a mix of commercial, retail, restaurant, office, and light industrial uses that support revitalization efforts throughout the area and to take advantage of the Escondido Transit Center and Sprinter Light Rail located two blocks to the south along Quince Street. New development should encourage consolidation of properties and incorporate “smart growth” design principles. The development also may include crossing or covering of the existing flood control channel. Enhancement along the channel (such as decorative fencing, landscaping, pedestrian-oriented features/amenities, etc.) also should be incorporated into future projects where appropriate. Traffic circulation and pedestrian patterns shall be coordinated when future development of the site is proposed to provide integrated access points and to ensure appropriate vehicular and pedestrian access between the individual parcels and adjacent streets. In order to maintain appropriate levels-of-service on the surrounding street system and minimize potential air-quality impacts, the scale of development and nature of the uses shall be limited as necessary in order to generate no more than a cumulative total of 12,160 vehicle trips per day. Specific site and technical studies may be required, to address and/or mitigate any project specific impacts related to traffic/circulation, utilities, air quality, noise and hazardous materials associated with future development of the site, and as identified in the Mitigated Negative Declaration.



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

MITIGATED NEGATIVE DECLARATION

CASE NO.: PHG 09-0009

DATE ISSUED: January 12, 2011

PUBLIC REVIEW PERIOD: January 14, 2011 – February 14, 2011

LOCATION: The subject site is located adjacent to Quince Street on the east, Washington Avenue on the south, and Mission Avenue on the north in the City of Escondido, County of San Diego, addressed as 635 W. Mission Avenue. The project site is comprised of three privately-owned parcels (APNs 228-270-72, -73 and -77) and one City-owned parcel (APN 228-270-57) known as the Reidy Creek Flood Control Channel.

PROJECT DESCRIPTION: Environmental review for a proposed General Plan Amendment to change the underlying General Plan Land-Use Designation of 11.62 acre of privately-owned land and 2.54 acres of City-owned land from Light Industrial (LI) and General Commercial (CG) to Planned Commercial (PC), bringing the site area to a total of 14.16 acres. The 11.62-acres of privately-owned land currently operates as a local outdoor swap meet. The 2.54 City-owned parcel is a concrete-lined flood control channel (Reidy Creek) that transects the project site. No specific development projects have been submitted in conjunction with this General Plan Amendment.

APPLICANT: Escondido Drive-Inn, LP (Hale Johnston Enterprises, Inc.)

An Initial Study has been prepared to assess this project as required by the California Environmental Quality Act and Guidelines, Ordinances and Regulations of the City of Escondido. The Initial Study is on file in the City of Escondido Planning Division.

Findings: The findings of this review are that the Initial Study identified effect related to Traffic/Circulation, Hazardous Materials, and Greenhouse Gases that might be potentially significant, but revisions in the project plans and/or mitigation measures agreed to by the applicant would provide mitigation to a point where potential impacts are reduced to less than a significant level.


 Jay Paul
 Associate Planner

FILED
 Ernest J. Dronenburg, Jr., Recorder County Clerk

JAN 13 2011

BY L. Kesian
 DEPUTY

FILED IN THE OFFICE OF THE COUNTY CLERK
 San Diego County on JAN 13 2011
 Posted JAN 13 2011 Removed _____
 Returned to agency on _____
 Deputy L. Kesian

NEGATIVE DECLARATION

(Final)

FOR ESCONDIDO DRIVE-IN GENERAL PLAN AMENDMENT (City File No. PHG 09-0009)

ENVIRONMENTAL CHECKLIST SUPPLEMENTAL COMMENTS

An Initial Study Environmental Checklist was prepared for this project and is included as a separate attachment to this Mitigated Negative Declaration (MND). The information contained in the Initial Study and the MND Supplemental Comments will be used by the City of Escondido to determine potential impacts associated with the proposed project. The (final) document contains any changes in bold/underlined text or crossed-out text. None of the changes are substantial or affect the conclusions or proposed mitigation measures.

INTRODUCTION

This Mitigated Negative Declaration assesses the environmental effects of the proposed General Plan Amendment of approximately 14.16 acres of property from Light Industrial (LI) and General Commercial (CG) to Planned Commercial (PC) generally located at the northwestern corner of Quince Street and Washington Avenue, addressed as 635 W. Mission Avenue. The document also includes analysis of a potential future change of the existing underlining zoning from Light Industrial Zoning (M-1) and General Commercial (CG) to Planned Development-Commercial zoning. This document is prepared in accordance with California Environmental Quality Act (CEQA) Public Resource Code Section 21064.5. The detailed Supplemental Comments included in this document identify and evaluate physical impacts to the environment associated with the proposed change in land use and potential future development of the site based on preliminary review of a variety of environmental factors identified in the attached Environmental Checklist. In analyzing the project, it has been determined that potentially significant impacts related to Traffic/Circulation, Hazardous Materials, and Greenhouse Gases could occur, which warrants issuing a Mitigated Negative Declaration. The MND acknowledges that certain aspects of the project could cause significant impact(s) on the environment, but those impacts would be reduced to an acceptable level by incorporating revisions to the project description, limitations on the project or mitigation measures identified in the MND.

There is no specific development project associated with this proposed General Plan Amendment. Detailed subsequent environmental review may be required at the time a specific project or projects are submitted for the subject site. The level of subsequent environmental review would depend on the scope and potential impacts associated with a future development proposal. As provided by the California Environmental Quality Act, the City of Escondido will act as the Lead Agency because of its role in reviewing and potentially approving or issuing permits for the project. Issues to be resolved by the Decision-Making Body include the final General Plan language; future development of the site under existing industrial and zoning designations; implementation and timing the Planned Development zoning; potential range of future uses or limitations on future uses; design principles; timing of future

improvements; and implementation of any necessary measures to address and/or mitigate potential future impacts of future development.

As mandated by CEQA Guidelines Section 15105, affected public agencies and the interested public may submit comments on the **Mitigated Negative Declaration** in writing before the end of the **30-day** public review period starting on **January 14, 2011**, and ending on **February 14, 2011**. Written comments on the Mitigated Negative Declaration should be submitted to the following address by **5:30 p.m., February 14, 2011**. Following the close of the public comment review period, the City of Escondido will consider this Mitigated Negative Declaration and any received comments in determining the approval of this project.

City of Escondido
Planning Division
201 North Broadway
Escondido, CA 92025-2798

Contact: Jay Paul, Planner
Telephone: (760) 839-4537
Fax: (760) 839-4313
Email: jpaul@ci.escondido.ca.us

A printed copy of this document and any associated plans and/or documents are available for review during normal operation hours for the duration of the public review period at the City of Escondido Planning Division at the address shown above.

PROJECT DESCRIPTION

The proposed project consists of a General Plan Amendment to change the underlying General Plan Land-Use Designation of on 11.62 acres of privately-owned land and 2.54 acres of City-owned land from Light Industrial (LI) and General Commercial (CG) to Planned Commercial (PC), bringing the site area to a total of 14.16 acres. The 11.62-acres of privately-owned land currently operates as a local outdoor swap meet. The 2.54 City-owned parcel is a concrete-lined flood control channel (Reidy Creek) that bisects the project site. An existing concrete bridge provides a vehicular and pedestrian crossing over the channel. No specific development project is proposed as part of this General Plan Amendment. The site is anticipated to be developed in the future as a mixed-use project including commercial, office and light industrial components to support revitalization efforts throughout the area and to take advantage of the Escondido Transit Center and Sprinter Light Rail located two blocks to the south along Quince Street. The flood-control channel is included in the General Plan Amendment since future development proposals could include crossing, covering or enhancement of the channel. The specific amount and location of each individual use would be determined upon consideration of a development proposal (Planned Development) initiated by the property owner(s) through a Zone Change from Light Industrial (M-1), Commercial General (CG) and Flood Control Channel (FCC) to Planned Development-Commercial (PD-C) zoning. Development also could be allowed to occur in conformance with the underlying zoning designations subject to conformance with applicable Zoning Code requirements.

The proposed General Plan language would limit the future development and uses to a maximum cumulative Average Daily Traffic of 12,160 ADT to maintain a General Plan Circulation goal of Level-of-Service "C" along identified street segments. Future development proposals, through implementation of the General Plan Planned Commercial land-use designation would encourage consolidation of properties, comprehensive planning incorporating "smart growth" design principles, integrated access points and circulation between parcels, and requiring that all development be subject to high quality, coordinated design guidelines which provide for superior architectural details; signage and landscaping; channel enhancement (such as decorative fencing, landscaping, pedestrian-oriented features/amenities, etc.); and

to ensure compatibility with surrounding residential uses. Specific site and technical studies may be required (at the project level) to address and/or mitigate any project specific impacts related to traffic/circulation, utilities, air quality, noise and hazardous materials associated with future development of the site, as may be required by the City and as identified in this Mitigated Negative Declaration.

PROJECT LOCATION AND ENVIRONMENTAL SETTING

The subject site is located adjacent to Quince Street on the east, Washington Avenue on the south, and Mission Avenue on the north in the City of Escondido, County of San Diego, addressed as 635 W. Mission Avenue. The project site is comprised of three privately-owned parcels (APNs 228-270-72, -73 and -77) and one City-owned parcel (APN 228-270-57) known as the Reidy Creek Flood Control Channel. The property is split between two General Plan designations: Light Industrial and General Commercial. Parcel 228-270-77 has a General Commercial (CG) designation in the northern half of the block, and a Light Industrial (LI) designation in the southern half of the block. Parcels -72 and -73 have a designation of Light Industrial. The corresponding zoning designations are Light Industrial (M-1), Commercial General (CG), and Flood Control Channel (FCC).

The subject site is within an urbanized area of the City where a variety of industrial, commercial, public works, and residential uses exist. The site itself has previously been developed with various buildings, paved parking, drive aisles, ornamental landscaping, and is secured with a combination of chain-link and wrought-iron fencing. The property currently is the location of the Escondido Swap Meet, which originally was established in 1971 as an accessory use to the Old Escondido Drive-In movie theatre built in 1966. The drive-in ceased operations in the early 1980s, but some remnants of the use still exist on the site. The swap meet operates under a previously approved Conditional Use Permit (City File Nos. 95-12-CUP, 97-06-CUP and 98-38-CUP) and the site supports retail commercial type uses and a farmers market with approximately 150 or more vendors selling a wide range of retail merchandise and service, along with food and restaurant vendors. The swap meet operations are situated towards the northern portion of the site (north of the flood control channel), which includes a variety of small structures and vendor canopies. Paved parking is located towards the southern portion of the site (south of the flood control channel), along with an outdoor playground structure. A concrete bridge provides vehicular and pedestrian access over the channel between the parking lot and retail uses. The CUP for the swap meet encompasses additional parcels (APNs 228-270-38, -44 and -85) beyond the proposed General Plan Amendment boundaries, but these parcels are under separate ownership and are not part of the proposed GPA request. The CUP includes provisions for shared parking and access for the subject parcels and swap meet. The swap meet use would continue to operate under the current Conditional Use Permit provisions until such time the project site is redeveloped or the CUP modified.

The project site fronts onto and takes access from three Circulation Element Streets: Mission Avenue on the north; Quince Street on the east; and Washington Avenue on the south. On-street parking is restricted along these streets. Current access to Mission Avenue and Quince Street from existing driveways is restricted to right-in and right-out movements, except for the northerly most driveway along Quince Street which provides primary access to an adjacent two-story office building. The easterly driveway along Washington Avenue provides access to the existing parking lot, while the western driveway is limited to vendor access and is not used for general public access.

Surrounding zoning and land uses are as follows:

North: CG zoning (General Commercial) / A variety of retail, restaurant, office and service commercial uses are located north of the project site and also north across Mission Avenue. Mission Avenue is developed with curb, gutter and sidewalk along the project frontage.

South: M-1 zoning (Light Industrial) / A variety of light industrial and office uses are located south of the project site across Washington Avenue. Washington Avenue has been developed to its ultimate width

across the project frontage (with curb, gutter and sidewalk). The Escondido Transit Center is located approximately two block to the south, and the and City's Public Work's Yard is located further southwest of along Spruce Street. The public works yard is the site of the proposed new Escondido Ballpark Project.

East: CG and M-1 zoning (General Commercial and Light Industrial) / Two, two-story multi-family residential projects are located east of the project site across Quince Street. A two-story motel also is located east of the Reidy Creek Flood Control Channel. The two apartment developments front onto and take access from Quince Street. The open space areas of the residential developments generally are situated towards the interior of the project and are shielded by the existing buildings. A single-story multi-tenant industrial building is located at the northeastern corner of Quince Street and Washington Avenue. Access to the building is provided from Quince Street and Washington Avenue. A variety of industrial, commercial, motel and mixed-use planned residential developments are located further to the east. Quince Street has been developed to its ultimate width (including curb, gutter and sidewalk) across the project frontage.

West: CG and M-1 zoning (General Commercial and Light Industrial) / A variety of industrial type uses **with outdoor storage areas**, and single-story buildings are located immediately west of the project site. ~~with outdoor storage areas.~~ Retail type commercial uses are located northwest of the site.

Responsibility Agency Permit Approvals

The proposed General Plan Amendment does not have any specific development associated with the project. Therefore, no responsible agency permits or approvals would be required with this General Plan Amendment. However, the following permits and/or approvals could be required depending on the scope of future projects on the site, which include additional crossings, partial or complete covering of the concrete-line flood control channel:

National Pollutant Discharge Elimination Permits – The applicant would be required to comply with the NPDES General Permit for Storm Water Discharges Associated with Construction of land Disturbance Activities (SWRCB Order No. 2009-0009-DWQ, NPDES No. CA2000002), as well as related City requirements for storm water/erosion control. The project also must comply with the requirements of the San Diego County Municipal Separate Storm Sewer System (MS4) Storm Water Permit (RWQCB Order No. R9-2008-0002, NPDES No. CAG919002).

NPDES Dewatering Waste Discharge Permit – If construction-related groundwater extraction/disposal (dewatering) is necessary.

Army Corp (404) and California Department of Fish and Game Streambed Alteration Permits (1602), California Department of Conservation and Regional Water Quality Control Board (401) – Appropriate permits or approvals may be required if future projects include any enhanced crossing, covering or work that would impact the Reidy Creek Flood Control Channel.

Anticipated Public Hearings

No hearing dates have been scheduled to date. The proposed project requires noticed public hearings by the Escondido Planning Commission and the Escondido City Council. Separate public hearing notices will be mailed out confirming the hearing dates and times.

I. LAND USE AND PLANNING

The City of Escondido General Plan designates the majority of the project site as Light Industrial (LI) and it is zoned as Light Industrial (M-1), which allows for light industrial uses engaged in processing, assembling, manufacturing, storage warehousing/distribution, and research/development in a more restricting setting than General Industrial. The northern portion of the site is designated as General Commercial and zoned General Commercial (CG), which allows a wide range of retail, service, office, assembly and recreational type uses. The Reidy Creek Flood Control Channel is designated as Flood Control Channel (FCC). The proposed General Plan Amendment proposes to change the land-use designations to Planned Commercial (PC). Future zoning for the site is anticipated to be Planned Development-Commercial (PD-C) which would require the submittal of a request for a Zone Change in conjunction with a Planned Development project. The adjacent land north of Mission Avenue also is designated as Planned Commercial, with an underlying zoning designation of Planned Development-Commercial (PD-C). Commercial Policy B4.1 (b) "Planned Commercial" states that this land use designation is intended to allow a variety of commercial activities within a self-contained, comprehensively planned commercial center. Appropriate uses within the Planned Commercial designation may include office and professional uses, tourist serving facilities, specialty retail, and other retail/service businesses. The Planned Commercial designation would require implementation through the Planned Development (PD) zone. Development also could occur in conformance with the current underlying light industrial and general commercial zoning designations subject to conformance with relevant Zoning Code requirements.

The project site is located within the Downtown Redevelopment Area and the Central/Tier 1 Neighborhood Area. The Tier 1 area is characterized as mostly developed with urban level public facilities and services and certain areas are likely to infill or redevelop. The project site also is listed as one of the re-developable sites in the City's Business Enhancement Zone Overlay. The proposed Planned Commercial land-use designation would be consistent with the Economic Policies in the General Plan in that it would promote the City as an economic center of North San Diego County and would encourage new economic activity that would provide additional opportunities to diversify the City's economic base. The proposed land use change and anticipated future Planned Development-Commercial zoning also would be in conformance with General Plan Goal 5 which states: "Encourage more high quality industrial, retail and manufacturing and service-oriented businesses that create and maintain a strong economic based and provide an environment for the full employment of a diverse set of skills."

Significance Criteria and Impact Analysis

The effects of a project on existing or planned land uses are considered significant if the proposed project would:

a. Physically divide an established community?

The proposed change in land use designation to Planned Commercial from Light Industrial and General Commercial or future change in zoning to Planned Development-Commercial would not significantly alter the mix or intensity of potential commercial and industrial uses that already could be developed on the site in accordance with the underlying zoning designations. Certain retail and office type uses are limited within the industrial zones. Through implementation of a future zone change to Planned-Development Commercial, the mix of uses (such as retail commercial and office) would be allowed to be located on the industrial zoned parcels of the site through approval of a comprehensive development plan. With approval of the proposed General Plan Amendment the range of land uses would be in compliance with the performance criteria stipulated in the zoning ordinance. All potentially significant impacts of the proposed General Plan Amendment and future Planned Development-Commercial zoning identified in

this Initial Study (i.e., Traffic/Circulation, Green House Gases and Hazards and Hazardous Materials) would be avoided through specific General Plan Planned Commercial policies/language, project design features, limitations on the project intensity or mitigated by the incorporation of measures that are subject to any future development).

Future development would not result in a significant impact to an established community because the surrounding area is developed with industrial, commercial and multi-family residential uses that are appropriate adjacent to a Planned Commercial area. Future development of this site would be subject to the development standards and performance criteria of the Zoning Code and implementation of the Planned Development zoning, which would ensure that appropriate architectural guidelines and site design measures are incorporated into any future project to minimize potential impacts. Therefore, the project would not result in a significant land-use impact.

The proposed General Plan Amendment to Planned Commercial and future Zone Change to Planned Development-Commercial would not disrupt or divide the physical arrangement of the area because the site has been completely disturbed with past commercial development and is located at the corner of an existing commercial/industrial area. All public facilities/infrastructure currently are provided to the site. Access to the site is provided by three Circulation Element Streets; Mission Avenue on the north; Quince Street on the east; and Washington Avenue on the south. The proposed project would not change the designations of the existing streets, alter street patterns or designs, or require the development of any new roads. The proposed General Plan Amendment or future Planned Development-Commercial zoning would not preclude the development or redevelopment of the site or surrounding parcels because the adjacent land uses would be maintained and are compatible with planned commercial development. Therefore, for the reasons state above, the proposed General Plan Amendment and a future zone change would not create any new land use barriers, or otherwise divide or disrupt the physical arrangement of the surrounding community.

The project is not located within an airport land-use plan, and airport land-use plan that is to be adopted, or within two miles of a public airport. The closest public airports to the project site are located approximately 10 miles to the west (McClellan-Polamor Airport ion the City of Carlsbad) and 12 miles to the east (Ramona Airport). The project also in not located within the vicinity of a private airstrip, with the closet such facilities located approximately six miles to the northeast. Accordingly, the proposed project would not result in any impacts associated with public airport related safety hazards for people working in the project area.

- b. *Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*
- c. *Conflict with any applicable habitat conservation plan or natural community conservation plan?*

As stated above, the project site is designated for commercial and industrial development, and the proposed General Plan Amendment to Planned Commercial would be consistent with the General Plan polices and zoning ordinance requirements for future development of the site. In addition, the project would not conflict with any local policies or ordinances protecting biological resources since the site is within an urbanized area and fully developed with commercial and industrial type uses. There are no protected or sensitive habitat or species on or adjacent to the project site, or within the concrete flood control channel that transects the site. Vegetation on and adjacent to the site consists of ornamental landscaping consistent with commercial and industrial development. The area is not designated on the City's Draft Multiple Habitat Conservation Plan (MHCP) Focus Planning Area or any other conservation planning area. Therefore, no detrimental land-use policy impacts would be produced by the proposed General Plan Amendment and implementation of future Planned Development zoning.

II. AESTHETICS

- 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. *Substantially degrade the existing visual character or quality of the site and its surroundings?*

The project site is developed with an outdoor swap meet and contains various commercial/retail type buildings and accessory structures. The site and surrounding area does not contain and significant visual resources or any significantly prominent topographical features, as identified in the City's General Plan. The property is not located on a ridgeline identified in the Community Open Space/Conservation Element of the General Plan. The project site is designated for commercial and industrial development, and future development of the site with commercial, industrial and office uses would not block views towards any prominent topographical features or ridgelines. Although the project would be visible from adjacent multi-family residential development along Quince Street, the project site is primarily surrounded by industrial and commercial uses which already impact the views of these residences. Therefore, development of the site would not substantially degrade the visual character of the site nor adversely impact any scenic views through or across the property. Existing and future development have altered and would continue to alter the existing landforms and visual setting throughout the project area. Given the existing, approved and proposed development pattern in the project area, as well as what is anticipated in the General Plan buildout is similar to the existing visual patterns of development, the change in visual setting caused by future development of the site in accordance with the Planned Commercial land-use designation would not represent a significant individual or cumulative significant impact. Future development of this site would be subject to the development standards and performance criteria of the Zoning Code and implementation of the Planned Development zoning, as may be required, which would ensure that appropriate architectural guidelines and site design measures are incorporated into any future project to address and minimize any potential impacts.

The project site would not damage any significant scenic resources visible from a designated State Scenic Highway or create an aesthetically offensive site open to public views. The only designated Scenic Highway in the area is SR 78 located to the north. Views to the project site from SR-78 generally are obscured by the Lowes Home Improvement Center development on West Mission Avenue and other intervening structures. Intermittent and limited views of the project site are available from both northbound and southbound Interstate 15, which is not a designated State Scenic Highway, but is considered a sensitive viewshed by the City of Escondido. However, the project would not conflict with the two applicable General Plan policies pertaining to the I-15 corridor, specifically Viewshed Protection Policy E1.1 or Viewshed Protection Policy E1.2, because it would not impact long-range views of valley floors, ridgelines, steep slopes or focal points that are visible from the travel lanes of Interstate 15.

The site is relatively flat and a minimal amount of grading would be anticipated to support future development. No large manufactured slopes would be created. Therefore, anticipated grading would not create any long-term significant visual impacts. Future development would result in the removal of mature trees and ornamental landscaping associated with previous development of the site. Any mature trees removed during construction would be replaced in accordance with the City's Grading and Landscape Ordinance. The removal and replacement of mature trees is not considered significant.

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

The site currently is developed with a swap meet, and includes a variety of on-site lighting, including parking lot lighting and street lighting along the project frontages. No specific development project is associated with this proposed General Plan Amendment. The proposed land-use change from industrial

and commercial to Planned Commercial would not create any significant increase in light and glare in the area. Any proposed building or perimeter lighting would be designed to minimize the overflow of light onto adjacent properties, where necessary. Compliance with the City's Outdoor Lighting Ordinance would ensure that impacts related to light and glare, resulting from future development of the site, are less than significant.

III. AGRICULTURE RESOURCES

Significance Criteria and Impact Analysis

In determining whether impacts to agricultural resources are a 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. The effects of a project on agricultural resources are considered significant if the proposed project would:

- 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. *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*
- d. 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))?
- e. Result in the loss of forest land or conversion of forest land to non-forest use?
- f. 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?

There are a limited number of areas within the Escondido Planning Area considered to contain prime agricultural soils. The project site and surrounding area are mapped as Urban and Built-Up Land by the California Department of Conservation (CDC) Farmland Mapping and Monitoring Program. The project site is located within the central urban core area of Escondido and zoned for commercial and industrial development. The entire site has been disturbed by past commercial development. The project site is not located within an existing zone for agricultural or forestry uses and there are no agricultural uses or forestry land or uses on or adjacent to the site. The project site and surrounding area is not listed as prime Agricultural Lands in the General Plan Final EIR, which was prepared for the most recent General Plan revisions in 2000 (Escondido 2000). Therefore, the proposed project will not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use, or result in the conversion of forest land to non-forest use. The project site does not contain any Williamson Act or other agricultural land contracts. Accordingly, no associated impacts to agricultural-related zoning or contract land would result.

IV. TRANSPORTATION/TRAFFIC

The project site fronts onto and takes access from three Circulation Element Streets: Mission Avenue on the north, Quince Street on the east and Washington Avenue on the south. For purposes of this General Plan Analysis, it is assumed that all study area roadways and intersections would be built to their ultimate designations and/or improved to their ultimate design capacities at buildout conditions (2030) in conformance with the General Plan Circulation Element. Given these assumptions, this analysis specifically focuses on whether the proposed land-use change to Planned Commercial would have any

adverse impacts to the Circulation Element Streets and whether these streets would continue to operate at acceptable levels of service under their existing classifications in conformance with the General Plan Circulation Element goals and policies.

Existing Conditions

Mission Avenue (Major Road, 110' R-O-W) - Currently built as a 4-lane undivided major roadway with a two-way left turn lane from Washington Avenue to Broadway. The General Plan Circulation Element designates Mission Avenue as a 6-lane super major roadway at ultimate buildout. Bike lanes are provided along both sides of the roadway. Curbside parking is restricted. Access to Mission Avenue from the existing driveway is restricted to right-in and right-out only due to a raised median. Bus stops are provided along both sides of the roadway and transit service is provided by North County Transit District (NCTD) Routes 305, 354 and 356. Existing traffic volumes along Mission Avenue (between Quince Street and Rock Springs Road) are 26,120 ADT (LLG 2010b), which operates at a Level-of-Service "C" under existing conditions. The roadway capacity at LOS "C" under full buildout (2030) conditions is 37,000 ADT with an ultimate capacity of 50,000 ADT at LOS "E." Future widening of the street would be required to accommodate the ultimate buildout, including across the project frontage.

Quince Street (Collector Road, 84' R-O-W) – Currently built as a 4-lane undivided roadway with a two-way left turn lane between Mission Avenue and Second Avenue. Curbside parking is restricted. Bus stops are provided on Quince Street, and transit service is provided by NCTD Route 305. Access to Quince Street to the project site is provided by two driveways, one serving the office building north of the flood control channel, and one to the south of the channel which provides access to the parking lot. The southern driveway is restricted to right-in and right-out turn movements. Existing traffic volumes along Quince Street (between Mission Avenue and Washington Avenue) are 8,430 ADT (LLG 2010b), which operates at a Level-of-Service "A" under existing conditions. The roadway capacity at LOS "C" is 25,300 ADT with an ultimate capacity of 34,200 at LOS "E."

Washington Avenue (Collector Road, 84' R-O-W) – Currently built as a 4-lane undivided roadway with a two-way left-turn lane from Washington Avenue to Centre City Parkway, and as a 4-lane divided roadway from Centre City Parkway to Broadway. Curbside parking is restricted and bike lanes are provided along both sides of the roadway between Centre City Parkway and Broadway. Bus stops are provided on both sides of the street and transit service is provided by NCTD Route 308. Existing traffic volumes along Washington Avenue (between Quince Street and Rock Springs Road) are 16,650 ADT (LLG 2010b), which operates at a Level-of-Service "B" under existing conditions. The roadway capacity at LOS "C" is 25,300 ADT with an ultimate capacity of 34,200 ADT at LOS "E."

Centre City Parkway (Major Road, 102' R-O-W) – Currently built as a 5-lane divided roadway between Lincoln Parkway (SR 78) and Mission Avenue; a 4-lane divided roadway between Mission Avenue and Grand Avenue and south of Second Avenue; and a 6-lane divided roadway between Grand Avenue and Second Avenue. Bike lanes are provided along both sides of the roadway and curbside parking is restricted. No bus stops are provided on Centre City Parkway. Existing traffic volumes along Centre City Parkway (between Mission Avenue and Washington Avenue) are 28,420 ADT (LLG 2010b), which operates at a Level-of-Service "C." The roadway capacity at LOS "C" is 29,600 ADT with an ultimate capacity of 37,000 ADT at LOS "E."

Significance Criteria and Impact Analysis

The effects of a project on transportation and traffic are considered to be significant if the proposed project would:

- a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not

limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measure, or other standards established by the county congestion management agency for designated roads or highways
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d. *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*
- e. *Result in inadequate emergency access?*
- f. *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

Significant Determination – To determine the project impacts to roadway segments and intersections, the City of Escondido has developed thresholds based on allowable increases in delay at intersections and volume to capacity ratios (v/c Ratio) for roadway segments. At intersections, the measurement of effectiveness (MOE) is based on allowable increases in delay. At roadway segments, the MOE is based on allowable increases in the volume-to-capacity (v/c) ratio. At intersections that are expected to operate at LOS E or F with the project, the allowable increase in delay is two seconds. If vehicle trips from a project cause the delay at an intersection to increase by more than two seconds, this would be considered a significant project impact that requires mitigation. Under this condition, the applicant would be responsible for mitigation to restore the operations of the intersection to LOS D or better. If an existing intersection is at LOS E or F, the intersection would be considered an existing deficiency and the applicant would be responsible for making a fair-share contribution toward intersection improvements to achieve a LOS D or better. A fair-share contribution is based on the project's proportionate traffic contribution to the overall traffic volumes entering an intersection. For roadway segments that are forecasted to operate at LOS MID D or worse and the increase in v/c ratio exceeds 0.02, this would be considered a significant project impact that requires mitigation.

A traffic assessment was prepared for the proposed General Plan Amendment by Linscott, Law and Greenspan (LLG 2010a) to assess the potential traffic impacts of the proposed project. The Traffic Impact Analysis (TIA) prepared for the proposed Ballpark project (LLG, 2010b) also was used in the preparation of this Mitigated Negative Declaration. The traffic study prepared for the change in land use assumes a worse case scenario of the entire site to be buildout out as a neighborhood commercial center, which would generate the highest number of vehicle trips. However, the site most likely would be built out with a mix of commercial, office and light industrial uses, which would generate significantly less trips. Based on the worse case assumptions, the General Plan Amendment would limit any future projects (cumulative) to a maximum of 12,160 ADT to conform to General Plan Circulation goals and polices to achieve a minimum Level-of- Service "C" along the identified street segment under buildout conditions. Level-of-service "C" represents stable traffic flow that is at the beginning range of conditions where individual users become significantly affected by the interactions of others in the traffic stream. However, the Escondido General Plan also recognizes that due to physical design characteristics, environmental resource considerations, existing development, freeway interchange impacts and incomplete system improvements, Level of Service "C" may not be feasible in all areas at all times. Where existing street or intersection capacities are below Level of Service "C," street, operation or Transportation System Management improvements shall be required or planned to improve the service level to "C" when ever feasible based on impacts of future development (General Plan Quality of Life Standard 1: Traffic and Transportation).

The study also evaluated existing and near-term intersection operations (seven study area intersections) without the proposed land use change and the buildout capacity of each intersection with full improvements in conformance with City requirements. The study identified the number of peak-hour trips

each intersection could accommodate under existing conditions and trigger points that would require improvements/upgrades and/or signal modifications when an increase in peak-hour trips from this project or any other project (cumulative projects) would cause the intersection to operate below City standards. Any future development proposal would require project specific studies/evaluation, as determined by the City, to identify impacts to individual street segments and intersections, and the required improvements that would need to be physically implemented prior to operation and/or fair-share required to offset any potential individual and cumulative impacts. With the limitation on project ADTs, all study area intersections would not exceed their buildout design capacity under 2030 buildout conditions. Therefore, the proposed General Plan Amendment would not have a significant impact on area intersections.

Project Traffic – Year 2030 buildout projections with the existing General Plan land-use designations indicates all study area street segments would operate at LOS “C” or better (LLG 2010a). Year 2030 buildout projections with the worst-case rezone/land-use designation indicates that all study area street segments would operate at LOS “C” or better except for Mission Avenue (between Quince Street and Centre City Parkway), which would operate at LOS “D” (LLG 2010a) However, with the project limited to a maximum of 12,160 cumulative ADT, all study area roadways would operate at a LOS “C” or better under 2030 buildout conditions. In order to ensure conformance with General Plan level-of-service goals along Circulation Element roadways, the following mitigation is necessary:

Mitigation Measure Traffic – 1

All future development proposals on the site shall not produce a cumulative Average Daily Traffic exceeding 12,160 ADT to maintain General Plan Circulation polices for street segments of LOS “C.” Concurrent with a development proposal, each individual project shall provide a more detailed analysis of street segment and intersection operations, and necessary improvements/measures shall be implemented to maintain appropriate levels of service, as determined by the City.

Construction Traffic – There are no specific development projects proposed as part of this GPA. Temporary traffic impacts would occur during grading and construction activities. Moderate grading is anticipated to prepare the site and equipment used for grading and excavation generally would remain on site and would not contribute to a substantial increase in traffic. Additional traffic would be associated with construction employee trips to and from the site, equipment delivery and removal, and other related activities. Each construction phase would have its own traffic intensity and duration. Potential impacts from hauling and construction operations would be avoided by requiring the project to coordinate and implement safety/traffic control measures with the City that minimize potential conflicts. In addition, construction traffic typically occurs during the off-peak hours. All traffic control measures would be implemented at the specific project level prior to the onset of construction activities. Therefore, impacts to LOS during temporary construction would be less than significant.

Design Features/Hazards/Emergency Access – There are no specific development projects associated with this General Plan Amendment, and therefore, the project does not include any design features or incompatible uses that would substantially increase hazards. No new roadways would be constructed or designed with the project. The site current maintains driveways onto Mission Avenue, Quince Street and Washington Avenue. Future development of the site would be evaluated to ensure appropriate design features at each driveway or any new driveways.

Air-Impacts - The project is not located within the vicinity of a public or private airstrip and would not result in a change in air traffic patterns, increase in traffic levels, or a change in location that results in substantial safety risks.

Adopted Plans/Policies – The proposed land-use change from existing industrial and commercial to Planned Commercial would not conflict with adopted policies, plans, or programs supporting alternative transportation. Bus service in the vicinity of the site would not be impacted by the proposed project nor impact any existing or proposed bicycle facilities in the area as designated on the City's Bicycle Facility Master Plan. The proposed General Plan Amendment and future Planned Development-Commercial zoning would not result in inadequate emergency access, as determined by the Fire Department who would review any future development plans to ensure emergency service access is maintained.

Congestion Management – Centre City Parkway is a Congestion Management Program (CMP) Arterial and a significant impact would occur if the travel speed along an arterial segment operating at a LOS mid-D or worse decreases by more than one mile per hour. The Escondido Engineering Division indicated that Centre City Parkway is not anticipated to operate at LOS mid-D or worse under 2030 buildout conditions with the proposed General Plan Amendment or future Planned Development-Commercial zoning, as restricted by the project maximum ADT limitation of 12,120 trips. Therefore, the project would not decrease travel speeds by more than one mile per hour. Accordingly, impacts to LOS along CMP Arterials in the study area would be less than significant.

V. AIR QUALITY

Significance Criteria and Impact Analysis

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a. *Conflict with or obstruct implementation of the applicable air quality plan?*
- b. *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?*
- c. *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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*
- d. *Expose sensitive receptors to substantial pollutant concentrations?*
- e. *Create objectionable odors affecting a substantial number of people?*

City of Escondido Significance Criteria:

Section 33-942 of the City's Zoning Code "Coordination of CEQA, Quality of Life Standards' and Growth Management provisions" provides quality-of-life emission thresholds related to air quality for projects proposed within the City of Escondido. If the project has the potential to produce emission that would exceed these screening thresholds, a more detailed analysis of potential air quality impacts is required to evaluate the potential to impact the environment. However, simply exceeding these thresholds does not constitute a significant air impact. Significance of potential air-quality impacts is based on the additional project specific analysis. Project related impacts exceeding any of the following South Coast Air Quality Management District (SCAQMD) daily emissions criteria can be considered significant:

**City of Escondido Screening Criteria and SDAPCD Emissions Thresholds
(pounds per day)**

Pollutant	City Screening Criteria	SDAPCD Thresholds
Carbon Monoxide (CO)	550 lbs	550 lbs
Reactive Organic Gases (ROG)	55 lbs	137 lbs
Oxides of Nitrogen (NOx)	55 lbs	250 lbs
Fine Particulate Matter (PM10)	150 lbs	100 lbs
Fine Particulate Matter (PM2.5)	N/A	55 lbs
SOx	250 lbs	250 lbs

An Air Quality Analysis was prepared for the proposed project by Recon Environmental, Inc. (Recon 2010). As noted in the report, the proposed project could result in both construction and operational impacts. Construction impacts include short-term emissions associated with future construction of the site. Operational impacts include long-term emissions associated with the project traffic generated by future development of the site, as well as water and energy consumption. The Analysis assumed a worst-case buildout of the project that could be achieved under the General Plan land-use designation of Planned Commercial. However, the project description and traffic mitigation limits the number of vehicle trips that can be generated by the project to achieve the General Plan Circulation Element Goal of LOS "C" on all study area roadways, which also would limit the amount of square footage that would be anticipated to be developed on the site.

Construction Emissions

This analysis assumes that standard dust and emission control during grading operations would be implemented as part of the project design and standard operating procedures to reduce potential nuisance impacts and to ensure compliance with SDAPCD rules and regulations. Emissions summarized in the analysis are the maximum emissions for each pollutant should the maximum development potential of the site be constructed as a single project. However, they most likely would occur during different phases of construction, and would not necessarily occur simultaneously. As indicated in the Air Quality Analysis, construction of the project site at full buildout potential would generate the following maximum daily quantities of criteria emissions:

**Summary of Worst-Case Construction Emissions
(pounds per day)**

Pollutant	Year 2011	City of Escondido Threshold	SDAPCD Significance Threshold
Carbon Monoxide (CO)	18 lbs	550	550
Reactive Organic Gases (ROG)	91 lbs	55	137
Oxides of Nitrogen (NOx)	32 lbs	55	250
Fine Particulate Matter (PM10)	27 lbs	150	100
Fine Particulate Matter (PM25)	7 lbs	N/A	55
SOx	0 lbs	250	250

As indicated in the analysis, maximum daily construction emissions are projected to be less than the City of Escondido and SDAPCD thresholds for all criteria pollutants except the City's screening threshold of 55 lbs per day for ROG at maximum buildout potential. This is due to the VOC content of the paint used during the architectural coatings phase of construction. Because construction is a one time, temporary activity and because both maximum construction emissions are to be below the APCD AQIA significance

thresholds, operation of equipment during project construction is not anticipated to result in significant air quality impacts. Since the project description also limits the number of trips that can be generated from the site under this environmental review, the amount of building square footage also is restricted reducing the amount of ROG that potentially could be generated. Therefore, since the project would not exceed SDAPCD thresholds of significance, the project would not result in any significant construction-related impacts and no mitigation is required. As a matter of standard practice, dust and emission control during grading operations would be implemented to reduce potential nuisance impacts and to ensure compliance with SDAPCD rules and regulations.

Operation Emissions

As indicated in the Air Quality Analysis, future development and operation of the project site is based on the full buildout potential based on a worse case development of the site using 100 percent neighborhood commercial. Based on projected buildout of the site at neighborhood commercial, the project could generate up to approximately 10,760 net daily trips (LLG 2010). The ADT cap used for the traffic purposes is larger than the net daily trips used for air quality purposes because it is adjusted for pre-existing traffic generation and pass-by traffic.

The proposed development would result in various amounts of on-site source emission from activities such as use of natural gas or consumer products, and landscape maintenance activities. Based on an ultimate buildout of 10,760 net daily trips, the project generated emissions are projected to be less than the significance thresholds for all criteria pollutants except NOx. Emissions of NOx would exceed City's screening thresholds of 55 lbs per day in the summer and winter. However, emission would not exceed the SDAPCD AQIA thresholds of significance. The study indicated the project ADT CAP would need to be reduced to 14,510 (net daily trips of 8,778) to meet the City's NOx screening threshold of 55 lbs per day. As indicated in the project description and traffic mitigation, the ultimate project CAP of 12,160 total trips would not cause the project to exceed the City's screening threshold of for NOx of 55 lbs per day or exceed the SDAPDC thresholds of significance. Therefore, the project would not result in a significant impact and no mitigation is required.

Applicable Air Quality Plan

The project area is within the San Diego Air Basin (SDAB). Air quality at a particular location is a function of the kinds and amounts of pollutants being emitted into the air locally, and throughout the basin, and the dispersal rates of pollutants within the region. The major factors affecting pollutant dispersion are wind, speed and direction, the vertical dispersion of pollutants (which is affected by inversions) and the local topography. The air basin currently is designated a state and federal non-attainment area for ozone and particulate matter. However, in the SDAB, part of the ozone contamination is derived from the South Coast Air Basin (located in the Los Angeles area). This occurs during periods of westerly winds (Santa Ana condition) when air pollutants are windborne over the ocean, drift to the south and then, when the westerly winds cease, are blown easterly into the SDAB. Local agencies can control neither the source nor transportation of pollutants from outside the basin. The Air Pollution Control District (APCD) policy therefore, has been to control local sources effectively enough to reduce locally produced contamination to clean air standards.

Operations emissions come from area sources, including natural gas for space and water heating, and gasoline-powered landscaping and maintenance equipment, and from vehicle operations associated with the project. The proposed project (as limited by the project description and traffic mitigation) would not significantly increase traffic volumes on local streets and intersections, as indicated in the Traffic/Transportation Section, and the proposed project would not result in a substantial increase in the number of vehicles operating in cold start mode or substantially increase the number of vehicles on local roadways. Therefore, the project would not cause an unacceptable concentration of CO at any project-affected intersection (Recon 2010). Since the project would not adversely impact area roadways and intersections, the proposed project would not violate any air quality standard or contribute substantially to

an existing or projected air quality violation and would have a less than significant impact on local and regional air quality. Any individual impacts attributed to the proposed project are small on a regional scale and will not cause ambient air-quality standards to be exceeded, nor contribute to any adverse cumulative impacts. Due to the proposed use of the site for planned commercial and light industrial purposes, the project is not anticipated to generate any objectionable odors affecting the surrounding area.

Consistency with the RAQS

Consistency with the Regional Air-Quality Standards (RAQS) assumptions is determined by analyzing the project with the assumptions in the RAQS. Forecasts used in the RAQS are developed by the San Diego Association of Governments (SANDAG). The SANDAG forecasts are based local general plans and other related documents that are used to develop population projections and traffic projections. The proposed uses that could be constructed under the proposed Planned Commercial designation generally would be consistent with uses allowed under the existing General Commercial and Industrial designations. Therefore, the proposed would be consistent with the growth forecast in the Escondido General Plan and would not conflict with the goals and strategies in the RAQS or TCM. Any potential impacts from an increase in vehicle trips from the facility would be considered negligible since projected traffic would be consistent with the General Plan traffic/transportation goals and policies indicated in the sections above, and therefore would not conflict with the goals and strategies in the RAQS or Transportation Control Measures (TCM) for the air quality plan prepared by the San Diego Association of Governments (SANDAG). Thus, the proposed land use change would not exceed the assumptions used to develop the RAQS and would not obstruct or conflict with the SDAPCD's RAQS. The proposed project would have a less than significant impact on cumulative regional and local air quality. No mitigation is required.

Odors

Future project related emissions would be limited to the construction period, during which emissions from construction equipment could be temporarily evident in the immediate surrounding area. These odors would not affect a substantial number of people, because the scale of future construction is relatively small, the frequency of permanent trips would be relatively low, and the potentially affected area is limited due to the localized evidence of these odors. Operations generally would result in a limited number of large-truck trips to the project site, which could also create an occasional whiff of diesel exhaust for nearby receptors along roadways. However, these temporary sources of odors are not considered significant. The short-term construction period would be much less than the 70-year period used for health risk determination. Objectionable odors are regulated by the San Diego Air Pollution Control District (APCD).

VI. GREENHOUSE GAS EMISSIONS

In order to determine the potential effects of a project on greenhouse gas emission (GHG), would the project:

- 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?*

A Global Climate Change Analysis was prepared for the proposed General Plan Amendment by Recon Environmental, Inc. (Recon 2010). The study was based on an initial theoretical maximum allowable future development of the 14.16-acre site. The proposed GPA would allow for a mix of uses, including light industrial, commercial and office components. The exact mix of commercial, industrial and office uses is not known at this time since no specific development proposals are associated with this GPA. However, the intensity of future uses is restricted by an average daily traffic volume of cap of 12,160

vehicle trips to conform to General Plan Circulation Element Goal of LOS "C" along identified area roadway segments. Therefore, the potential impacts from the project would be significantly less than anticipated in the analysis.

In response to rising concern associated with increasing GHG emissions and global climate change impacts, several plans and regulations have been adopted at the international, national and state levels with the aim of reducing GHG emissions. Transportation accounts for the largest share of the state's GHG emissions. The State of California has adopted a number of plans and regulations aimed at indentifying statewide and regional GHG emission caps, GHG emissions reduction targets, and actions and timelines to achieve the target GHG reductions. Executive order (EO S-3-05) signed by Governor Schwarzenegger on June 1, 2005, established the following GHG reduction targets for the state of California: by 2010, reduce GHG to 2000 levels; by 2020 reduce GHG emission to 1990 levels; by 2050 reduce GHG emissions to 80 percent below 1990 levels. In response to the Executive Order, the California Legislature passed Assembly Bill (AB) 32 (Nunez) the "California Global Warming Solutions Act of 2006."

Transportation-Related Emissions

Vehicular traffic associated with the Project based on maximum theoretical buildout would generate approximately 12,308 metric tons of carbon dioxide equivalent (MTOC₂E) greenhouse gas (CG+HG) emissions annually. A similar project under business-as-usual (BAU) as defined in the BAU 2020 Forecast developed by the California Air Resources Board (CARB) would generate 23,240 MTCO₂E of vehicular CHGs annually. The Project's transportation-related emissions reductions of nearly 30 percent would be achieved through implementation of state wide regulations on vehicle engine and fuel technologies, such as improved vehicle technologies and low carbon fuel standards as new vehicles come on line. Efforts to reduce transportation emissions by reducing vehicle miles traveled (VMT) on a regional level are anticipated to come from polices related to changes in future land use patterns and community design, as well as through improvements in public transportation. By reducing miles vehicles travel, vehicle emissions would be reduced. Because the project is not anticipated to increase local vehicle trip lengths sufficient enough to increase the average regional trip length, as defined in the California Air Resources Board (CARB) business-as-usual (BAU) 2020 Forecast used to develop the regulations to reduce vehicle GHG emissions, project related impacts on statewide vehicular GHGs would not be considered significant.

Non-Transportation Related Emissions

Future development based on the maximum development potential of the property under the Planned Commercial land-use designation would generate approximately 4,328 MTCO₂E annually through operational electricity use, natural gas consumption, water use, short-term construction activity, and solid waste disposal. An equivalent BAU project would generate 6,045 MTCO₂E from the same non-transportation-related sources. This project reduction of 1,717 MTCO₂E in non-transportation-related emissions compared to BAU results from the project's recommended mitigation measures that require future development to incorporate necessary project design features (PDFs) to reduce water and/or energy use. The incorporate of necessary PDFs would equate to a minimum 28.4 percent reduction in BAU emissions, and therefore, exceed the City's 28.3 percent BAU reduction target that is consistent with statewide goals. With the incorporate of the appropriate PDFs and mitigation measures, the project's contribution to cumulative statewide GHG emissions would not be significant.

In order to achieve the targeted reduction in non-transportation related BAU emissions, any future development would have to incorporate greater water and/or energy conservation features than those currently required in existing state energy and plumbing codes. Future building energy efficiency to achieve BAU emission targets would be achieved through compliance with the 2008 Title 24 Energy Efficiency Standards. On a state and region-wide level, greenhouse gas emissions are expected to be reduced from energy efficiency gains from the increase amount of electricity produced from renewable

energy sources, and energy efficient industries, homes and buildings. Other land development applicable measures such as water conservation, materials use and waste reduction, and green building design and development practices also is anticipated to achieve additional emissions reductions. To ensure the project achieves a 28.3 percent reduction in BAU GHG emissions, the following mitigation measures is required:

Mitigation Measure GHG - 1

Prior to issuance of building permits and as a condition of future building permit approval, construction plans and specifications for future development under the project shall indicate in the general notes or individual detail drawings the design features, product specifications and methods of construction and installation that area required to surpass the 2008 Title 24 Energy Efficiency Standards by a minimum of 15 percent. Verification of increased energy efficiencies shall be demonstrated based on a performance approach, using a CEC-approved energy compliance software program, in the Title 24 Compliance Reports provided by the project applicant to the City prior to issuance of the building permit.

Mitigation Measure GHG - 2

Prior to issuance of a final certificate of occupancy, the energy features shall undergo independent third-party inspection and diagnostics with compliance verified by the City's Building Official. Additional inspections may be conducted as needed to ensure compliance, and during the course of construction and following completion of the project, the City may require the applicant to provide information and documents showing use of products, equipment and materials specified on the permitted plans and documents.

Mitigation Measure GHG - 3

Where 2008 Title 24 Energy Efficiency Standards are surpassed by a minimum of 15 percent, but less than 20 percent, construction plans and specifications for future development under the project shall indicate in the general notes or individual detail drawings the advanced water conservation features, product specifications and methods of construction and installation that are required to surpass the state plumbing code by a minimum of 20 percent, to achieve a minimum 20 percent reduction in water usage. Verification of the 20 percent reduction in potable water use shall be demonstrated by verifying each plumbing fixture and fitting meets the 20 percent reduced flow rate or by calculating a 20 percent reduction in the building water use baseline. This documentation shall be provided by the project applicant to the City prior to issuance of the first building permit. The performance of the water conservation design shall be verified through final inspection prior to issuance of a final certificate of occupancy.

Mitigation Measure GHG - 4

Where a City of regional Climate Action Plan or other plan or policy has been adopted at the time of project submittal to reduce City/regional GHG emissions, and the plan or policy was adopted in a public process following environmental review and contains the following elements:

- ***Quantification of GHG emission within a defined area that includes the project site;***
- ***A GHG target level identifying where GHG emissions are not cumulatively considerable;***
- ***Specification of binding and enforceable measures to achieve the target GHG emissions levels; and***
- ***A process to monitor progress and make amendments if necessary;***

Construction plans and specifications for future development under the project shall demonstrate compliance with the adopted plan or policy.

Conflict with Plans and Policies

With the implementation of appropriate project design features and mitigation described above, the project would be consistent with the goals and strategies of local and state plans, policies, and regulations aimed at reducing GHG emissions from land use and development. Impacts would be mitigated to a level that is less than significant and the project's overall contribution to cumulative GHG emissions would thus be reduced to less than a significant level (Recon 2010).

VII. BIOLOGICAL RESOURCES

Significance Criteria and Impact Analysis

The effects of a project on biological resources are considered to be significant if the proposed project would:

- 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 Game 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 Game or U.S. Fish and Wildlife Service?*
- c. *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (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 sites?*
- e. *Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance?*
- f. *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Based on field reconnaissance and review of the Draft Escondido Subarea Plan of Multiple Habitat Conservation Program (City of Escondido 2001), the entire 11.46-acre project site and 2.54-acre concrete flood-control channel have been previously disturbed and all native plant cover has been removed from these areas through past uses and ongoing property/facility maintenance. As a result, no plant life or animal species recognized as threatened or endangered by the U.S Fish and Wildlife Service or California Department of Fish and Game, or other sensitive species, as identified in local/regional plans/policies or regulations, are known or anticipated to occur within the proposed project area or within the concrete flood control channel. Existing vegetation on the site consists of ornamental grasses, shrubs, groundcover, mature trees, and various weed species. No raptor nests were observed during site reconnaissance. Based on the developed nature of the site and perimeter fencing and development, project implementation would not result in any impacts to wildlife movements or established wildlife corridors/habitat linkages. The project area is outside the City of Escondido Focused Planning Areas as indicated on the MHCP maps and no conflicts with the provisions of the MHCP are expected.

A concrete flood-control channel bisects the project site from northeast to the southwest. As noted above, no native riparian habitat, wetland habitat, or other designated sensitive natural communities are present within or adjacent to the subject site or within the flood control channel. Any future project-related runoff that would be discharged into downstream receiving waters (including indirect effects to associated

habitats) would be avoided or reduced to below a level of significance through mandatory conformance with applicable regulatory requirements, including the federal Clean Water Act/National Pollutant Discharge Elimination System (SWA/NPDES) and related City storm water standards. Therefore, no significant direct or indirect impacts to riparian or sensitive habitat would occur. The proposed General Plan Amendment includes the potential covering, crossing or enhancement of the 2.54-acre concrete-lined channel to support a development proposal such as additional parking, access or structures. However, any future development that would affect the channel would require necessary permits/approvals from affected Resource Agencies and permitting authorities (such as U.S Fish and Wildlife Service, California Department of Fish and Game, Army Corps of Engineers, San Diego Regional Water Quality Control Board, and Resource Conservation District), along with any additional technical studies to support future development.

VIII. CULTURAL RESOURCES

Significance Criteria and Impact Analysis

The effects of a project on cultural resources are considered to be significant if the proposed project would:

- a. *Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*
- b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*
- c. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*
- d. *Disturb any human remains, including those interred outside of formal cemeteries?*

The site is fully developed with a former drive-in theatre and a current outdoor swap meet. No grading or extensive ground disturbance is proposed as part of this General Plan Amendment. No cultural resources study has previously been completed on the subject site and therefore, no prehistoric, cultural or archaeological resources have been previously recorded or know to exist on the site. Previous record searches and/or Sacred Lands File searches prepared for adjacent or nearby projects (Proposed Escondido Ballpark Project and Lowe's Planned-Commercial Development) have not identified any known recorded sites or Native American Resources within the immediate area. The City of Escondido General Plan EIR (1990a) does not include the project site in areas identified as having potential paleontological resources. The site does not appear to contain any indicators of significant cultural resources or geologic features due to the past development and grading of the site and flood control channel. There are no structures over 50 years in age located on the site and the property does not contain any resources listed on the City's Historic Sites. The potential for disturbing any human remains is low given the fact that known archaeological sites in the area were not intensively used due to their location along the boundary between Luiseno and ~~Kemehaah~~ Kemeyaay territories (Affinnis 2010). Archaeological and Native American monitoring were conducted during the grading for construction of the Lowe's property, a short distance north of the site, and no archaeological materials was found during this monitoring program. Therefore, the proposed land-use amendment and anticipated zone change to Planned Development-Commercial and development would not result in a significant increase in land disturbance over the existing General Plan and the project would not result in a significant impact to these resources. No mitigation is required.

As described in Section IX, Geology and Soils, the project area is underlain by Pleistocene-age older alluvium and Cretaceous-age granitic rocks. The paleontological sensitivity of these geologic units is none and low respectively. Therefore, the potential for encountering fossils due to any site preparation if redeveloped in the future is anticipated to be less than significant at the plan to plan or plan to ground level.

IX. GEOLOGY AND SOILS

Significance Criteria and Impact Analysis

The effects of a project on geology and soils are considered to be significant if the proposed project would:

- a. *Expose people or structures to potentially 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?*

The subject site, including all areas of Escondido and surrounding San Diego County is located within a Seismic Zone 4 designation. The project site is not located within proximity to any mapped State of California Fault-Rupture hazard Zones (formerly known as Alquist-Priolo Special Studies Zones) or other known fault hazard designations (California Geological Survey [CGS] 2007a, County of San Diego 2007, City of Escondido 1990b). No known active or potentially active faults are located in the project site vicinity. The closest known active faults are the Rose Canyon Fault and the Elsinore Fault. The Rose Canyon Fault is located approximately 15.4 miles southwest of the project site, and the Julian segment of the Elsinore Fault is approximately 17.8 miles northeast of the project site (CGS 2010). Accordingly, fault surface rupture is not likely at this project. In the event of a major earthquake on these faults or other faults within the Southern California region, the site could be subjected to moderate to severe ground shaking. However, the site is not considered to possess a significantly greater seismic risk than that of the surrounding area in general, and associated potential impacts would be less than significant. All new development would be required to conform to current seismic building code requirements designated for the specific area.

Based on existing geologic mapping and the developed nature of the subject site and vicinity, local surficial materials likely consist primarily of fill and undifferentiated mid to late Pleistocene-age older alluvium, while underlying geologic units encompass mid Cretaceous-age granitic rocks (CGS and City of Escondido 1990). While no known site specific information is available regarding the occurrence and depth of on-site groundwater, the site is adjacent to Reidy Creek and shallow groundwater is known to occur generally in "the central developed valley of the City." (City of Escondido 1990). Based on existing conditions and geologic/development history of the area, potential liquefaction and expansive soil issues are not anticipated to rise to a level of significance. In addition, the proposed land-use amendment will not result in an increase in land disturbance over the existing General Plan (except for the flood control channel if crossing or covering is proposed). However, appropriate design and construction measures would be required to be incorporated into future development plans as recommended by any subsequent geotechnical/soils reports that may be required at the building/grading permit stage of site development, which include standard industry practices such as the use of appropriate foundation and footing designs, design and construction measures to accommodate projected seismic loading, implementation of properly engineered and non-expansive fill, and appropriate surface/subsurface drainage techniques. These and/or other appropriate measures would be implemented as part of any development permit and conformance with applicable regulatory/industry criteria such as the IBC/CBC, Greenbook and City Standards. Since the subject site and surrounding properties have been developed and situated on relatively level terrain, the project site is not considered to be susceptible to other potential geologic hazards such as landslides, tsunamis, or seiche.

- 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 soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

Potential impacts related to liquefaction, lateral spreading, expansive soils and landslides are discussed in the section above. The entire project site has been disturbed with previous commercial development and there is no development permits associated with this General Plan Amendment and Zone Change. Based on the developed nature of the subject site and surrounding parcels, most or all local topsoils have likely been previously removed or replaced and or mixed with fill materials. Therefore, the project would not result in the loss of top soil. Extensive grading is not anticipated for any future development since the site is relatively flat. Any proposed grading, excavation, demolition and construction activities would increase the potential for erosion and sedimentation both within and downstream of the site relative to existing conditions. Erosion and sedimentation impacts would be addressed through conformance with the NPDES *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit, State Water Resources Control Board [SWRCB]). Specifically, conformance with the Construction General Permit is required prior to development of applicable sites exceeding one acre, with this permit issued by the SWRCB under an agreement with the U.S. Environmental Protection Agency (USEPA). Specific performance requirements include implementing a Storm Water Pollution Prevention Plan (SWPPP) and implementation of Best Management Practices (BMPs). Based on implementation of appropriate erosion and sediment control BMPs as part of, and in conformance with the project SWPPP and related NPDES/City storm water requirements, potential erosion and sedimentation impacts from a proposed project would be avoided or reduced below a significant level.

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

The project site currently is serviced by an existing wastewater/sewer pipeline system with the City of Escondido. No septic tanks or alternative wastewater disposal system would be utilized as part of any future development projects.

X. HAZARDS AND HAZARDOUS MATERIALS

Significance Criteria and Impact Analysis

The effects of a project on hazards and hazardous materials are considered to be significant if the proposed project would:

- 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?*

The project site is not located within one-quarter mile of any known existing or proposed school, and therefore would not result in any associated impacts related to hazardous emissions or the handling of hazardous or acutely hazardous materials, substances or wastes. The closest existing schools, Classical Academy and Central Elementary, are located approximately 0.32 and 0.5 miles east and south east of the project site respectively.

The project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (the Cortese List). However, a number of sites from the Cortese List are located in the general project vicinity. A Phase I Environmental Assessment was prepared for the proposed project by GeoTek, Inc. (Geo 2009). The study revealed evidence of recognized environmental conditions in connection with the subject property due to nearby properties located upgradient of the subject property that are listed on the Leaking Underground Storage Tank (LUST) database as having open environmental cases where groundwater has been affected. At least two of these facilities may have affected soil and/or groundwater quality beneath the subject property. In addition, one drycleaner site located upgradient of the subject property is listed on the Spills, Leaks, Investigation, and Cleanups (SLIC) database as having a release of VOCs affecting groundwater. This facility also may have affected the subject property. Therefore, prior to any grading/development of the site, implementation of the following mitigation measures would avoid or reduce potential impacts related to hazardous materials release below of level of significance:

Mitigation Measure Haz - 1

Prior to future development of the property that would involve grading or significant ground disturbance, a Phase II environmental Assessment shall be prepared to assess the presence of hazardous materials on site and in any off-site area proposed for development. Should hazardous materials or contamination be identified (from contaminated soils or groundwater) the recommendations contained in the Phase II study shall be implemented so that any existing hazardous conditions is remediated to levels deemed acceptable by the County Department of Environmental Health, and all other applicable state and federal regulations. If required, a remedial action plan (RAP) shall be prepared to: (1) summarize the nature and extent of on-site contamination; (2) asses risks to human health and the environment from potential exposure to contaminants during construction/operation of a future project; (3) evaluate potential remedial actions. The RAP (or equivalent document) shall be submitted to the Department of Environmental Health (DEH) for review and comment prior to implementation.

Due to the age of the structure and construction materials used during prior to the 1970's, asbestos and lead-based paint may be present. Similarly, the electrical equipment associated with the projector and sound system for the theater may contain PCBs. Therefore the following mitigation measure would avoid or reduce potential impacts related to hazardous materials release below of level of significance:

Mitigation Measure Haz - 2

Prior to the issuance of building/demolition permits for the existing structure(s), an evaluation of the potential occurrence of asbestos materials (ACM), lead-based paint (LBP) and PCBs shall be conducted. The determination of structures subject to such testing shall be made by the hazardous materials contractor, in consultation with appropriate regulatory agencies (e.g., the DEH). The removal and disposal of any ACM, LBP and PCB materials shall be conducted in accordance with applicable local, state and federal regulatory guidelines/regulations. Evidence of survey completion shall consists of a signed and stamped statement from the person certified to complete the facility survey indicating the survey has been completed, and that either regulated materials is present or absent. If present, the letter shall describe the procedures that will be taken to remediate the hazard.

Any future development of the project site would be required to comply with all applicable Fire, Building, and Health and Safety Codes, which would eliminate any potential risk of upset. The site is not located within a 100-year floodplain. The proposed range of uses is not anticipated to involve the routine transport, use, or disposal of hazardous materials. The proposed range of uses also would not involve the use or storage of hazardous materials that would result in a reasonably foreseeable upset or accident conditions. Both the Federal government and State of California require all business that handle more than a specified amount of hazardous or extremely hazardous materials to submit a business risk management plan with the City of Escondido and County of San Diego Department of Environmental Health. The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school. Therefore, the project will not create a significant risk of upset or hazard to human health and safety.

- e. *For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area?*
- f. *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

The project is not located within an airport land-use plan, an airport land-use plan that is to be adopted, or within 2 miles of a public airport. The closest public airports to the project are located approximately 10 miles to the west (McClellan-Palomar Airport in the City of Carlsbad), and 12 miles to the east (Ramona Airport). The project also is not located within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area. The closest private airstrip is located approximately six miles to the northeast (Lake Wohlford Resort Airstrip) and 12 miles to the north (Blackington Airstrip). Therefore, the project would not result in any associated impacts related to safety hazards for people residing or working in the project area.

- g. *Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?*

The project does not include activities or structures that would impair implementation of, or physically interfere with, an emergency response plan. The proposed development is not expected to result in the need for additional emergency and fire facilities. Any future development of the site would be required to comply with all applicable Fire, Building, and Health and Safety Codes. The Police and Fire Department indicated the proposed project would not impact service levels, nor conflict with the City's Hazard Mitigation Plan (City of Escondido 2004).

- h. *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

The subject site is located within an urban area and surrounded by development on all sites. The project is not located within an identified Fire Hazard Area as indicated on Figure IV-1 of the 1990 General Plan Community Protection and Safety Element (City of Escondido 1990), or Figure 5.7.2 of the 2000 General Plan Update EIR (City of Escondido 2000). The site is located within a Moderate Fire Severity Zone based on current Fire Department maps. The site is not located adjacent to wildlands and the Fire Department indicated that appropriate fire service is provided to the area. Based on the described conditions, the proposed General Plan Amendment and Zone Change would not result in a significant exposure of people or structures to wildland fires.

XI. HYDROLOGY AND WATER QUALITY

Significance Criteria and Impact Analysis

The effects of a project on hydrology and water quality are considered to be significant if the proposed project would:

- a. *Violate any water quality standards or waste discharge requirements, including but not limited to increasing pollutant discharges to receiving waters (Consider temperature, dissolved oxygen, turbidity and other typical storm water pollutants)?*
- b. *Have potentially significant adverse impacts on ground water quality, including but not limited to, substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*
- c. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would result in substantial/increased erosion or siltation on- or off-site?*
- d. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site and/or significant adverse environmental impacts?*
- e. *Cause significant alteration of receiving water quality during or following construction?*
- f. *Cause an increase of impervious surfaces and associated runoff?*
- g. *Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?*
- h. *Cause potentially significant adverse impact on ground water quality?*
- i. *Cause or contribute to an exceedance of applicable surface or ground water receiving water quality objectives or degradation of beneficial uses?*
- j. *Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?*
- k. *Otherwise substantially degrade water quality?*

The project site currently is zoned for commercial and industrial development and the entire site has previously been developed with commercial uses, paved parking areas, driveways, various landscape planters areas and a concrete-lined flood control channel. The project site generally consists of level terrain and generally drains to Reidy Creek via existing public/private storm drain facilities and as minor overland flow. Reidy Creek consists of a concrete-lined trapezoidal channel that bisects the project site from east to west and flows west/southwest converging with the concrete-lined Escondido Creek Channel further downstream. No changes to the overall drainage patterns and directions would occur as a result of this General Plan Amendment and no associated significant impacts are anticipated to result from future development of the site. Since the site is completely developed, the project would not result in an increase of impervious surfaces and associated runoff, except for the potential covering or crossing of the existing concrete-lined Reidy Creek Flood Control Channel. Potential post development runoff from the site most likely would decrease due to a corresponding reduction of impervious surfaces (e.g., from increase landscaping) required as part of future project design requirements consistent with final WQTR requirements and in conformance with City landscape standards for commercial and industrial development. Any potential project related impacts from future development would be avoided or reduced below a level of significance through conformance with existing NPDES and City storm water standards. Therefore, future project implementation would result in a less than significant impacts related

to runoff rates/amounts, associated flooding, hydromodification, or the capacity of existing/planned storm drain systems.

Water and sewer service to the site currently is provided by the City of Escondido District, and the project would not withdraw groundwater or otherwise substantially interfere with long-term groundwater recharge or the groundwater table level. Dewatering activities could potentially be required to facilitate future project construction. Based on the temporary nature and relatively minor anticipated quantities of groundwater extraction that potentially would be associated with future development of the site, associated impacts related to the drawdown or depletion of local groundwater resources would be less than significant. Therefore, from a plan-to-plan and plan-to-ground perspective, the proposed General Plan Amendment from Light Industrial and General Commercial to Planned Commercial would not result in any significant impacts to hydrology or water quality; result in a significant increase in runoff from the site; or adversely impacts surface water beneficial uses, water quality objectives, or 303(d) impaired water listings.

Surface Water Quality

Potential surface water quality effects from future development of the site would encompass both short-term (construction-related) and long-term (operational) activities. Potential construction-related issues include erosion/sedimentation, the use and storage of potentially hazardous substances such as concrete and vehicle fuels/lubricants, demolition-related debris generation, and the disposal of extracted groundwater (if necessary). Potential operational water quality concerns would be associated with activities such as vehicle access/parking areas, landscaping maintenance and runoff from various commercial and industrial activities, which could potentially result in impacts to water quality to downstream receiving waters, including Reidy Creek and Escondido Creek that are designed as impaired on the Clean Water Act Section 303(d) List of Impaired Waters.

Under the National Pollutant Discharge Elimination System (NPDES) Stormwater Permit issued in 1990 to the County of San Diego and to the City of Escondido, as one of the co-permittees, all development and significant redevelopment is required to implement structural and on-structural non-point source pollution control measures known as Best Management Practices (BMPs) to limit urban pollutants reaching the waters of the U.S. to the maximum extent practical. The NPDES permit requires the preparation of a site-specific Stormwater Pollution Prevention Plan (SWPPP). The implementation of this permit system requires that specific management practices be implemented at the time of construction. Detailed BMPs would be determined as part of the NPDES/SWPPP process based on site-specific parameters. Therefore, potential impacts would be avoided or reduced below a level of significance through conformance with existing NPDES and related City storm water standards. If groundwater is extraction/disposal is required during construction, the applicant and/or contractor would be required to conform with applicable criteria of the associated NPDES Groundwater Permit.

Long-term Operational Impacts

A project Water Quality Technical Report (WQTR) would be required to be submitted for any future development of the subject site that is a priority project based on applicable NPDES and City SUSMP criteria, including areas of disturbance and the proposed construction/operation of roadways, parking areas, and restaurant facilities. The WQTR also identifies anticipated pollutants of concern from project development/operation that could potentially impact downstream receiving waters. In accordance with requirements under the NPDES Municipal Permit and related City standards (e.g., the City SUSMP) future projects would be required to implement appropriate measures to address potential long-term water quality concerns and ensure regulatory conformance. Specifically, this would include the designation of drainage management practices (DMAs) pursuant to the City SUSMP, and implementation of appropriate integrated management practices (IMPs) and low impact development (LID) source control and treatment control (or structural) BMPs. Therefore, with implementation of appropriate measures as part and in conformance with the project WQTR, the proposed project would conform with all applicable

regulatory requirements related to long-term water quality concerns and associated impacts would be avoided or reduced below a level of significance.

- k. Create or exacerbate already existing environmentally sensitive areas?*
- l. Create potentially significant environmental impact on surface water quality, to either marine, fresh, or wetland waters?*
- m. Impact aquatic, wetland or riparian habitat?*

The site has been completely developed with commercial uses and no sensitive plant or animal species are known or reported on the project site. As described in Section VII, Biological Resources, the proposed development would not affect any environmentally sensitive areas or aquatic/riparian/wetland habitats, with no associated impacts from future project development. The project area is outside the City of Escondido Focused Planning Areas as indicated on the MHCP maps. No conflicts with the provisions of the MHCP are expected.

- o. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*
- p. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*
- q. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*
- r. Inundation by seiche, tsunami, or mudflow?*

The project site is located outside the 100-year flood zone except for the Reidy Creek Flood Control Channel which bisects the project area. The Reidy Creek drainage facility is a concrete-lined channel designed to contain the 100-year flow, with no associated mapped 100-year floodplains occurring locally in the SanGIS database or on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs). Therefore, no structures would impede or redirect flood flows. The project does not include the construction of any housing or the placement of any residential structures within a 100-year floodplain. The project does not propose to construct a levee or dam and would not otherwise expose people or structures to a significant risk of flooding. The project site and surrounding area are located within a mapped dam inundation area associated with the upstream Lake Wohlford and Dixon Reservoir containment structures/reservoirs (City of Escondido 2000, 1990). Associated potential impacts are considered less than significant, based on the fact that containment structures (dams) are subject to extensive design and maintenance requirements of the California Division of Safety of Dams, with the probability for a catastrophic failure of the notes sites considered extremely low. Specifically, the Lake Wohlford and Dixon Reservoirs dams are inspected and maintained (if necessary) on a weekly basis, as well as after applicable seismic events (City of Escondido 2000). Based on the location of the proposed project approximately 12 miles inland, no significant impacts related to tsunamis would result. No significant impacts related to seiches and associated flood hazards are anticipated to occur given the distance from the existing Lake Wohlford and Dixon Reservoirs, and channelization of Reidy Creek. The project site and surrounding properties are developed and generally level, and therefore the site is not subject to any anticipated mudflows.

XII. MINERAL RESOURCES

Significance Criteria and Impact Analysis

The effects of a project on mineral resources are considered to be significant if the proposed project would:

- 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?*

The subject site and adjacent properties have been previously developed for uses including industrial, commercial and multi-family residential. These properties are not known to contain any known mineral deposits of value. This conclusion is based on the described existing land uses, as well as review of: (1) City General Plan (1990); (2) the CGS (formerly the California Department of Mines and Geology [CDMG]) Update of Mineral Land Classification; Aggregate Materials in the Western San Diego County Production-Consumption Region (1996); and (3) the CGS Mines and Mineral Resources of San Diego County, California (1963). Specifically, the General Plan designates the subject site for general industrial and general commercial uses, but does not identify any related land uses or zoning categories associated with mineral extraction or processing. The subject site is located within a Mineral Resource Zone (MRZ) designation of MRZ-4 I the referenced 1996 CGS report, which is defined as "areas of no known mineral resources." Finally, the referenced CGS San Diego County Report does not identify any known mineral deposits or mining activities within the subject site. Therefore, the proposed project would not result in the loss of known valuable resources or change the existing availability of such mineral resources that would be of value to the region and residents of the state. No known locally important mineral resource recovery sites delineated on a local general plan, specific plan or other land-use plan are present within the project site or surrounding area.

XIII. NOISE

Significance Criteria and Impact Analysis

The effects of a project on noise are considered to be significant if the proposed project would result in:

- a. *Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*
- b. *Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?*
- c. *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*
- d. *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Noise Level Standards and Ambient Noise

The City's General Plan Noise Element contains policies which outline acceptable noise levels associated with each type of land use. A 60 dBA CNEL exposure is considered normally acceptable for exterior residential land uses and 45 dBA CNEL for interior levels, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. CNEL is a weighted sound level during a 24-hour period after the addition of five decibels (db) to average sound levels at evening hours (7 PM to 10 PM) and 10 dB to the average night hours (10 PM to 7 AM) is applied to account for noise sensitivity during evening and nighttime hours. The City's sound level limit for noise at the property lines of commercial zones is 60 dBA (7 a.m. to 10 p.m.) and 55 dBA (10 p.m. to 7 a.m.) and light industrial zones is 70 dBA equivalent sound level (Leq) as referenced in Section 17-229, Article of the Municipal Code. The proposed project must meet the 70 DBA leq standards at the property boundary, but also must not exceed the ambient standard at the receiving land use. With respect to noise generators, the General Plan Noise Element states that projects that increase noise levels by five dBA or greater would result in a significant impact

The area surrounding the subject site is primarily industrial and commercial in nature, with a few residential uses which are considered sensitive to noise. The primary noise sensitive uses in the

surrounding area are two non-conforming multi-family residential developments directly east of the site across Quince Street (Quince Park Apartments and Village Grove Apartments), and two motel developments further to the east located between Quince Street and Centre City Parkway. The subject area and existing uses along Quince Street are located within a projected Noise Contour of 65 CNEL Noise Contour Map (General Plan Noise Contour Map, Figures 5.4-12 April 2000). Based on noise measurements taken in the vicinity of the area, the hourly ambient noise levels along N. Quince Street in the vicinity of the site currently exceed the daytime and nighttime residential standards identified in the City's Municipal Code Section 17-229 of Article 12. Therefore, the ambient noise levels are the threshold for determining project impacts, pursuant to Municipal Code Section 17-229(c) of Article 12. Along the segment of N. Quince Street (between Mission Ave. and Washington Ave.) the existing noise level is 66.8 dBA CNEL (Ldn 2010). The future noise level along this roadway segment (which includes the ballpark project and this proposed General Plan Amendment project) is projected at 67.0 dBA CNEL. The proposed project must meet the 70 DBA leq standards at the property boundary, but also must not exceed the standard at the receiving land use.

Operational Noise

Future development of the site has the potential to increase noise levels within the immediate area in association with facility-related activities. Since no specific project is proposed as part of this General Plan Amendment, noise generated from future development would vary depending on the type of uses and location on the site. The project area is located within an urban area and currently zoned for commercial and industrial uses, and from a plan-to-plan analysis, the proposed Planned Commercial land-use designation is not anticipated to result in a significant increase in noise impacts that would potentially be generated by the existing Planned Industrial and General Commercial land-use designation, or potential future zone change to Planned Development-Commercial.

Surrounding uses include commercial and industrial, with two non-conforming multi-family residential developments to the east across Quince Street. The proposed General Plan Amendment to change the existing land use from commercial and industrial to Planned Commercial is not anticipated to result in a significant increase in operational noise beyond those levels anticipated in the General Plan Noise Contours. From a plan-to-ground level, future projects would be required to meet acceptable exterior noise level standards as established in the noise and land use compatibility guidelines contained in the Noise Element of the General Plan. Future development would be reviewed for consistency with the land use/noise compatibility table and General Plan policies to establish whether specific noise reduction measures would be required through design and construction techniques. Potential site design and construction measures include appropriate site planning (e.g., increase distance between noise source and receiver, using non-noise sensitive structures to shield noise-sensitive areas, building orientation, perimeter noise attenuation walls and berms and construction modification, etc.). With the submittal of a future development request, a site specific acoustical evaluation would be required for those areas or uses that would have the potential create adverse impacts to adjacent uses.

Traffic Related Noise

The cumulative traffic noise levels along a roadway segment are based on three primary factors; the amount of traffic, travel speed and the vehicle mix ratio or number of medium and heavy trucks. The intensity of traffic noise is increased by higher traffic volumes, greater speeds and increased number of trucks. Because mobile/traffic noise levels are calculated on a logarithmic scale, a doubling of the traffic volume without changing the vehicle speeds or mix ratio results in a noise increase of 3 dBA. With respect to noise generators, the Noise Element states that projects that increase noise levels by five (5) dBA or greater would result in a significant impact. Anticipated traffic generated from this General Plan Amendment is limited to 12,160 ADT to maintain a General Plan Circulation Element Level-of-Service Goal of "C" or better on all studies roadway segments. Therefore, the proposed project would not double the projected buildout traffic volumes over the existing General Plan land-use designations along the study area roadways and also would not result in identified roadway segments operating below LOS "C."

The project also is not anticipated to change the noise contours identified in the General Plan noise element (2000, Figure 5.4.) since all identified roadway segments still would operate within buildout projections and would not result in significant impact to the area roadways. Therefore, anticipated noise levels from traffic-related noise is not anticipated to increase noise levels by more than 5 dBA and the project would have less than significant impact on traffic noise along nearby roadways.

No noise sensitive land uses are proposed on the project site. Therefore, no traffic related impacts from the roadways are anticipated.

Construction Noise

No specific projects are proposed as part of this General Plan Amendment. However, noise levels within and adjacent to the specific construction sites would increase construction noise would occur from future demolition of existing structures, grading and construction activities. Construction would not cause long-term impacts since it would be temporary and daily construction activities would be limited by the City's Noise Ordinance (Sections 17-234 and 17-238) to hours of less noise sensitivity. Upon completion of construction, all construction noise would cease with no associated permanent increase in ambient noise levels.

- e. *For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*
- f. *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

No private or public airstrips are located within 2 miles of the proposed project site; thus, people residing or working in the project area would not be exposed to excessive noise levels due to airport operations.

XIV. POPULATION AND HOUSING

Significance Criteria and Impact Analysis

The effects of a project on population and housing are considered to be significant if the proposed project would:

- a. *Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?*
- c. *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

The proposed General Plan Amendment from Planned Industrial and General Commercial to Planned Commercial would not induce substantial population growth within the surrounding area and city. The type and intensity of anticipated development would be considered in conformance with the existing General Plan's General Commercial and Industrial land-use designations. The site generally is underutilized and considered an "infill" project site within a developed area of the City, and is adjacent to similar development, densities and intensities. The project site is within an urban area and all area roadways and related utilities have been constructed. Therefore, the proposed General Plan Amendment would not significantly alter the location, distribution or population density within the area, nor would it adversely impact the City's housing demand. The project site and surrounding areas are designed Tier 1 urbanized area neighborhoods, and are described as planned and zoned for commercial and industrial uses.

The project site is developed with commercial uses and does not contain any residential uses or structures. The existing and proposed land-uses also do not allow for residential uses. Therefore, the project would not result in the loss of any existing housing would not induce substantial population growth nor displace any housing or substantial numbers of people. Therefore, the project would not induce substantial population growth nor displace any housing or substantial numbers of people. Redevelopment of the site would create additional permanent job opportunities, but it is not anticipated to create a substantial demand for additional housing and would not affect the population buildout projections for the City. Many of the jobs are anticipated to be filled by people in the local community.

XV. PUBLIC SERVICES

Significance Criteria and Impact Analysis

The effects of a project on public services are considered to be significant if the proposed project would:

- 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*

The City Fire Department has indicated their ability to adequately serve the proposed site with respect to day-to-day fire suppression and EMS facilities/services. The area currently is served by Fire Station No. 1, located at 310 N. Quince Street, less than 0.2 miles from the project site. Specifically, this station includes one engine company; one truck company; one reserve unit; one ambulance; and approximately 12 personnel (including a Battalion Chief). Fire Station No. 1 also is used as a training facility. Therefore, less than a significant impact would occur.

- ii. *Police protection*

The Police Department indicated the proposed General Plan Amendment and Rezone would not result in the need for additional police services (e.g., equipment and staff). Police response times would remain the same with the project. The Escondido Police Department indicated their ability to adequately provide both normal and emergency response to the site and no significant impacts to police services are anticipated.

- iii. *Schools*

The City of Escondido is served by the EUSD (grades K-8) and the EUHSD (grades 9-12). As the project would not increase population within the surrounding area, the proposed General Plan Amendment and Rezone would not result in any significant additional demand for school facilities/system.

- iv. *Parks*

The proposed General Plan Amendment and Rezone would not result in a need to provide additional park or open space amenities since the project would not increase population within the surrounding area. The project is not anticipated to increase the use of existing neighborhood or regional parks or other recreation facility that would cause a substantial physical deterioration due to the Planned Commercial nature of the project. The proposal will not impact the quality or quantity of existing recreational opportunities since the site is not used for recreational activities, and is not listed as a potential park site

in the City's Master Plan of Parks and Trails. Therefore, no significant impact to recreational resources would occur as a result of the General Plan Amendment and Rezone.

v. *Libraries*

The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities or staff. The project would not result in an increase in population, and thus, would not generate an increased demand for library facilities, or the development of additional library spaces, books or other related items.

vi. *Gas/Electric*

SDG&E would provide gas and electric facilities to the project. The General Plan Amendment from Planned Industrial and General Commercial to Planned Commercial would not result in substantial adverse physical impacts associated with the provision of new or physically altered SDG&E facilities. Future development of the site would create an increased demand for gas and electricity over existing levels, but the project increase is not significant on an area-wide level and the project would not require a major expansion existing SDG&E power transmission facilities. Therefore, no significant impacts are anticipated to occur with respect to increased power demand from the proposed project.

XVI. UTILITIES AND SERVICE SYSTEMS

Significance Criteria and Impact Analysis

The effects of a project on utilities and service systems are considered to be significant if the proposed project would:

- a. *exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.*
- b. *require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.*
- c. *require, or result in, the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.*
- d. *have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.*
- e. *result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.*
- f. *be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.*
- g. *comply with federal, state, and local statutes and regulations related to solid waste.*

Solid Waste – Escondido Disposal, Inc. (EDI) currently provides solid waste removal service for the Escondido area. EDI also operates a solid waste transfer station at their Washington Avenue site where solid waste is consolidated into larger transfer trucks and taken to a class III landfill for disposal. There are no specific projects associated with this General Plan Amendment and Zone Change. However, solid waste pick-up will be available for the site and any future development by EDI. The proposed General Plan Amendment and future development is not anticipated to result in a substantial increase in demand for solid waste disposal. Future projects would be required to incorporate appropriate trash enclosures and recycling bins into the trash facilities, which would minimize its contribution to landfill capacity in the region and less than significant impacts would occur since adequate capacity exists.

Sewer Service – The Escondido Drive-In property is within the sewer service area of the City of Escondido and gravity sewer collection extends to the property including an existing sewer line in Rock Springs Road and Quince Street. Many other sewer lines exist in this area, but do not provide service to the property. From a Plan-to-Plan analysis, a change from Industrial to Planned Commercial would result in a lower sewage generation rate for much of the property, which also includes potential covering or crossing of the channel. From a Plan-to-Ground analysis, the ultimate sewage flows are consistent with the projected ultimate flows calculated in the November 2005 Wastewater Collections System Master Plan Update and December 2006 Wastewater and Disposal Capacity Study by Brown and Caldwell. The Hale Avenue Resource Recovery Facility (HARRF) has the capacity to handle the demand for service generated by future development of the site. The project also complies with established General Plan Quality-of-Life Standards for Sewer Service.

Water Service – The subject site is within the water service area of the City of Escondido. The City's Lindley Pressure Zone supplies water to a network of water mains surrounding the property. Based on the range of elevation on the property of 642 and 650 feet, the maximum static water pressure on the property is between 120 and 124 psi. Water system demand for commercial and industrial zoned property is the same at 1.22 gpm/acre (Waster Master Plan 2000) and a Fire Flow requirement of 2,500 gpm, 2hrs. Therefore, the plan to plan impacts of the proposed General Plan Amendment would be the same. The only water demand change of 4,462 gpd is if the Escondido Channel Property is covered and/or developed since it does not have a current water demand. This increase in demand is not significant and sufficient water service would continue to be provided to the site from existing mains within the adjoining street system.

Plan to Ground – The May 2009 Design Standards document indicates the minimum size for multi-family, commercial and industrial zones is 12-inch pipe. Many of the existing water lines within the City's Lindley Pressure Zone situated in the downtown area south of Highway 78 and east of Interstate 15 are 6-inch and 8-inch in diameter. Based on field fire hydrant flow testing, there is sufficient flow and pressure available to deliver 2,500 gpm fire flow to the property. However, in order to avoid any potential impacts to residual pressures within the Lindley Pressure Zone, any future development of the site would be required to evaluate their individual project specific impact to the existing system and to upgrade the existing system as necessary to meet City Design Standards and/or contribute their fair share to the regional improvement of the water system by upgrading to 12-inch diameter water main, as may be required by the Engineering Division and Utilities Department.

Drainage Facilities – See analysis contained within Water Section No. IV.

SUMMARY OF MITIGATION MEASURES

The following measures constitute an enforceable commitment pursuant to Section 15070(b)(1) of the State CEQA Guidelines.

Mitigation Measure Traffic – 1

All future development proposals on the site shall not produce a cumulative Average Daily Traffic exceeding 12,160 ADT to maintain General Plan Circulation polices for street segments of LOS "C." Concurrent with a future development proposal, each individual project shall provide a more detailed analysis of street segment and intersection operations, and any necessary improvements/measures shall be implemented to maintain appropriate levels of service, as determined by the City.

Mitigation Measure GHG - 1

Prior to issuance of building permits and as a condition of future building permit approval, construction plans and specifications for future development under the project shall indicate in the general notes or individual detail drawings the design features, product specifications and methods of construction and installation that area required to surpass the 2008 Title 24 Energy Efficiency Standards by a minimum of 15 percent. Verification of increased energy efficiencies shall be demonstrated based on a performance approach, using a CEC-approved energy compliance software program, in the Title 24 Compliance Reports provided by the project applicant to the City prior to issuance of the building permit.

Mitigation Measure GHG - 2

Prior to issuance of a final certificate of occupancy, the energy features shall undergo independent third-party inspection and diagnostics with compliance verified by the City's Building Official. Additional inspections may be conducted as needed to ensure compliance, and during the course of construction and following completion of the project, the City may require the applicant to provide information and documents showing use of products, equipment and materials specified on the permitted plans and documents.

Mitigation Measure GHG - 3

Prior to issuance of building permits, where 2008 Title 24 Energy Efficiency Standards are surpassed by a minimum of 15 percent, but less than 20 percent, construction plans and specifications for future development under the project shall indicate in the general notes or individual detail drawings the advanced water conservation features, product specifications and methods of construction and installation that are required to surpass the state plumbing code by a minimum of 20 percent, to achieve a minimum 20 percent reduction in water usage. Verification of the 20 percent reduction in potable water use shall be demonstrated by verifying each plumbing fixture and fitting meets the 20 percent reduced flow rate or by calculating a 20 percent reduction in the building water use baseline. This documentation shall be provided by the project applicant to the City prior to issuance of the first building permit. The performance of the water conservation design shall be verified through final inspection prior to issuance of a final certificate of occupancy.

Mitigation Measure GHG - 4

Where a City of regional Climate Action Plan or other plan or policy has been adopted at the time of project submittal to reduce City/regional GHG emissions, and the plan or policy was adopted in a public process following environmental review and contains the following elements:

- ***Quantification of GHG emission within a defined area that includes the project site;***
- ***A GHG target level identifying where GHG emissions are not cumulatively considerable;***
- ***Specification of binding and enforceable measures to achieve the target GHG emissions levels; and***
- ***A process to monitor progress and make amendments if necessary;***

Prior to the issuance of building permits, construction plans and specifications for future development under the project shall demonstrate compliance with the adopted plan or policy.

Mitigation Measure Haz - 1

Prior to future development of the property that would involve grading or significant ground disturbance, a Phase II environmental Assessment shall be prepared to assess the presence of hazardous materials on site and in any off-site area proposed for development. Should hazardous materials or contamination be identified (from contaminated soils or groundwater) the recommendations contained in the Phase II study shall be implemented so that any existing hazardous conditions is remediated to levels deemed acceptable by the County Department of Environmental Health, and all other applicable state and federal regulations. If required, a remedial action plan (RAP) shall be prepared to: (1) summarize the nature and extent of on-site contamination; (2) asses risks to human health and the environment from potential exposure to contaminants during construction/operation of a future project; (3) evaluate potential remedial actions. The RAP (or equivalent document) shall be submitted to the Department of Environmental Health (DEH) for review and comment prior to implementation.

Mitigation Measure Haz - 2

Prior to the issuance of building/demolition permits for the existing structure(s), an evaluation of the potential occurrence of asbestos materials (ACM), lead-based paint (LBP) and PCBs shall be conducted. The determination of structures subject to such testing shall be made by the hazardous materials contractor, in consultation with appropriate regulatory agencies (e.g., the DEH). The removal and disposal of any ACM, LBP and PCB materials shall be conducted in accordance with applicable local, state and federal regulatory guidelines/regulations. Evidence of survey completion shall consists of a signed and stamped statement from the person certified to complete the facility survey indicating the survey has been completed, and that either regulated materials is present or absent. If present, the letter shall describe the procedures that will be taken to remediate the hazard.

MANDATORY FINDINGS OF SIGNIFICANCE

Potential impacts to the environment as a result of this project are in the areas of Traffic/Circulation, Green House Gases and Hazardous Materials. With the project description and limitations on cumulative vehicle trips, and mitigation measures, the project is not expected to have any significant impacts, either long-term, nor will it cause substantial adverse effects on human beings, either directly or indirectly. The project will not degrade the quality of the environment for plant or animal communities since the project will not cause fish and wildlife populations to drop below self-sustaining levels nor reduce the number or restrict the range of endangered plants or animals. The project will not materially degrade levels of service of the adjacent streets, intersection or utilities, nor have a significant impact on the City's Quality of Life Standards. Therefore, in staff's opinion, the proposed project would not have a significant individual or cumulative impact to the environment.

Materials Use in Preparation of this Analysis

Escondido General Plan and Environmental Impact Report (Escondido 1990)

Escondido General Plan Update and Environmental Impact Report (Escondido 2000)

Escondido Zoning Code and Land Use Maps

SANDAG Summary of Trip Generation Rates

Escondido Historic Sites Survey

City of Escondido

Public Works Department

Engineering Division

Traffic Division

Building Division

Fire Department

Police Department

Planning Division

FIRM maps (Flood Insurance Rate Maps) Panel No. 06073C1076F. June 19, 1997

Draft MHCP maps (Multiple Habitat Conservation Program)

County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List.

Escondido Drainage Master Plan (1995).

Escondido Water Master Plan (2000)

Preliminary Water Service Overview for the Escondido Drive-Inn Property prepared by Dexter Wilson Engineering, Inc., August 2010

Escondido Wastewater Collection System Master Plan Update (Nov. 2005) and Wastewater Treatment and Disposal Facilities Capacity Study, Dec. 2006.

Preliminary Sewer Service Overview for the Escondido Drive-Inn Property prepared by Dexter Wilson Engineering, Inc., August 2010.

Mitigated Negative Declaration and associated Technical Studies issued for the proposed Triple-A Minor League Baseball ballpark (City File No. AZ 10-0002), issued October 19, 2010.

State Water Resources Control Board (SWRCB) 20072006 Clean Water Act Section 303(d) List of Water Quality Limited Segments.

California Department of Conservation (CDC) 2010 Farmland Mapping and Monitoring Program (FMMP)

CGS (formerly the California Department of Mines and Geology [CDMG]) Update of Mineral Land Classification; Aggregate Materials in the Western San Diego County Production-Consumption Region (1996); and the CGS Mines and Mineral Resources of San Diego County, California (1963).

2000 General Plan Noise Contour Exhibits (5.4-5)

Preliminary Noise Study prepared for the Escondido Ballpark prepared by LDN Consulting, Inc., October 2010 (Lnd 2010).

Air Quality Analysis for the Escondido Drive-In Project, prepared by RECON, July 2010 (Recon 2010)

Global Climate Change Analysis for the Escondido Drive-In Project prepared by RECON, July 2010. (Recon 2010).

Traffic Assessment for the Escondido Drive-In General Plan Amendment prepared by Linscott Law and Greenspan (LLG 2010a)

Traffic Impact Analysis for the proposed Escondido Ballpark prepared by Linscott Law and Greenspan, October 2010 (LLG 2010b)

Phase 1 Environmental Site Assessment prepared by Geotech, April 2009 (Geotech 2009)

Cultural Resource Survey prepared for the Escondido Ballpark (Affinis 2010).

Mitigation Monitoring Reporting Program

Project Name: Escondido Drive-In General Plan Amendment
Project Description: General Plan Amendment
Project Location: 635 W. Mission Ave (APNs 228-270-57, 72, -73 and -77)

Env. Doc. Number: PHG 09-0009
Assoc. Case Nos.: N/A

Contact Person: David Ferguson (project representative)
Phone Number: (760) 743-1201

Approval Body/Date:
Project Mgr.: Jay Paul, Associate Planner
Phone No.: (760) 839-4537

Phase at which the Mitigation Measures are to be implemented

NATURE OF IMPACT	MITIGATION MEASURE	IDENTIFICATION NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENTATION	CERTIFIED INITIAL/DATE	COMMENTS
<p>Traffic Maintain street segment Level of Service "C". Concurrent with development submittal</p>	<p>All future development proposals on the site shall not produce a cumulative Average Daily Traffic exceeding 12,160 ADT to maintain General Plan Circulation goals/policies for street segments operation of LOS "C." Concurrent with a future development proposal, each individual project shall provide a more detailed analysis of street segment and intersection operations, and any necessary improvements/measures shall be implemented to maintain appropriate levels of service, as determined by the City.</p>	<p>Traffic - 1.</p>	<p>Applicant Planning Div. Engineering Div.</p>		
<p>Green House Gas Conformance with energy efficiency standards Prior to issuance of building permits</p>	<p>Prior to issuance of building permits and as a condition of future building permit approval, construction plans and specifications for future development under the project shall indicate in the general notes or individual detail drawings the design features, product specifications and methods of construction and installation that area required to surpass the 2008 Title 24 Energy Efficiency Standards by a minimum of 15 percent. Verification of increased energy efficiencies shall be demonstrated based on a performance approach, using a CEC-approved energy compliance software program, in the Title 24 Compliance Reports provided by the project applicant to the City prior to issuance of the building permit.</p>	<p>GHG -1.</p>	<p>Applicant Planning Div. Building Div.</p>		

<p><u>Green House Gas</u> Conformance with energy efficiency standards</p>	<p>Prior to issuance of a final certificate of occupancy, the energy features shall undergo independent third-party inspection and diagnostics with compliance verified by the City's Building Official. Additional inspections may be conducted as needed to ensure compliance, and during the course of construction and following completion of the project, the City may require the applicant to provide information and documents showing use of products, equipment and materials specified on the permitted plans and documents.</p>	<p>GHG - 2</p>	<p>Applicant Planning Div. Building Div.</p>		
<p><u>Green House Gas</u> Conformance with water efficiency standards Prior to issuance of building permits</p>	<p>Where 2008 Title 24 Energy Efficiency Standards are surpassed by a minimum of 15 percent, but less than 20 percent, construction plans and specifications for future development under the project shall indicate in the general notes or individual detail drawings the advanced water conservation features, product specifications and methods of construction and installation that are required to surpass the state plumbing code by a minimum of 20 percent, to achieve a minimum 20 percent reduction in water usage. Verification of the 20 percent reduction in potable water use shall be demonstrated by verifying each plumbing fixture and fitting meets the 20 percent reduced flow rate or by calculating a 20 percent reduction in the building water use baseline. This documentation shall be provided by the project applicant to the City prior to issuance of the first building permit. The performance of the water conservation design shall be verified through final inspection prior to issuance of a final certificate of occupancy.</p>	<p>GHG - 3</p>	<p>Applicant Planning Div. Building Div.</p>		
<p><u>Green House Gas</u> Compliance with future Climate Action Plan(s) Prior to issuance of building permits</p>	<p>Where a City of regional Climate Action Plan or other plan or policy has been adopted at the time of project submittal to reduce City/regional GHG emissions, and the plan or policy was adopted in a public process following environmental review and contains the following elements:</p> <ul style="list-style-type: none"> • Quantification of GHG emission within a defined area that includes the project site; • A GHG target level identifying where GHG emissions are not cumulatively considerable; • Specification of binding and enforceable 	<p>GHG - 4</p>	<p>Applicant Planning Div. Building Div.</p>		

	measures to achieve the target GHG emissions levels; and <ul style="list-style-type: none"> • A process to monitor progress and make amendments if necessary; <p>Prior to issuance of building permits, construction plans and specifications for future development under the project shall demonstrate compliance with the adopted plan or policy.</p>				
<p>Hazardous Materials Potential contaminated ground water or soils</p> <p>Prior issuance of grading permits or any significant ground disturbance</p>	<p>Prior to future development of the property that would involve grading or significant ground disturbance, a Phase II Environmental Assessment shall be prepared to assess the presence of hazardous materials on site and in any off-site area proposed for development. Should hazardous materials or contamination be identified (from contaminated soils or groundwater) the recommendations contained in the Phase II study shall be implemented so that any existing hazardous conditions is remediated to levels deemed acceptable by the County Department of Environmental Health, and all other applicable state and federal regulations. If required, a remedial action plan (RAP) shall be prepared to: (1) summarize the nature and extent of on-site contamination; (2) assess risks to human health and the environment from potential exposure to contaminants during construction/operation of a future project; (3) evaluate potential remedial actions. The RAP (or equivalent document) shall be submitted to the Department of Environmental Health (DEH) for review and comment prior to implementation.</p>	Haz - 1	Applicant Planning Div. Engineering Div.		
<p>Hazardous Materials Potential hazardous building materials and PCBs</p> <p>Prior to issuance of building or demolition permits</p>	<p>Prior to the issuance of building/demolition permits for the existing structure(s), an evaluation of the potential occurrence of asbestos materials (ACM), lead-based paint (LBP) and PCBs shall be conducted. The determination of structures subject to such testing shall be made by the hazardous materials contractor, in consultation with appropriate regulatory agencies (e.g., the DEH). The removal and disposal of any ACM, LBP and PCB materials shall be conducted in accordance</p>	Haz - 2	Applicant Planning Div. Building Div.		

	<p>with applicable local, state and federal regulatory guidelines/regulations. Evidence of survey completion shall consist of a signed and stamped statement from the person certified to complete the facility survey indicating the survey has been completed, and that either regulated materials is present or absent. If present, the letter shall describe the procedures that will be taken to remediate the hazard.</p>				
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CODE COMPLIANCE

<p>Ongoing monitoring to ensure compliance with all mitigation measures, conditions of approval, operational requirements, standards, codes and regulations.</p>	<p>Project Applicant City of Escondido Planning Division Wildlife Agencies</p> <p>Public Works Dept. Code Enforcement Div. Police Dept. Field Engineering Div.</p> <p>Building Dept. City Attorney Fire Dept.</p>
<p>Enforcement of the project conditions, mitigation measures, codes, standards and regulations are handled through inspection and evaluation procedures by the above mentioned City Departments and upon failure to comply with the conditions, the project may be referred to the Planning Commission for review and possible modification or revocation of the permit.</p>	<p>City of Escondido</p>

PHG 09-0009

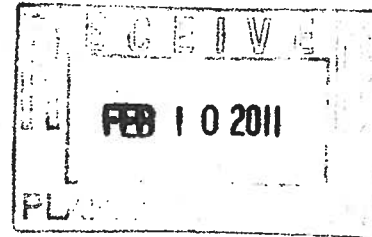
PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013



February 8, 2011

Jay Paul, Associate Planner
City of Escondido
201 North Broadway
Escondido, CA 92025-2798



Dear Mr. Paul:

Re: SCH# 2011011038; PHG-09-0009 (Escondido Drive-in General Plan Amendment)

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-Negative Declaration* from the State Clearinghouse for the proposed Escondido Drive-in General Plan Amendment. The proposed project at 635 W. Mission Avenue may have impacts not only on streets and at intersections, but also at the nearby NCTD Sprinter crossings of Andreason Drive (CPUC No. 106E-120.38 and DOT No. 027593X) and Hale Avenue (CPUC No. 106E-120.75 and DOT No. 027596T). This includes considering pedestrian circulation patterns/destinations with respect to the railroad and rail transit right-of-way.

Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad and transit right-of-way.

Language should be in place so that any traffic impact studies undertaken should also address vehicular and pedestrian traffic increase impacts over affected crossings and associated proposed mitigation measures.

If you have any questions, or would like to discuss our concerns please contact Laurence Michael, Utilities Engineer at 213-576-7076, ldi@cpuc.ca.gov, or me at rxm@cpuc.ca.gov, 213-576-7078.

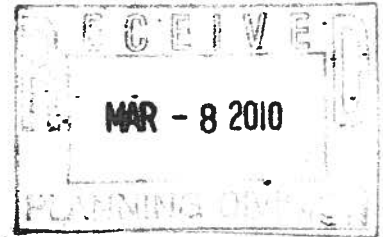
Sincerely,

A handwritten signature in black ink, appearing to be "Rosa Muñoz".

Rosa Muñoz, PE
Senior Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division



SAN LUIS REY BAND of Mission Indians



Tribal Council

Hal Vernon

Captain

Carmen Mojado

*Secretary of Government
Relations*

Charlotte Herrera

Secretary of the Treasury

Tom Beltran

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Al Cerda

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Clara Guy
Tribal Elder

Henry Contreras
Council Member

David Herrera
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Mary Lou Beltran
Council Member

Carrie Lopez
Tribal Advisor

Merri Lopez, Esq.
Tribal Legal Advisor

Contact Information
1889 Sunset Drive
Vista, CA 92081

Tel: (760) 724-8305
Fax: (760) 724-2172

MARCH 1, 2010

**Re: Comments on Proposed JOHNSTON General Plan Amendment
ESCONDIDO SWAP MEET-PHG 09-0009**

Dear Mr. Jay Paul

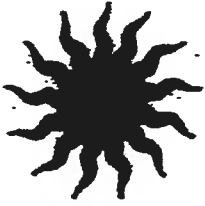
**The San Luis Rey Band of Mission Indians hereby submits the following
comments on the proposed JOHNSTON General Plan Amendment
ESCONDIDO SWAP MEET - PHG 09-0009 ("Project").**

The San Luis Rey Band ("Band" or "Tribe") is a San Diego County Tribe whose traditional territory includes the current cities of Vista, Oceanside, Carlsbad, San Marcos and Escondido, among others. The Band's primary concerns are the preservation and protection of cultural, archaeological, sacred and historical sites of significant to the Band located within the Project area.

The Band is concerned about protecting the unique and irreplaceable cultural resources which will be affected by the Project. The Tribe is also concerned about the appropriate and lawful treatment of Native American human remains and cultural and sacred items which are likely to be disturbed during the Project's development and ground disturbing activities. The Band does have a Most Likely Descendant on file with the Native American Heritage Commission in the event that human remains are discovered during the grading process.

The need for mitigation measures for this Project are undisputed. The strongest protections must be afforded to protect these invaluable resources. The Band intends to use all appropriate and necessary procedures available to ensure that these resources are properly addressed via the CEQA and SB 18 processes.

To ensure a complete and undisputed understanding by all parties regarding the protection of these priceless resources, the Band respectfully



SAN LUIS REY BAND of Mission Indians

Tribal Council

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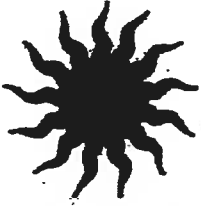
Tel: (760) 724-8505
Fax: (760) 724-2172

requests that the following mitigation measures be added as mandatory conditions for approving the grading permit for the Project. The Developer must be required to submit written proof of these requirements before the permit may be issued.

1. The Developer must execute a Pre-Excavation Agreement with the Band prior to any ground-disturbing activities on the Project site. The agreement will, at minimum, include the following provisions:
 - A. Require appropriate treatment of human remains and cultural items.
 - B. Require a good faith effort by the parties to agree on what is appropriate treatment and dignity when addressing human remains and cultural items.
 - C. Require that any human remains or cultural items recovered during the grading process be returned to the Band, and not curated in a facility absent the express written consent of the Band.
 - D. Require avoidance for all significant and sacred archaeological sites which may be found during development. Avoidance is the preferred method of preservation under CEQA for such resources.
 - E. Require Native American monitors to be present during all ground-disturbing activities.
 - F. Provide for the compensation of tribal monitors at the expense of the Developer.

2. Additionally, the Band requests that Native American monitors be added as a mandatory requirement, in addition to any archaeological monitor required by state law.

With these clarifications, the San Luis Rey Band believes that the mitigation measures described above will provide adequate protection for the cultural resources and human remains that may be discovered in the Project area. The Band intends to carefully monitor this Project to ensure that the requirements imposed by CEQA and SB 18 are rigorously applied for the duration of the Project.



SAN LUIS REY BAND of Mission Indians

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Revised: 01 03

The Band truly appreciates the commitment of CITY OF ESCONDIDO
to continue consultation with the Tribe during the Project. We
look forward to continuing this positive relationship and we thank you for your
assistance in protecting our invaluable Luisefio cultural resources.

Sincerely,

Mel Vernon

San Luis Rey Band of Mission Indians