

CEQA Infill Exemption

San Elijo Town Center Multifamily

SDP24-0009/TSM26-0001



City of San Marcos

June 2026

Prepared by:

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Table of Contents

Section 1 Project Description.....	1
Section 2 Previous Environmental Review.....	5
Section 3 CEQA Exemption.....	6
Section 4 CEQA Exemption Analysis.....	8
4.1 Criterion Section 15332(a): General Plan and Zoning Consistency.....	8
4.2 Criterion Section 15332(b): Project Location, Size and Context	8
4.3 Criterion Section 15332(c): Endangered, Rare or Threatened Species	8
4.4 Criterion Section 15332(d): Traffic	9
4.5 Criterion Section 15332(d): Noise	10
4.6 Criterion Section 15332(d): Air Quality.....	12
4.7 Criterion Section 15332(d): Water Quality	16
4.8 Criterion Section 15332(e): Utilities and Public Services.....	17
Section 5 Exceptions to Categorical Exemptions Analysis.....	20
Section 6 Conclusion.....	23
Section 7 References.....	24

List of Figures

Figure 1. Regional Location.....	26
Figure 2. Project Site and Vicinity	27
Figure 3a. Building Elevations (West and South).....	28
Figure 3b. Building Elevations (East and North)	29
Figure 4a. Conceptual Perspectives (East and West).....	30
Figure 4b. Conceptual Perspectives (San Elijo Road North and South)	31
Figure 4c. Conceptual Perspectives (Roof Deck, Southwest)	32
Figure 5a. Building Plans – First and Second Floor.....	33
Figure 5b. Building Plans – Third, Fourth and Fifth Floors.....	34
Figure 6. Conceptual Site Plan.....	35

List of Tables

Table 1. Requested Development Standards Waivers.....	3
Table 2. Town Center Project Trip Generation	9
Table 3. Construction Phases and Noise Levels.....	11
Table 4. City of San Marcos Air Quality Screening Thresholds.....	13
Table 5. Proposed Construction Phases and Duration.....	14
Table 6. Expected Daily Construction Emissions Summary (Pounds/Day).....	14

Table 7. Expected Summer Daily Pollutant Generation (Pounds/Day)	15
Table 8. Expected Winter Daily Pollutant Generation (Pounds/Day).....	15

Appendices

Appendix A	Project Plans and Tentative Map
Appendix B	Traffic Analysis Form
Appendix C	Noise Analysis
Appendix D	Air Quality Memorandum
Appendix E	Water Quality/Hydrology Reports
Appendix F	VWD Water and Sewer Study
Appendix G	Phase 1 Environmental Site Assessment

Section 1

Project Description

1. **Project Title:** San Elijo Town Center Multifamily (SDP24-0009, TSM26-0001)
2. **Lead Agency Name and Address:**

City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069
3. **Contact Person and Phone Number:**

Chris Garcia, Senior Planner
760-744-1050 ext. 3237
cgarcia@sanmarcosca.gov
4. **Project Location:** The 0.576-acre project site (APN 223-630-30-00) is located between San Elijo Road North and San Elijo Road South, north of Elfin Forest Road, within the San Elijo Hills Specific Plan (SEHSP or Specific Plan) Area in the southern portion of the City of San Marcos (City) (Figure 1 and Figure 2).
5. **Project Sponsor's Name and Address:**

SEH Town Center Homes LLC / Ambient Communities
Attn: Duncan Budinger
179 Calle Magdalena, Suite 201
Encinitas, CA 92024
6. **General Plan Designation:** The project site has a General Plan designation of Specific Plan Area (SPA) and is associated with the SEHSP.
7. **Zoning Designations:** The project site has a zoning designation of SPA and is associated with the SEHSP.
8. **Requested Approval:** Site Development Plan (SDP), Density Bonus, and Tentative Subdivision Map.

Existing Setting, Land Use and Zoning

The undeveloped project site was mass graded in 2017 and is fenced. The project site has a General Plan and zoning designation of SPA (Specific Plan Area) and is associated with the SEHSP. No change in General Plan designation or zoning is proposed.

As shown in Figure 2, the project site is located just south of where the San Elijo Road Split occurs, situated between San Elijo Road North and San Elijo Road South. To the north and west of the site beyond San Elijo Road North is San Elijo Park, consisting of numerous playing fields and a parking lot. To the immediate south of the project site are multifamily residential units followed by commercial uses. To the east of the project site beyond San Elijo Road South is San Elijo Middle School.

Project Description

The project is requesting approval of a Site Development Plan, Density Bonus, and Tentative Subdivision Map to construct a 29,630 square foot (s.f.) residential building with 31 for-sale multifamily units (20 one-bedroom units and 11 two-bedroom units) on 0.576 acres. The Tentative Subdivision Map proposes one lot for condominium use.

The five-story building would have three to four stories of residential units above a single level of parking. The building includes a lobby, fire command center room and utilities room. The project design incorporates a private 730 s.f. rooftop deck, with an 8-foot wall on the south side. Building elevations and conceptual perspectives of the proposed project are included in Figure 3a, Figure 3b, Figure 4a, Figure 4b, and Figure 4c. The full project plan set is included as Appendix A.

Density Bonus

The project site is subject to the SEHSP and lies within Planning Area C-2. The SEHSP allows numerous uses within Planning Area C-2, including multifamily housing. The maximum residential density for Planning Area C-2 is 25 units per gross residential acre. Additionally, the SEHSP provides that a development within Planning Area C-2 may locate up to 50% of its parking on the street and requires all developments to submit for Development Plan Review prior to building permit issuance (Specific Plan, Implementation, page VI:1). The SDP approval requested by the project would serve as the Development Plan Review identified in the Specific Plan.

Based on the project site's allocated density of 25 dwelling units per acre and site area of 0.576 acres, the project site maintains a base density of 14.4 units, which rounds up to 15 units. By reserving 3 of these 15 units, or 20 percent of the base density, for purchase by very low-income households, the project is entitled to a 50 percent density bonus, or 7.5 additional units rounded up to 8 units under California's Density Bonus Law (DBL) and the City's Density Bonus Ordinance. Due to the stacking provisions of Assembly Bill 1287, the project may reserve an additional 3 of its 15 base units, or an additional 20 percent of the base density, for purchase by moderate income households, to achieve another 50 percent density bonus, or 7.5 additional units rounded up to 8 units. Therefore, the project shall be entitled to 15 base units plus 16 bonus units for a total of 31 units. The project would reserve 3 units for very low-income households and 3 units for moderate income households for a total of 6 affordable units and 25 market rate units. In addition, the DBL specifies the maximum vehicular parking ratios that can be required for qualifying projects. These ratios are:

- Zero to one bedroom: one onsite parking space.
- Two to three bedrooms: one and one-half onsite parking spaces.

- Four or more bedrooms: two and one-half parking spaces.

The project proposes 20 one-bedroom units and 11 two-bedroom units. Based upon the DBL maximum vehicular parking ratios, the maximum amount of parking that may be required for the project is 37 parking spaces.

Development Standards and Waivers

The proposed project would comply with the majority of the development standards in the SEHSP, including requirements for side setbacks, building coverage, private open space and minimum unit floor area. However, four development standard waivers are requested as part of the proposed project (Table 1).

Table 1. Requested Development Standards Waivers

	SEHSP Development Standard	Proposed
Building Height	45 feet	64 feet
Maximum Stories	3 stories	5 stories
Front Setback	10 feet	1.5 feet
Rear Setback	10 feet	4.4 feet

The DBL requires local agencies to waive development standards that would have the effect of physically precluding the construction of a density bonus development. Incorporating the extra units that come from the density bonus, while creating a functional and efficient design to accommodate the affordable units, requires the waiver of certain development standards that would physically preclude the construction of the project, including building height, the maximum number of stories, and the front and rear setbacks.

Architectural Design – The project proposes a five-story building with three to four levels of residential units over one level of parking. The architectural design includes the use of insets and a mix of materials to break up the bulk and scale of the structure. Building materials include stucco and brick veneer for walls, along with metal and glass railings for balconies. Building elevations and conceptual perspectives of the proposed project are included in Figure 3a, Figure 3b, Figure 4a, Figure 4b, and Figure 4c. Each unit would have a private balcony, which would be inset into the building façade. Figure 5a and Figure 5b present the building plans for each of the floors. The garage portion of the project would be constructed as a Type I-A (Fire Resistant Non-Combustible) structure and the residential portion would be constructed as a Type II-A (Protected Non-Combustible) structure. Type II-A structures have a fire resistance rating of 1 hour for exterior walls, structural frame and floor/ceiling/roof protections.

Landscape Concept Plan – There are existing street trees along San Elijo Road which would remain. The project design includes new landscaping, as detailed in the project's Landscape Concept Plan, which is included in Appendix A of this document. The Landscape Concept Plan includes trees, shrubs, ground covers, and a butterfly and hummingbird habitat garden with native and naturalized plants. Proposed tree species includes fruitless olive and golden rain tree. The project would comply with the City's Water Efficient Landscape Ordinance (WELo). Per the WELo, the average Evapotranspiration Adjustment Factor (ETAF) for regular landscape areas must be 0.55 or below for residential areas and 0.45 or below for non-residential areas. Based upon the ETAF calculations for the project, all landscape areas (residential and non-residential) would have an average ETAF of 0.45. The WELo worksheet is

included in the Conceptual Landscape Plan. The developer would be responsible for the installation and maintenance of the landscaping.

Circulation Network and Emergency Access – As shown on the Conceptual Site Plan (Figure 6), access to the project site would be from one driveway on San Elijo Road North and one driveway on San Elijo Road South. These driveways would be connected via a future private street (Private Drive B). The project access has been designed per requirements of the San Marcos Fire Department (SMFD). A deceleration left turn lane into the project site would be provided on San Elijo Road North along the southwestern project frontage.

Parking – As discussed above, the DBL specifies the maximum vehicular parking ratios that can be required for qualifying projects. The maximum amount of parking that may be required for the project is 37 parking spaces. The project would provide 21 spaces on site, with 10 spaces in the ground-floor parking garage and 11 parking spaces to be located on both sides of Private Drive B (Figure 6). The remaining 16 spaces would be located on both sides of San Elijo Road North and South as regulated by the Collective Parking Standards outlined in the SEHSP. The project site is located within Planning Area C-2. Per the SEHSP, development in Planning Area C-2 may locate up to 50% of its parking on the street (Specific Plan Development Plan Guidelines, page IV:118).

Utility Improvements – The project site is within the Vallecitos Water District (VWD) service boundary for water and wastewater. VWD prepared a water and sewer study for the proposed project, and it is included as Appendix F of this document. The project would connect to existing water and sewer infrastructure in San Elijo Road. The project applicant would pay applicable Water and Wastewater Capital Facility Fees to VWD consistent with VWD Water Capital Facility Ordinance #175 and VWD Wastewater Capital Facility Ordinance #176.

The project is within the service area for San Diego Gas & Electric (SDG&E) and would connect to existing underground gas and electrical infrastructure in San Elijo Road.

Offsite Improvements – To manage stormwater and achieve hydromodification compliance, the proposed project would retrofit the existing outlet structure within the existing stormwater storage facility located under a parking lot at the northeast corner of Elfin Forest Road East and San Elijo Road South.

Grading – The project site was already mass graded. Additional grading would be required to prepare the site for development. The project is anticipated to have approximately 805 cubic yards (CY) of cut and approximately 860 CY of fill for a net import amount of 55 CY. Grading is expected to take approximately six weeks.

Construction Schedule – Construction would occur in one phase. Construction is expected to start in Fall 2026 with full project occupancy by Fall 2028.

Section 2

Previous Environmental Review

Previous Environmental Review

The SEHSP, formerly known as the San Elijo Ranch Specific Plan, and related entitlements and Environmental Impact Report (EIR) were approved by the City Council on November 27, 1990. The 1990 Plan had a maximum yield of 2,718 dwelling units, a golf course and resort in the central portion of the site, with mixed product types and densities. The SEHSP subsequently has been subject to the following amendments:

- San Elijo Ranch Specific Plan Amendment #1 and Final Subsequent EIR (FSEIR; January 1997)
- San Elijo Hills Specific Plan Amendment #2 (September 2000). Because the revised Land Use Plan was consistent with the density and designations previously approved, the City determined that no CEQA review was required.
- San Elijo Hills Specific Plan Amendment #3 and Addendum to FSEIR (September 2003)
- San Elijo Hills Specific Plan Amendment #4 and Addendum to FSEIR (February 2005)
- San Elijo Hills Specific Plan Amendment #5 (June 2011)

Specific to the project site, the City approved SDP 17-0007, which addressed development within Area C-2 of the SEHSP. SDP 17-0007 included 7,966 s.f. of commercial (Building E), 3,475 s.f. commercial (Building F), and 12 residential condominiums in 2017. Building E and the residential units were developed. The area identified as Building F corresponds to the proposed project area. Resolution ADM 18-4731, which addressed the approval of SDP 17-0007, determined that the proposed development was within the scope of the FSEIR for the SEHSP area and 2005 Addendum to the FSEIR for the SEHSP area. ADM 18-4731 also concluded that SDP 17-0007 was categorically exempt from the California Environmental Quality Act (CEQA) (EX18-029) pursuant to Section 15332 (Class 32) of the CEQA Guidelines (14 Cal. Code of Reg. §§ 15000 et seq.).

Section 3

CEQA Exemption

Article 19 of the CEQA Guidelines, Sections 15300 to 15333, identifies classes of projects that do not have a significant effect on the environment and, therefore, are exempt from review under CEQA.

Class 32 (In-Fill Development Projects)

Among the classes of projects that are exempt from CEQA review are those that are specifically identified as urban infill development. CEQA Guidelines Section 15332 states that the term *infill development* (or the Class 32 exemption) is applicable to projects that meet the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as applicable zoning designations and regulations.
- b) The proposed development occurs within the city limits, on a project site that is no more than 5 acres and surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare, or threatened species.
- d) Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

The analysis presented in this document provides substantial evidence that the project qualifies for an exemption under CEQA Guidelines Section 15332, as a Class 32 infill development, and thus would not have a significant effect on the environment.

Exceptions to Exemptions

Even if a project is ordinarily exempt under a categorical exemption, CEQA Guidelines Section 15300.2 provides specific instances where exceptions to otherwise applicable exemptions apply. Exceptions to a categorical exemption apply in the following circumstances, effectively nullifying a CEQA categorical exemption:

- a) **Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may, in a particularly sensitive environment, be significant. Therefore, these classes are considered to apply in all instances, except when the project may affect an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. This exception is not applicable to the project, as detailed in Section 4.1 of this document.
- b) **Cumulative Impact.** All exemptions are potentially inapplicable when the cumulative impact of successive projects of the same type and in the same place over time is significant.
- c) **Significant Effect.** A categorical exemption shall not be used for an activity when there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

- d) Scenic Highways. A categorical exemption shall not be used for a project that may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway that has been officially designated as a state scenic highway. This does not apply to improvements that are required as mitigation by an adopted negative declaration or certified EIR. This exception is not applicable to the project, as detailed in Section 4.4 of this document.
- e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code. This exception is not applicable to the project, as detailed in Section 4.5 of this document.
- f) Historical Resources. A categorical exemption shall not be used for a project that may cause a substantial adverse change in the significance of a historical resource. This exception is not applicable to the project, as detailed in Section 4.6 of this document.

The analysis in the balance of this document provides the substantial evidence that there are no exceptions that apply to the project or its site, that the project would not have a significant effect on the environment, and that the Class 32 exemption is applicable.

Section 4

CEQA Exemption Analysis

The following analysis provides substantial evidence to support a conclusion that the project qualifies for an exemption under CEQA Guidelines Section 15332 as a Class 32 (In-Fill Development) and would not have a significant effect on the environment.

4.1 Criterion Section 15332(a): General Plan and Zoning Consistency

The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.

The project site has a General Plan and zoning designation of SPA and is associated with the SEHSP. Within the SEHSP Area, the project site is located in Planning Area C-2, which is a Mixed-Use Zone. Per the SEHSP, the Mixed-Use designation accommodates residential opportunities included within the Cluster Detached/Attached and Multifamily categories. The proposed project would be characterized as a Multifamily project.

The proposed multifamily residential project is consistent with the applicable General Plan and Zoning designation regulations and policies with approval of the requested waivers under State Density Bonus Law.

4.2 Criterion Section 15332(b): Project Location, Size and Context

The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.

The 0.576-acre project site is located in Planning Area C-2 within in the SEHSP area, southwest of the San Elijo Split into San Elijo Road North and San Elijo Road South in the San Elijo Hills community in the City. The project vicinity is fully developed, consistent with the SEHSP. To the north and west of the site beyond San Elijo Road North is San Elijo Park, consisting of numerous playing fields and a parking lot. To the immediate south of the project site are multifamily residential units followed by commercial uses. To the east of the project site beyond San Elijo Road South is San Elijo Middle School. The undeveloped project site has been mass graded and fenced.

Since the project site is located within City limits, is less than five acres and is substantially surrounded by urban uses, it satisfies this criterion.

4.3 Criterion Section 15332(c): Endangered, Rare or Threatened Species

The project site has no value as habitat for endangered, rare or threatened species.

Development of the project site has been contemplated since adoption of the SEHSP in 1990 and analyzed in numerous CEQA documents. The project site has been mass graded and the vegetation on the project site is maintained through periodic mowing. The project has no significant value for habitat for endangered, rare or threatened species and complies with this criterion.

4.4 Criterion Section 15332(d): Traffic

Approval of the project would not result in any significant effects related to traffic.

Vehicle Miles Traveled (VMT)

At the time the SEHSP SEIR was prepared, circulated, and adopted in 1997, the analysis of potential VMT impacts in EIRs was not required. Pursuant to SB 743 and with the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by level of service (LOS) and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA. (Public Resources Code, § 21099, subd. (b)(3).)

SB 743 directs that a VMT analysis be included in those documents that are required by CEQA to be circulated for public review on or after July 1, 2020. The proposed project is being processed under a CEQA Infill Exemption (Class 32 Categorical Exemption) and public review is not required. Additionally, as detailed in Section 15162 of the CEQA Guidelines, if a project can tier or addend from a previously certified EIR that relied upon LOS analyses to assess CEQA transportation impacts, a CEQA VMT analysis may not be required. Development of the project site with a more intensive use was analyzed in the SEHSP FSEIR, therefore the proposed project is not required to conduct a VMT Analysis, see Appendix B of this document (CRA 2024).

Level of Service (LOS)

A Project Traffic Information For Traffic Analyses Form TIA-1 was prepared for the project by CR Associates (CRA 2024). The Form TIA-1 and supporting information is included as Appendix B. The project site is located within the Town Center Planning area of the SEHSP. The Town Center Planning Area was planned for 13.2 acres of Commercial Community/Shopping Center use in the SEHSP FSEIR, which translates to an anticipated trip generation of 9,240 average daily trips (ADT) with 277 AM peak hour trips and 924 PM peak hour trips. To date, approximately 10.7 acres of commercial community/shopping center have been developed in the Town Center Planning Area, which corresponds to 7,489 ADT. This means there is still capacity of 1,742 ADT within the Town Center Planning Area, with the project site being the only undeveloped parcel. As shown in **Table 2**, the proposed 31 multifamily residential units would generate less ADT, and AM and PM peak hour trips. When the proposed project ADT is added to the ADT from the already developed areas of the Town Center Planning area, the combined ADT would still be 1,556 ADT lower than what was assumed in the FSEIR, a 17% reduction.

Table 2. Town Center Project Trip Generation

Land Use	Units	Trip Rate	ADT	AM Peak Hour Trips	PM Peak Hour Trips
Proposed Project					
Multifamily Units (More than 20 DU/Acre)	31 DU	6/DU	186	15	17
Constructed within Town Center Planning Area					
Commercial Community/Shopping Center	10.712 acres	700/acre	7,498	225	750

Land Use	Units	Trip Rate	ADT	AM Peak Hour Trips	PM Peak Hour Trips
Previously Approved For Town Center Planning Area per SEHSP FSEIR					
Commercial Community/Shopping Center	13.2 acres	700/acre	9,240	277	924
Net Trip Generation (Proposed + Constructed) - Previously Approved			-1,556	-37	-157

Notes ADT= Average Daily Trip
DU/Acre= Dwelling units per acre
Source: CRA 2024.

Based on the City's *Transportation Impact Analysis Guidelines* (TIAG), a Local Transportation Analysis (LTA) is required for projects generating more than 1,000 daily trips or more than 100 peak hour trips if consistent with the General Plan. The project would generate 186 ADT, with 15 AM peak hour trips and 17 PM peak hour trips. This is less than the 1,000 ADT threshold and 100 peak hour trip threshold to conduct a detailed LTA. Therefore, since the project's daily trips were included in previous environmental documentation (SEHSP FSEIR) and would generate less ADT than the City's LTA daily trips threshold, the project is not required to prepare an LTA.

As the project would result in less traffic than analyzed in the prior CEQA analysis, the proposed project satisfies this criterion.

4.5 Criterion Section 15332(d): Noise

Approval of the project would not result in any significant effects related to noise.

LDN Consulting (LDN) prepared a noise assessment (February 2025) for the proposed project to determine construction noise levels, exterior noise levels and interior levels (Appendix C) (LDN 2025a). LDN conducted an ambient measurement adjacent to San Elijo Road South on February 5, 2025, between 11:30 AM and 12:00 PM. The overall sound level was found to be approximately 62 dBA (dBA is a weighted scale for judging loudness that corresponds to the hearing threshold of the human ear).

Construction Noise Analysis

The City of San Marcos Municipal Code (SMMC) limits grading, extraction and construction activities to between the hours of 7:00 AM and 4:30 PM Monday through Friday and no grading, extraction or construction allowed on the weekends or holidays. The SMMC does not set numerical noise limits on construction activities. Commonly, the City has utilized the County of San Diego's (County) Noise Ordinance noise limit of 75 dBA. Construction noise represents a short-term impact on the ambient noise levels. Noise generated by construction equipment including haul trucks, water trucks, graders, dozers, loaders and scrapers can reach relatively high levels. Grading activities typically represent one of the highest potential sources for noise impacts. The most effective method of controlling construction noise is through local control of construction hours and by limiting the hours of construction to normal weekday working hours.

Construction of the proposed project would consist of grading, building construction, trenching, and paving. Noise would typically occur during this phase due to the operation of backhoes, and front-end loaders as well as air compressors and hand-held power tools. The nearest residences to be impacted

by construction are the multifamily homes located to the southwest over 120 feet away. A list of the anticipated noise levels for each phase of construction is shown in **Table 3**. The construction phases are not anticipated to overlap. Due to the site constraints, the construction equipment would not be running continuously and would be moving from the property line to other portions of the project site for an average distance of 120 feet from the nearest existing uses surrounding the site. As shown in Table 3, at distances of over 120 feet, the noise levels would be below the County's 75 dBA Leq (equivalent continuous sound level) threshold at the residential property lines. Therefore, construction noise would be less than significant.

Table 3. Construction Phases and Noise Levels

Construction Phase	Source Level @ 50 feet (dBA)	Distance from Property Line (Feet)	Noise Reduction from Distance (dBA)	Resultant Noise level (dBA)
Site Grading	75.7	120	-7.6	68.1
Building Construction	68.2	120	-7.6	60.6
Architectural Coating	62.3	120	-7.6	54.7
Paving Equipment	71.6	120	-7.6	64.0

Source: LDN 2025a.

Exterior Noise Levels

The City's General Plan Noise Element includes Noise Compatibility Guidelines in Table 7-3 to determine the compatibility of land use when evaluating proposed development projects. For noise sensitive multifamily residential land uses, the City has established an acceptable exterior noise level goal of 65 dBA Community Noise Equivalent Level (CNEL) for the outdoor areas. CNEL is a noise measurement metric used to assess cumulative noise exposure in a community over a 24-hour period, with penalties for noise events during evening and nighttime hours. Outdoor usable space proposed by the project includes the private balconies on each residential unit and the rooftop deck.

To determine the future noise environment and impact potential, the roadway segment noise levels were calculated by LDN for San Elijo Road North and San Elijo Road South using the methods in the Highway Noise Model published by the Federal Highway Administration.

LDN modeled three receptor locations: Receptor 1 adjacent to San Elijo Road North, Receptor 2 adjacent to San Elijo Road South and Receptor 3 the future location of the rooftop deck. LDN concluded that the building façade noise levels at Receptors 1 and 2 could be as high as 68 dBA CNEL (LDN 2025a). However, the proposed balconies would be inset from the building façade and the rooftop deck would also be set below the roof perimeter. These insets provide for a 3 to 5 dBA reduction. With the dBA reductions due to the insets of the balconies and rooftop deck, the resultant noise level would comply with the City's exterior noise level goal of 65 dBA CNEL at the outdoor use areas and impacts would be less than significant.

Interior Noise Levels

The City noise guidelines (Table 7-4, Noise Standards of the Noise Element of the General Plan) require an interior assessment on the portions of a project site where building façade noise levels are above

the normally compatible noise level to ensure that acceptable interior noise levels can be achieved. For noise sensitive residential land uses, the City requires an interior noise level of 45 dBA CNEL.

The following construction details were assumed for each of the building assemblies to determine each of their noise reduction characteristics. These requirements would be included as Conditions of Approval for the project.

- Exterior walls must have a Sound Transmission Class (STC) rating of 46 or better. Exterior walls with this rating consist of 2"x4" studs or larger, spaced 16" on center with R-13 insulation minimum and an exterior surface of stucco.
- Interior wall and ceiling surfaces shall be at least 1/2" thick gypsum or plaster. Roof assemblies should have a minimum of 1/2" sheathing, R-19 insulation and sealed to prevent noise leaks.
- Exterior entry doors should be of solid core construction and glass assemblies should be dual-glazed and acoustical sealant applied around the exterior edges. The window and door assemblies are generally the weakest noise-reducing component but are the most convenient and cost-effective elements to change if additional attenuation is needed. The STC ratings for the glass assemblies and exterior entry doors were calculated in the interior noise model and provided in the findings below.

The methodology used to determine the resultant interior noise levels is based upon the exterior noise level minus the sound transmission loss as identified in the American Society of Testing and Materials (ASTM) guidelines E413 and E90.

Standard building construction would provide a noise reduction of approximately 12 to 15 dBA with a windows open condition and a minimum 20 dBA noise reduction with the windows closed. To meet the 45 dBA CNEL interior noise standard, an overall minimum interior noise level reduction of 23 dBA CNEL is needed since the building has direct line of sight to the adjacent roadways (LDN 2025a). Therefore, a closed window condition is required to reduce interior noise levels to comply with City requirements. The closed windows/doors condition does not require the windows or doors to be non-operable but does require that mechanical ventilation be installed to move air within the structure and control temperatures. The project includes mechanical ventilation via heating, ventilation and air conditioning (HVAC) equipment and each unit would have a controller so future occupants can adjust temperatures in the unit.

Therefore, with closed window conditions, the project would meet the 45 dBA CNEL interior standard and would not have a noise impact.

The project complies with this criterion.

4.6 Criterion Section 15332(d): Air Quality

Approval of the project would not result in any significant effects related to air quality.

An air quality memorandum was prepared for the project by LDN Consulting (LDN 2025b) and is included as Appendix D of this document. The memorandum summarizes the air quality analysis, which considers construction emissions, operational emissions and also included an air toxics analysis due to the project's location adjacent to residential uses and a school.

Air Quality Emissions (Construction and Operations) Significance Thresholds

For air quality, emissions are compared against the San Diego Air Pollution Control District's (SDAPCD) Rule 20.2, which serves as the primary screening tool for determining significance in the City (SDAPCD 2020). These thresholds were developed to protect human health. The daily emissions thresholds are outlined in **Table 4**.

Table 4. City of San Marcos Air Quality Screening Thresholds

Pollutant	Total Emissions (Pounds per Day)
Respirable Particulate Matter (PM ₁₀ / PM _{2.5})	150 / 55
Nitrogen Oxide (NO _x)	250
Sulfur Oxide (SO _x)	250
Carbon Monoxide (CO)	550
Reactive Organic Gases (ROG) SCAQMD	75

Source: LDN 2025b.

Construction Health Risk Thresholds

The project site is located adjacent to multifamily residential (approximately 75 feet to the south) and San Elijo Middle School (approximately 150 feet to the east). Given the presence of sensitive receptors in the project vicinity, health risks must be quantified based on the Office of Environmental Health Hazard Assessment (OEHHA) requirements. The proposed project would be required to show a cancer risk from diesel exhaust of construction equipment would be less than 10 per one million exposed. Methodologies identified by OEHHA have been utilized within this screening assessment (OEHHA 2015).

Construction Duration

Construction of the proposed project is expected to start in 2026 with full project occupancy by Fall 2028. The project site has been mass graded, but additional grading would be required to prepare the site for development. The project is anticipated to have approximately 805 CY of cut and approximately 860 CY of fill for a net import amount of 55 CY. Grading is expected to take approximately six weeks. The proposed project would require the installation of retaining walls during earthwork phasing. After earthwork is complete, building construction would commence, which would include the construction of a parking garage on the ground floor and the residential structure above. **Table 5** describes the construction equipment and durations assumed in the air quality analysis. It should be noted that the default numbers in CalEEMod for the proposed land use were increased to be conservative.

Construction Analysis

The construction module in CalEEMod was used to calculate the emissions associated with the construction of the proposed project. Based on the air quality findings shown in **Table 6**, construction activities would not generate daily air emissions in excess of the City's screening air quality significance thresholds identified in Table 4 above. The modeling results are provided in Attachment A of the air quality memorandum (Appendix D of this document).

Table 5. Proposed Construction Phases and Duration

Equipment Type	Proposed Start	Proposed Completion	Quantity
Site Preparation	8/1/2025	8/14/2025	
Tractors/Loaders/Backhoes			1
Grading	8/15/2025	9/25/2025	
Graders			1
Tractors/Loaders/Backhoes			1
Skid Steer Loaders			1
Building Construction	9/26/2025	7/30/2026	
Cranes			1
Forklifts			2
Tractors/Loaders/Backhoes			2
Paving	7/31/2026	8/13/2026	
Pavers			1
Rollers			1
Tractors/Loaders/Backhoes			1
Architectural Coatings	7/1/2026	7/21/2026	

Source: LDN 2025b.

Table 6. Expected Daily Construction Emissions Summary (Pounds/Day)

Year	ROG	NO _x	CO	SO ₂	PM ₁₀ (Total)	PM _{2.5} (Total)
2025 (lb/day)	0.34	6.65	9.48	0.01	0.69	0.29
2026 (lb/day)	13.1	7.72	10.6	0.01	0.64	0.37
Screening Level Threshold (lbs/day)	75	250	550	250	100	55
Exceed Screening Threshold?	No	No	No	No	No	No

Source: LDN 2025b.

Construction Heath Risks Analysis

Per discussion with the project applicant, all diesel construction equipment used on the project site would be Tier 3 with diesel particulate filters or better. This requirement would be included as a Condition of Project Approval and is relatively common since the California Air Resources Board (CARB) regulations require that, starting in 2012, all off-road equipment produced needs to meet the basic requirements for Tier 4 compliance (Tier 4 Interim) (CARB 2023). In addition, after 2023, no fleet owner can add equipment less than Tier 3 to their fleet (CARB 2022). For this reason, this assumption is assumed as baseline.

Based upon the air quality modeling, worst-case PM₁₀ from exhaust onsite during each of the construction tasks would cumulatively produce 0.00493 tons over the construction duration of 377 days or an average of 0.000137 grams/second (LDN 2025b).

Utilizing the AERSCREEN dispersion model, the worst-case annual concentration would be 0.0358 micrograms per cubic meter (µg/m³) during construction. Attachment B of the air quality memorandum (Appendix D of this document) contains the modeling output.

Utilizing OEHHA's guidelines, the inhalation cancer risk for the nearest receptor, located roughly 75-feet away, would be 6.58 per one million exposed. The threshold is 10 per one million exposed, therefore the proposed project's inhalation cancer risk is considered to be less than significant. San Elijo Middle School is over 150 feet away and would have an even lower risk (3.97 per one million exposed). Thus, a less than significant health risk would be expected at any nearby homes and the school. The cancer risk calculations per OEHHA's guidelines are provided as Attachment C of the air quality memorandum (Appendix D of this document).

Operations Analysis

Proposed project operations are expected after buildout sometime in 2028. The expected daily pollutant generation is calculated in CalEEMod 2022.1 and is shown for the summer and winter scenarios in **Table 7** and **Table 8**. Daily pollutant concentrations would be below the screening level thresholds for both summer and winter. Therefore, impacts would be less than significant. The modeling results are provided within Attachment A of the air quality memorandum (Appendix D of this document).

In conclusion, construction and operations air emissions for the proposed project would be below screening level thresholds and impacts would be less than significant. Construction health risks would also be less than significant. The project satisfies this criterion.

Table 7. Expected Summer Daily Pollutant Generation (Pounds/Day)

	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Mobile	0.65	0.41	4.27	0.01	0.87	0.22
Area	0.94	0.02	2.33	< 0.005	< 0.005	< 0.005
Energy	< 0.005	0.06	0.02	< 0.005	< 0.005	< 0.005
Total	1.6	0.49	6.62	0.01	0.87	0.23
Screening Level Threshold (lbs/day)	75	250	550	250	100	55
Exceed Screening Threshold?	No	No	No	No	No	No

Source: LDN 2025b.

Table 8. Expected Winter Daily Pollutant Generation (Pounds/Day)

	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Mobile	0.64	0.46	4.08	0.01	0.87	0.22

Area	0.69	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005
Energy	< 0.005	0.06	0.02	< 0.005	< 0.005	< 0.005
Total	1.33	0.51	4.1	0.01	0.87	0.23
Screening Level Threshold (lbs/day)	75	250	550	250	100	55
Exceeds Threshold?	No	No	No	No	No	No

Source: LDN 2025b.

4.7 Criterion Section 15332(d): Water Quality

Approval of the project would not result in any significant effects related to water quality.

A Drainage Study for San Elijo Hills Town Center - Phase 2 (Drainage Study; Hunsaker 2019b) and a Priority Development Project Storm Water Quality Management Plan (SWQMP; Hunsaker 2019a) were previously prepared. The Drainage Study and the SWQMP, which included the project site as well as adjacent development areas, were approved by the City on February 20, 2019.

The Hunsaker studies assumed development of the project site with a preschool use, which was proposed at the time. Since the project applicant is instead proposing residential units, an update memorandum to the Hunsaker reports was prepared by Fusion Engineering and Technology (Fusion Memo; Fusion 2024). The two Hunsaker reports and the Fusion Memo are included as Appendix E of this document.

The Fusion Memo specifically addresses the proposed project, refines the conclusions of the Hunsaker reports, and confirms that the proposed project would comply with the standards set forth in the *City of San Marcos BMP Design Manual* (Fusion 2024). In summary, Fusion found that the proposed project's peak Q100 flowrate would increase compared to the previously approved drainage study, however, the actual design Q100 flowrates previously established for the existing storm drain system along San Elijo Road South would not be exceeded. Therefore, the proposed project's site improvements would not adversely impact the existing storm drain infrastructure. Fusion also modified the previously proposed proprietary treatment device (MWS-L-4-4) with a different device (StormGarden unit), which is a flow-based device with a high rate biofiltration media and a higher treatment capacity. With this unit, the project would maintain compliance with pollutant treatment control requirements (Fusion 2024).

To address onsite flows on a project-wide basis and to achieve compliance with City hydromodification requirements, the previous development included construction of a storage facility at the downstream end of the project site. The storage facility is located underneath the existing parking area just east of Elfin Forest Road East (Fusion 2024). Fusion concluded that the proposed project's retrofitting of the low-flow orifice diameter at the outlet structure within the existing storage facility would achieve hydromodification compliance. This improvement would occur within an existing parking area and would not result in any environmental impacts.

The project would be required to implement a Stormwater Pollution Prevention Plan (SWPPP) during construction along with BMPs to reduce construction related runoff. The project thus would not result in significant impacts to water quality. The project complies with this criterion.

4.8 Criterion Section 15332(e): Utilities and Public Services

The site can be adequately served by all required utilities and public services.

Water and Sewer Service

The project site is within the VWD service area for water and sewer. VWD prepared a technical memorandum for the project to determine if current water and sewer infrastructure is sufficient to accommodate the proposed water demands and sewage generation (VWD 2025). The VWD technical memorandum is included as Appendix F of this document.

The project would generate a water demand of 6,200 gallons per day (gpd) and wastewater flows of 5,580 gpd. Based upon their analysis, VWD has indicated that they currently have water and sewer capacity to serve the project and that no upgrades to infrastructure are required (VWD 2025).

VWD's 2018 Master Plan identified pipe segments STA-35 through STA-58 Old Questhaven Road Pipeline Replacement (SP-6) as a Phase 2 Capital Improvement Project (CIP). The CIP project would upsize approximately 2,100 feet of existing 21-inch diameter pipeline to 36-inch diameter pipe in Old Questhaven Road right of way adjacent to San Elijo Road and S. Rancho Santa Fe Road. Wastewater Capital Facility fees paid by the project applicant would be used toward this CIP project as well as other upgrades identified in VWD's 2018 Master Plan for ultimate build-out. The project can be adequately served by VWD for water and sewer service.

Solid Waste

Solid waste disposal in the City is provided by a private franchise hauler, EDCO Waste and Recycling (EDCO), a waste collection and recycling company that handles all residential, commercial, and industrial collections within the City. Waste collected by EDCO is hauled to the Escondido Transfer Station where it is then transported to the Sycamore Landfill in Santee. The Sycamore Landfill has sufficient permitted capacity to accommodate the project's solid waste disposal needs. Recyclable materials are processed at the Escondido Resource Recovery Transfer Station. The project site would be serviced by EDCO.

Fire Protection

The project site is located within a Very High Fire Hazards Severity Zone (VHFHZ) within a Local Responsibility Area, as identified by the State Fire Marshal (CAL FIRE 2025). The project is required to comply with Section 17.64 (California Fire Code) of the SMMC. This section identifies specific requirements for mid-rise buildings (Section 17.64.210) that are applicable to the project. The SMFD reviewed the project plans as part of the project processing and provided review comments on November 1, 2024, and January 13, 2025. These comments were given to the project applicant and have been incorporated into the project plans. The garage portion of the project would be constructed as a Type I-A (Fire Resistive Non-Combustible) structure, and the residential portion would be constructed as a Type II-A (Protected Non-Combustible) structure. Type II-A structures have a fire resistance rating of 1 hour for exterior walls, structural frame and floor/ceiling/roof protections.

The project site would be served by SMFD Station 4, located at 204 San Elijo Road, approximately 2 miles northeast of the project site. Station 4 serves the San Elijo area and houses one paramedic engine company, one paramedic ambulance and one Battalion Chief.

Development of the project would result in an increase in demand for fire services. The project site falls within the area covered by Community Facility District: (CFD) 98-01 (Police and Fire). CFD 98-01 funds facilities (fire stations, fire training facilities, fire dispatch center, fire communication systems and fire equipment) and fire services. Participation in CFD 98-01 would offset the project's increase in demand for fire protection services as the applicant would contribute funds toward the enhancement of fire facilities and fire protection services that are covered under CFD 98-01. As a condition of project approval, the project applicant would be required to prepare a Fire Protection Plan.

Police Protection

The San Diego County Sheriff's Department (SDSD) provides law enforcement services to the City and unincorporated communities of Harmony Grove, Elfin Forest, Lake San Marcos, Hidden Meadows, Ivy Del, Del Dios, Lake Hodges, and the San Pasqual Valley. Law enforcement services include general patrol, criminal investigation, crime prevention, juvenile services, narcotics and gang investigations, communications and dispatch, and various management support services. Services are available 24 hours a day, 7 days a week. The SDSD plays a key role in fire evacuations, where they serve as the lead agency for evacuations.

The project site would be served by the San Diego County Sheriff's San Marcos Station, located at 182 Santar Place and by the San Elijo Storefront Substation, located at 1105 Elfin Forest Road.

Development of the proposed project would result in an increase in demand for police services due to the addition of residential units. The project site falls within the area covered by CFD 98-01 (Police and Fire). CFD 98-01 funds police communication systems, police equipment and police services and participation by the applicants would offset the demand created by the proposed project.

Schools

Based upon current San Marcos Unified School District (SMUSD) boundaries, students living in the proposed project would attend San Elijo Elementary (grades TK-5), San Elijo Middle School (grades 6-8) and San Marcos High School (grades 9-12). SMUSD assigns a student generation rate of 0.321 students per multifamily attached unit. Based upon this student generation rate, the 31 units would generate approximately 10 students.

The project applicant would be required to pay school mitigation fees, pursuant to California Education Code Section 17620 et seq. and Government Code Sections 65995(h) and 65996(b), in effect at the time of building permit issuance. Current Level II school fees are \$5.17/s.f. for residential development (SMUSD 2025).

Payment of these fees would assist in funding SMUSD's long-range plans. Senate Bill (SB) 50 states that the fees imposed by school districts shall constitute the exclusive method of considering and mitigating impacts on school facilities caused by a development project. Such payment shall provide "full and complete mitigation of the impacts of any legislative or adjudicative act...on the provision of adequate school facilities" (Government Code Section 65995(h)). As such, with contribution of required development fees, impacts to schools would be less than significant.

Parks and Recreation

The closest park to the project site is San Elijo Park (1105 Elfin Forest Road), located immediately west of the project site on the opposite site of San Elijo Road. San Elijo Park includes lighted fields,

barbeques, a community building, dog park, horseshoe court, permanent restrooms, picnic tables, play equipment, a seasonal splash pad, trail connections and turf play areas.

The project design includes a 730 s.f. roof deck, a ground-level walking pathway and bench, and a pollinator habitat garden within the proposed project. These features provide recreational amenities to the future residents.

Conclusion

As demonstrated above, with incorporation of project design measures and participation in applicable CFDs and payment of applicable fees, the project site can be adequately served by water and wastewater provider (VWD), solid waste hauler (EDCO), fire protection provider (SMFD), and police protection provider (San Diego County Sheriff's Department). The project site is adjacent to an existing park and would provide both private and common open space within the project design. Therefore, the proposed project satisfies this criterion.

Section 5

Exceptions to Categorial Exemptions Analysis

In addition to investigating the applicability of CEQA Guidelines Section 15332 (Class 32), this CEQA document also assesses whether any of the exceptions to the Class 32 categorical exemption for an Infill Project are present. The following analysis analyzes the criteria of CEQA Guidelines Section 15300.2 (Exceptions) to the project.

Is there an exception to the Class 32 exemption for the project due to its location in a particularly sensitive environment, such that the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state or local agencies?

This possible exception applies only to CEQA exemptions under Classes 3, 4, 5, 6 or 11. Since the project qualifies as a Class 32 (In-Fill Development) exemption, this criterion is not applicable. The project is located within an urbanized and developed area of the City and is not located within a sensitive environment. Therefore, the exception under CEQA Guidelines Section 15300.2(a) does not apply to the project.

Is there an exception to the Class 32 exemption for the project due to significant cumulative impacts of successive projects of the same type and in the same place, over time?

The project vicinity is fully developed consistent with the SEHSP. Approximately 0.5 miles southwest of the project site is the proposed Questhaven project (PDS202/TM5643). The Questhaven project is located on the south side of San Elijo Road, immediately west of the closed San Marcos Landfill within the County of San Diego jurisdiction. The Questhaven project was approved and the EIR certified in 2024. The Questhaven project proposes 76 single family homes and 53 acres of preserved biological open space on an approximate 89-acre project site. The certified EIR for the Questhaven project identified significant impacts related to biological resources, greenhouse gas emissions, land use/planning (related to noise and roadway LOS and inconsistencies with adopted plans), noise, transportation/traffic (vehicle miles traveled) and tribal cultural resources. Mitigation measures were identified for the project to reduce some of the impacts; however, impacts related to greenhouse gas, land use/planning (level of service related), and transportation/traffic (level of service and vehicle miles traveled) remain significant and unmitigated. When the project is considered in conjunction with the Questhaven project, no cumulative impact is anticipated. The project would not result in any impacts related to biological resources, greenhouse gas emissions, land use/planning, noise, transportation, vehicle miles traveled, or tribal cultural resource impacts. Therefore, it does not have the potential to contribute to cumulative impacts. The exception under CEQA Guidelines Section 15300.2(b) does not apply to the project.

Is there an exception to the Class 32 exemption for the project because there is a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances?

Examples of "unusual circumstances" could include a project's unique location, size, or surrounding conditions, which create the reasonable possibility of a significant environmental impact. There are no known unusual circumstances applicable to the project or its site that may result in a significant effect on the environment. The proposed residential project is consistent with the applicable General Plan and Zoning designation regulations and policies with approval of the requested waivers under State Density Bonus Law. It is located on a site that is identified for development and residential is an

allowable use in this location under the SEHSP. The project's size is not unusual given the allowable heights within the SEHSP and the approval of the requested waiver. The project is in a developed portion of the City surrounded by a mix of uses including multifamily residential, park, and school uses. There are no unusual circumstances associated with the proposed project. Therefore, the exception under CEQA Guidelines Section 15300.2(c) does not apply to the project.

Is there an exception to the Class 32 exemption for the project because the project may result in damage to scenic resources including but not limited to trees, historic buildings, rock outcroppings, or similar resources within a highway officially designated as a state scenic highway?

The project site is located approximately 2.75 miles south of State Route 78 (SR-78). A portion of SR-78 is recognized as a Scenic Highway by the California Department of Transportation (Caltrans); however, that portion is not in the project vicinity. The portion identified as a Scenic Highway is approximately 50 miles east of the project site near Anza Borrego (Caltrans 2019).

The project site is vacant and has been mass graded. The project site does not support any historic buildings, nor does it have any trees or significant rock outcroppings. In summary, the project would not damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a highway officially designated as a state scenic highway. Therefore, the exception under CEQA Guidelines Section 15300.2(d) does not apply to the project.

Is there an exception to the Class 32 exemption for the project because the project is located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code?

Government Code Section 65962.5 is commonly referred to as the "Cortese List." The provisions require the Department of Toxic Substance Control (DTSC), the State Water Resources Control Board (SWRCB), the California Department of Public Health (DPH), and the California Department of Resources Recycling and Recovery (CalRecycle) to identify sites associated with solid waste disposal, hazardous waste disposal, leaking underground tank sites, and/or hazardous materials releases to the Secretary of California Environmental Protection Agency (CalEPA).

Phase 1 Environmental Site Assessment - A Phase 1 Environmental Site Assessment (ESA) in conformance with the scope and limitations of ASTM Practice E 1527-13 and 40 CFR Part 312 was prepared for the larger San Elijo Town Center property by Advantage Environmental Consulting (AEC) in 2017. The Phase 1 ESA is included as Appendix G of this document.

The Phase 1 ESA covered APNs 223-630-22-00, -23-00 and -25-00. The project site (223-630-22-00) was included as part of the Phase 1 ESA analysis area. The Phase 1 ESA analysis included records review, database searches, site reconnaissance, and interviews. The Phase 1 ESA concluded that there was no evidence of recognized environmental conditions in connection with the project site and no additional environmental investigation at the project site was warranted.

EnviroStor Database Review - A review of the EnviroStor online database revealed no entries associated with the project site. One entry was located in the project vicinity and was associated with a 2004 investigation of the proposed San Elijo Elementary School site. No action was required based upon the outcome of the site review (DTSC 2026).

In conclusion, the project site is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, the exception under CEQA Guidelines Section 15300.2(e) does not apply to the project.

Is there an exception to the Class 32 exemption for the project because the project may cause a substantial adverse change in the significance of a historical resource?

The project site does not support any known historical resources. The project site was mass graded in 2017 and regraded again under previous entitlements. The project site is within the larger SEHSP area. The 1990 EIR and 1997 FSEIR identified significant impacts related to cultural resources for the overall SEHSP area, including identified sites and potentially unknown archaeological resources (FSEIR, Section 3.4 Cultural Resources). Mitigation measures, including archaeological monitoring, testing, and implementing a data recovery program, were identified to reduce impacts to below a level of significance and were implemented during previous site grading.

Section 6

Conclusion

Based on the evidence provided above, the project is eligible for a Class 32 categorical exemption, in accordance with Section 15332, Infill Development Projects, of the CEQA Guidelines. Because the project meets the criteria for a categorically exempt infill development project, and because none of the exclusions to the use of the exemption apply, this analysis finds that a Notice of Exemption may be prepared for the project. No further review is needed.

Section 7

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Figure 1. Regional Location

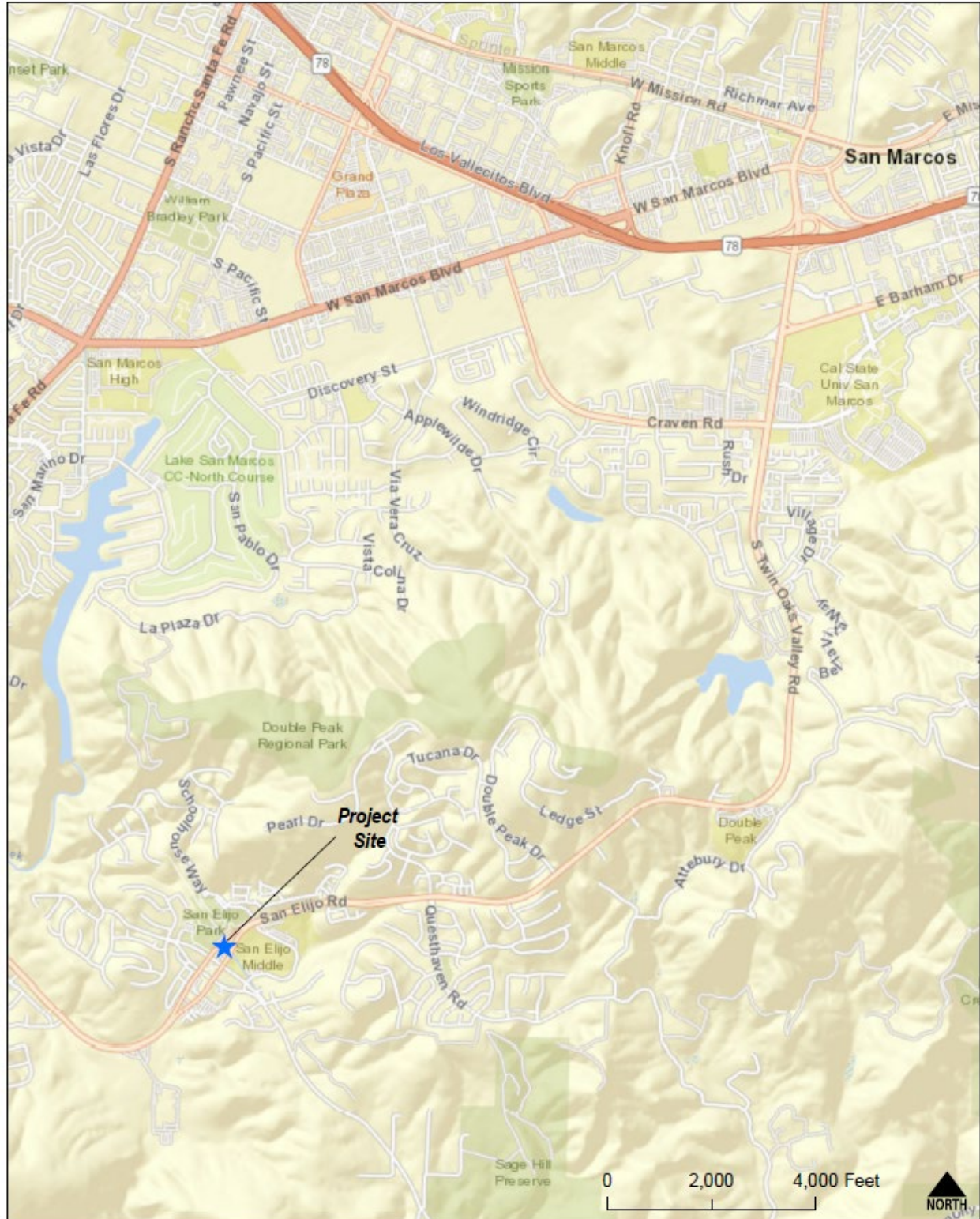


Figure 2. Project Site and Vicinity



Figure 3a. Building Elevations (West and South)



Figure 3b. Building Elevations (East and North)



Figure 4a. Conceptual Perspectives (East and West)



EAST



WEST

Figure 4b. Conceptual Perspectives (San Elijo Road North and South)



SAN ELIJO ROAD NORTH



SAN ELIJO ROAD SOUTH

Figure 4c. Conceptual Perspectives (Roof Deck, Southwest)



ROOF DECK



SOUTHWEST



ROOF DECK

[illegible]

Figure 5b. Building Plans – Third, Fourth and Fifth Floors

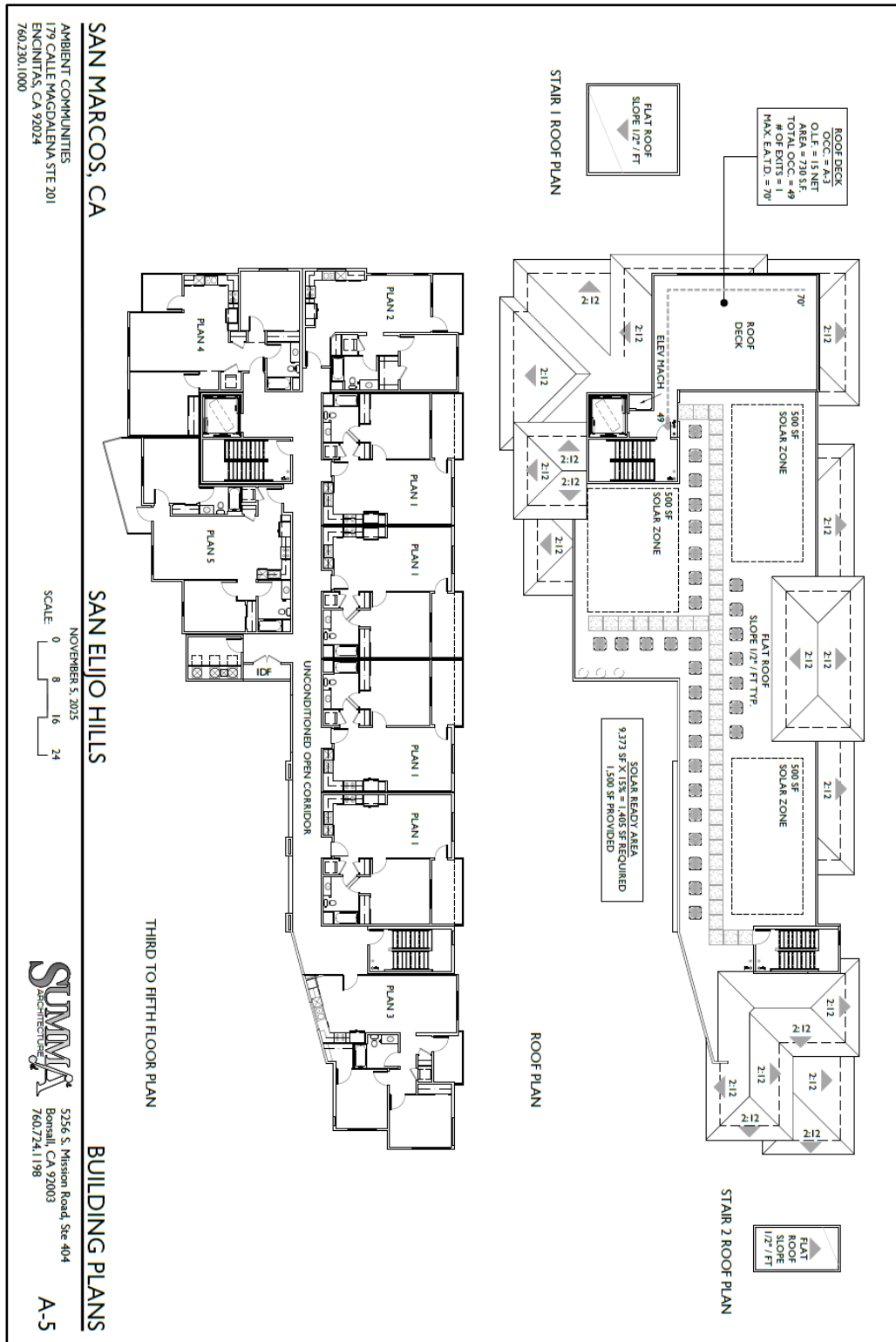
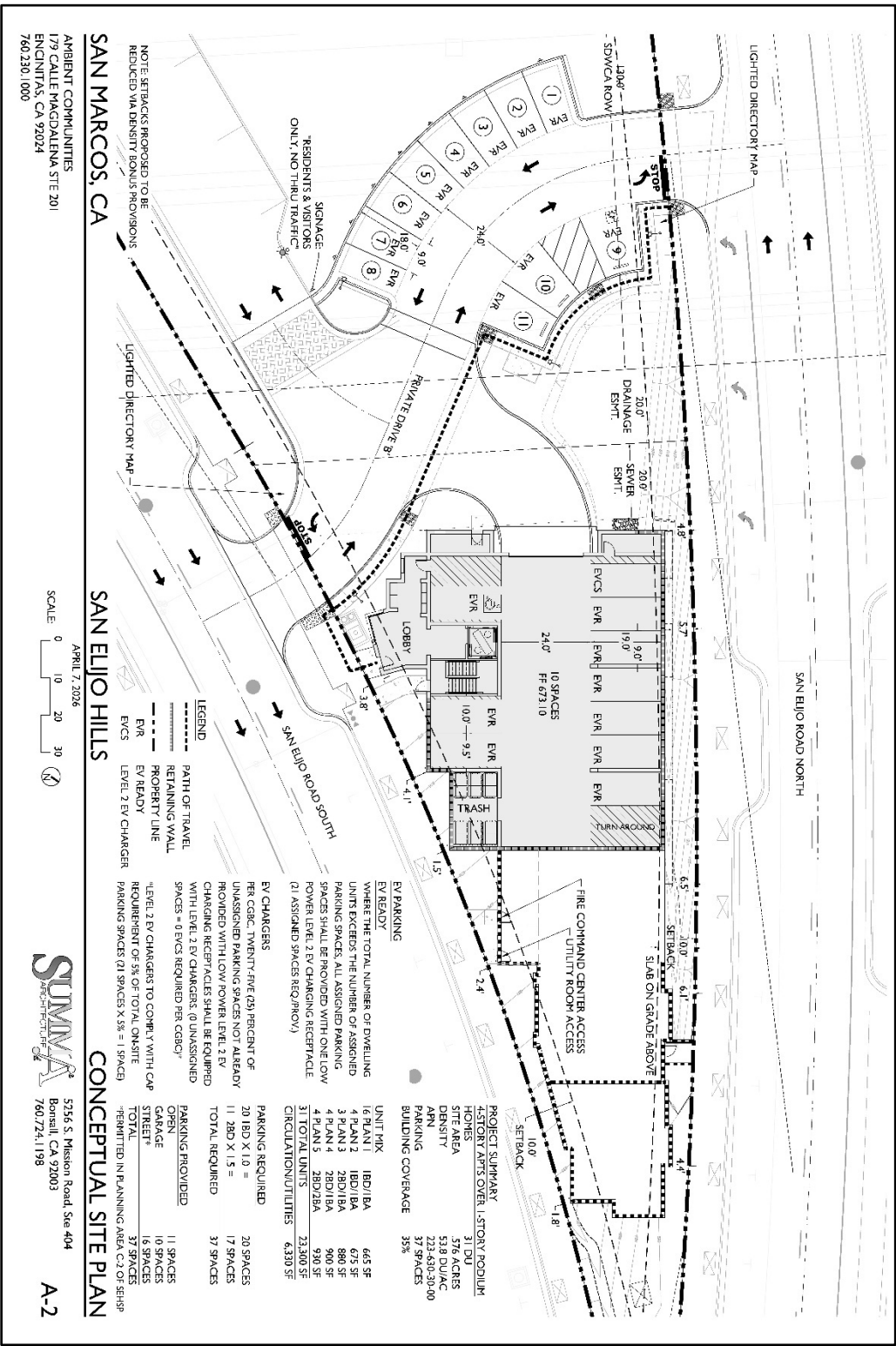


Figure 6. Conceptual Site Plan



Appendices

Appendix A

Project Plans

Summa Architecture (2026) and Howard Associates (2026)

Appendix B
Project Information for Traffic Analysis Form
CR Associates (2025)

Appendix C
Noise Memorandum
LDN Consulting (2025a)

Appendix D
Air Quality Analysis
LDN Consulting (2025b)

Appendix E
Water Quality and Hydrology Reports
Fusion (2024), Hunsaker (2019a) and Hunsaker (2019b)

Appendix F

Vallecitos Water District Technical Memorandum

Appendix G

Phase 1 Environmental Site Assessment